



City Hall Council Chamber  
1515 Sixth Street, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

# AGENDA

## CITY COUNCIL CLOSED SESSION AND REGULAR MEETING

### OF THE CITY OF COACHELLA

THE COUNCIL SITTING AS THE COACHELLA SANITARY DISTRICT,  
COACHELLA FIRE PROTECTION DISTRICT, COACHELLA FINANCING AUTHORITY,  
COACHELLA EDUCATIONAL AND GOVERNMENTAL ACCESS CABLE CHANNEL CORPORATION,  
COACHELLA WATER AUTHORITY, AND SUCCESSOR AGENCY TO THE COACHELLA REDEVELOPMENT AGENCY

**February 26, 2020**

5:00 PM Closed Session

6:00 PM Regular Meeting

---

#### **CALL TO ORDER: - 5:00 P.M.**

#### **ROLL CALL:**

#### **APPROVAL OF AGENDA:**

“At this time the Council/ Board/Corporation/Authority may announce any items being pulled from the Agenda or continued to another date or request the moving of an item on the agenda”

#### **PUBLIC COMMENTS (CLOSED SESSION ITEMS):**

#### **ADJOURN TO CLOSED SESSION:**

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Government Code Section 54956.9(d)(1)  
City of Coachella v. Gunther  
Superior Ct. of California, County of Riverside, Palm Springs Division  
Case No. PSC1805137

#### **RECONVENE REGULAR MEETING: - 6:00 P.M.**

#### **PLEDGE OF ALLEGIANCE:**

#### **CLOSED SESSION ANNOUNCEMENTS:**

#### **APPROVAL OF MINUTES:**

2. Special Meeting Minutes of February 10, 2020, of the City Council, Coachella Fire Protection District, Coachella Sanitary District, Coachella Financing Authority, Coachella Educational and Governmental Access Cable Corporation, Coachella Water Authority, and Successor Agency to the Coachella Redevelopment Agency.

- [3.](#) Regular Meeting Minutes of February 12, 2020, of the City Council, Coachella Fire Protection District, Coachella Sanitary District, Coachella Financing Authority, Coachella Educational and Governmental Access Cable Corporation, Coachella Water Authority, and Successor Agency to the Coachella Redevelopment Agency.

**PROCLAMATIONS/PRESENTATIONS:**

- [4.](#) Recognition of Greater Coachella Valley Chamber of Commerce (GCVCC) President and CEO Joshua Bonner having been named the Executive of the Year for 2019 by the Western Association of Chamber Executives (WACE)
5. Census 2020: City of Coachella Complete Count Committee Outreach Strategy
6. Grapefruit Boulevard Urban Greening Project Update Presentation
7. Mural Installation - Shady Lane Park

**WRITTEN COMMUNICATIONS:**

**CONSENT CALENDAR:**

(It is recommended that Consent Items be acted upon simultaneously unless separate discussion and/or action is requested by a Council Member or member of the audience.)

- [8.](#) Voucher Listings — Manual Checks/FY 2019-20 Expenditures as of February 26, 2020, \$1,980,296.20.
- [9.](#) Ordinance No. 1155 approving the La Entrada Development Agreement (First Amendment) to allow additional time to commence construction activities and amend the provisions for affordable housing for the La Entrada Project. PSAV, LLC and LLSE Holdings LLC, Co-Applicants. (*Second Reading*)
- [10.](#) Resolution No. 2020-15 granting the first five-year term extension to the La Entrada Development Agreement, pursuant to Section 8.3 of the Agreement which allows the owner to request up to three five-year term extensions, provided the owners are not in default of the Agreement.
- [11.](#) Approve operation of a Beer Garden for the Coachella Mariachi Festival on Saturday, March 28, 2020, from 5:00 p.m. – 9:00 p.m. at Veterans' Memorial Park.
- [12.](#) Authorize City Manager to execute a Letter Agreement to Zambelli Fireworks Manufacturing Co. for special event pyrotechnic programming, for the City's 2020 Fourth of July Event, in the amount of \$34,000.
- [13.](#) Approve a Community Based Grant to El Sol Neighborhood Educational Center in the Amount of \$1,000 to Support a Cultural and Educational Workshop Offered by Culturas Music-Arts
- [14.](#) Approve a Community Based Grant to the Coachella Valley Softball Team at Coachella Valley High School in the Amount of \$1,000.00 to Help Offset Travel Expenses Associated with a Softball Competition in Hawaii
- [15.](#) Investment Report — October, November, and December 2019



16. Execute First Amendment to the Purchase Option Agreement with R.B. Johnson Investments, LLC., for the Affordable Housing and Sustainable Communities (AHSC) Program

**NEW BUSINESS CALENDAR (LEGISLATIVE AND ADMINISTRATIVE):**

17. Approve Resolution No. 2020-16 reducing the Adult Memorandum of Understanding (MOU) Park User Fees to mirror Youth MOU Park User Fees and extending Reduced Park Use Fee Schedule through June 30, 2021.
18. Approve the City to host/sponsor the City of Coachella's SoCal Cannabis Summit in the Fall of 2020 with funding not to exceed \$30,000.
19. Date Harvest Festival 2020 Sponsorship

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

20. Kismet Coachella Dispensary
- a) Ordinance No. 1146 approving Change of Zone No. 18-07 that proposes to add the RC (Retail Cannabis) overlay zone to the existing C-G (General Commercial) zone on Building 1 located at 1639 and 1645 6<sup>th</sup> Street. (*First Reading*)
  - b) Resolution No. 2020-09 approving Conditional Use Permit No. 305 to convert an existing vacant commercial tenant space into a 3,050 square foot cannabis dispensary with 750 square feet for check-in and waiting area, 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4,500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street.
21. Vista Del Agua Specific Plan and EIR
- a) Resolution No. WA-2020-03 a Resolution of the Board of Directors of the Coachella Water Authority approving the Water Supply Assessment dated November 2017 for the Vista Del Agua Project.
  - b) Resolution No. 2020-02, a Resolution of the City Council of the City of Coachella certifying Environmental Impact Report (SCH # 2015031003) prepared for the Vista Del Agua Specific Plan; the adoption of environmental findings and a mitigation monitoring and reporting program pursuant to the California Environmental Quality Act and approving the Vista Del Agua Specific Plan Project.
  - c) Resolution No. 2020-03 a Resolution of the City Council of the City of Coachella approving General Plan Amendment 14-01 on approximately 275 acres (Vista Del Agua Specific Plan) generally located on the south side of Interstate 10 and Vista Del Sur, north of Avenue 48; east of Tyler Street and west of Polk Street. General Plan Amendment 14-01 proposes to amend the General Plan from General Neighborhood, Urban Neighborhood, Suburban Neighborhood, Suburban Retail and Neighborhood Center to Specific Plan.

- d) Ordinance No. 1156 an Ordinance of the of the City of Coachella approving Change of Zone 14-01 that changes the existing General Commercial (C-G), Residential Single Family (R-S), Manufacturing – Service (M-S) zoning to a Specific Plan zone. *(First Reading)*
- e) Ordinance No. 1157, an Ordinance of the City of Coachella approving the Vista Del Agua Specific Plan 14-01 that proposes residential, commercial, open space and park land uses along with development standards and design guidelines for the development of approximately 275 acres. *(First Reading)*
- f) Resolution No. 2020-04, a Resolution of the City Council of the City of Coachella approving Tentative Parcel Map 36872 to subdivide 275 acres into six numbered lots and one lettered lot for financing and conveyance purposes only.

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

The public may address the City Council/Board/Corporation/ Authority on any item of interest to the public that is not on the agenda but is in the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.

**REPORTS AND REQUESTS:**

Council Comments/Report of Miscellaneous Committees.

City Manager's Comments.

**ADJOURNMENT:**

*Complete Agenda Packets are available for public inspection at the  
City Clerk's Office at 53-462 Enterprise Way, Coachella, California, and on the  
City's website [www.coachella.org](http://www.coachella.org).*

**THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES**



# MINUTES

## SPECIAL CITY COUNCIL MEETING OF THE CITY OF COACHELLA

THE COUNCIL SITTING AS THE COACHELLA SANITARY DISTRICT,  
COACHELLA FIRE PROTECTION DISTRICT, COACHELLA FINANCING AUTHORITY,  
COACHELLA EDUCATIONAL AND GOVERNMENTAL ACCESS CABLE CHANNEL CORPORATION,  
COACHELLA WATER AUTHORITY, AND SUCCESSOR AGENCY TO THE COACHELLA REDEVELOPMENT AGENCY

**February 10, 2020**  
5:00 PM

---

### **CALL TO ORDER:**

The Special Meeting of the City Council of the City of Coachella was called to order at 5:00 p.m. in the Council Chamber at City Hall by Mayor Steven Hernandez.

### **ROLL CALL:**

Present: Councilmember Bautista, Councilmember Beaman Jacinto (*Arrived at 5:03 p.m.*), Councilmember Gonzalez, Mayor Pro Tem Martinez and Mayor Hernandez.

Absent: None.

### **APPROVAL OF AGENDA:**

There were no modifications to the agenda.

Motion: To approve the agenda as presented.

Made by: Mayor Pro Tem Martinez

Seconded by: Councilmember Gonzalez

Approved: 4-0, by a unanimous voice vote:

### **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by City Attorney Carlos Campos.

### **PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

(*Councilmember Beaman Jacinto arrived at 5:03 p.m.*)

1. Appeal of Planning Commission's Decision regarding Architectural Review No. 19-08 to allow the construction of the Pueblo Viejo Villas and Transit Hub. The project entails a new three-story mixed-use building consisting of 105 apartment units with 50 one-bedroom units, 28 two-bedroom units, and 27 three-bedroom and 3,000 square feet of commercial tenant space on the ground floor in the CG-PD (General Commercial – Planned Development) zone on 2.66 acres of vacant land generally located at the northeast corner of Cesar Chavez Street and 6th Street. The appeal request seeks to modify conditions of approval for the project including allowable unit sizes, use of staircases in lieu of elevators, pedestrian access designs from the sidewalk, 5th Street extension improvements, and no audible bell tower element for this phase of the project. 6th & Cesar Chavez CIC. LP, Appellant.

Staff recommends that the City Council overturn the Planning Commission's decision on Architectural Review No. 19-08 with respect to allowing modifications to the conditions of approval No.'s 2d, 2e, 2f, 2i, 2j, 28, 32, 33, 35, and 51, and to add clarifications to Conditions No. 7 and 30, as outlined in the staff report.

Public Comment: Michael Walsh  
Anne Wilson

Mayor Hernandez opened the Public Hearing for Item 1 at 5:58 p.m.

Public Comment: No additional public comments

Mayor Hernandez closed the Public Hearing for Item 1 at 5:58 p.m.

Motion: To approve per staff recommendation to overturn the Planning Commission's decision.

Made by: Councilmember Beaman Jacinto  
Seconded by: Mayor Hernandez  
Approved: 5-0, by a unanimous roll call vote:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto, Councilmember Gonzalez, Mayor Pro Tem Martinez and Mayor Hernandez

NOES: None.

ABSTAIN: None.

**NEW BUSINESS CALENDAR (LEGISLATIVE AND ADMINISTRATIVE):**

2. Resolution No. 2020-14 Authorizing the City Manager to Execute Grant Documents and Submit a Joint Application with Pacific Southwest Community Development Corporation, the Project's Managing General Partner, for Funding Under the Infill Infrastructure Grant Program to the California Department of Housing and Community Development in a Not-to-Exceed Amount of \$4,000,000 Million for the Affordable Housing Apartment Project on Sixth Street and Cesar Chavez Street in the City of Coachella.

*(Continued on next page.)*

*(Item 2, Resolution No. 2020-14, continued from previous page.)*

Public Comments:       None

Motion:                   To approve per staff recommendation

Made by:                 Mayor Hernandez

Seconded by:           Councilmember Beaman Jacinto

Approved:               5-0 by a unanimous roll call vote:

AYES:                   Councilmember Bautista, Councilmember Beaman Jacinto, Councilmember Gonzalez, Mayor Pro Tem Martinez and Mayor Hernandez

NOES:                   None.

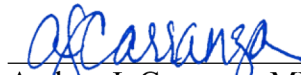
ABSTAIN:               None.

ABSENT:                 None.

**ADJOURNMENT:**

There being no further business to come before the City Council and the Agencies, Mayor Hernandez adjourned the meeting at 6:07 p.m.

Respectfully submitted,



\_\_\_\_\_  
Andrea J. Carranza, MMC  
Deputy City Clerk



# MINUTES

## CITY COUNCIL CLOSED SESSION AND REGULAR MEETING

### OF THE CITY OF COACHELLA

THE COUNCIL SITTING AS THE COACHELLA SANITARY DISTRICT,  
COACHELLA FIRE PROTECTION DISTRICT, COACHELLA FINANCING AUTHORITY,  
COACHELLA EDUCATIONAL AND GOVERNMENTAL ACCESS CABLE CHANNEL CORPORATION,  
COACHELLA WATER AUTHORITY, AND SUCCESSOR AGENCY TO THE COACHELLA REDEVELOPMENT AGENCY

**February 12, 2020**

5:00 PM Closed Session

6:00 PM Regular Meeting

---

### **CALL TO ORDER: - 5:00 P.M.**

The Regular Meeting of the City Council of the City of Coachella was called to order at 5:03 p.m. in the Council Chamber at City Hall by Mayor Steven Hernandez.

### **ROLL CALL:**

Present: Councilmember Bautista (*Arrived at 5:24 p.m.*), Councilmember Beaman Jacinto, Mayor Pro Tem Martinez and Mayor Hernandez.

Absent: Councilmember Gonzalez

### **APPROVAL OF AGENDA:**

City Manager Bill Pattison asked Council to add a Fire Department presentation to be heard before the existing presentation.

Motion: To approve the agenda as modified.

Made by: Councilmember Beaman Jacinto

Seconded by: Mayor Pro Tem Martinez

Approved: 3-0, by a unanimous voice vote

### **PUBLIC COMMENTS (CLOSED SESSION ITEMS):**

None.

### **ADJOURN TO CLOSED SESSION:**

The City Council convened into Closed Session at 5:04 p.m. to discuss the following items:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)  
One (1) potential case

*(Councilmember Bautista arrived at 5:24 p.m. during Closed Session.)*

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)  
Two (2) potential cases
3. Public Employee Performance Evaluation  
Title: City Manager

**RECONVENE REGULAR MEETING: - 6:00 P.M.**

The City Council reconvened into open session at 6:05 p.m.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Coachella Fire Department Explorers.

**CLOSED SESSION ANNOUNCEMENTS:**

City Attorney Campos stated that direction was given in Closed Session, but no reportable action was taken.

**APPROVAL OF MINUTES:**

4. Special Meeting Minutes of a Coachella City Council Study Session held on January 22, 2020.
5. Regular Meeting Minutes of December 11, 2019, of the City Council, Coachella Fire Protection District, Coachella Sanitary District, Coachella Financing Authority, Coachella Educational and Governmental Access Cable Corporation, Coachella Water Authority, and Successor Agency to the Coachella Redevelopment Agency.

Motion: To approve the minutes as presented.

Made by: Councilmember Beaman Jacinto

Seconded by: Mayor Pro Tem Martinez

Approved: 4-0, by a unanimous voice vote

**PROCLAMATIONS/PRESENTATIONS:**

- 6a. Presentation from Coachella Fire Department on Its Explorer Program
- 6b. Tito's Handmade Vodka Community Service event scheduled on February 27, 2020, 8:00 a.m. – 5:00 p.m., at Shady Lane Park in Coachella.

**WRITTEN COMMUNICATIONS:**

None.

**CONSENT CALENDAR:**

7. Voucher Listings — Manual Checks/Utility Billing Refunds/FY 2019-20 Expenditures as of February 12, 2020, \$3,353,233.40.
8. Amendment to the Professional Service Agreement with Michael Baker International, Inc. in an amount of \$96,109 to provide Professional Engineering Services for the I-10/Avenue 50 New Interchange, City Project No. ST-67
9. Resolution No. SD-2020-01 Authorizing Resolution For Clean Water State Revolving Fund Application For The Shady Lane Mobile Home Park Septic-To-Sewer Project
10. Resolution No. WA-2020-02 Authorizing Resolution For Drinking Water State Revolving Fund Application For The Shady Lane Mobile Home Park Water Consolidation Project

Motion: To approve per staff recommendation, Consent Calendar Items 7 through 10.

Made by: Councilmember Beaman Jacinto  
Seconded by: Mayor Pro Tem Martinez  
Approved: 4-0, by a unanimous roll call vote:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto, , Mayor Pro Tem Martinez and Mayor Hernandez

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Gonzalez.

**NEW BUSINESS CALENDAR (LEGISLATIVE AND ADMINISTRATIVE):**

11. Approval of Lease Agreement with Consulado Mexicano San Bernardino, for property located at 1515 Sixth Street, Coachella.

Motion: To approve per staff recommendation

Made by: Mayor Hernandez  
Seconded by: Mayor Pro Tem Martinez  
Approved: 4-0, by a unanimous roll call vote:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto, Mayor Pro Tem Martinez and Mayor Hernandez

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Gonzalez.



12. Approve agreement between City of Coachella and Enterprise Fleet Management Inc.
- a) Approve vehicle surplus listing and replacement.
  - b) Approve a Master Equity Lease Agreement between the City of Coachella and Enterprise Fleet Management Inc.
  - c) Approve Maintenance Agreement between City of Coachella and Enterprise Fleet Management Inc.
  - d) Authorize the appropriation of \$50,000 for the leasing of twelve (12) vehicles from Enterprise Fleet Management Inc.
  - e) Authorize appropriation of \$50,000 for the safety lighting and radio equipment for twelve (12) vehicles.

Motion: To approve per staff recommendation

Made by: Councilmember Beaman Jacinto

Seconded by: Mayor Pro Tem Martinez

Approved: 4-0, by a unanimous roll call vote:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto, Mayor Pro Tem Martinez and Mayor Hernandez

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Gonzalez.

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

13. Ordinance No 1155 approving the La Entrada Development Agreement (DA) – First Amendment to extend the milestone dates for commencement of grading and construction activities for an additional five years, and to amend provisions in the Development Agreement for affordable housing and to make conforming amendments. PSAV, LLC and LLSE Holdings LLC, Co-Applicants. (*First Reading*)

Mayor Hernandez opened the Public Hearing for Item 13 at 6:54 p.m.

Public Comment: Terry Manley

Mayor Hernandez closed the Public Hearing for Item 13 at 6:55 p.m.

Motion: To introduce by title only and pass to second reading.

Made by: Mayor Pro Tem Martinez

Seconded by: Councilmember Beaman Jacinto

Approved: 4-0, by a unanimous roll call vote:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto, Mayor Pro Tem Martinez and Mayor Hernandez  
NOES: None.  
ABSTAIN: None.  
ABSENT: Councilmember Gonzalez.

14. Coachella Travel Center

- a) Environmental Assessment (EA 18-05) adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the development of the Coachella Travel Centre project.
- b) Ordinance No. 1148 approving Change of Zone (CZ 18-11) from A-R (Agricultural Reserve) to C-G (General Commercial).
- c) Conditional Use Permits (CUP 310 and 311) for drive-thru restaurant, car wash and truck wash facilities.
- d) Variance (VAR 18-09) to allow a four-story hotel building in excess of 50 feet in height, in the C-G (General Commercial) zone.
- e) Architectural Review (AR 18-09) to allow a new 3,800 sq. ft. convenience store with service station, 1,200 sq. ft. drive-thru restaurant, 5,555 sq. ft. restaurant, 2,677 sq. ft. car wash tunnel, 4,754 sq. ft. truck washing facility, and 11, 259 sq. ft. 4-story hotel with related infrastructure on 14.1 acres of vacant land located on the south side of Avenue 50 between the Whitewater Channel and the State Route 86 Expressway.

Request from the applicant to continue this item to May 13, 2020.

Mayor Hernandez **reopened** the Public Hearing for Item 14 at 7:02 p.m.

Public Comment: None.

Motion: To **continue** item until May 13, 2020

Made by: Mayor Pro Tem Martinez  
Seconded by: Councilmember Bautista  
Approved: 4-0, by a unanimous roll call vote:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto, Mayor Pro Tem Martinez and Mayor Hernandez  
NOES: None.  
ABSTAIN: None.  
ABSENT: Councilmember Gonzalez.

*(Councilmember Bautista stepped away from the dais from 7:04 p.m. to 7:07 p.m.)*

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

- a) Glabriel Armenta

**REPORTS AND REQUESTS:**

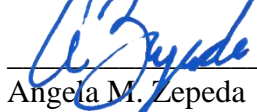
Council Comments/Report of Miscellaneous Committees.

City Manager's Comments.

**ADJOURNMENT:**

There being no further business to come before the City Council and the Agencies, Mayor Hernandez adjourned the meeting at 7:19 p.m.

Respectfully submitted,



---

Angela M. Lepeda  
City Clerk

CITY OF COACHELLA  
CALIFORNIA

*Proclamation*

**WHEREAS**, Greater Coachella Valley Chamber of Commerce (GCVCC) President and CEO Joshua Bonner has been named the Executive of the Year for 2019 by the Western Association of Chamber Executives (WACE). The award was bestowed at the WACE Annual Conference held in Portland, Oregon from February 5-7, 2020; and

**WHEREAS**, WACE represents almost 800 chambers from across the Western United States. Each year the Association considers executives from across their membership for the honor, which is granted to only one executive for the year; and

**WHEREAS**, the award is based on their overall achievement within their chamber, their impact on their local community, and their contribution to the chamber industry; and

**WHEREAS**, candidates are judged in five areas of expertise including finance, communications, legislative action, and membership services performed by the chamber; and

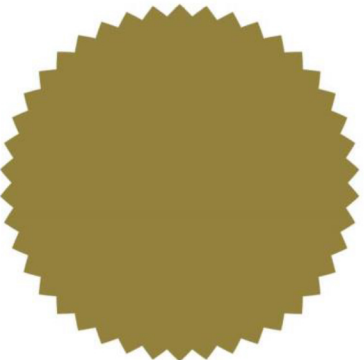
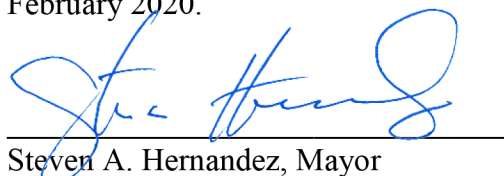
**WHEREAS**, Bonner's achievements in 2019 included establishing new partnerships to open east valley business incubators and shared workspaces, and the chamber's advocacy work in Sacramento.

**NOW THEREFORE**, I, Steven A. Hernandez, Mayor of the City of Coachella, by the power vested in me, do hereby recognize

*Joshua Bonner*

and urge all citizens of the City of Coachella in joining me to commemorate his commitment to serving the community.

**IN WITNESS HEREOF**, I have hereunto set my hand and caused the official seal of the City of Coachella, California to be affixed this 26<sup>th</sup> day of February 2020.

Steven A. Hernandez, Mayor  
City of Coachella, California

apChkLst  
02/13/2020 9:05:00AM

Check List  
City of Coachella

---

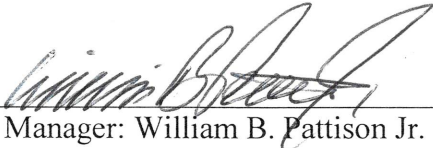
Bank : wfb WELLS FARGO BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
107449	2/13/2020	49901	MARRON, LOURDES	Edu Reimb	1/27/2020	FY19/20 EDUCATION REIMBU	34.99	34.99
107450	2/13/2020	53393	SOLA FIDE PHOTOGRAPHY	Book	2/13/2020	GRAPHICS TO HISTORY BOC	750.00	750.00
Sub total for WELLS FARGO BANK:							784.99	

2 checks in this report.

Grand Total All Checks: 784.99

Date: February 13, 2020

  
City Manager: William B. Pattison Jr.

  
Accounting Manager: Ruben Ramirez

apChkLst  
02/19/2020 7:20:18AM

Check List  
City of Coachella

Page: 1 8.

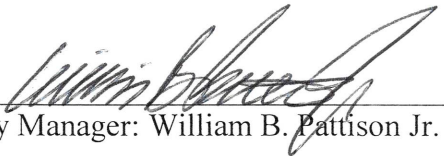
Bank : wfb WELLS FARGO BANK

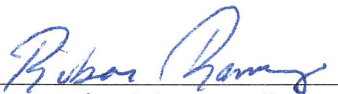
<u>Check #</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>Inv Date</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
107451	2/19/2020	43728 ROSALES, RENE	Reimb 2/18	2/19/2020	CAMERA REPLACEMENT (FIE	237.18	237.18
Sub total for WELLS FARGO BANK:							237.18

1 checks in this report.

Grand Total All Checks: 237.18

Date: February 19, 2020

  
City Manager: William B. Pattison Jr.

  
Accounting Manager: Ruben Ramirez



apChkLst  
02/19/2020 4:28:15PM

Check List  
City of Coachella

8.  
Page: 1

Bank : wfb WELLS FARGO BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
107452	2/26/2020	02137	AGGREGATE PRODUCTS, INC47905	1/21/2020	BASE- CLASS II AGGREGATE	1,952.80	1,952.80	
107453	2/26/2020	01436	AMERICAN FORENSIC NURSE72981	12/31/2019	DEC2019 BLOOD DRAWS	110.00		
			73038	1/15/2020	JAN2020 BLOOD DRAWS+DR	335.00	445.00	
107454	2/26/2020	42837	ARAMARK UNIFORM SERVICEJAN2020	1/31/2020	PE1/31 UNIFORMS, MATS & C	3,379.52		
			JAN2020 CC	1/31/2020	PE1/31 MATS & MOPS	388.25		
			JAN2020 GRFT	1/31/2020	PE1/31 UNIFORMS	72.98		
			JAN2020 SAN	1/31/2020	PE1/31 UNIFORMS, MATS & C	1,219.51	5,060.26	
107455	2/26/2020	52968	ARIVITAS PARTNERS, LLC 18-005-15	1/31/2020	JAN2020 PLANNING SVCS	3,510.00	3,510.00	
107456	2/26/2020	48833	AUDIO RESOURCE GROUP, II19208	2/4/2020	LANGUAGE MINI 72MHZ INTE	3,270.00	3,270.00	
107457	2/26/2020	45929	BECK OIL, INC.	31734CL	1/31/2020	PE1/31 ENG DEPT FUEL	107.14	
				31735CL	1/31/2020	PE1/31 BLDG/PLANNING DEP	49.49	
				31737CL	1/31/2020	PE1/31 LLMD DEPT FUEL	202.27	
				31741CL	1/31/2020	PE1/31 STREETS DEPT FUEL	777.39	
				31743CL	1/31/2020	PE1/31 WATER DEPT FUEL	512.17	
				31746CL	1/31/2020	PE1/31 PARKS DEPT FUEL	1,093.85	
				31770CL	1/31/2020	PE1/31 VEHICLE MAINT DEPT	52.15	
				31771CL	1/31/2020	PE1/31 SENIOR CNTR FUEL	299.20	
				31785CL	1/31/2020	PE1/31 CODE ENF DEPT FUE	282.96	
				31798CL	1/31/2020	PE1/31 SANITARY DEPT FUEL	740.00	
				31806CL	1/31/2020	PE1/31 BLDG MAINT DEPT FL	109.57	
				31807CL	1/31/2020	PE1/31 ADMIN DEPT FUEL	39.23	
				31845CL	1/31/2020	PE1/31 GRAFFITI DEPT FUEL	161.66	
				379334	1/29/2020	SHELL OMALA S4 GXV 320	2,224.11	6,651.19
107458	2/26/2020	00836	BIO-TOX LABORATORIES	39194	1/14/2020	LAB SERVICES: 12/3+13	124.00	
				39195	1/14/2020	LAB SERVICES: 12/13+27	675.00	
				39248	1/14/2020	LAB SERVICES: 11/25, 12/9	344.00	1,143.00
107459	2/26/2020	49486	BRC CONSTRUCTION	20201012	1/23/2020	PLEXIGLASS FOR WATER DE	1,640.00	
				20201025	2/5/2020	BULLET RESISTANT GLASS,	2,450.00	
				20201026	2/5/2020	INSTLL'D KEYPAD LOCK & SF	1,794.00	
				20201027	2/5/2020	INSTLL'D TRAYS & SFTY GLA	995.00	6,879.00
107460	2/26/2020	43862	BRENNTAG PACIFIC, INC	BPI16863	1/16/2020	SODIUM HYPOCHLORITE	1,689.44	
				BPI307061	1/17/2020	1/16 DRUM RETURN	-320.00	1,369.44
107461	2/26/2020	46356	C.V. CONSERVATION COMMISJan2020	2/12/2020	JAN2020 LDMF MULTI-SPECIE	7,906.14	7,906.14	
107462	2/26/2020	53423	CBE OFFICE SOLUTIONS	IN2232262	1/20/2020	ACC #CC3502, COLOR COPIE	861.38	861.38

Bank : wfb WELLS FARGO BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
107463	2/26/2020	53426	CELL BUSINESS EQUIPMENT 66728482	1/25/2020	SHARP MX5071+MX6071+MX	610.58	610.58
107464	2/26/2020	02226	CITY OF COACHELLA FY 19/20	2/5/2020	JPA WTS DISTRIBUTION & AL	322,500.00	322,500.00
107465	2/26/2020	07950	CITY OF COACHELLA Dec 2019	12/31/2019	DEC2019 WATER- ST, PARKS	15,839.54	
			Dec 2019-LLD's	12/31/2019	DEC2019 WATER- LLD'S	9,451.06	25,290.60
107466	2/26/2020	08330	CITY OF INDIO FY 19/20	2/5/2020	JPA WTS DISTRIBUTION	312,500.00	312,500.00
107467	2/26/2020	02273	CLAIREMONT EQUIPMENT 49215201	12/13/2019	12/2-9 WHEEL LOADER/BUCK	2,769.65	
			49215202	1/18/2020	12/2-1/18 WHEEL LOADER RM	-282.74	2,486.91
107468	2/26/2020	44725	CLEANSTREET 95826	11/1/2019	11/1 SPECIAL SWEEP SVC	600.00	
			95843	11/22/2019	11/14 SPECIAL SWEEP SVC	114.45	714.45
107469	2/26/2020	53220	COACHELLA ACE HARDWARE 604/1	1/22/2020	CELL CASE & CARABINDER F	102.37	
			614/1	1/28/2020	TAPE RULE 30'	18.47	
			618/1	1/29/2020	PAINT RMVR	16.94	
			621/1	1/30/2020	CHAINSAW CHAIN & BAR/CH	64.78	202.56
107470	2/26/2020	44959	COMPUTER CONSULTANTS, 130577	2/11/2020	INSTLL'D AP @ SENIOR CEN	531.41	
			30467	2/8/2020	JAN-FEB2020 SVC CALLS	1,837.50	2,368.91
107471	2/26/2020	01924	CONSOLIDATED ELECTRICAL 3298-412065	1/22/2020	50W 120-277V TRI COLOR, P	316.82	
			3298-412091	1/15/2020	30W FLOOD 100WMH EQUAL	393.46	
			3298-412179	1/30/2020	PLUNGER BUTTON W/ SHIEL	868.10	
			3298-412325	1/31/2020	4-PIN 11W 1300 LUMEN 4K LE	58.73	1,637.11
107472	2/26/2020	00214	CORONET CONCRETE PROD 1114399	1/8/2020	6.0 SACK EQ 60/40 FA	368.23	368.23
107473	2/26/2020	11800	COUNTY OF RIVERSIDE AN0000001893	2/7/2020	JAN2020 ANML SHLTR+FIELD	18,516.50	18,516.50
107474	2/26/2020	09650	CVAG Jan2020	2/12/2020	JAN2020 TUMF FEES	13,860.00	
			FY18/19	2/18/2020	FY18/19 REGIONAL HOMELES	100,000.00	113,860.00
107475	2/26/2020	09950	CVWD Dec 2019	1/1/2020	CN 332543, DEC2019 WELL R	24,822.60	24,822.60
107476	2/26/2020	02276	CWEA/CORBS 2/8 Dnr	2/5/2020	2/8 AWARDS DINNER: HUERT	80.00	80.00
107477	2/26/2020	02115	CWEA-TCP GL-3/31/20	1/10/2020	3/31 CERT RNWL CSM2: G. L	94.00	94.00
107478	2/26/2020	52661	DELARA, JUAN Refund	2/12/2020	DEPOSIT REFUND- LIBRARY	300.00	300.00
107479	2/26/2020	00118	DEPARTMENT OF TRANSPORTS L200459	1/14/2020	OCT-DEC2019 TRAFFIC SIGN	2,782.57	2,782.57
107480	2/26/2020	01089	DESERT ELECTRIC SUPPLY S2688973.005	1/24/2020	LED A21 E26 BASE DAYLIGHT	-127.70	
			S2712522.001	1/13/2020	INT-MAT EK4536 PHOTOCON	115.38	
			S2712522.002	1/15/2020	INT-MAT EK4536 PHOTOCON	173.06	
			S2718424.001	1/30/2020	SYL M400/U/ED37 MH LAMP, I	72.51	233.25
107481	2/26/2020	52970	DESERT POOL SPECIALISTS, 123234	1/31/2020	FEB2020 FOUNTAIN SVCS	400.00	400.00

Bank : wfb WELLS FARGO BANK		(Continued)					
Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
107482	2/26/2020	13700	DEWEY PEST CONTROL INC. 462767	1/17/2020	AC1452292, JAN-MAR2020, SI	100.00	
			13218461	1/10/2020	AC1452292, CLEAN UP SVC, S	250.00	
			13249309	2/1/2020	AC1450610, FEB2020, DE OR	160.00	
			13254302	2/1/2020	AC1281215, FEB2020, SIERRA	301.00	
			13254303	2/1/2020	AC1281218, FEB2020, 51251 I	900.00	1,711.00
107483	2/26/2020	53610	DULCE CAKE & PASTRIES Grant	2/4/2020	SMALL BUSINESS ASSISTANC	2,500.00	2,500.00
107484	2/26/2020	14860	E. K. WOOD LUMBER COMPAI485621	1/21/2020	3" TRIM BRUSH, PUTTY KNIF	67.37	
			486006	2/3/2020	CONCRETE MIX	25.80	93.17
107485	2/26/2020	36050	EMPLOYMENT DEVELOPMENL1849533664	1/29/2020	AC 944-0806-9, OCT-DEC2019	2,476.00	2,476.00
107486	2/26/2020	53611	ENTHALPY ANALYTICAL INV1210328	1/14/2020	DEC2019 TOXICITY TESTING	1,650.00	1,650.00
107487	2/26/2020	44713	FARMER BROTHERS CO. 66394385	2/5/2020	COFFEE	-144.21	
			69836686	1/28/2020	COFFEE	199.28	
			69854509	2/5/2020	COFFEE	138.99	
			69854494	2/4/2020	COFFEE, CREAMER & SUGAR	259.45	453.51
107488	2/26/2020	53137	FIERRO, PRISCILLA Scholarship	2/4/2020	2020 CYBSA SCHOLARSHIP-	50.00	50.00
107489	2/26/2020	51604	FRONTIER 3982369-JA20	1/25/2020	760/398-2369, 1/25/20	70.89	
			3983051-FB20	2/1/2020	760/398-3051, 2/1/20	65.68	136.57
107490	2/26/2020	43672	FULTON DISTRIBUTING COMF497363	1/29/2020	TISSUE TOILET, TOWEL MUL	827.75	
			497364	1/29/2020	WATER	254.64	
			496214	1/16/2020	GRAFFITI REMOVER, BOTTLI	247.41	
			496591	1/21/2020	CARPET EXTRACTION SOLU	69.20	
			497171	1/27/2020	GLOVES, LINER, URINAL SCF	320.08	1,719.08
107491	2/26/2020	52615	G/M BUSINESS INTERIORS 0257765-IN	1/10/2020	FURNITURE/INSTALLATION @	42,497.67	42,497.67
107492	2/26/2020	01850	GAME TIME PJI-0132139	1/24/2020	STRUT 124 3/16" LG & WALLC	2,019.67	2,019.67
107493	2/26/2020	49100	GOLDMAN, RONALD A. Dec2019/Jan202	1/31/2020	DEC2019/JAN2020 SVCS: VIS	1,956.00	1,956.00
107494	2/26/2020	18050	GOVERNMENT FINANCE OFF 0224412	1/28/2020	2/1/20-21 MBRSHP: WILLIAM I	250.00	250.00
107495	2/26/2020	00207	GRAINGER INC 9414143405	1/17/2020	DEGREASER	209.50	209.50
107496	2/26/2020	25500	GRANITE CONSTRUCTION CC4	12/31/2019	PE12/31 VAN BUREN ST IMPF	11,482.97	11,482.97
107497	2/26/2020	51892	HERC RENTALS, INC. 31268776-001	1/28/2020	1/27-28 SOD CUTTER RNTL	89.54	89.54
107498	2/26/2020	00996	HOME DEPOT 1013355	1/27/2020	MARKING WAND, YELLOW C,	90.74	
			1972072	1/27/2020	TAPE MEASURE, RETRACTAI	238.24	
			4014137	2/3/2020	Y52 CHAIN & PVC CAP	39.35	368.33

Bank : wfb WELLS FARGO BANK

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
107499	2/26/2020	20450	IMPERIAL IRRIGATION DISTRI	50459796-JA20	1/29/2020	AC50459796, 12/27-1/27	86.50
				50459819-JA20	1/29/2020	AC50459819, 12/27-1/27	48.17
				50487676-JA20	2/5/2020	AC50487676, 1/3-2/3, LIFT ST/	14.36
				50516108-JA20	2/5/2020	AC50516108, 1/4-2/3	13.37
				50522793-JA20	1/30/2020	AC50522793, 12/31-1/27, SCAI	12.82
				50527782-JA20	2/5/2020	AC50527782, 1/4-2/3	12.34
				50642002-JA20	2/5/2020	AC50642002, 1/4-2/3	114.11
				50642141-JA20	2/5/2020	AC50642141, 1/4-2/3	36.58
				50705542-JA20	2/5/2020	AC50705542, 1/3-2/3, PERMIT	873.34
				50705544-JA20	2/5/2020	AC50705544, 1/3-2/3, PERMIT	123.51
				50733502-JA20	2/5/2020	AC50733502, 1/4-2/3	30.32
				50734422-JA20	2/5/2020	AC50734422, 1/4-2/3	45.13
				50035560-JA20	2/2/2020	AC50035560, 12/31-1/29, ST LI	18,705.19
				50035734-JA20	2/5/2020	AC50035734, 1/4-2/3, CVHS PI	82.13
				50035755-JA20	1/29/2020	AC50035755, 12/27-1/27, PUM	50.19
				50035836-JA20	2/5/2020	AC50035836, 1/3-2/3, WELL #1	36.00
				50217597-JA20	2/5/2020	AC50217597, 1/4-2/3	41.67
				50404153-JA20	2/5/2020	AC50404153, 1/4-2/3	97.02
				50404154-JA20	2/5/2020	AC50404154, 1/4-2/3	13.18
				50404155-JA20	2/5/2020	AC50404155, 1/4-2/3	95.83
				50408460-JA20	1/29/2020	AC50408460, 12/27-1/27, WEL	4,329.16
				50416425-JA20	2/5/2020	AC50416425, 1/4-2/3	211.27
				50434217-JA20	1/29/2020	AC50434217, 12/27-1/27	50.90
				50459795-JA20	1/29/2020	AC50459795, 12/27-1/27	38.83
							25,161.92

Bank : wfb WELLS FARGO BANK

(Continued)

Check #	Date	Vendor		Invoice	Inv Date	Description	Amount Paid	Check Total
107500	2/26/2020	45108	IMPERIAL SPRINKLER SUPPL	4038764-00	1/23/2020	11/2" TEE SCH40 PVC, ETC	24.87	
				4039814-00	1/24/2020	YELLOW CAUTION TAPE	14.26	
				4023240-00	1/10/2020	FERTYARA CALCIUM NITRATI	1,182.99	
				4027910-00	1/14/2020	ECHO ACCESS POWERFUEL	30.31	
				4028286-00	1/14/2020	PVC PIPE CUTTER, ETC	59.64	
				4029892-00	1/15/2020	HUNTER ULTRA POPUP ROTI	44.31	
				4030855-00	1/16/2020	RAINBIRD 4" POPUP ROTOR	183.33	
				4032057-00	1/17/2020	FERTYARA CALCIUM NITRATI	1,168.90	
				4032057-01	1/22/2020	FERTYARA CALCIUM NITRATI	591.49	
				4036844-00	1/22/2020	RAINBIRD 1 1/2" INLINE PLAS	205.02	
				4037220-00	1/22/2020	SH80 TBE NIPPLE	2.67	
				4037591-00	1/23/2020	RAINBIRD 6" POPUP BODY &	100.41	3,608.20
107501	2/26/2020	00932	INDIO CAR WASH, INC.	01-1600-20	1/1/2020	OCT-DEC2019 CAR WASH SE	238.93	238.93
107502	2/26/2020	47328	KONICA MINOLTA	438971 RE	2/10/2020	ACC 061-0088076-000, EQUIP	2,348.99	
				34781305	1/23/2020	BIZHUB C454+951+C364, JAN	783.00	
				34787473	1/26/2020	BIZHUB C454E, CITY HALL, J/	212.07	
				34826279	2/2/2020	ACC 061-0042081-000, FEB20	67.43	3,411.49
107503	2/26/2020	44047	KONICA MINOLTA BUSINESS	9006471597	1/31/2020	BIZHUB C360, CORP YARD, J,	330.80	
				9006457091	1/27/2020	BIZHUB C364+C454+PRO 951	590.21	921.01
107504	2/26/2020	24600	LOPES HARDWARE	009136	1/7/2020	EXT CORD, CABLE TIE, SCRE	250.85	
				009153	1/13/2020	KEY ID, BLADES, MASK, GOG	100.96	351.81
107505	2/26/2020	49857	MANPOWER US INC.	34673738	1/19/2020	WE 1/19: CAMPOS	694.40	694.40
107506	2/26/2020	50846	MATTHEW FAGAN CONSULTII	28	2/4/2020	JAN2020 SVCS: VISTA DEL AC	802.50	802.50
107507	2/26/2020	45343	MCMaster-CARR SUPPLY C	31930053	2/3/2020	STEEL-HUB PNEUMATIC WHI	133.12	133.12
107508	2/26/2020	51445	MEDIWASTE DISPOSAL	0000091521	2/1/2020	FEB2020 BIOHAZARD WST S'	74.00	74.00
107509	2/26/2020	51539	MICHAEL BAKER INTERNATIC	1053756	7/9/2019	PE6/30 ENG SVCS FOR PJCT	3,020.96	3,020.96
107510	2/26/2020	00501	MOLINA, HECTOR	Refund	2/5/2020	REFUND OF CALPERS PAYRC	54.25	54.25
107511	2/26/2020	45197	MSA CONSULTING, INC.	2406.001-12	12/31/2019	PE12/25 SHADY LN WTR SYS	5,900.00	
				2406.002-11	12/31/2019	PE12/28 SHADY LN SEPTIC T	7,650.00	13,550.00
107512	2/26/2020	00101	MUNISERVICES/GRS	INV06-008024	1/24/2020	SUTA, QTR ENDING 9/30/19	3,917.45	
				INV06-008080	1/31/2020	CLEARVIEW/STARS 2019 SVC	300.00	4,217.45
107513	2/26/2020	01882	NORTHERN TOOL & EQUIPME	44145294	1/16/2020	DETERRENT 50CT & VIRTUA	19.56	19.56

Bank : wfb WELLS FARGO BANK		(Continued)					
Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
107514	2/26/2020	47192	O'REILLY AUTO PARTS	2855-179636	1/21/2020	HOSE	40.20
				2855-181248	1/27/2020	BATTERY	108.60
				2855-181338	1/27/2020	BATTERIES	335.43
				2855-181361	1/27/2020	OIL FILTER	14.03
							498.26
107515	2/26/2020	50595	PACIFIC LIGHTWAVE INC	19-3623	2/18/2020	APR-JUNE2020 BUSINESS IN	2,397.00
107516	2/26/2020	53582	PALM DESERT ROOFING	1282020	1/28/2020	SEALED PIPES @ ROOF, ETC	750.00
107517	2/26/2020	49989	PAUL ASSOCIATES	84570	2/3/2020	BUSINESS CARDS: R. MONTC	98.15
				84572	2/3/2020	BUSINESS CARDS: J. CARRIL	98.15
							196.30
107518	2/26/2020	08050	PETTY CASH	Ck 2/26/20	2/18/2020	VOUCHERS 4195-4200, 1/21-2	643.04
107519	2/26/2020	42759	PROPER SOLUTIONS, INC.	10981	1/31/2020	WE 1/31: AVINA+LOPEZ	1,218.75
				11005	2/7/2020	WE 2/7: L. AVINA	736.13
				11026	2/14/2020	WE 2/14: AVINA+GARAYT	594.75
							2,549.63
107520	2/26/2020	48977	PROTECTION 1/ADT	132736184	1/27/2020	ACTIVATION/CONN FEE/ADD	1,672.61
				132736185	1/27/2020	ADDTNL EQUIP/LABOR CHRC	2,540.76
							4,213.37
107521	2/26/2020	52306	QUINN COMPANY	13115802	2/10/2020	1/13-2/10 DUMP TRUCK RNTL	348.54
				13382901	2/10/2020	2/5-10 REACHLIFT RNTL	1,093.12
							1,441.66
107522	2/26/2020	52470	R & R TOWING	52377	2/2/2020	2/2 TOWING: 84492 CALLE C/	255.00
				52411	1/14/2020	1/14 TOWING: AVE52/DATE T	340.00
				52412	1/14/2020	1/14 TOWING: THERMAL TO F	255.00
							850.00
107523	2/26/2020	48608	REYES COCA-COLA BOTTLIN	11022205343	2/5/2020	6PK SOFT DRINKS	259.00
107524	2/26/2020	31705	RIVERSIDE COUNTY FIRE DE	233513	2/5/2020	FY19/20- 2ND QTR FIRE PRO	846,475.85
107525	2/26/2020	44161	ROBERT HALF MNGT RESOU	REB55176521	1/22/2020	WE 1/17: M. GALVEZ	756.50
107526	2/26/2020	50340	ROYAL GYM SERVICES	5760	1/27/2020	JAN2020 PREVENTATIVE MAI	295.00
107527	2/26/2020	32950	SAFETY-KLEEN SYSTEMS, IN	82108276	1/13/2020	1/9 SVC	753.52
				CI23212	1/16/2020	1/14 SVC	55.00
							808.52
107528	2/26/2020	44262	SCST, INC.	673906	11/30/2018	PE11/30 6TH & CESAR CHAVE	812.00
107529	2/26/2020	52924	SIEMENS MOBILITY, INC.	5620028145	1/25/2020	DEC2019 TRAFFIC SIGNAL C,	5,095.55
				5610205650	1/25/2020	DEC2019 TRAFFIC SIGNAL M	1,812.80
							6,908.35
107530	2/26/2020	45920	SKILLPATH SEMINARS	12212912	1/28/2020	REG 4/14-15, LDRSHP SKILLS	150.00
107531	2/26/2020	35000	SMART & FINAL	059994	2/6/2020	NYLON HAIRNETS, GLOVES,	447.81
							447.81

Bank : wfb WELLS FARGO BANK				(Continued)					
Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total		
107532	2/26/2020	35450	SOCALGAS	1377 6th-JA20	1/27/2020	AC 012 623 3701 5, 12/21-1/23	111.49		
				1500 6th-JA20	1/27/2020	AC 020 678 1257 4, 12/21-1/23	262.61		
				1515 6th-JA20	1/27/2020	AC 031 523 3700 6, 12/21-1/23	339.85		
				1517 6th-JA20	1/27/2020	AC 010 594 4824 9, 12/21-1/23	51.54		
				1540 7th-JA20	1/27/2020	AC 008 423 3900 4, 12/21-1/23	248.91		
				84626Bag-JA20	1/27/2020	AC 153 323 6215 9, 12/21-1/23	63.80		
				87075Av54-JA20	1/27/2020	AC 123 573 5834 5, 12/21-1/23	41.41		
				BagPool-JA20	1/27/2020	AC 069 323 6500 7, 12/21-1/23	15.77		
107533	2/26/2020	48602	SOMERS, MARIEL	001	1/23/2020	1/21 INTERP SVCS: PARKS &	147.84		1,135.38
107534	2/26/2020	52595	STAPLES BUSINESS CREDIT	179934315-0-1	12/10/2019	BROTHER HY BLACK INK, ET	64.88		147.84
				7302151003-0-1	11/14/2019	RECYCLED GW WHT, EXPO I	145.67		
				7302263182-0-1	11/18/2019	HP 63 BLK/TRI-COLOR INK &	119.06		
				7302453334-0-1	11/25/2019	CLIPBOARD, ENGINEER SCA	78.35		
				7304368811-0-2	2/4/2020	HP 63 BLK/TRI-COLOR INK, E	52.96		
				7304368811-0-3	2/4/2020	12" CLOCK	25.65		
				7302940888-0-1	12/11/2019	ECNMY STD LIP CHRMAT, W/	81.41		
				7303560551-0-1	1/7/2020	SPLS 3TAB FF LGL MANILA, E	54.05		
				7303561165-0-1	1/7/2020	DIXIE HVY BOWLS, PLATES, I	120.77		
				7303740037-0-1	1/13/2020	LEGAL FOLDERS	59.79		
				7304135988-0-1	1/27/2020	LGL CLASSIFICATION FLDR, I	171.31		
				7304135988-0-2	1/27/2020	ENVELOPE CLASP	41.42		
				7304135988-0-3	1/31/2020	20MP DUO2 DGTL CMRA ORC	80.90		
				7304135988-0-4	2/3/2020	2 3/4X1 3/8 STRUNG ALLPURI	65.24		
				7304357669-0-1	2/3/2020	LABELS ADDRESS LABELWR	131.41		1,292.87
107535	2/26/2020	00102	SUNLINE TRANSIT AGENCY	INV04070	2/6/2020	JAN2020 CNG FUEL	939.42		939.42
107536	2/26/2020	36300	SWRCB FEES	LW-1025053	12/9/2019	#3310007, FY19/20 WTR SYS	29,007.00		29,007.00
107537	2/26/2020	51918	THE GREATER COACHELLA V	GCVCC 11340	10/1/2019	JULY-SEP2019 QTRLY DISBU	10,375.00		
				GCVCC 11633	2/5/2020	OCT-DEC2019 QTRLY DISBU	10,375.00		
				25535	12/1/2019	COACHELLA STATE OF THE C	2,109.00		22,859.00
107538	2/26/2020	42289	TIME WARNER CABLE	0037022012820	1/28/2020	1515 6TH ST-AH, JAN-FEB202	3,158.50		3,158.50
107539	2/26/2020	38250	TOPS N BARRICADES	1079845	1/15/2020	1/14 ARROW TRAILER RNTL	60.00		
				1079864	1/16/2020	1/13-15 CHNGBLE MSG SIGN	540.00		
				1079967	1/23/2020	PAINT WHITE RDRY	496.55		
				1080114	1/29/2020	1/27-29 CHNGBLE MSG SIGN	540.00		
				1080139	1/30/2020	PAINT WHITE RDRY, RFLCTV	1,184.23		2,820.78

Bank : wfb WELLS FARGO BANK

(Continued)

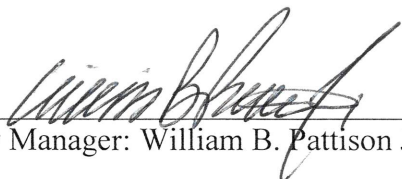
Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
107540	2/26/2020	50590	TOUCHTONE COMMUNICAT	770019	2/1/2020	AC 1100006871, FEB2020	3.47	3.47
107541	2/26/2020	44978	TRI-STATE MATERIALS, INC.	89871	1/9/2020	CRESTA BOULDERS	1,257.49	1,257.49
107542	2/26/2020	39640	VALLEY LOCK & SAFE	159159	1/22/2020	INSTLL'D CYBER CYL @ PERI	659.16	
				159201	1/15/2020	SVC'D CYBER CYL LOCKS @	395.75	1,054.91
107543	2/26/2020	51820	VARIDESK LLC	IVC-2-1399208	2/12/2020	CUBECORNER 36	484.48	484.48
107544	2/26/2020	44966	VERIZON WIRELESS	9846865889	1/22/2020	AC571164685-00001, 12/23-1/2	46.64	
				9847401238	2/1/2020	AC371867190-00001, 1/2-2/1	5,711.58	5,758.22
107545	2/26/2020	50629	VINTAGE ASSOCIATES, INC	215175	1/15/2020	JAN2020 LNDSCPE MAINT @	10,845.40	
				215177	1/15/2020	JAN2020 LNDSCPE MAINT @	4,950.00	
				215176	1/15/2020	JAN2020 LNDSCPE MAINT @	8,383.00	
				215184	1/15/2020	JAN2020 LNDSCPE MAINT @	3,850.80	28,029.20
107546	2/26/2020	53613	VIRGEN, STEPHANIE	Trvl Exp 3/3-6	2/18/2020	TRVL EXP 3/3-6, PLNG COMM	717.40	717.40
107547	2/26/2020	44775	VISTA PAINT CORPORATION	2020-283216-00	2/6/2020	MON PERMASHIELD PREMIU	2,410.91	2,410.91
107548	2/26/2020	53612	WELL	Reg 3/20-21	2/12/2020	REG 3/20-21, WELL ANNUAL C	325.00	325.00
107549	2/26/2020	49778	WEST COAST ARBORIST, INC	156166	12/16/2019	PE12/16 TREE MAINT @ BGD	1,758.00	1,758.00
107550	2/26/2020	51697	WESTERN WATER WORKS SI	57681-00	1/28/2020	2PC POLYMER CVR & READ I	1,543.17	
				57867-00	1/29/2020	2 1/2 DI HYD 6H DI CAPS 1 1/8	2,744.64	
				57867-01	1/30/2020	2 1/2 DI HYD 6H DI CAPS 1 1/8	2,647.52	
				57867-02	1/31/2020	2 1/2 DI HYD 6H DI CAPS 1 1/8	2,647.52	9,582.85
107551	2/26/2020	42100	ZUMAR INDUSTRIES INC	86872	1/13/2020	SNS CITY OF COACHELLA SF	1,339.93	1,339.93
Sub total for WELLS FARGO BANK:							1,979,274.03	




100 checks in this report.

Grand Total All Checks: 1,979,274.03

Date: February 26, 2020

  
\_\_\_\_\_  
City Manager: William B. Pattison Jr.

  
\_\_\_\_\_  
Accounting Manager: Ruben Ramirez



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Ordinance No. 1155 approving the La Entrada Development Agreement (First Amendment) to allow additional time to commence construction activities and amend the provisions for affordable housing for the La Entrada Project. PSAV, LLC and LLSE Holdings LLC, Co-Applicants. (*2<sup>nd</sup> Reading*)

**STAFF RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance No. 1155 approving the La Entrada Development Agreement – First Amendment allowing for additional time to commence construction activities and to amend the provisions for affordable housing.

**DISCUSSION/ANALYSIS:**

On February 12, 2020 the City Council introduced for first reading, Ordinance No. 1155 which would grant an additional time to commence construction activities, pursuant to the original La Entrada Development Agreement (DA). The first amendment to the DA will allow the owners to delay construction for five years. In exchange, the owners will increase the amount of affordable housing from 500 units to 1,000 units over the various phases of the project. The Planning Commission reviewed and recommended approval of this request in December 2019.

**FISCAL IMPACT:**

The La Entrada Development Agreement (DA) is a complex land entitlement that granted mutual benefits, and imposed mutual obligations, between the City and the Owner, over a 25-30 year period. The fiscal impacts are numerous and difficult to quantify. Some of the major mutual benefits and obligations that have a fiscal impact on the City are as follows:

- 1) The DA will require all future homebuilders to pay the City a \$2,500 “Development Agreement” fee at the time of issuance of a Certificate of Occupancy. This will provide up to \$19.5 million of General Fund revenues over the life of the project.
- 2) The DA will require the City to freeze all Development Impact Fees for the first 2,000 dwelling units of the project. These fees would be based on the City’s updated nexus study expected in 2020 and will affect Phases 1 and 2 of the project. Depending on the level of

construction activity for the project, the City may be put in a position of collecting the 2020 fees even after a post-2020 nexus study is in place.

- 3) The DA commits the City to facilitate the creation of Community Facility Districts to issue bonds that will pay for the City's General Government Facilities component of the development impact fees. The City will collect \$4.75 million as part of the 1st series of financing districts. The City will then collect the remaining \$4.75 million as part of the subsequent series of financing districts. These financing districts are anticipated to be completed during the first phases of construction of each of the three villages (Central, Gateway, and Hillside), as these funds will be used for backbone infrastructure.
- 4) Any transfer, sale or assignment that involves the sale of less than 1,000 lots will require the transferring party to pay the City a fee of \$5,000. Any transfer, sale or assignment that involves 1,000 to 2,500 lots will require the transferring party to pay the City a fee of \$25,000. Any transfer, sale or assignment that involves the sale of more than 2,500 lots will require the transferring party to pay the City a fee of \$50,000. Therefore, land investor and resale activity will have positive fiscal effects for the City.

Overall, staff believes the La Entrada DA is a fair agreement that provides positive fiscal impacts with adequate risk protection for the City, while providing the developer with the certainty of entitlements, adequate city services, and development incentives to make the project a success.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends adoption of Ordinance No. 1155.

Attachments: Ordinance No. 1155 (2<sup>nd</sup> Reading)

## ORDINANCE NO. 1155

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, APPROVING A FIRST AMENDMENT OF THE LA ENTRADA DEVELOPMENT AGREEMENT TO MODIFY MILESTONE DATES FOR COMMENCEMENT OF CONSTRUCTION AND TO INCREASE THE NUMBER OF AFFORDABLE HOUSING UNITS FOR THE 2,200-ACRE LA ENTRADA SPECIFIC PLAN PROJECT LOCATED ON THE SOUTH SIDE OF THE I-10 FREEWAY, EAST OF THE ALL-AMERICAN CANAL AND NORTH OF AVENUE 52. PSAV, LLC., APPLICANT.**

**WHEREAS**, the Coachella City Council of the City of Coachella (“City”) has found that development agreements strengthen the public planning process, encourage private participation in comprehensive planning by providing a greater degree of certainty in that process, reduce the economic costs of development, allow for the orderly planning of public improvements and services, allocate costs to achieve maximum utilization of public and private resources in the development process, and ensure that appropriate measures to enhance and protect the environment are achieved; and

**WHEREAS**, pursuant to California Government Code Sections 65864 et seq., the City is authorized to enter into development agreements providing for the development of land under terms and conditions set forth therein; and

**WHEREAS**, PSAV, LLC, a Delaware limited liability company filed an application for a Development Agreement in conjunction with the La Entrada Specific Plan and EIR Project which allows for the phased development of a 2,200-acre master planned community consisting of up to 7,800 dwelling units and 1,510,879 square feet of retail and office commercial and approximately 720 units of high density residential, located on the south side of the I-10 Freeway, east of the All-American Canal, and north of Avenue 52 (“Project”); and,

**WHEREAS**, in order to obtain a greater degree of certainty as to the Applicant’s ability to expeditiously and economically develop the Project and provide the City with various public benefits, applicant has duly filed an application for a Development Agreement in accordance with the State of California’s Development Agreement Statute (California Government Code Sections 65864 – 65869.5).

**WHEREAS**, the La Entrada Development Agreement was recommended for approval by the Coachella Planning Commission on May 21, 2014 and the City Council approved the La Entrada Development Agreement on June 11, 2014; and,

**WHEREAS**, PSAV, LLC is the fee owner of the real property in question located within the City of Coachella, County of Riverside, State of California and filed a request for Development Agreement Amendment in order to modify milestone dates for commencement of construction and to increase the number of affordable housing units for the 2,200-acre La Entrada Specific Plan; and,

**WHEREAS**, the Coachella Planning Commission recommended approval of the La Entrada Development Agreement (First Amendment) on December 4, 2020 at a duly noticed public hearing where the public was afforded an opportunity to testify; and,

**WHEREAS**, the Coachella City Council held a duly noticed public hearing on January 22, 2020 to consider the La Entrada Development Agreement (First Amendment) and the public was afforded an opportunity to testify; and,

**WHEREAS**, in compliance with the requirements of the California Environmental Quality Act (“CEQA”), the City Council approved Resolution No. 2013-53 certifying a Program Environmental Impact Report for the La Entrada Specific Plan project on November 13, 2013; and,

**WHEREAS**, the City Council makes the following findings:

A. The Development Agreement (First Amendment) is consistent with the objectives, policies, general land uses and programs specified in the City’s general plan for the Specific Plan District designation of the subject site.

B. The Development Agreement (First Amendment) is compatible with the uses authorized in and the regulations prescribed for the land use district in which the real property is located in that there are no uses proposed that are in conflict with the approved La Entrada Specific Plan.

C. The Development Agreement (First Amendment) is in conformity with the public necessity, public convenience, general welfare and good land use practices which includes the development of a phased master-planned community with public infrastructure, schools, neighborhood serving commercial and open space with trails and transportation linkages providing a high quality of life.

D. The Development Agreement (First Amendment) will not be detrimental to the health, safety and general welfare in that the orderly development of the project would be a beneficial use of the existing native desert hillside terrain providing economic development opportunities, affordable housing opportunities, and an enhanced tax base and employment base for the City of Coachella.

E. The Development Agreement (First Amendment) will not adversely affect the orderly development of property or the preservation of property values in that there are no sensitive uses in or near the subject site that would otherwise be affected by the development of the project.

F. The Development Agreement (First Amendment) will have a positive fiscal impact on the city based on the approved fiscal impact study that is a part of the approved La Entrada Development Agreement.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The City Council hereby adopts the foregoing recitals as its findings in support of the following regulations and further finds that the proposed La Entrada Development Agreement – First Amendment is in the public interest and in keeping with the City’s General Plan goals and objectives.

**SECTION 2. La Entrada Development Agreement – First Amendment.** The City Council, in light of the whole record before it, including but not limited to the recommendation of the Planning Commission and Development Services Director as provided in the Staff Report dated February 12, 2020 and documents incorporated therein by reference and any other written and oral evidence within the record or provided at the public hearing of this matter, hereby recommends that the City Council approve the La Entrada Development Agreement (First Amendment), attached hereto as Exhibit “A”.

**SECTION 3. Effective Date.** This Ordinance shall take effect thirty (30) days after its adoption.

**SECTION 4. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

If for any reason any portion of this Ordinance is found to be invalid by a court of competent jurisdiction, the balance of this Ordinance shall not be affected.

**SECTION 5. Certification.** The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

**SECTION 6. CEQA.** On November 13, 2013, as part of the original approvals for the La Entrada project and La Entrada Specific Plan, the City Council of the City of Coachella approved Resolution No. 2013-53 certifying the Final Program Environmental Impact Report prepared for the La Entrada Project applications in accordance with the California Environmental Quality Act (CEQA) along with specific findings and a statement of overriding considerations. The proposed Development Agreement Amendment does not result in any new environmental effects that were not previously analyzed as part of the original project. As such, no new environmental review is required, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Ordinance No. 1155 was duly and regularly introduced at a meeting of the City Council on the 12<sup>th</sup> day of February 2020, and that thereafter the said ordinance was duly passed and adopted at a regular meeting of the City Council on the 26<sup>th</sup> day of February 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk





**STAFF REPORT**  
**2/26/2020**

**To:** Honorable Mayor and City Council Members

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Resolution No. 2020-15 granting the first five-year term extension to the La Entrada Development Agreement, pursuant to Section 8.3 of the Agreement which allows the owner to request up to three five-year term extensions, provided the owners are not in default of the Agreement.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council approve the attached Resolution No. 2020-15 approving the first 5-year term extension to the La Entrada Development Agreement.

**DISCUSSION/ANALYSIS:**

Not PSAV, LLC and LLSE Holdings LLC, are the owners of the La Entrada project site, and hold property rights to the adopted La Entrada Development Agreement (DA). At the February 12, 2020 the City Council gave staff direction to grant the owners' written request for a five-year term extension on the overall DA. According to the owners, this specific item was one consideration in their negotiations with the City's request to increase the number of affordable housing units for the La Entrada community, as now required by the amended DA.

Staff is not opposed to the granting of this first 5-year term extension. Under Section 8.3 of the DA the owners may request up to three five-year term extensions, provided the owners are not in default of the Agreement. The project is not in default of the agreement, and the City Council may authorize this request at any time.

**ALTERNATIVES:**

1. Motion to Adopt Resolution No. 2020-15 as recommended by staff.
2. Motion to Adopt Resolution No. 202-15 with modifications.
3. Continue this item and give staff direction.

**FISCAL IMPACT:**

There are no fiscal impacts with granting of a five-year term extension.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends Alternative #1 above.

Attachments:      Resolution No. 202-15  
                         Owner's Written Request

## RESOLUTION NO. 2020-15

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, APPROVING THE FIRST FIVE-YEAR TERM EXTENSION TO THE LA ENTRADA DEVELOPMENT AGREEMENT, PURSUANT TO SECTION 8.3 OF THE DEVELOPMENT AGREEMENT ALLOWING THE OWNERS TO REQUEST UP TO THREE FIVE-YEAR EXTENSIONS, PROVIDED THE OWNERS ARE NOT IN DEFAULT OF THE AGREEMENT. PSAV, LLC and LLSE Holdings LLC, Co-Applicants.**

**WHEREAS**, PSAV, LLC, a Delaware limited liability company filed an application for a Development Agreement in conjunction with the La Entrada Specific Plan and EIR Project which allows for the phased development of a 2,200-acre master planned community consisting of up to 7,800 dwelling units and 1,510,879 square feet of retail and office commercial and approximately 720 units of high density residential, located on the south side of the I-10 Freeway, east of the All-American Canal, and north of Avenue 52 (“Project”); and,

**WHEREAS**, the La Entrada Development Agreement (DA) was fully executed and recorded in 2014 with a term of 15 years, having an effective date of July 25, 2014; and,

**WHEREAS**, Section 8.3 of the DA allows the owners to request from the City Council, up to three five-year extensions to the term of the DA; and,

**WHEREAS**, the Co-Applicants noted above made two written requests wishing to exercise their option to the first five-year term extension, in May 2019 and again in December 2019.

**WHEREAS**, on February 12, 2020 the City Council conducted a public hearing regarding DA – First Amendment, at which time, City Council gave majority direction to authorize the first five-year term extension for the DA.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1. Adoption of Recitals.** The City Council hereby adopts the foregoing recitals as its findings in support of the following regulations and further finds that the granting of the first five-year term extension is in the public interest.

**SECTION 2. Immediate Effect.** This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

**SECTION 3. Extended Term of the La Entrada DA.** The new term for the La Entrada Development Agreement shall be 20 years from its original effective date, or July 25, 2034.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-15 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk



LA ENTRADA



NEW WEST COMPANY

10.

VIA ELECTRONIC MAIL ONLY

December 27, 2020

Mr. Luis Lopez  
Development Services Director  
City of Coachella  
1515 Sixth Street  
Coachella, CA 92236  
via email: [llopez@coachella.org](mailto:llopez@coachella.org)

cc: Mayor Stephen Hernandez, City of Coachella  
Mr. Bill Pattison, City Manager and Finance Director  
Mr. Carlos Campos, City Attorney

**RE: First Amendment to the La Entrada Development Agreement – Option Term Extension**

Dear Mr. Lopez:

This letter is a formal, restated request to exercise the first 5-year extension per Section 8.3 of the La Entrada Development Agreement dated July 25, 2014. The original request was included in the staff report to City Council on July 31, 2019, but appears to have been inadvertently missed as part of the draft agreement presented to Planning Commission on December 4, 2019. It is our understanding that approval of the term option extension falls directly under the purview of City Council.

Since approval of the original Development agreement in 2014, La Entrada developers (PSAV, LLC, and LLSE Holdings, LLC) have invested significant resources toward site and regional infrastructure planning and engineering. Transportation infrastructure to this substantial, land locked parcel is key to bringing homes, jobs and economic benefits to the City, its residents, and the region.

The Development Agreement update includes modifications to construction milestones to reflect challenges inherent with a master planned community of La Entrada's magnitude. The following items are highlights of La Entrada's ongoing development activities since project approval:

**Annexation into City:** The eastern portion of La Entrada was located outside city boundaries but within the City's sphere of influence. Annexation into the City was formally approved by LAFCO on April 23, 2015.

**Funding Contributions/Commitments:** Developer pursued, crafted and entered into a Cooperative Funding Agreement with the City to enable Avenue 50 planning and engineering. The agreement required La Entrada to deposit \$1.7 million, in quarterly installments. Payments began in January 2015 and were completed in July 2016.

**Transportation Funding Advocacy:** Developer's team prepared federal funding grant applications for I-10/Avenue 50 interchange construction funding on behalf of City for TIGER/BUILD program in 2016, 2017, 2018 and 2019. We coordinated with City staff, legislators and California Transportation Commission (CTC) in pursuit of funding partnerships for the Avenue 50 extension, including a \$15 million bridge over the All American Canal, and the new interchange. The cooperative agreement described above included a \$120,000 contribution to enhance staff support for Avenue 50 corridor planning activities. The City recently

elected to expend those funds for additional lobbying support at the state level in lieu of project management support. Periodic coordination with CVAG staff has ensured regional funding participation and resulted in more than \$3 million in funding. Two separate Economic Impact Studies have been sponsored with the most recent version occurring in 2018.

**Transportation Planning:** Developer fully funded environmental documentation and approval phases for Avenue 50 extension and the new interchange through direct contracts. Developer fully funded the initial phase of final design for Avenue 50 extension and the “local share” of the final design phase of interchange. Developer dedicated on-site rights of way for Avenue 50 extension in September 2017 (14.95 acres for road in fee and 15.44 acres for slope easements). Developer representatives have attended approximately sixty (60) monthly coordination meetings with city staff and Caltrans related to interchange planning and approvals. Environmental approvals were obtained in October 2017 and 100% final design package is nearing approval. Right of way dedication for the interchange is in process and constitutes approximately 25 acres of site property.

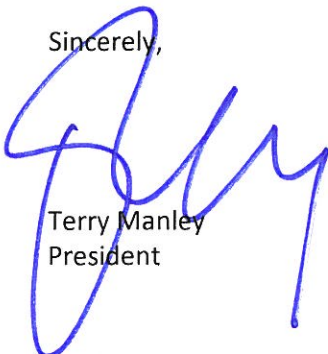
**Site Development:** Before construction can begin, a number of engineering studies, permits and focused site planning must occur. La Entrada includes multiple natural drainage courses that need to be carefully preserved, modified or re-engineered. Coachella Valley Water District (CVWD) controls the regional drainage model and is responsible for approving all hydrology studies for permit issuance. The City and La Entrada developer’s engineers have been working together since 2015 to complete the necessary plans. CVWD began making changes to their regional model and planning requirements shortly thereafter. That multi-year process and the resulting changes have caused significant delays in completion of La Entrada’s hydrology analysis as well as the City’s design efforts for Avenue 50 extension. Progress is now being made and this work is expected to be completed by the end of the year. No grading or site development can occur without these approvals in place. Alteration of existing drainage courses identified in the project EIR require a 1602 permit (streambed alteration) from California Department of Fish and Wildlife (CDFW). Mitigation will occur both on-site and off-site. La Entrada is in the process of acquiring off-site lands to fulfill CDFW’s mitigation requirements and will complete that process prior to start of grading.

**Master Subdivision Map:** Engineering studies have been completed for water supply and long term facility needs. Project phasing is directly tied to the timing of regional transportation construction. Once state and federal funding shares have been secured, detailed engineering and tract map level planning can begin in earnest. Preliminary planning for the regional sports park complex, coordination and extension of CV Link and affordable housing components are on-going.

Delays in Avenue 50 corridor funding approvals at the state and federal level, combined with hydrology plan approvals through CVWD, among other issues, have had a significant impact on La Entrada’s ability to meet upcoming (current) milestone targets. Given the substantial progress made to date, we believe it is appropriate to exercise the first 5-year Development Agreement term extension at this time.

Please do not hesitate to contact me with any questions, concerns, or information requests.

Sincerely,



Terry Manley  
President



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Maritza Martinez, Public Works Director

**SUBJECT:** Approve operation of a Beer Garden for the Coachella Mariachi Festival on Saturday, March 28, 2020 from 5:00 p.m. – 9:00 p.m. at Veterans’ Memorial Park.

---

**STAFF RECOMMENDATION:**

Approve operation of a beer garden for the Coachella Mariachi Festival on Saturday, March 28, 2020 from 5pm-9pm at Veterans Memorial Park.

**EXECUTIVE SUMMARY:**

This year, the City of Coachella’s Coachella Mariachi Festival is scheduled to occur on Saturday, March 28<sup>th</sup>. This event will take place at Veterans Memorial Park, 1515 Sixth Street, Coachella. The event will start at 5pm and end at 9pm. Starting at 5pm the event will show case four different mariachi groups and one folklorico dance performance. Also available during the event will be: bouncers, mechanical bull rides, food vendors and a beer garden. This is a free community event and has no admission or parking fees. The Coachella Bar has agreed to operate a beer garden as a vendor for this year’s event and will be selling beer, chavelas and wine from 5pm-9pm.

**FISCAL IMPACT:**

Approval of the recommended action would not negatively impact the approved FY 19/20 budget.





**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Maritza Martinez, Public Works Director

**SUBJECT:** Authorize City Manager to execute a Letter Agreement to Zambelli Fireworks Manufacturing Co. for special event pyrotechnic programming, for the City's 2020 Fourth of July Event, in the amount of \$34,000.

**STAFF RECOMMENDATION:**

Authorize City Manager to execute a Letter Agreement to Zambelli Fireworks Manufacturing Co. for special event pyrotechnic programming, for the City's 2020 Fourth of July Event, in the amount of \$34,000.

**EXECUTIVE SUMMARY:**

As recommended by City Council on February 12, 2020, the City's Fourth of July event will be held on Friday, July 3, 2020 at Bagdouma Park. The event will showcase local and regional talent. Additionally, the event will also have carnival games, carnival competitions, youth activities, a fifteen minute fireworks show, and food vendors. Staff is requesting the City Manager be authorized to execute the attached letter agreement with Zambelli Fireworks Manufacturing Co. for a fifteen minute pyrotechnic program (fireworks) in the amount of \$34,000. Staff solicited informal bids for this year's fifteen minute pyrotechnic program and received the following responses:

- |                           |                |
|---------------------------|----------------|
| - Zambelli Fireworks      | \$34,000       |
| - Pyro Spectaculars, Inc. | \$35,000       |
| - Fireworks America       | non-responsive |

Staff is requesting authorization to award the 2020 pyrotechnic program to the lowest responsive bidder, Zambelli Fireworks in the amount of \$34,000.

**FISCAL IMPACT:**

The recommended action is will not have a financial impact as it was included in the approved special event budget.

Attachment:

Letter Agreement

February 26, 2020

Zambelli Fireworks Manufacturing Co.  
120 Marshall Drive, Warrendale, PA 15086

Re: Letter of Agreement for 2020 Fourth of July Event

Dear Mr. Hagan:

This letter shall be our Agreement regarding the July 3, 2020 Fireworks Display described below ("Services") to be provided by Zambelli Fireworks Manufacturing Co., a corporation, ("Contractor") as an independent contractor to the City of Coachella for the City's 2020 Fourth of July Event ("Project").

The Services to be provided include the following: fifteen minute fireworks display on July 3, 2020 at Bagdouma Park. The Services to be provided are more particularly described in the Scope of Services attached hereto as Exhibit "A" and incorporated herein by reference.

Contractor shall perform all Services under this Letter of Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California, and consistent with all applicable laws. Contractor represents that it, its employees and subcontractors have all licenses, permits, qualifications, and approvals of whatever nature that are legally required to perform the Services, including a City Business License, and that such licenses and approvals shall be maintained throughout the term of this Agreement. Compensation for the above services shall not exceed Thirty Four Thousand Dollars and No Cents (\$34,000.00).

Contractor is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 1600, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. If the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Contractor's principal place of business and at the project site. Contractor shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

Contractor shall provide proof of commercial general liability and automobile insurance to the City in amounts and with policies, endorsements and conditions required by the City for the Services. If Contractor is an employer or otherwise hires one or more employees during the term of this Project, Contractor shall also provide proof of workers' compensation coverage for such employees which meets all requirements of state law.

Invoices shall be submitted to the City as performance of the Services progresses. City shall review and pay the approved charges on such invoices in a timely manner. Services on the Project shall be completed on July 3, 2020. The City may terminate this Letter of Agreement at any time with or without cause. If the City finds it necessary to terminate this Letter of Agreement without cause before Project completion, Contractor shall be entitled to be paid in full for those Services adequately completed prior to the notification of termination. Contractor may terminate this Letter of Agreement for cause only.

Contractor shall defend, indemnify and hold the City, its officials, officers, employees, agents, and volunteers free and harmless from any and all claims, demands, causes of action, expenses, liabilities, losses, damages, and injuries to property or persons, including wrongful death, in any manner arising out of or incident to any alleged negligent acts, omissions or willful misconduct of Contractor, its officials, officers, employees, agents, consultants, and contractors arising out of or in connection with the performance of the Services or this Agreement, including, without limitation, the payment of all consequential damages, attorneys fees and other related costs and expenses. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or relating to any negligence, errors or omissions, recklessness, or willful misconduct of Contractor, its officials, officers, employees, agents, consultants, and contractors arising out of or in connection with the performance of the Contractor's Services, including without limitation the payment of all consequential damages, expert witness fees, and attorneys fees and other related costs and expenses. Contractor shall defend, at Contractor's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its directors, officials, officers, employees, agents, or volunteers. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its directors, officials, officers, employees, agents, or volunteers, in any such suit, action or other legal proceeding. Contractor shall reimburse City and its directors, officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its directors, officials officers, employees, agents, or volunteers.

If you agree with the terms of this Letter of Agreement, please indicate by signing and dating where indicated below. An original, executed copy of this Letter of Agreement is enclosed for your records.

#### **CITY OF COACHELLA**

*Approved by:*

\_\_\_\_\_  
William B. Pattison, Jr.  
City Manager

#### **CONTRACTOR**

*Reviewed and Accepted by Contractor:*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

EXHIBIT 'A'

# **Zambelli**

**FIREWORKS**

**City of Coachella**

**Bagdouma Park**

**Thursday July 2 OR Friday July 3 2020**

**Fireworks Celebration**



## **Zambelli Fireworks**

**John Hagan**

**800-322-7142**

**502-220-7944**

**[jhagan@zambellifireworks.com](mailto:jhagan@zambellifireworks.com)**

**Shafter, CA**

# Zambelli

## FIREWORKS

12.

### FIREWORKS PROPOSAL

City of Coachella  
Bagdouma Park  
Thursday July 2 OR Friday July 3 2020  
Fireworks Celebration

**Show Date:** Thursday July 2 OR Friday July 3, 2020

**Show Budget Options:** \$34,000 (an all-inclusive show budget).

**Insurance Liability Coverage:** \$10 Million dollars per incident clause to cover the Fireworks Display. Zambelli uses the highest insurance premium in the industry, only offered to "AAA" rated companies.

**State, Local and Federal Permits:** Zambelli Fireworks will secure all necessary state, local and federal permits / required licenses.

**Transportation Liability Coverage:** \$5 Million dollars as required by United States Department of Transportation. (DOT)

**Workers Compensation:** Pyrotechnicians will meet all of the requirements of the Workers Compensation Laws of California

**Site Security and Fire Protection:** Customer will assist in providing site security and make arrangements with the Authorities Having Jurisdiction.

**Transportation:** Fireworks and equipment will be delivered by qualified CDL drivers with Haz-Mat endorsed licenses as required by US DOT.

**Personnel:** Zambelli Certified Pyrotechnicians and Trained Assistants; no subcontractors used.

**Safety Procedures:** Zambelli Fireworks adheres to all safety regulations. NFPA 1123 code will be strictly enforced.

# Zambelli

FIREWORKS

2020 CITY OF COACHELLA 3<sup>rd</sup> of JULY

12.

## SYNOPSIS FOR A FIFTEEN MINUTE DISPLAY

**ALL INCLUSIVE PACKAGE PRICE \$34,000**

=====	=====
DEVICE DESCRIPTION	QUANTITY
=====	=====

### **ZAMBELLI MULTI SHOT DEVICES (CAKES)**

#### **QUANTITY TWO EACH:**

35 Shot Rainbow Dahlias w/Assorted Colored Tails	70
35 Shot Variegated Moons w/Titanium Reports and Tail	70
35 Shot Gold Brocade Waterfalls w/Gold Tails	70
35 Shot Green and Purple Moon Fan Box w/Green Tail	70
35 Shot Rainbow Crossettes w/Assorted Color Tails Fan Box	70

#### **QUANTITY FOUR EACH:**

36 Shot Super Brocade w/Gold Tails Fan Box	144
36 Shot Rainbow Crossettes w/Assorted Color Tails Fan Box	144
36 Shot Variegated Chrysanthemum w/Palm and Silver Tails Fan Box	144
36 Shot Thunder Tourbillions w/Red and Blue Mines Fan Box	144
36 Shot Gold Brocade Waterfalls w/Gold Tails Fan Box	144

#### **QUANTITY FOUR EACH:**

100 Shot Variegated Chrysanthemum w/Palm and Silver Tails	400
100 Shot Red Crackling and Green Glittering w/Purple Mines	400
100 Shot Silver Crackling Flowers w/Silver Tails	400
100 Shot Brocade Crown w/Brocade Tail	400
100 Shot Silver Bees	400

**TOTAL NUMBER OF MULTI EFFECT SHOTS 3070**

#### **THREE INCH DIAMETER SHELLS**

Three Inch Zambelli Specialty Shells	150
Three Inch Palm Shells	150
Three Inch Tourbillion Shells	150
Three Inch Dahlia Shells	150
Three Inch Chrysanthemum Shells	150
Three Inch Serpent Effect Shells	150
Three Inch Multi-Effect Shells	150
Three inch Zambelli Salute Shells	150

**TOTAL NUMBER OF THREE INCH DIAMETER SHELLS BODY 1200**

#### **ZAMBELLI GRAND FINALE**

Three Inch Assorted Color Finale Display Shells	100
Three Inch Titanium Salute Report Shells	200
Three Inch Assorted Color Finale Display Shells	100
<b>TOTAL NUMBER OF GRAND FINALE SHELLS</b>	<b>400</b>

**TOTAL NUMBER OF SHOTS/ SHELLS IN THE DISPLAY 4670**



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Celina Jimenez, Grants Manager

**SUBJECT:** Approve a Community Based Grant to El Sol Neighborhood Educational Center in the Amount of \$1,000 to Support a Cultural and Educational Workshop Offered by Culturas Music-Arts

**STAFF RECOMMENDATION:**

Staff recommends that the City Council consider awarding a Community Based Grant to El Sol Neighborhood Educational Center in the Amount of \$1,000.00 to support a cultural and educational workshop offered by Culturas Music-Arts.

**BACKGROUND:**

The Community Based Grant Program was established in 2010 and allows the City of Coachella to offer financial assistance to local nonprofit organizations, schools, youth-serving organizations, and other community-based organizations that provide essential services, programs and activities to residents in Coachella. Applicant organizations are only eligible to submit one application for consideration each fiscal year and must be legally established with non-profit or tax-exempt status, be based in the Coachella Valley, or provide direct service to Coachella residents. Approval of grant funds does not constitute a precedent for grant allocations in subsequent years. All CBG grants are reimbursement grants to ensure that applicants are meeting their stated goals. The FY 19-20 budget includes an allocation of \$15,000 for the Community Based Grant Program.

**DISCUSSION/ANALYSIS:**

El Sol Neighborhood Educational Center is a nonprofit organization serving as fiscal sponsor to Culturas Music-Arts through a Memorandum of Understanding. Culturas Music-Arts lacks exempt status and this arrangement allows Culturas Music-Arts to seek grants and solicit support under its fiscal sponsor's tax exempt status for the purpose of organizing arts and educational events like its Purepechas event on March 7, 2020. Grant funds will help pay for facility rental, insurance, permits, presenter stipends, and hospitality.



**ALTERNATIVES:**

1. Approve a Community Based Grant to El Sol Neighborhood Educational Center in the Amount of \$1,000 to Support a Cultural and Educational Workshop Offered by Culturas Music-Arts
2. Do not award El Sol Neighborhood Educational Center a Community Based Grant.

**FISCAL IMPACT:**

Should the City Council approve the staff recommendation, the Community Based Grant account will be reduced by \$1,000.00 leaving \$6,000.00 for the remainder of this fiscal year.

**ATTACHMENT(S):**

Copy of Community Based Grant Program Application Packet



## CITY OF COACHELLA, CA COMMUNITY BASED GRANT PROGRAM APPLICATION FOR FUNDS REQUEST

**Please Type Information and Print**  
Information entered in the provided spaces cannot be saved.

(Attach additional pages as needed, however applicants are encouraged to be brief.)

**1. Application Funding Cycle:** **Date:** 01/29/2020

July 1, 2019 - June 30, 2020

**2. Total Amount Requested:** \$ 1,000.00

If requesting waiver of City fees or charges, please indicate the City service for which the waiver is being requested. Rental of conference room space at Coachella Library

**3. Proposed Program/Service of Funding Request:**

Celebrating Indigenous Women Roots

**4. Agency/Organization:**

Culturas Music-Arts

**5. Mailing Address:**

51668 Calle Avila

City: Coachella Zip: 92236

**6. Telephone:** (760) 984-2365

**Fax:**

**7. Official Contact Person:**

**Name:** Oralia "Yaya" Ortiz

**Title:** Director/Co-Founder

**Telephone:** (760) 984-2365

**Fax:**

**E-mail:** culturascoachellavalley@gmail.com

8. Does this organization have a non-profit status with the Internal Revenue Service (IRS)?

Yes ☐ No ☒ (Attach documentation)

\*El Sol Neighborhood Services will serve as fiscal sponsor

9. How long has this organization been in existence?

We have been in existence for 11 years

10. Has the organization previously received funding from the City of Coachella?

☒ Yes ☐ No

If yes, please identify the program/service, total prior grant allocation, and the fiscal year in which the funds were received.

2019 Culturas Music-Arts

11. Is this request for a ☒ New or ☐ Existing program/service within the City?

12. What is the anticipated time frame to provide the proposed program/service and the expenditure of the requested funds?

The anticipated time frame is 1 day: March 7, 2020

13. Describe briefly how the requested funds will be used.

Funds would be used to cover event insurance, facility rental, permits, food

14. Will the program/service require additional funding sources? If so, identify all funding sources and provide the steps taken to acquire funding.

Grant funds will cover all expenses associated with this event

15. If the program/service is planned to continue beyond the period provided by this grant, what funding plans are there to sustain the program/service?

This event is a one-day event and will not require any other funding

16. How will the proposed program/service serve City of Coachella residents? Will the proposed program/service also serve non-Coachella residents? Please describe.

This event will serve everyone, particularly female residents of all ages of Coachella and the surrounding desert cities. It provides a view into the beliefs, roots and natural healing

17. Describe the characteristics of the clients the proposed program/service anticipates to serve (i.e. age group, gender, income level, ethnicity, etc.)

The event is for all women and men ages ranging from 13 years of age and older of all income levels and ethnicities. It is a learning experience into our indigenous roots.

18. Attach a proposed budget for requested funds.

Authorized Official: Oralía "Yaya" Ortiz

Title: Director/Co-Founder

Signature: Oralía Ortiz

Date: 02/05/2020

March 7th 2020

**Indigenous Women Roots & Healing**

**Budget**

Library Rental.....	\$350.00
Permits.....	\$25.00
Hourly Rate for facility use.....	\$140.00
Event Insurance.....	\$250.00
Presenters Stipends.....	\$60.00
Snacks & drinks.....	\$175.00
 Total.....	 \$1000.00

## **Decolonization of Indigneous Art**

**March 7, 2020 11:00AM-2:00PM**

**Coachella City Library**

### *Purepechas*

**"Indigenous identity Stitched with pride and tradition"**

**This amazing event takes a deep and passionate view into one of our local communities indigneous peoples, the Purepechas. Three women, three different generations will share, narrate and showcase their embroidery's, clothing, textiles, and traditional wear.**

**Attendees will have the opportunity to converse and ask questions. An amazing day of art, traditions and understanding.**

**Local artistians will have their art,crafts, tejidos, flowers, etc for purchase. Please bring cash and support these amazing women.**

**Snacks and drinks will be provided.**

*We are asking for \$5.00 donation at the door which will be used for Women Rising on April 25,*

2020





## INDIGENOUS IDENTITY STITCHED WITH PRIDE AND TRADITION

MARCH 7, 2020 11 AM - 2 PM COACHELLA PUBLIC LIBRARY

A deep look into a local indigenous community, the purepechas.

Three women of different generations will share, showcase, and explain their embroideries, clothing, textiles, and traditional wear.

Attendees will have an opportunity to converse and ask questions of local artisans. Local artisans will have their work for sale. Bring cash and support these amazing women.

Refreshments will be provided.



PRESENTED CULTURAS MUSIC & ARTS

\$5 SUGGESTED DONATION AT DOOR



STATE OF CALIFORNIA  
 FRANCHISE TAX BOARD  
 P.O. BOX 1286  
 RANCHO CORDOVA, CA. 95741-1286

October 26, 1994

In reply refer to  
 340:G :PTS

EL SOL NEIGHBORHOOD EDUCATIONAL CENTER  
 1093 1/2 W. 41ST ST.  
 SM BERNARDINO CA 92407

Purpose : CHARITABLE AND EDUCATIONAL  
 Code Section : 23701d  
 Form of Organization : Corporation  
 Accounting Period Ending: December 31  
 Organization Number : 1740285 ES5NE

You are exempt from state franchise or income tax under the section of the Revenue and Taxation Code indicated above.

This decision is based on information you submitted and assumes that your present operations continue unchanged or conform to those proposed in your application. Any change in operation, character, or purpose of the organization must be reported immediately to this office so that we may determine the effect on your exempt status. Any change of name or address must also be reported.

In the event of a change in relevant statutory, administrative, judicial case law, a change in federal interpretation of federal law in cases where our opinion is based upon such an interpretation, or a change in the material facts or circumstances relating to your application upon which this opinion is based, this opinion may no longer be applicable. It is your responsibility to be aware of these changes should they occur. This paragraph constitutes written advice, other than a chief counsel ruling, within the meaning of Revenue and Taxation Code Section 21012(a)(2).

You may be required to file Form 199 (Exempt Organization Annual Information Return) on or before the 15th day of the 5th month (4 1/2 months) after the close of your accounting period. Please see annual instructions with forms for requirements.

You are not required to file state franchise or income tax returns unless you have income subject to the unrelated business income tax

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

**NOV 16 2006**

EL SOL NEIGHBORHOOD EDUCATIONAL  
CENTER  
PO BOX 449  
SAN BERNARDINO, CA 92404

Employer Identification Number:

33-0552297

DLN:

17053308706006

Contact Person:

THOMAS C KOESTER

ID# 31116

Contact Telephone Number:

(877) 829-5500

Public Charity Status:

170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated NOVEMBER 8, 1994, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at [www.irs.gov](http://www.irs.gov).

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner  
Director, Exempt Organizations  
Rulings and Agreements

Letter 1050 (DO/CG)



Memorandum of Understanding  
Between  
El Sol Neighborhood Educational Center  
And  
Culturas Music-Arts

Whereas El Sol Neighborhood Educational Center and Culturas Music-Arts desire to enter into an agreement in which El Sol Neighborhood Educational Center and Culturas Music-Arts will work together to complete an annual Synergy Music and Arts Festival (The Project) and community base venues.

And whereas El Sol Neighborhood Educational Center and Culturas Music-Arts desire to enter into a Memorandum of Understanding between them setting out to continue a relationship or until through written request from either party to dissolve the agreement. The agreement will commencement on the signing of this day, October 4<sup>th</sup>, 2017.

The purpose of this agreement is to define roles and responsibilities of each of the organizations.

I. Obligation of the Partners

The Partners acknowledge that no contractual relationship is created between them by this Memorandum, but agree to work together in the true spirit of partnership to ensure that Synergy Music and Arts Festival and community base events is realized, beginning in 2017 and each year thereafter.

II. Cooperation

The activities and services for the project shall include, but not limited to:

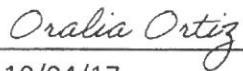
- a. Services to be rendered by Culturas Music-Arts include:

Recruit and organize artists to participate in Synergy and community venues,  
 Recruit and organize non-profit agencies to participate in Synergy and community  
 venues, recruit and organize vendors and artists to participate in Synergy and  
 community base venues, organize logistics in collaboration with the City of  
 Coachella, seek funding and sponsors for Synergy and community base venues.

b. Services to be rendered by El Sol Neighborhood Educational Center include:

Serve as fiscal sponsor to facilitate funding and sponsorship receive donations on  
 behalf of Culturas Music-Arts, and any other responsibilities to ensure the legal and  
 appropriate receiving, tracking, and disbursements of funds as related to a fiscal  
 agent/fiscal sponsor relationship.

III. Signatures



10/04/17

Oralia Ortiz

Culturas Music-Arts



10/04/17

Alex Fajardo, Director

El Sol Neighborhood Education Center



**STAFF REPORT**  
**2/26/2020**

**To:** Honorable Mayor and City Council Members

**FROM:** Celina Jimenez, Grants Manager

**SUBJECT:** Approve a Community Based Grant to the Coachella Valley Softball Team at Coachella Valley High School in the Amount of \$1,000.00 to Help Offset Travel Expenses Associated with a Softball Competition in Hawaii

**STAFF RECOMMENDATION:**

Staff recommends that the City Council consider awarding a Community Based Grant (CBG) to the Coachella Valley Softball Club in the amount of \$1,000.00 to help offset travel expenses associated with a softball competition in Hawaii.

**BACKGROUND:**

The Community Based Grant Program was established in 2010 and allows the City of Coachella to offer financial assistance to local nonprofit organizations, schools, youth-serving organizations, and other community-based organizations that provide essential services, programs and activities to residents in Coachella. Applicant organizations are only eligible to submit one application for consideration each fiscal year and must be legally established with non-profit or tax-exempt status, be based in the Coachella Valley, or provide direct service to Coachella residents. Approval of grant funds does not constitute a precedent for grant allocations in subsequent years. All CBG grants are reimbursement grants to ensure that applicants are meeting their stated goals. The FY 19-20 budget includes an allocation of \$15,000 for the Community Based Grant Program.

**DISCUSSION/ANALYSIS:**

Twenty-one (21) high-school aged girls from the Coachella Valley High School Softball Club will be traveling to Honolulu, Hawaii on February 10, 2020 for a seven-day softball competition. The softball team has been working very hard to fundraise all the necessary monies to help pay for this trip. Grant funding support will help pay for some of the travel costs of the trip.

**ALTERNATIVES:**

1. Approve a Community Based Grant to the Coachella Valley Softball Team at Coachella Valley High School in the Amount of \$1,000.00 to Help Offset Travel Expenses Associated with a Softball Competition in Hawaii
2. Do Not Approve a Community Based Grant to the Coachella Valley Softball Team at Coachella Valley High School in the Amount of \$1,000.00 to Help Offset Travel Expenses Associated with a Softball Competition in Hawaii

**FISCAL IMPACT:**

Should the City Council approve the staff recommendation, the Community Based Grant account will be reduced by \$1,000.00 leaving \$5,000.00 for the remainder of this fiscal year.

**ALTERNATIVE(S):**

Copy of Community Based Grant Program Application Packet



# CITY OF COACHELLA, CA COMMUNITY BASED GRANT PROGRAM APPLICATION FOR FUNDS REQUEST

**Please Type Information and Print**  
Information entered in the provided spaces cannot be saved.

(Attach additional pages as needed, however applicants are encouraged to be brief.)

**1. Application Funding Cycle:**

**Date:** 01/09/2020

July 1, 2019 - June 30, 2020

**2. Total Amount Requested:** \$ 1000

If requesting waiver of City fees or charges, please indicate the City service for which the waiver is being requested.

**3. Proposed Program/Service of Funding Request:**

Coachella Valley Softball Club

**4. Agency/Organization:**

CVHS/Coachella Valley Softball

**5. Mailing Address:**

83-800 Airport Blvd

City: Thermal Zip: 92274

**6. Telephone:** (760) 399-5183

**Fax:** (760) 399-0089

**7. Official Contact Person:**

**Name:** Paul Salow

**Title:** Head Softball Coach

**Telephone:** (760) 285-1684

**Fax:** (760) 399-0089

**E-mail:** coachsalow@gmail.com

8. Does this organization have a non-profit status with the Internal Revenue Service (IRS)?

Yes ☒ No ☐ (Attach documentation)

9. How long has this organization been in existence?

50 Years

10. Has the organization previously received funding from the City of Coachella?

☒ Yes ☐ No

If yes, please identify the program/service, total prior grant allocation, and the fiscal year in which the funds were received.

CV Softball received \$1000 in 2018

11. Is this request for a ☐ New or ☒ Existing program/service within the City?

12. What is the anticipated time frame to provide the proposed program/service and the expenditure of the requested funds?

Funds will be used to help fund trip to Hawaii planned for February.

13. Describe briefly how the requested funds will be used.

To help pay for total expenses for softball trip to Hawaii

14. Will the program/service require additional funding sources? If so, identify all funding sources and provide the steps taken to acquire funding.

Yes. Softball Club fundraising activities have already taken place and will continue.

15. If the program/service is planned to continue beyond the period provided by this grant, what funding plans are there to sustain the program/service?

The school supplies enough funding to run a basic program. All travel is responsibility of the club.

16. How will the proposed program/service serve City of Coachella residents? Will the proposed program/service also serve non-Coachella residents? Please describe.

CV Softball allows 50 teenaged girls from Coachella to participate in softball competition with other schools

17. Describe the characteristics of the clients the proposed program/service anticipates to serve (i.e. age group, gender, income level, ethnicity, etc.)

CV Softball serves high school aged girls from mostly low income families. These girls are all hispanic.

18. Attach a proposed budget for requested funds.

Authorized Official:

Title: HEAD COACH

Signature:



Date: 1-13-20

Pleasant Holidays Res #26784215  
Reserved For : Party of 22

Depart Date : 10-Feb-2020 Page ..... 1  
Arranged By: Greg

AAA Palm Springs  
300 S Farrell Dr  
Foreign Travel Depot  
Palm Springs, CA 92262-7906

Reservation Status : Quote  
Reservation Date : 03-Dec-2019  
Departure Date : 10-Feb-2020  
Itinerary Date : 03-Dec-2019

---

*Pleasant Protection Plan not Purchased*

10-Feb-2020 22 Passengers in Coach Cabin on United Airlines Flight 1158  
Monday Departing Los Angeles, California airport at 8:30A  
Arriving Oahu, Honolulu, HI airport at 12:33P  
Passengers 1-22

*Name changes are not permitted once booked.  
\$200 change fee applies once ticketed.  
\$250 cancel fee applies once ticketed.  
For reservations made more than 30 days before departure: Tickets must be  
issued within 7 days of booking. For reservations made 30 days or less before  
departure: Tickets must be issued within 24 hours of reservation booking.*

*1 Intermediate Car for 7 Days  
Pick up in Oahu, Honolulu, HI from Hertz Rental Car*

*One rental day equals 24 hours. Cars returned 90 minutes or more after the  
original rental time are subject to an extra day charge. Minimum rental age  
in Hawaii is 18 years for standard vehicle types and 25 years for prestige  
vehicles. Age differential charge of \$15 per day applies for renters age  
18-24. One (1) additional authorized driver is permitted at no charge. Other  
additional drivers will be charged at the applicable rate. All fees are paid  
directly to Hertz. Please note that at the time of rental you will need to  
present (1) a current driver's license and (2) a valid credit card or  
debit/check card in the renter's name. Stored value/prepaid/gift cards are  
not acceptable to qualify for the rental, however these cards may be used for  
payment at time of return. Credit score verification via Equifax Credit  
Information Services will be performed at time of rental for those using a  
debit/check card. Credit cards must have available credit and debit/check  
cards must have available funds for the estimated amount of rental charges  
plus up to \$200 for any incidental charges in order to secure the rental.  
Vehicle must be picked-up and dropped-off at the location(s) specified on  
your itinerary. If dropping-off at a location other than the pick-up  
location, a one-way rental fee may apply and is payable directly to Hertz.  
Save time! Pre-register your Hertz rental car at [www.hertz.com/PHHW](http://www.hertz.com/PHHW).*

Pleasant Holidays Res #26784215  
Reserved For : Party of 22

Page ..... 5  
Arranged By: Greg

AAA Palm Springs  
300 S Farrell Dr  
Foreign Travel Depot  
Palm Springs, CA 92262-7906

Reservation Status : Quote  
Reservation Date : 03-Dec-2019  
Departure Date : 10-Feb-2020  
Itinerary Date : 03-Dec-2019

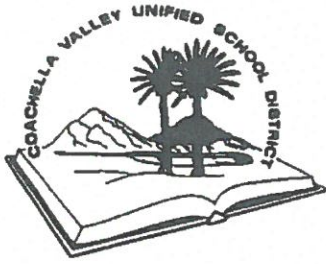
Protection Plan Amount:	\$0.00	Payment Schedule:	
Total Reservation:	\$20,149.00	\$13,361.70	Due on 03-Dec-2019
		\$6,787.30	Due on 27-Dec-2019
Payments Received:	\$0.00		
Balance Due:	\$20,149.00		

**PLEASANT HOLIDAY'S PRICE GUARANTEE:** Prices are subject to increase at any time without notice.  
Pleasant Holidays can only guarantee price on reservations when a Protection Plan product is purchased and the minimum deposit amount plus the price of one of these protection plans has been received. Airline tickets must be issued to guarantee the air price and avoid cancellations of airline reservations. Pleasant will not be responsible for any penalties, fare differentials or fees charged for reinstating the airline reservation due to non-payment or duplicate airline reservations held.

Please send all inquiries, correspondence and payments along with booking number and passenger names to:

2404 Townsgate Road  
Westlake Village, CA 91361  
(800) 448-3333





# COACHELLA VALLEY UNIFIED SCHOOL DISTRICT

87-225 CHURCH STREET ♦ P.O. BOX 847 ♦ THERMAL, CA 92274 ♦ (760) 399-5137 ♦ FAX (760) 399-1052

January 16, 2020

**Re: Coachella Valley High School – Softball Club**

To Whom It May Concern:

The Coachella Valley Unified School District is a public educational institution. Public schools are considered to be a political subdivision of the State of California and are therefore tax exempt. Any contribution to a political subdivision of a governmental agency is considered to be a deductible charitable contribution as long as it is used for the public good. (IRC 170(c)).

The Internal Revenue Code section 170 (c) defines charitable contribution as a contribution or gift to or for the use of a State, a possession of the United States, or any political subdivision of any of the foregoing of the United States or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes.

For your information our Federal Identification Number is 33-0765218.

If you have any questions please call our office.

Yours truly,

Mayela S. Salcedo  
Fiscal Services Director



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** William B. Pattison, Jr., City Manager

**SUBJECT:** Investment Report – October, November, and December 2019

**STAFF RECOMMENDATION:**

Staff recommends that the City Council receive and file the investment report for October, November and December of 2019.

**EXECUTIVE SUMMARY:**

On April 10, 2019, the City of Coachella along with its component units (Sanitary District, Educational & Governmental Access Cable Corporation, Fire Protection District and Water Authority) approved and adopted the current “Statement of Investment Policy”.

Pursuant to Section 16 of that policy, the City Treasurer shall provide to the City Council a monthly investment report which provides a clear picture of the status of the current investment portfolio. This report shall include, at a minimum, the following information for each type of investment held in the City’s investment portfolio: the issuer; amount of investment; current market value; yield on investment; income generated from investments; dollar amount invested on all securities, investments and moneys held by the local agency; and shall additionally include a description of any of the local agency’s funds, investments, or programs; and a description of unusual investment activity or developments during the month for which the report is prepared. This information shall be provided for all City and component unit pooled investments, as well as for bond accounts, which are managed by outside Fiscal Agents.

The interest rates presented are the most current rates available as of the date of these reports. The market values presented for pooled City investments are based on closing prices for the related investments as of the date of these reports. This information was obtained from the Wall Street Journal or other reliable sources of market prices.

The Market values presented for investments managed by contracted parties are based on amounts reported by the Fiscal Agent on the most recent bank statement to be market value as of the date of said bank statement. The purchase date and type of investment is not included for funds held by the fiscal agent.

Attached is the Treasurer's Report of Investments which includes an overview on investments which provides information on investment activity, withdrawals and deposits, interest earned, payment of interest and payment of principal as of the periods ending December 31, 2019. In addition, this report includes detailed information and current activity on individual investments.

All City investments are in compliance with the guidelines established for Authorized Investments as specified in the Investment Policy, Section 8.

There was no unusual investment activity to report.

The City and Districts have sufficient moneys to meet their expenditure requirements for the next six months.

**FISCAL IMPACT:**

None, this report is receive and file only.

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of November 30, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	10/31/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	11/30/2019	
<b>CASH ON HAND</b>								
Wells Fargo-General Checking	N/A	5,874,156.11	(1,424,085.99)	-	-	-	4,450,070.12	①
Wells Fargo-Road Maintenance SB1	N/A	781,200.22	76,478.06	-	-	-	857,678.28	②
Rabobank-Payroll Account	0.0%	8,554.08	53.75	1.48	-	-	8,609.31	③
Rabobank-AG Summit Account	0.0%	13,562.96	-	-	-	-	13,562.96	④
Rabobank-Special Gas Tax Account	0.0%	398,684.43	-	-	-	-	398,684.43	⑤
Petty Cash	N/A	3,500.00	-	-	-	-	3,500.00	
<b>Total Cash on Hand</b>		<b>7,079,657.80</b>	<b>(1,347,554.18)</b>	<b>1.48</b>	<b>-</b>	<b>-</b>	<b>5,732,105.10</b>	
<b>CASH WITH FISCAL AGENT</b>								
Union Bank of California	varies	157,063.73	170,947.19	207.65	-	-	328,218.57	⑥
Wells Fargo Bank, N.A.	4.6%	5,688,298.90	0.02	313.40	-	(5,674,895.32)	13,717.00	⑥
County of Riverside	N/A	162,855.15	-	-	-	-	162,855.15	⑦
<b>Total Cash with Fiscal Agent</b>		<b>6,008,217.78</b>	<b>170,947.21</b>	<b>521.05</b>	<b>-</b>	<b>(5,674,895.32)</b>	<b>504,790.72</b>	
<b>INVESTMENTS</b>								
State of California - LAIF	0.2%	4,700,007.46	-	-	-	-	4,700,007.46	⑧
Investment Management Acct	3.3%	19,631,635.64	(33,376.47)	-	-	-	19,598,259.17	⑨
Saving Account - Wells Fargo Bank		5,080.09	-	-	-	-	5,080.09	⑩
<b>Total Investments</b>		<b>24,336,723.19</b>	<b>(33,376.47)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24,303,346.72</b>	
<b>Grand Total</b>		<b>37,424,598.77</b>	<b>(1,209,983.44)</b>	<b>522.53</b>	<b>-</b>	<b>(5,674,895.32)</b>	<b>30,540,242.54</b>	⑪

Prepared by: Ruben Ramirez-Accounting Manager

Reviewed by: \_\_\_\_\_

Page 70

Date: 12/10/2019

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of November 30, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	10/31/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	11/30/2019	
<b>INVESTMENTS</b>								
<b><u>STATE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND (LAIF)</u></b>								
REDEVELOPMENT AGENCY( #004)	0.3%	2,448.88	-	-	-	-	2,448.88	⑧
		-						
CITY GENERAL ACCOUNT( #171)	0.3%	2,837,217.14	-	-	-	-	2,837,217.14	⑧
		-						
COACHELLA SANITARY DISTRICT	0.3%	1,860,219.03	-	-	-	-	1,860,219.03	⑧
		-						
REDEVELOPMENT BONDS	0.3%	122.41	-	-	-	-	122.41	⑧
<b>TOTAL LAIF ACCOUNTS</b>		<b>4,700,007.46</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,700,007.46</b>	
<b><u>INVESTMENT MANAGEMENT ACC</u></b>								
MORGAN STANLEY	3.5%	-	-	-	-	-	-	
		-						
PFM Funds	3.5%	19,631,635.64	(33,376.47)	-	-	-	19,598,259.17	⑨
<b>TOTAL INVESTMENT MANAGEMENT ACCT</b>		<b>19,631,635.64</b>	<b>(33,376.47)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>19,598,259.17</b>	
<b><u>SAVINGS &amp; MONEY MARKET ACCOUNTS</u></b>								
POLICE EVIDENCE ACCT - B of A #04!	0.1%	5,080.09	-	-	-	-	5,080.09	⑩
<b>TOTAL SAVINGS ACCOUNT</b>		<b>5,080.09</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,080.09</b>	
<b>TOTAL INVESTMENTS</b>		<b>24,336,723.19</b>	<b>(33,376.47)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24,303,346.72</b>	

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of November 30, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF
	YIELD	10/31/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	11/30/2019

**UNION BANK OF CALIFORNIA (Cost Basis reported)**

**COACHELLA WATER AUTHORITY**

**CITY OF COACHELLA WATER: WATER REFUNDING BONDS 2012 SERIES**

A/C #: 6712016201 Bond Fund	0.0%	256.31		0.31			256.62
A/C #: 6712016202 Interest Account	0.0%	-					-
A/C #: 6712016203 Principal Account	0.0%	-					-
A/C #: 6712016204 Reserve Fund	0.0%	1.00					1.00
A/C #: 6712016206 Escrow Fund 2003	0.0%	-	-	-	-	-	-

**COACHELLA FINANCING AUTHORITY**

**COACHELLA SANITARY DISTRICT: WASTEWATER REV 2005-A COPS**

A/C #: 6711755701 Bond Fund	0.0%	-	-	-	-	-	-
A/C #: 6711755702 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 6711755703 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 6711755704 Reserve Account	2.5%	-	-	-	-	-	-

**RDA PA #4 2004 B SERIES: TAX ALLOCATION BONDS**

A/C #: 6711745801 Revenue Fund	0.0%	-	-	-	-	-	-
A/C #: 6711745802 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 6711745803 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 6711745804 Reserve Fund	2.5%	-	-	-	-	-	-

**Successor Agency to the Coachella Redevelopments Agency 2014 Series**

A/C #: 6712104701	0.0%	262.71		0.31	-	-	263.02
A/C #: 6712104702	0.0%	-			-	-	-
A/C #: 6712104703	0.0%	-			-	-	-
A/C #: 6712104704	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712104705	0.0%	-	-	-	-	-	-
A/C #: 6712104706	0.0%	-	-	-	-	-	-
A/C #: 6712104707 Escrow Funds	0.0%	-	-	-	-	-	-
A/C #: 6712104708 Escrow Funds	0.0%	-	-	-	-	-	-

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of November 30, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT YIELD	BALANCE AS OF 10/31/2019	NET: DEPOSITS AND/OR (WITHDRAWALS)	INTEREST EARNED / CHANGE IN VALUE	PAYMENT OF INTEREST	PAYMENT OF PRINCIPAL	BALANCE AS OF 11/30/2019
<b>COACHELLA SANITARY DISTRICT</b>							
<b>WASTEWATER SERIES 2015A</b>							
A/C #: 6712148600	0.0%	-	-	-	-	-	-
A/C #: 6712148601	0.0%	26.69	-	-	-	-	26.69
A/C #: 6712148602	0.0%	-	-	-	-	-	-
A/C #: 6712148603	0.0%	-	-	-	-	-	-
A/C #: 6712148604	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712148605	0.0%	-	-	-	-	-	-
A/C #: 6712148606	0.0%	-	-	-	-	-	-
A/C #: 6712148607	0.0%	-	-	-	-	-	-
A/C #: 6712148608	0.0%	-	-	-	-	-	-
<b>COACHELLA SANITARY DISTRICT: PROJECT FUND 2011</b>							
A/C #: 6711963500 Project Fund 2011	0.0%	25,074.83	-	37.35	-	-	25,112.18
<b>COACHELLA REDEVELOPMENT AGENCY</b>							
<b>MERGED PROJECT AREAS BONDS 98 &amp; 99: BONDS 2013</b>							
A/C #: 6712071401 Interest Account	0.0%	297.83	-	0.31	-	-	298.14
A/C #: 6712071402 Interest Acc	0.0%	-	-	-	-	-	-
A/C #: 6712071403 Principal Acc	0.0%	-	-	-	-	-	-
A/C #: 6712071404 Reserve Account	0.0%	1.00	-	-	-	-	1.00
<b>SA TO COACHELLA RDA REFUNDING BONDS SERIES 2016A &amp; 2016B</b>							
A/C #: 6712160601	0.0%	363.77	-	0.62	-	-	364.39
A/C #: 6712160602	0.0%	-	-	-	-	-	-
A/C #: 6712160604	0.0%	-	-	-	-	-	-
A/C #: 6712160604	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712160605	0.0%	-	-	-	-	-	-
A/C #: 6712160606	0.0%	-	-	-	-	-	-
A/C #: 6712160607	0.0%	-	-	-	-	-	-
A/C #: 6712160608	0.0%	-	-	-	-	-	-
A/C #: 6712160609	0.0%	-	-	-	-	-	-
<b>COACHELLA LEASE BONDS</b>							

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of November 30, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT YIELD	BALANCE AS OF 10/31/2019	NET: DEPOSITS AND/OR (WITHDRAWALS)	INTEREST EARNED / CHANGE IN VALUE	PAYMENT OF INTEREST	PAYMENT OF PRINCIPAL	BALANCE AS OF 11/30/2019
A/C #: 6712179800 Special Fund	0.0%	-	-	-	-	-	-
A/C #: 6712179801 Interest Account	0.0%	419.44	170,947.19	0.62	-	-	171,367.25
A/C #: 6712179802 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 6712179803 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 6712179804 Reserve Account	3.4%	1.00	-	-	-	-	1.00
A/C #: 6712179805 Project Fund	0.0%	130,356.15	-	168.13	-	-	130,524.28
A/C #: 6712179806 Project Fund	0.0%	-	-	-	-	-	-
A/C #: 6712179807 Project Fund	0.0%	-	-	-	-	-	-
<b>TOTAL UNION BANK OF CALIFORNIA</b>		<b>157,063.73</b>	<b>170,947.19</b>	<b>207.65</b>	<b>-</b>	<b>-</b>	<b>328,218.57</b>

⑤

**WELLS FARGO BANK, N.A.**

<b>GAS TAX BONDS SERIES 2008-A</b>							
A/C #: 22863900 Revenue Fund	0.0%	(0.00)	-	-	-	-	(0.00)
A/C #: 22863902 Interest Account	0.0%	135.68	-	0.20	-	-	135.88
A/C #: 22863903 Interest Account	0.0%	285.02	-	0.90	-	-	285.92
A/C #: 22863904 Reserve Fund	4.6%	0.00	(296.84)	296.84	-	-	0.00
A/C #: 22863906 Administration Fund	0.0%	(0.00)	(8.63)	8.63	-	-	(0.00)
A/C #: 22863909 Acquisition Fund	0.0%	-	-	-	-	-	-
<b>GAS TAX BONDS SERIES 2019</b>							
A/C #: 83925300 Debt Service Fund	0.0%	10,634.92	305.47	3.24	-	-	10,943.63
A/C #: 83925301 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 83925302 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 83925304 Reserve Fund	0.0%	-	-	-	-	-	-
A/C #: 83925305 Cost of Issuance Fund	0.0%	2,347.98	-	3.59	-	-	2,351.57
A/C #: 83972700 Escrow Account	0.0%	5,674,895.30	0.02	-	-	(5,674,895.32)	-
A/C #: 83972700 Other Escrow Fund	0.0%	-	-	-	-	-	-
<b>TOTAL WELLS FARGO BANK</b>		<b>5,688,298.90</b>	<b>0.02</b>	<b>313.40</b>	<b>-</b>	<b>(5,674,895.32)</b>	<b>13,717.00</b>

⑤

**COUNTY OF RIVERSIDE**

COUNTY OF RIVERSIDE - FIRE			-	-	-	-	162,847.77
COUNTY OF RIVERSIDE - SANITARY			-	-	-	-	7.38

⑦

⑦



**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
 As of November 30, 2019  
 Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	10/31/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	11/30/2019	
TOTAL COUNTY OF RIVERSIDE		162,855.15	-	-	-	-	162,855.15	⑦
GRAND TOTAL FISCAL AGENT CASH		6,008,217.78	170,947.21	521.05	-	(5,674,895.32)	504,790.72	⑪

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of December 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	11/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	12/31/2019	
<b>CASH ON HAND</b>								
Wells Fargo-General Checking	N/A	4,450,070.12	(2,175,440.73)	-	-	-	2,274,629.39	①
Wells Fargo-Road Maintenance SB1	N/A	857,678.28	65,304.31	-	-	-	922,982.59	②
Rabobank-Payroll Account	0.0%	8,609.31	3.25	2.05	-	-	8,614.61	③
Rabobank-AG Summit Account	0.0%	13,562.96	-	-	-	-	13,562.96	④
Rabobank-Special Gas Tax Account	0.0%	398,684.43	190,650.57	-	-	-	589,335.00	⑤
Petty Cash	N/A	3,500.00	-	-	-	-	3,500.00	
<b>Total Cash on Hand</b>		<b>5,732,105.10</b>	<b>(1,919,482.60)</b>	<b>2.05</b>	<b>-</b>	<b>-</b>	<b>3,812,624.55</b>	
<b>CASH WITH FISCAL AGENT</b>								
Union Bank of California	varies	328,218.57	-	131.49	(171,224.78)	-	157,125.28	⑥
Wells Fargo Bank, N.A.	4.6%	13,717.00	-	(98.30)	-	-	13,618.70	⑥
County of Riverside	N/A	162,855.15	-	709.79	-	-	163,564.94	⑦
<b>Total Cash with Fiscal Agent</b>		<b>504,790.72</b>	<b>-</b>	<b>742.98</b>	<b>(171,224.78)</b>	<b>-</b>	<b>334,308.92</b>	
<b>INVESTMENTS</b>								
State of California - LAIF	0.2%	4,700,007.46	-	-	-	-	4,700,007.46	⑧
Investment Management Acct	3.3%	19,598,259.17	20,392.71	-	-	-	19,618,651.88	⑨
Saving Account - Wells Fargo Bank		5,080.09	-	-	-	-	5,080.09	⑩
<b>Total Investments</b>		<b>24,303,346.72</b>	<b>20,392.71</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24,323,739.43</b>	
<b>Grand Total</b>		<b>30,540,242.54</b>	<b>(1,899,089.89)</b>	<b>745.03</b>	<b>(171,224.78)</b>	<b>-</b>	<b>28,470,672.90</b>	⑫

Prepared by: Ruben Ramirez-Accounting Manager

Reviewed by: \_\_\_\_\_

Page 76

Date: 1/13/2020

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of December 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	11/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	12/31/2019	
<b>INVESTMENTS</b>								
<b><u>STATE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND (LAIF)</u></b>								
REDEVELOPMENT AGENCY( #004)	0.3%	2,448.88	-	-	-	-	2,448.88	⑧
		-						
CITY GENERAL ACCOUNT( #171)	0.3%	2,837,217.14	-	-	-	-	2,837,217.14	⑧
		-						
COACHELLA SANITARY DISTRICT	0.3%	1,860,219.03	-	-	-	-	1,860,219.03	⑧
		-						
REDEVELOPMENT BONDS	0.3%	122.41	-	-	-	-	122.41	⑧
<b>TOTAL LAIF ACCOUNTS</b>		<b>4,700,007.46</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,700,007.46</b>	
<b><u>INVESTMENT MANAGEMENT ACC</u></b>								
MORGAN STANLEY	3.5%	-	-	-	-	-	-	
		-						
PFM Funds	3.5%	19,598,259.17	20,392.71	-	-	-	19,618,651.88	⑨
<b>TOTAL INVESTMENT MANAGEMENT ACCT</b>		<b>19,598,259.17</b>	<b>20,392.71</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>19,618,651.88</b>	
<b><u>SAVINGS &amp; MONEY MARKET ACCOUNTS</u></b>								
POLICE EVIDENCE ACCT - B of A #04!	0.1%	5,080.09	-	-	-	-	5,080.09	⑩
<b>TOTAL SAVINGS ACCOUNT</b>		<b>5,080.09</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,080.09</b>	
<b>TOTAL INVESTMENTS</b>		<b>24,303,346.72</b>	<b>20,392.71</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24,323,739.43</b>	

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of December 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF
	YIELD	11/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	12/31/2019

**UNION BANK OF CALIFORNIA (Cost Basis reported)**

**COACHELLA WATER AUTHORITY**

**CITY OF COACHELLA WATER: WATER REFUNDING BONDS 2012 SERIES**

A/C #: 6712016201 Bond Fund	0.0%	256.62		0.30			256.92
A/C #: 6712016202 Interest Account	0.0%	-					-
A/C #: 6712016203 Principal Account	0.0%	-					-
A/C #: 6712016204 Reserve Fund	0.0%	1.00					1.00
A/C #: 6712016206 Escrow Fund 2003	0.0%	-	-	-	-	-	-

**COACHELLA FINANCING AUTHORITY**

**COACHELLA SANITARY DISTRICT: WASTEWATER REV 2005-A COPS**

A/C #: 6711755701 Bond Fund	0.0%	-	-	-	-	-	-
A/C #: 6711755702 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 6711755703 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 6711755704 Reserve Account	2.5%	-	-	-	-	-	-

**RDA PA #4 2004 B SERIES: TAX ALLOCATION BONDS**

A/C #: 6711745801 Revenue Fund	0.0%	-	-	-	-	-	-
A/C #: 6711745802 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 6711745803 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 6711745804 Reserve Fund	2.5%	-	-	-	-	-	-

**Successor Agency to the Coachella Redevelopments Agency 2014 Series**

A/C #: 6712104701	0.0%	263.02		0.30	-	-	263.32
A/C #: 6712104702	0.0%	-			-	-	-
A/C #: 6712104703	0.0%	-			-	-	-
A/C #: 6712104704	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712104705	0.0%	-	-	-	-	-	-
A/C #: 6712104706	0.0%	-	-	-	-	-	-
A/C #: 6712104707 Escrow Funds	0.0%	-	-	-	-	-	-
A/C #: 6712104708 Escrow Funds	0.0%	-	-	-	-	-	-

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of December 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT YIELD	BALANCE AS OF 11/30/2019	NET: DEPOSITS AND/OR (WITHDRAWALS)	INTEREST EARNED / CHANGE IN VALUE	PAYMENT OF INTEREST	PAYMENT OF PRINCIPAL	BALANCE AS OF 12/31/2019
<b>COACHELLA SANITARY DISTRICT</b>							
<b>WASTEWATER SERIES 2015A</b>							
A/C #: 6712148600	0.0%	-	-	-	-	-	-
A/C #: 6712148601	0.0%	26.69	-	-	-	-	26.69
A/C #: 6712148602	0.0%	-	-	-	-	-	-
A/C #: 6712148603	0.0%	-	-	-	-	-	-
A/C #: 6712148604	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712148605	0.0%	-	-	-	-	-	-
A/C #: 6712148606	0.0%	-	-	-	-	-	-
A/C #: 6712148607	0.0%	-	-	-	-	-	-
A/C #: 6712148608	0.0%	-	-	-	-	-	-
<b>COACHELLA SANITARY DISTRICT: PROJECT FUND 2011</b>							
A/C #: 6711963500 Project Fund 2011	0.0%	25,112.18	-	31.98	-	-	25,144.16
<b>COACHELLA REDEVELOPMENT AGENCY</b>							
<b>MERGED PROJECT AREAS BONDS 98 &amp; 99: BONDS 2013</b>							
A/C #: 6712071401 Interest Account	0.0%	298.14	-	0.30	-	-	298.44
A/C #: 6712071402 Interest Acc	0.0%	-	-	-	-	-	-
A/C #: 6712071403 Principal Acc	0.0%	-	-	-	-	-	-
A/C #: 6712071404 Reserve Account	0.0%	1.00	-	-	-	-	1.00
<b>SA TO COACHELLA RDA REFUNDING BONDS SERIES 2016A &amp; 2016B</b>							
A/C #: 6712160601	0.0%	364.39	-	0.60	-	-	364.99
A/C #: 6712160602	0.0%	-	-	-	-	-	-
A/C #: 6712160604	0.0%	-	-	-	-	-	-
A/C #: 6712160604	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712160605	0.0%	-	-	-	-	-	-
A/C #: 6712160606	0.0%	-	-	-	-	-	-
A/C #: 6712160607	0.0%	-	-	-	-	-	-
A/C #: 6712160608	0.0%	-	-	-	-	-	-
A/C #: 6712160609	0.0%	-	-	-	-	-	-
<b>COACHELLA LEASE BONDS</b>							

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of December 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT YIELD	BALANCE AS OF 11/30/2019	NET: DEPOSITS AND/OR (WITHDRAWALS)	INTEREST EARNED / CHANGE IN VALUE	PAYMENT OF INTEREST	PAYMENT OF PRINCIPAL	BALANCE AS OF 12/31/2019
A/C #: 6712179800 Special Fund	0.0%	-	-	-	-	-	-
A/C #: 6712179801 Interest Account	0.0%	171,367.25	(171,365.63)	98.01	-	-	99.63
A/C #: 6712179802 Interest Account	0.0%	-	171,365.63		(171,365.63)	-	-
A/C #: 6712179803 Principal Account	0.0%	-			-	-	-
A/C #: 6712179804 Reserve Account	3.4%	1.00			-	-	1.00
A/C #: 6712179805 Project Fund	0.0%	130,524.28			140.85	-	130,665.13
A/C #: 6712179806 Project Fund	0.0%	-			-	-	-
A/C #: 6712179807 Project Fund	0.0%	-	-	-	-	-	-
<b>TOTAL UNION BANK OF CALIFORNIA</b>		<b>328,218.57</b>	<b>-</b>	<b>131.49</b>	<b>(171,224.78)</b>	<b>-</b>	<b>157,125.28</b>

⑤

**WELLS FARGO BANK, N.A.**

<b>GAS TAX BONDS SERIES 2008-A</b>							
A/C #: 22863900 Revenue Fund	0.0%	(0.00)	-		-	-	(0.00)
A/C #: 22863902 Interest Account	0.0%	135.88	-	(115.47)		-	20.41
A/C #: 22863903 Interest Account	0.0%	285.92	-	0.29	-		286.21
A/C #: 22863904 Reserve Fund	4.6%	0.00		-	-	-	0.00
A/C #: 22863906 Administration Fund	0.0%	(0.00)			-	-	(0.00)
A/C #: 22863909 Acquisition Fund	0.0%	-	-	-	-	-	-
<b>GAS TAX BONDS SERIES 2019</b>							
A/C #: 83925300 Debt Service Fund	0.0%	10,943.63		10.94	-	-	10,954.57
A/C #: 83925301 Interest Account	0.0%	-		-	-	-	-
A/C #: 83925302 Principal Account	0.0%	-		-	-	-	-
A/C #: 83925304 Reserve Fund	0.0%	-		-	-	-	-
A/C #: 83925305 Cost of Issuance Fund	0.0%	2,351.57		5.94	-		2,357.51
A/C #: 83972700 Escrow Account	0.0%	-		-	-	-	-
A/C #: 83972700 Other Escrow Fund	0.0%	-	-	-	-	-	-
<b>TOTAL WELLS FARGO BANK</b>		<b>13,717.00</b>	<b>-</b>	<b>(98.30)</b>	<b>-</b>	<b>-</b>	<b>13,618.70</b>

⑤

**COUNTY OF RIVERSIDE**

COUNTY OF RIVERSIDE - FIRE			-	709.76	-	-	163,557.53
COUNTY OF RIVERSIDE - SANITARY			-	0.03	-	-	7.41

⑦

⑦

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of December 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	11/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	12/31/2019	
TOTAL COUNTY OF RIVERSIDE		162,855.15	-	709.79	-	-	163,564.94	⑦
GRAND TOTAL FISCAL AGENT CASH		504,790.72	-	742.98	(171,224.78)	-	334,308.92	⑪

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of October 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	9/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	10/31/2019	
<b>CASH ON HAND</b>								
Wells Fargo-General Checking	N/A	5,484,840.48	389,315.63	-	-	-	5,874,156.11	①
		-						
Wells Fargo-Road Maintenance SB1	N/A	699,439.96	81,760.26	-	-	-	781,200.22	②
		-						
Rabobank-Payroll Account	0.0%	8,466.79	85.75	1.54	-	-	8,554.08	③
		-						
Rabobank-AG Summit Account	0.0%	13,562.96	-	-	-	-	13,562.96	④
		-						
Rabobank-Special Gas Tax Account	0.0%	180,326.54	218,357.89	-	-	-	398,684.43	⑤
		-						
Petty Cash	N/A	3,075.00	425.00	-	-	-	3,500.00	
<b>Total Cash on Hand</b>		<b>6,389,711.73</b>	<b>689,944.53</b>	<b>1.54</b>	<b>-</b>	<b>-</b>	<b>7,079,657.80</b>	
<b>CASH WITH FISCAL AGENT</b>								
Union Bank of California	varies	227,658.16	0.00	368.08	(70,962.51)	-	157,063.73	⑥
		-						
Wells Fargo Bank, N.A.	4.6%	462,278.83	5,375,307.05	7,163.90	-	(156,450.88)	5,688,298.90	⑥
		-						
County of Riverside	N/A	162,679.38	-	175.77	-	-	162,855.15	⑦
		-						
<b>Total Cash with Fiscal Agent</b>		<b>852,616.37</b>	<b>5,375,307.05</b>	<b>7,707.75</b>	<b>(70,962.51)</b>	<b>(156,450.88)</b>	<b>6,008,217.78</b>	
<b>INVESTMENTS</b>								
State of California - LAIF	0.2%	4,671,234.04	-	28,773.42	-	-	4,700,007.46	⑧
Investment Management Acct	3.3%	19,563,263.73	68,371.91	-	-	-	19,631,635.64	⑨
Saving Account - Wells Fargo Bank		5,080.09	-	-	-	-	5,080.09	⑩
<b>Total Investments</b>		<b>24,239,577.86</b>	<b>68,371.91</b>	<b>28,773.42</b>	<b>-</b>	<b>-</b>	<b>24,336,723.19</b>	
<b>Grand Total</b>		<b>31,481,905.96</b>	<b>6,133,623.49</b>	<b>36,482.71</b>	<b>(70,962.51)</b>	<b>(156,450.88)</b>	<b>37,424,598.77</b>	⑪

Prepared by: Ruben Ramirez-Accounting Manager

Reviewed by: \_\_\_\_\_

Page 82

Date: 10/31/2019



**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of October 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	9/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	10/31/2019	
<b>INVESTMENTS</b>								
<b><u>STATE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND (LAIF)</u></b>								
REDEVELOPMENT AGENCY( #004)	0.3%	2,433.89	-	14.99	-	-	2,448.88	⑧
		-						
CITY GENERAL ACCOUNT( #171)	0.3%	2,819,847.71	-	17,369.43	-	-	2,837,217.14	⑧
		-						
COACHELLA SANITARY DISTRICT	0.3%	1,848,830.78	-	11,388.25	-	-	1,860,219.03	⑧
		-						
REDEVELOPMENT BONDS	0.3%	121.66	-	0.75	-	-	122.41	⑧
<b>TOTAL LAIF ACCOUNTS</b>		<b>4,671,234.04</b>	<b>-</b>	<b>28,773.42</b>	<b>-</b>	<b>-</b>	<b>4,700,007.46</b>	
<b><u>INVESTMENT MANAGEMENT ACC</u></b>								
MORGAN STANLEY	3.5%	-	-	-	-	-	-	
		-						
PFM Funds	3.5%	19,563,263.73	68,371.91	-	-	-	19,631,635.64	⑨
<b>TOTAL INVESTMENT MANAGEMENT ACCT</b>		<b>19,563,263.73</b>	<b>68,371.91</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>19,631,635.64</b>	
<b><u>SAVINGS &amp; MONEY MARKET ACCOUNTS</u></b>								
POLICE EVIDENCE ACCT - B of A #04!	0.1%	5,080.09	-	-	-	-	5,080.09	⑩
<b>TOTAL SAVINGS ACCOUNT</b>		<b>5,080.09</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,080.09</b>	
<b>TOTAL INVESTMENTS</b>		<b>24,239,577.86</b>	<b>68,371.91</b>	<b>28,773.42</b>	<b>-</b>	<b>-</b>	<b>24,336,723.19</b>	

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of October 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF
	YIELD	9/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	10/31/2019

**UNION BANK OF CALIFORNIA (Cost Basis reported)**

**COACHELLA WATER AUTHORITY**

**CITY OF COACHELLA WATER: WATER REFUNDING BONDS 2012 SERIES**

A/C #: 6712016201 Bond Fund	0.0%	255.99		0.32			256.31
A/C #: 6712016202 Interest Account	0.0%	-					-
A/C #: 6712016203 Principal Account	0.0%	-					-
A/C #: 6712016204 Reserve Fund	0.0%	1.00					1.00
A/C #: 6712016206 Escrow Fund 2003	0.0%	-	-	-	-	-	-

**COACHELLA FINANCING AUTHORITY**

**COACHELLA SANITARY DISTRICT: WASTEWATER REV 2005-A COPS**

A/C #: 6711755701 Bond Fund	0.0%	-	-	-	-	-	-
A/C #: 6711755702 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 6711755703 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 6711755704 Reserve Account	2.5%	-	-	-	-	-	-

**RDA PA #4 2004 B SERIES: TAX ALLOCATION BONDS**

A/C #: 6711745801 Revenue Fund	0.0%	-	-	-	-	-	-
A/C #: 6711745802 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 6711745803 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 6711745804 Reserve Fund	2.5%	-	-	-	-	-	-

**Successor Agency to the Coachella Redevelopments Agency 2014 Series**

A/C #: 6712104701	0.0%	218.58	43.84	0.29	-	-	262.71
A/C #: 6712104702	0.0%	-	(18.14)	18.14	-	-	-
A/C #: 6712104703	0.0%	-	(25.70)	25.70	-	-	-
A/C #: 6712104704	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712104705	0.0%	-	-	-	-	-	-
A/C #: 6712104706	0.0%	-	-	-	-	-	-
A/C #: 6712104707 Escrow Funds	0.0%	-	-	-	-	-	-
A/C #: 6712104708 Escrow Funds	0.0%	-	-	-	-	-	-

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of October 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF
	YIELD	9/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	10/31/2019
<b>COACHELLA SANITARY DISTRICT</b>							
<b>WASTEWATER SERIES 2015A</b>							
A/C #: 6712148600	0.0%	-	-	-	-	-	-
A/C #: 6712148601	0.0%	1.00	4.07	21.62	-	-	26.69
A/C #: 6712148602	0.0%	70,962.51	(4.07)	4.07	(70,962.51)	-	-
A/C #: 6712148603	0.0%	-	-	-	-	-	-
A/C #: 6712148604	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712148605	0.0%	-	-	-	-	-	-
A/C #: 6712148606	0.0%	-	-	-	-	-	-
A/C #: 6712148607	0.0%	-	-	-	-	-	-
A/C #: 6712148608	0.0%	-	-	-	-	-	-
<b>COACHELLA SANITARY DISTRICT: PROJECT FUND 2011</b>							
A/C #: 6711963500 Project Fund 2011	0.0%	25,033.86	-	40.97	-	-	25,074.83
<b>COACHELLA REDEVELOPMENT AGENCY</b>							
<b>MERGED PROJECT AREAS BONDS 98 &amp; 99: BONDS 2013</b>							
A/C #: 6712071401 Interest Account	0.0%	247.76	49.78	0.29	-	-	297.83
A/C #: 6712071402 Interest Acc	0.0%	-	(7.12)	7.12	-	-	-
A/C #: 6712071403 Principal Acc	0.0%	-	(42.66)	42.66	-	-	-
A/C #: 6712071404 Reserve Account	0.0%	1.00	-	-	-	-	1.00
<b>SA TO COACHELLA RDA REFUNDING BONDS SERIES 2016A &amp; 2016B</b>							
A/C #: 6712160601	0.0%	344.42	18.78	0.57	-	-	363.77
A/C #: 6712160602	0.0%	-	(18.78)	18.78	-	-	-
A/C #: 6712160604	0.0%	-	-	-	-	-	-
A/C #: 6712160604	0.0%	1.00	-	-	-	-	1.00
A/C #: 6712160605	0.0%	-	-	-	-	-	-
A/C #: 6712160606	0.0%	-	-	-	-	-	-
A/C #: 6712160607	0.0%	-	-	-	-	-	-
A/C #: 6712160608	0.0%	-	-	-	-	-	-
A/C #: 6712160609	0.0%	-	-	-	-	-	-
<b>COACHELLA LEASE BONDS</b>							

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of October 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT YIELD	BALANCE AS OF 9/30/2019	NET: DEPOSITS AND/OR (WITHDRAWALS)	INTEREST EARNED / CHANGE IN VALUE	PAYMENT OF INTEREST	PAYMENT OF PRINCIPAL	BALANCE AS OF 10/31/2019
A/C #: 6712179800 Special Fund	0.0%	-	-	-	-	-	-
A/C #: 6712179801 Interest Account	0.0%	418.83		0.61	-	-	419.44
A/C #: 6712179802 Interest Account	0.0%	-		-		-	-
A/C #: 6712179803 Principal Account	0.0%	-		-	-		-
A/C #: 6712179804 Reserve Account	3.4%	1.00	-	-	-	-	1.00
A/C #: 6712179805 Project Fund	0.0%	130,169.21		186.94	-	-	130,356.15
A/C #: 6712179806 Project Fund	0.0%	-	-	-	-	-	-
A/C #: 6712179807 Project Fund	0.0%	-	-	-	-	-	-
<b>TOTAL UNION BANK OF CALIFORNIA</b>		<b>227,658.16</b>	<b>0.00</b>	<b>368.08</b>	<b>(70,962.51)</b>	<b>-</b>	<b>157,063.73</b>

⑤

**WELLS FARGO BANK, N.A.**

<b>GAS TAX BONDS SERIES 2008-A</b>							
A/C #: 22863900 Revenue Fund	0.0%	5.17	(5.18)	0.01	-	-	(0.00)
A/C #: 22863902 Interest Account	0.0%	443.02	(307.91)	0.57		-	135.68
A/C #: 22863903 Interest Account	0.0%	930.64	(646.82)	1.20	-		285.02
A/C #: 22863904 Reserve Fund	4.6%	451,237.50	(458,387.11)	7,149.61	-	-	0.00
A/C #: 22863906 Administration Fund	0.0%	9,662.50	(9,675.01)	12.51	-	-	(0.00)
A/C #: 22863909 Acquisition Fund	0.0%	-	-	-	-	-	-
<b>GAS TAX BONDS SERIES 2019</b>							
A/C #: 83925300 Debt Service Fund	0.0%	-	10,634.92	-	-	-	10,634.92
A/C #: 83925301 Interest Account	0.0%	-	-	-	-	-	-
A/C #: 83925302 Principal Account	0.0%	-	-	-	-	-	-
A/C #: 83925304 Reserve Fund	0.0%	-	-	-	-	-	-
A/C #: 83925305 Cost of Issuance Fund	0.0%	-	158,798.86	-	-	(156,450.88)	2,347.98
A/C #: 83972700 Escrow Account	0.0%	-	5,674,895.30	-	-	-	5,674,895.30
A/C #: 83972700 Other Escrow Fund	0.0%	-	-	-	-	-	-
<b>TOTAL WELLS FARGO BANK</b>		<b>462,278.83</b>	<b>5,375,307.05</b>	<b>7,163.90</b>	<b>-</b>	<b>(156,450.88)</b>	<b>5,688,298.90</b>

⑤

**COUNTY OF RIVERSIDE**

COUNTY OF RIVERSIDE - FIRE			-	175.76	-	-	162,847.77
COUNTY OF RIVERSIDE - SANITARY			-	0.01	-	-	7.38

⑦

⑦

**CITY OF COACHELLA**  
**TREASURER'S REPORT - INVESTMENT REPORT**  
As of October 31, 2019  
Fiscal Year 2019-2020

DESCRIPTION	CURRENT	BALANCE AS OF	NET: DEPOSITS AND/OR	INTEREST EARNED /	PAYMENT OF	PAYMENT OF	BALANCE AS OF	
	YIELD	9/30/2019	(WITHDRAWALS)	CHANGE IN VALUE	INTEREST	PRINCIPAL	10/31/2019	
TOTAL COUNTY OF RIVERSIDE		162,679.38	-	175.77	-	-	162,855.15	⑦
GRAND TOTAL FISCAL AGENT CASH		852,616.37	5,375,307.05	7,707.75	(70,962.51)	(156,450.88)	6,008,217.78	⑪



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Gabriel Martin, Economic Development Manager

**SUBJECT:** Execute First Amendment to the Purchase Option Agreement with R.B. Johnson Investments, LLC., for the Affordable Housing and Sustainable Communities (AHSC) Program

**STAFF RECOMMENDATION:**

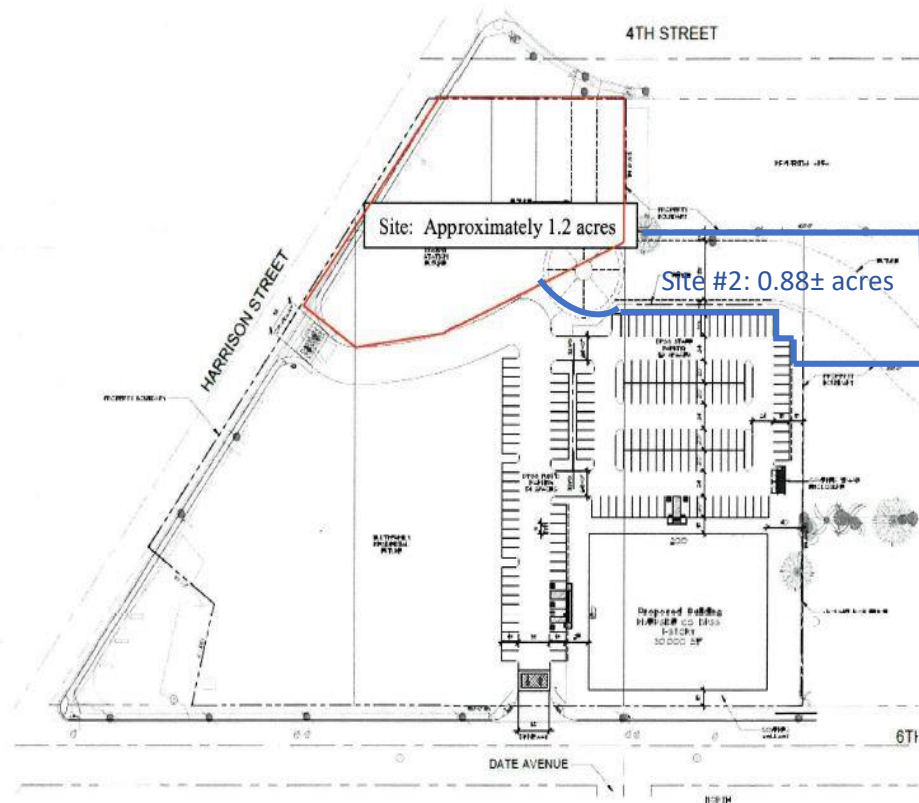
Execute First Amendment to the Purchase Option Agreement with R.B. Johnson Investments, LLC, for the Affordable Housing and Sustainable Communities (AHSC) Program.

**BACKGROUND:**

On December 13, 2017, the City Council approved the following items:

- Approved Resolution 2017-83 authorizing the City of Coachella to submit an application for the Affordable Housing and Sustainable Communities (AHSC) Program;
- Entered into a Purchase Option Agreement with R.B. Johnson Investment, LLC;
- Entered into a Affordable Housing Loan Agreement with Chelsea Investment Corporation for the purpose of submitting an application to the AHSC Program

The City Council conditionally approved the City Manager to enter into a Purchase Option Agreement between R.B. Johnson Investment, LLC, a California Limited Liability Company (“Optionor”), and the City of Coachella, a political subdivision of the State of California (“Optionee”) for the purpose of developing a new, state of the art transit hub for Sun Line Transit Authority (“Project”). R.B. Johnson Investment, LLC, owns the 1.2 acre property for the proposed project site (APN: 778-080-006) (highlighted red in following image). The purchase price for the property is \$750,000. Should the application be successful, \$500,000 would directly be charged to the AHSC grant while the remaining \$250,000 will be provided from the City’s Bus Shelter DIF (Fund 123).



On June 21, 2019, the City of Coachella was awarded the AHSC program grant for the amount of \$14,865,407 dollars to cover the cost of street improvements (\$696,000), two Sunline buses (\$2,800,000), 40 Cal Vans (\$1,160,000), the Transit Hub (\$1,813,500), and the Housing Loan (\$8,395,407). This grant award is to be funded on a reimbursement basis, such that the developer will submit invoices for their actual design and construction costs to the City for reimbursement. The term of the grant and the deadline for construction of the entire scope of work for the project is 24 months.

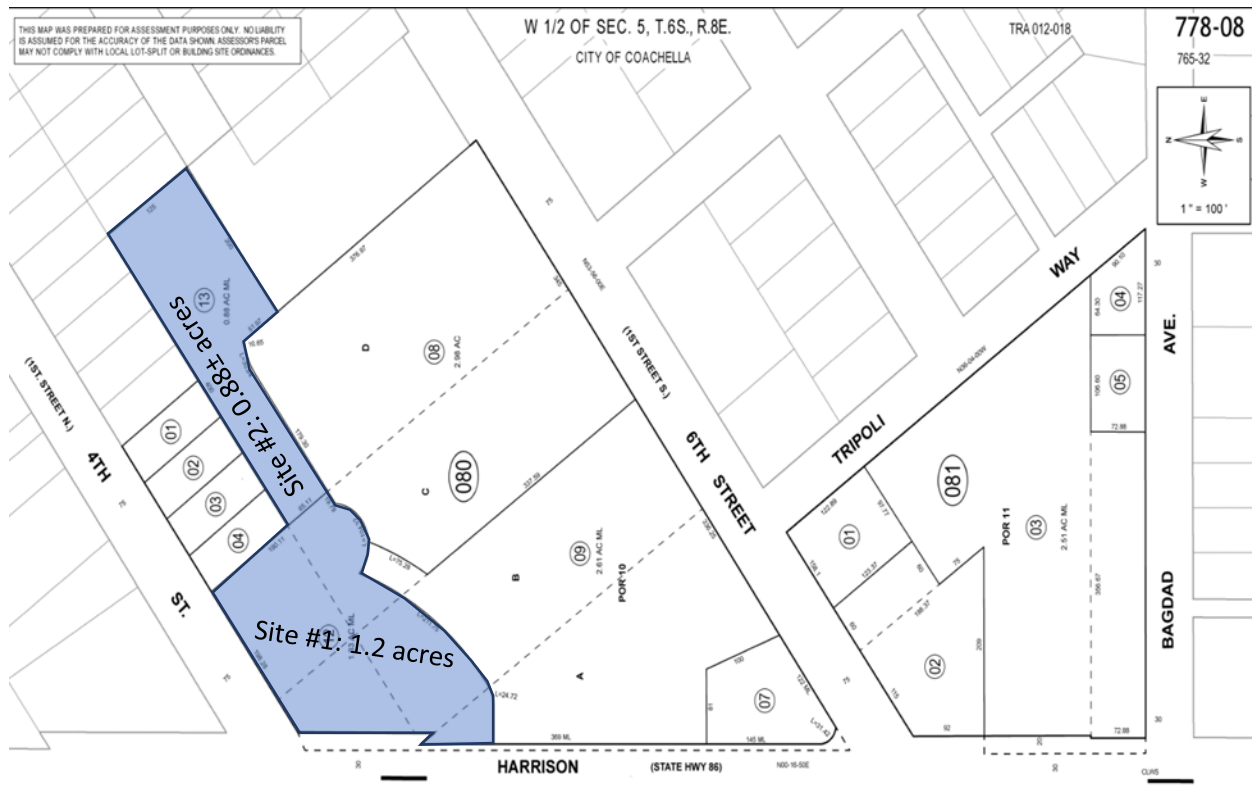
#### **DISCUSSION/ANALYSIS:**

The First Amendment to the Option Agreement increases the property size to include additional 0.88± acres (highlighted in blue in the image above) for a total of 2.21± acres (APNs 778-080-012 and 778-080-013). The purchase price for both properties will remain the same \$750,000. As a further condition of this increase to the size of the land, the Optionee shall assume full responsibility for all negotiations and eventual settlement(s) with adjacent property owners whose property abuts the eastern boundary of the land with respect to said property owners' access to Fifth Street.

The First Amendment also allows the Optionor to reserve the following rights on behalf of and for the benefit of a related entity, CP Coachella DPSS, LLC, developer of the DPSS project at

1283 Sixth Street on approximately 2.98 acres. CP Coachella DPSS, LLC, will be responsible for the following items:

- Relocate detention basin from Chelsea site to the Optionee site;
- Design and construct new detention basin that will accommodate Optionee's future Project amenities, such as new bike path, sidewalk and associated landscaping;
- Enter into permanent maintenance agreement with the Optionee to maintain the new detention basin;
- Enter into permanent easement with the Optionee to discharge storm water from DPSS property into new detention basin and for a fire water line that services the DPSS project.





First Amendment to Option Agreement  
Original Option Agreement – executed on December 13, 2017

## OPTION AGREEMENT

This **OPTION AGREEMENT** ("Agreement") is entered into as of the date last signed below ("Effective Date") by and between **R.B. Johnson Investments, LLC**, a California limited liability company (the "Optionor"), and **The City of Coachella**, a political subdivision of the State of California (the "Optionee").

### RECITALS

A. The Optionor owns land located at Harrison and Fourth Streets in the City of Coachella, State of California, described more fully in **Attachment A** attached hereto and made a part hereof by this reference ("Land"), including all maps, plans, permits, reports, consents, entitlements and deposits relating to the Land in Optionor's possession (the "Work Product" and, together with the Land, the "Property"). The Property is adjacent, on the north side, to property designated for an affordable housing development to be developed by Chelsea Investment Corporation.

B. Optionor desires to grant to Optionee an option to purchase the Property (the "Option"), for the purpose of developing a transit hub for SunLine Transit Authority (the "Project"), on the terms and under the conditions set forth therein.

### AGREEMENT

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Grant of Option. Optionor hereby grants to Optionee the exclusive option ("Option") to purchase the Property, on the terms and conditions set forth in this Agreement.

2. Term of Option & Conditions. The term of this Option (the "Option Term") shall commence on the date first set forth above and shall expire at 11:59 p.m. on date that is eighteen (18) months from the Effective Date. Optionee shall have the right to extend the Option Term two separate times, each for a period of six months ("Extension"). If Optionee fails to timely exercise its Option or if Optionee fails to satisfy the contingencies set forth in Section 4, below, the Option shall automatically expire and all rights of Optionee arising out of the Option shall immediately cease.

3. Due Diligence and Feasibility

(a) Feasibility Period. Optionee shall have until the date that is one-hundred eighty (180) days from the Effective Date ("Feasibility Period") to complete its due diligence, feasibility analysis and other investigations and evaluations of the Property and to deliver to Optionor a written notice confirming its unconditional approval of such matters (an "Approval Notice"),

including: (i) the physical condition of the Property including the topography, size, dimensions and boundaries of the Property, (ii) the feasibility of any improvements planned by Optionee, including the cost and availability of permits and other approvals necessary to construct such improvements and the cost of such improvements, (iii) title matters, including without limitation real property taxes and assessments, including the cost and availability of any additional title insurance coverage or endorsements desired by Optionee; (iv) compliance with applicable laws, including zoning and use restrictions; (v) the cost and availability of financing; (vi) environmental matters, including, without limitation, the potential existence of hazardous materials on, in or near the Property; and (vii) all other matters relating to the Property. Optionee and its agents, representatives and consultants may enter the Property as reasonably necessary to make inspections and conduct studies related to the Property. As a condition to the right of entry set forth above, Optionee shall extend commercial liability insurance, including direct contractual and contingent liability coverage, with limits of not less than \$1,000,000 per occurrence for bodily injury, property damage and personal injury, and \$2,000,000 general policy aggregate, through its self-insurance program, covering Optionor.

If Optionee does not deliver the Approval Notice to Optionor prior to the expiration of the Feasibility Period, feasibility shall be deemed disapproved, and this Agreement is voidable at the sole and absolute discretion of Optionor. If, for any reason, Optionee determines in its sole discretion that it is not feasible for Optionee to purchase the Property, Optionee may terminate this Agreement by delivering a written notice of disapproval to Optionor prior to the expiration of the Feasibility Period.

(b) Due Diligence Documents. Within three (3) days of the Effective Date, Optionor shall deliver to Optionee (i) a title insurance commitment for the Property issued by First American Title Insurance Company together with legible copies of all recorded instruments affecting the Property and, (ii) all maps, permits, reports and plans relating to the Property in its possession, including, without limitation, surveys, environmental reports, physical inspection reports, soils reports, appraisals and market studies or reports (collectively, the “Due Diligence Documents”). Optionee acknowledges and agrees that the Due Diligence Documents are provided for information and disclosure purposes only and the Optionor makes no representation regarding their accuracy.

4. Contingencies. The exercise of the Option by Optionee shall be and is contingent upon the satisfaction of all of the following contingencies prior to expiration of the Option Term or such sooner date set forth herein:

(a) The option granted by Optionor to Sage Won Investment Corporation remains in effect and is exercised by Sage Won or its assignee simultaneously with the Option granted by this Agreement.

(b) Optionee and Chelsea Investment Corporation shall have received a binding commitment under the California Affordable Housing and Sustainable Communities Act for financing for the Project, including \$500,000 to be used to offset the cost of the purchase of the Property.

(c) Optionee shall have obtained binding commitments for construction and permanent financing of the Project in amounts and upon terms necessary to construct and operate the Project as determined by Optionee in its sole discretion.

The parties shall use their best efforts to satisfy the contingencies set forth in Sections 4(a) through (c) above by the expiration of the Option Term.

5. Option Price; Purchase Price.

(a) Within three (3) days of the Effective Date, Optionee shall pay One Dollar (\$1.00) ("Option Price") in consideration of the Option, which amount shall be credited to the Purchase Price at the Close of Escrow (as defined below). The Option Price is earned when paid and is nonrefundable consideration for the Option.

(b) The purchase price for the Property under the Option shall be Seven Hundred, Fifty Thousand Dollars (\$750,000.00) (the "Purchase Price").

6. Exercise of Option.

(a) Procedure for Exercise of the Option. Except as otherwise provided herein, upon satisfaction of the contingencies set forth in Section 4 above, the Option may be exercised by Optionee by delivering written notice to Optionor stating without condition or qualification, that the Option is exercised on or before the expiration of the Option Term.

(b) Failure of Contingency. If Optionee fails to satisfy any of the conditions set forth in Section 4 above on or before the expiration of the Option Term (or such sooner date set forth therein), or if Optionee fails to deliver the written notice to Optionor described in Section 6(a) above on or before the expiration of the Option Term, the Option and this Agreement shall be terminated and cancelled and the Deposit shall be returned to Optionee.

7. Completion of Sale.

(a) Timing of Sale. The sale of the Property shall be carried out through an escrow with Escrow Holder no later than ninety (90) days after Optionor's receipt of Optionee's written notice of exercise of the Option.

(b) Deliveries to Escrow Holder.

(i) Optionee's Deliveries. At least one (1) business day immediately preceding the close of escrow for the sale of the Property ("Close of Escrow"), unless an earlier date for delivery is required under this Agreement, Optionee shall deliver to Escrow Holder each of the items described below.

(A) Cash in an amount equal to the Purchase Price as set forth in Section 5(b) after subtracting the amount paid for the Option Price.

(B) The amounts required of Optionee under Section 7(d) and (e) below.

(C) Executed counterparts of any other documents the parties mutually direct to be recorded in the Office of the County Recorder for Riverside County ("Recorder's Office").

(ii) Optionor's Deliveries. At least one (1) business day immediately prior to the Closing of Escrow, unless an earlier date for delivery is required under this Agreement, Optionor shall deliver to Escrow Holder each of the items described below.

(A) A grant deed in form and substance acceptable to Optionee ("Grant Deed"), duly executed and acknowledged by Optionor, in recordable form, conveying to Optionee fee title to the Property.

(B) A transferor's certificate of non-foreign status in form and substance acceptable to Optionee properly executed by Optionor and a California FTB Form 593-C properly executed by Optionor.

(C) An assignment of the Work Product in a form mutually agreed upon between Optionee and Optionor.

(D) Executed counterparts of any other documents the parties mutually direct to be recorded in the Recorder's Office.

(c) Escrow Holder shall close escrow by (i) filing for record the Grant Deed and any other documents the parties mutually direct to be recorded in the Recorder's Office of the County Recorder for Riverside County, and (ii) delivering funds and documents as mutually directed by the parties when all funds and instruments required pursuant to Section 7(b) have been delivered to Escrow Holder.

(d) Prorations. Escrow Holder will prorate between the parties, to the Close of Escrow, County, City and special district (if any) real property taxes, special taxes and assessments for the Property, based on twelve 30-day months.

(e) Escrow Charges.

(i) Optionor Charges. Optionor shall pay (i) one-half of Escrow Holder's fee (ii) any documentary transfer tax imposed by the County of Riverside, (iii) Optionor's legal fees, (iv) the cost of Optionee's CLTA title insurance policy, and (v) Escrow Holder's usual seller's document-drafting and recording charges.

(ii) Optionee Charges. Optionee will pay (i) one-half of Escrow Holder's fee, (ii) if Optionor elects to be issued an ALTA extended coverage form of title insurance policy, the difference between the cost of a CLTA policy and an ALTA policy, (iii) Optionee's legal fees, and (iv) Escrow Holder's usual buyer's document-drafting and recording charges.

All other fees and charges not specifically provided for herein shall be paid by the parties according to the custom in Riverside County.

8. No Real Estate Commissions Payable. This Agreement and the sale of the Property were not brought about by any broker or finder. Each party agrees to defend, indemnify and hold harmless the other party from and against any liability or expense arising from any claim by any broker or finder for a commission pertaining to this transaction because of any act of such party or its representatives.

9. As-Is Purchase. Except as expressly provided in this Agreement, Optionee is purchasing the Property "AS IS", "WHERE IS" and "WITH ALL FAULTS", without any representations, warranties or guaranties of any nature, express or implied, oral or written, past, present or future, regarding the Property. Optionee agrees that it will not rely on any representations, warranties, promises, assurances or other statements relating to or affecting the Property, whether made verbally or in writing, and whether made before or after the Effective Date, and whether express or implied, made by Optionor, or any of its agents, representatives or consultants, which are not set forth in this Agreement.

10. Arbitration. Optionee and Optionor agree that any dispute or claim in law or equity arising between them out of this Agreement or any resulting transaction, which is not settled through mediation, shall be decided by neutral, binding arbitration. The arbitrator shall be a retired judge or justice, or an attorney with at least 5 years of residential real estate law experience, unless the parties mutually agree to a different arbitrator. The parties shall have the right to discovery in accordance with Code of Civil Procedure §1283.05. In all other respects, the arbitration shall be conducted in accordance with Title 9 of Part 3 of the Code of Civil Procedure. Judgment upon the award of the arbitrator(s) may be entered into any court having jurisdiction. Enforcement of this agreement to arbitrate shall be governed by the Federal Arbitration Act.

11. General Conditions.

(a) Assignment. Optionee may assign its rights and obligations under this Agreement to SunLine Transit Authority, or to such other entity that will operate a transit hub on the Property, without the consent of, but with notice to, Optionor.

(b) Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

(c) Captions. The captions in this Agreement are inserted for convenience of reference and in no way define, describe or limit the scope or intent of this Agreement or any of the provisions of this Agreement.

(d) Partial Invalidity. Any provision of this Agreement which is unenforceable, invalid, or the inclusion of which would adversely affect the validity, legality, or enforcement of this Agreement shall have no effect, but all the remaining provisions of this Agreement shall remain in full effect.

(e) No Third-Party Rights. Nothing in this Agreement, express or implied, is intended to confer upon any person, other than the parties to this Agreement and their respective successors and assigns, any rights or remedies.

(f) Time Of Essence. Time is of the essence in this Agreement.

(g) Relationship. Nothing contained in this Agreement shall be deemed or construed by the parties or by any third person to create a relationship of principal and agent or partnership or a joint venture between Optionor and Optionee or between either or both of them and any third party.

(h) Further Assurances. Optionor and Optionee agree to execute all such instruments and documents and to take all actions which are reasonably necessary to carry out this Agreement or accomplish its intent.

(i) Incorporation of Prior Agreements. This Agreement contains all agreements of Optionor and Optionee with respect to any matter mentioned, or dealt with, herein. No prior agreement or understanding pertaining to any such matter shall be binding upon Optionor.

(j) Amendment. This Agreement may only be amended by written agreement signed by Optionor and Optionee.

(k) No Waiver. No waiver by Optionor of any provision hereof shall be deemed a waiver of any other provision hereof or of any subsequent breach of the same or any other provision. Optionor's consent to or approval of any act shall not be deemed to render unnecessary obtaining such Optionor's consent to or approval of any subsequent act. No waiver by Optionor shall be effective unless it is in writing, executed on behalf of Optionor.

(l) Notices. Any notice to be given or other document to be delivered to any party or to Escrow Holder under this Agreement shall be delivered as follows, with notice deemed given as indicated: (a) by personal delivery when delivered personally; (b) by overnight courier upon written verification of receipt; (c) by electronic mail upon acknowledgment of receipt of electronic transmission; or (d) by certified or registered mail, return receipt requested, upon verification of receipt. Any notice must be in writing, and notice and other documents shall be delivered as follows:

Optionor: R.B. Johnson Investments, LLC  
c/o Capital Partners Development Co. LLC  
2890 Kilgore Road, Suite 175  
Rancho Cordova, California 95670  
jbuckel@capitaldevco.com  
Attn: John Buckel

Optionee: The City of Coachella  
1515 Sixth Street  
Coachella, CA 92236  
bpattison@coachella.org

Attn: Bill Pattison, City Manager

Escrow Holder: First American Title Insurance Company  
4380 La Jolla Village Drive, # 200  
San Diego, CA 92122  
Attention: Sherri Keene  
Telephone No.: (858) 410-1305  
Email: skeene@firstam.com

Any party may from time to time, by written notice to the other, designate a different address, which shall be substituted for the one above specified.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



**IN WITNESS WHEREOF**, Optionor and Optionee have executed this Option Agreement as of the date last signed below.

DATE: 1/4/18

OPTIONOR:

**R.B. JOHNSON INVESTMENTS, LLC**,  
a California limited liability company

By: 

Rodney B. Johnson

Its: Manager

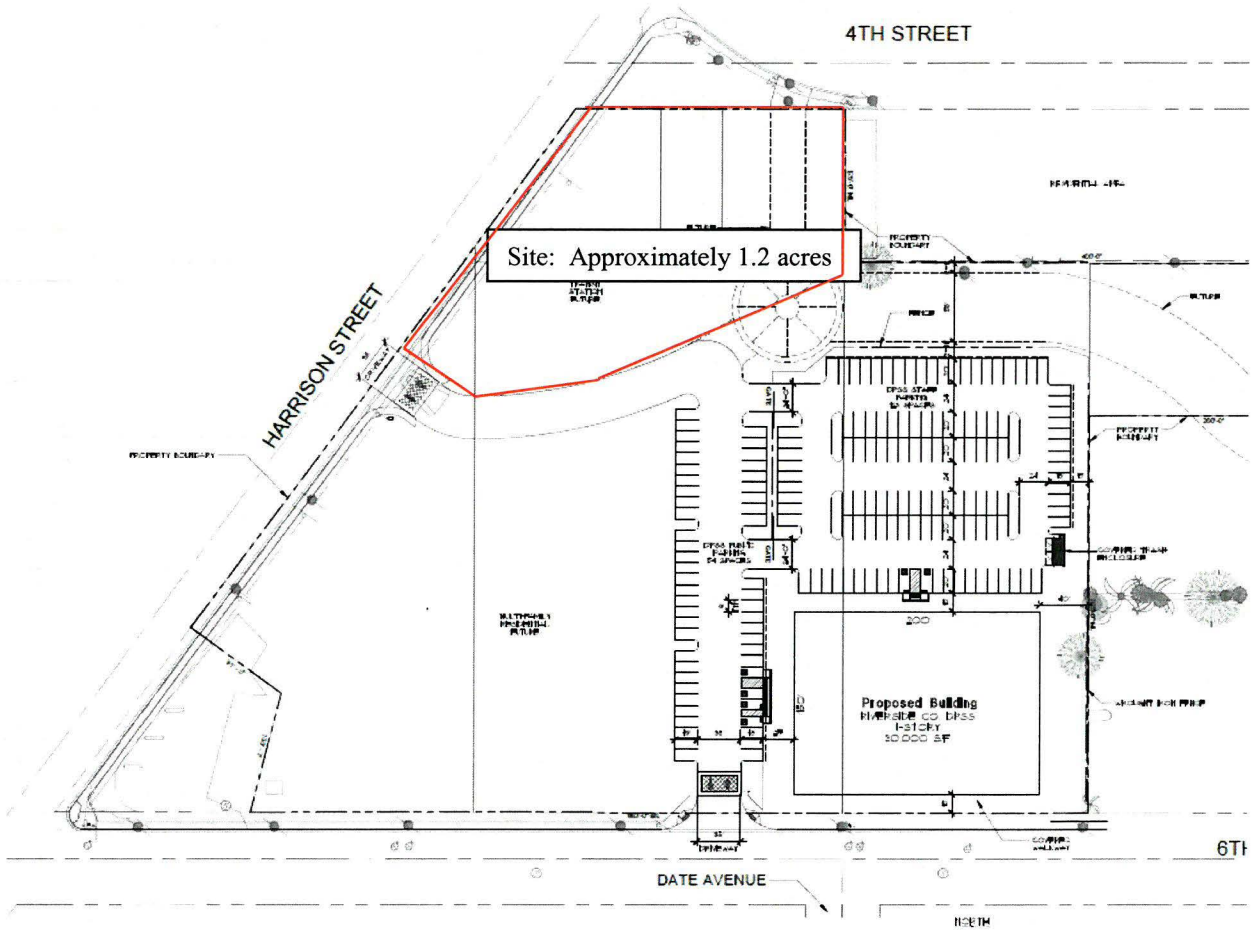
OPTIONEE:

DATE: 1/9/18

**THE CITY OF COACHELLA**  
a political subdivision of the State of California

By: 

William Pattison  
City Manager

**Attachment A**

**FIRST AMENDMENT TO OPTION AGREEMENT  
BETWEEN THE CITY OF COACHELLA AND  
R.B. JOHNSON INVESTMENT, LLC.**

This **First Amendment To Option Agreement** ("First Amendment") is entered into as of February 18, 2020, by and between **The City of Coachella, a Political Subdivision of the State Of California** (the "Optionee" and "City"); and **R.B. Johnson Investments, LLC**, a California limited liability company (the "Optionor").

**RECITALS**

A. Optionee and Optionor entered into that certain Option Agreement dated as of January 9, 2018 (the "Option Agreement"), pursuant to which Optionee was granted an option to purchase certain land in the City of Coachella, County of Riverside, State of California, which is more particularly described in the Option Agreement ("Land").

B. Optionee and Optionor desire to amend certain terms of the Option Agreement and provide for additional agreements between the parties as set forth herein.

**AGREEMENT**

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Extension of Option Term. The Option Term is hereby extended to end on June 10, 2020. There shall be no additional unilateral Extensions of the Option Term by Optionee.

2. Land. The Land area shall be amended to include an additional 0.88± acres for a total of 2.21± acres (APNs 778-080-012 and 778-080-013), as shown in **Attachment A – Rev. 1** attached hereto and made a part hereof. As a further condition of this increase to the size of the Land, Optionee shall assume full responsibility for all negotiations and eventual settlement(s) with adjacent property owners whose property abuts the eastern boundary of the Land with respect to said property owners' access to Fifth Street.

3. Reservations and Restrictions on Land. Optionor hereby reserves the following rights on behalf of and for the benefit of a related entity, CP Coachella DPSS, LLC, developer of the DPSS project at 1283 Sixth Street on approximately 2.98 acres ("CPC DPSS").

(a) CPC DPSS shall have the right, at its sole cost and expense, to relocate a detention basin from an adjacent parcel on to the Land. CPC DPSS shall design, secure required permits, construct and maintain such new basin ("Basin") with the following conditions:

(i) CPC DPSS's design shall maximize Basin's exposure to open air and minimize underground chambers;

(ii) CPC DPSS's design shall accommodate the City's eventual design and construction of a bike bath, sidewalk and associated landscaping on the Land after the Basin is constructed. Neither CPC DPSS nor Optionor shall have any responsibility for the design,

permitting or construction and associated costs of the bike path, sidewalk and associated landscaping project;

(iii) CPC DPSS shall have the right to remove as much as 3,200 cubic yards of soil in conjunction with the construction of the Basin without compensation to City;

(iv) CPC DPSS shall enter into a permanent maintenance agreement with City to maintain the Basin;

(v) CPC DPSS's right to discharge storm water from the DPSS property to the Basin on the Land shall be memorialized in a permanent easement, which CPC DPSS shall prepare to be included in the closing of escrow for the Land;

(vi) a fire water line runs across the Land from Fourth Street to serve the DPSS project. CPC DPSS shall prepare an easement to be included in the closing of escrow for the Land;

(vii) CPC DPSS, at its option, shall have the right to install a man gate in the fence along the DPSS project's north property line for DPSS personnel to be able to access the City's future bike path and sidewalk project.

4. Original Agreement. Except as modified hereby, the Option Agreement remains in full force and effect.

5. Capitalized Terms. All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Option Agreement

6. Counterparts. This Agreement may be signed in any number of counterparts, all of which taken together shall constitute one and the same instrument.

7. Governing Law. This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of California.

[SIGNATURES ON FOLLOWING PAGES]

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date stated above.

OPTIONOR:

**R.B. JOHNSON INVESTMENTS, LLC,**  
a California limited liability company

By: \_\_\_\_\_  
Rodney B. Johnson  
Manager

OPTIONEE:

**The City of Coachella**  
a political subdivision of the State of California

By: \_\_\_\_\_  
William Pattison  
City Manager





**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Maritza Martinez, Public Works Director

**SUBJECT:** Approve Resolution No. 2020-16 reducing the Adult Memorandum of Understanding (MOU) Park User Fees to mirror Youth MOU Park User Fees and extending Reduced Park Use Fee Schedule through June 30, 2021.

**STAFF RECOMMENDATION:**

Approve resolution 2020-16 reducing the Adult MOU Park User Fees to mirror Youth MOU Park User Fees and extend reduced park user fee schedule through June 30, 2021.

**EXECUTIVE SUMMARY:**

At the April 16, 2019 Parks and Recreation Commission meeting, the Commission recommended approval of a 50% reduction for Youth MOU Park User Fees and maintaining all other park user fees at the originally approved rate without reduction. City Council supported the Commission's recommendation and adopted resolution 2019-29 making the reduction effective June 1, 2019 through June 30, 2020.

At the February 18, 2020 Parks and Recreation Commission meeting, the Commission recommended Adult MOU Park User Fees be reduced to 50% to mirror the reduction in place for Youth MOU Park User Fees; the Commission also recommended extending these reductions through June 30, 2021. Staff is recommending approval of the attached resolution that extends a 50% reduction of both Adult and Youth MOU User Park Fees through June 30, 2021 (effective March 1, 2020). Below is the Park User Fee Schedule as recommended.

- Coachella Fee Schedule

<b><u>Fee Type</u></b>	<b>Approved Fee Per Hour</b>
○ Park Usage–R/NR	\$31.50
○ Stage Reservation–R/NR	\$187.00 per day
○ Sport Field Permit–Youth MOU (R)	\$4.00
○ Sport Field Permit –Adult MOU	\$4.00
○ Sport Field Permit- R	\$8.00
○ Sport Field Permit – NR	\$15.00
○ Sports Lighting- Youth MOU (R)	\$9.00
○ Sports Lighting-Adult MOU (R)	\$9.00

- Sports Lighting-R/NR \$18.00
- Sports Diamond-R/NR \$194.00
- Snack Bar-R \$187.00 per season

**FISCAL IMPACT:**

The recommended action will result in an estimated \$2,000 reduction of estimated revenues and for fiscal year 2019/2020 and \$45,000 reduction in revenue for fiscal year 2020/2021.

Attachment:  
Resolution 2020-16



## RESOLUTION NO. 2020-16

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA MODIFYING THE EXISTING CITY-WIDE USER FEE SCHEDULE FOR PARK USE FEES AND APPROVING AN INTERIM REDUCED USER FEE SCHEDULE.

**WHEREAS**, pursuant to Resolution No. 2011-13 the City Council of the City of Coachella previously adopted a comprehensive City-wide user fee schedule for services provided by the City; and,

**WHEREAS**, it is now the intention of the City Council to make reductions to its user fee schedule based on the City's budgeted and projected costs for providing such services reasonably borne for future years, its current staffing levels at the City and the economic downturn in the economy; and,

**WHEREAS**, the interim reduced user fees were approved and extended by the following resolutions 2014-24, 2015-18, 2017-26, and 2019-29 which took effect for park use fees since July 1, 2014; and,

**WHEREAS**, the City has made available to the public data indicating the amount of actual cost to provide the services for which the user fees are charged; and,

**WHEREAS**, pursuant to law, the specific reduced user fees to be charged for services may be adopted by resolution; and,

**WHEREAS**, all requirements of California law are hereby found to have been complied with in, and for, these proceedings.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AS FOLLOWS:

**Section 1. Interim User Fee Schedule.** The user fee schedule for specific services provided to its citizens by the City of Coachella attached as "Exhibit A" hereto is hereby modified with an interim 50% reduction of the Youth MOU and Adult MOU field use and lighting fees, as shown in the schedule attached as "Exhibit A". In no case shall the fee exceed the old fee in place prior to May 11, 2011. All other fees described in Resolution 2011-13 shall remain in full force and effect.

**Section 2. Effective Dates.** The interim fees established herein shall become effective on March 1, 2020 and shall expire on June 30, 2021.

**Section 3. Certification.** The City Clerk shall certify to the adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-16 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk

**Exhibit A**

Fee Type	Approved Fee Per Hour Effective 6/1/2019	Proposed Fee Effective 3/1/2020
Park Usage–Resident	\$31.50	\$31.50
Stage Reservation–R	\$187.00 per day	\$187.00 per day
Park Usage–NR	\$31.50	\$31.50
Stage Reservatio– NR	\$187.00 per day	\$187.00 per day
Sport Field Permit– Youth MOU (R)	\$4.00	\$4.00
Sport Field Permit – Adult MOU (R)	\$8.00	\$4.00
Sport Field Permit R	\$8.00	\$8.00
Sport Field Permit- (NR)	\$15.00	\$15.00
Sports Lighting- Youth MOU (R)	\$9.00	\$9.00
Sports Lighting – Adult MOU (R)	\$9.00	\$9.00
Sports Lighting R	\$18.00	\$18.00
Sports Lighting-NR	\$18.00	\$18.00
Sports Diamond-R	\$194.00	\$194.00
Sports Diamond-NR	\$194.00	\$194.00
Snack Bar-R	\$187.00 per season	\$187.00 per season



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Jacob I. Alvarez, Assistant to the City Manager

**SUBJECT:** Approve the City to host/sponsor the City of Coachella's SoCal Cannabis Summit in the Fall of 2020 with funding not to exceed \$30,000.

**STAFF RECOMMENDATION:**

That the City Council approve the City to host/sponsor the City of Coachella's SoCal Cannabis Summit in the Fall of 2020 with funding not to exceed \$30,000 with the ability to recoup the additional \$10,000 through a revenue split.

**BACKGROUND:**

On October 10, 2018, the City Council authorized the City Manager to negotiate and enter into a Professional Services Agreement for the City to host a Summit in the Spring of 2019 not to exceed \$20,000. As a result, a negotiation with Burke Rix Communication to produce the event based on their experience producing and executing the successful Southern California Energy and Water Summit was brought before Council on November 11, 2018 where it was approved unanimously. Given that an event like this costs more than \$20,000, Burke Rix incurs the risk of a the event and has to utilize sponsorships to cover the remaining cost and make a profit.

The City of Coachella has seen unprecedented growth over the past few years and it has been brought on by national, regional, and local economic growth. Locally, the City has positioned itself by diversifying its economic base by redeveloping our downtown into a Pueblo Viejo district which the Library, the Riverside County's Department of Social Services and the Senior Center all provide a beautiful example of what the PV District will look like.

In addition, the City has seen renewed interest by businesses attracted to downtown area due to the foot traffic the Library, Riverside County's new Department of Social Services building and the Pueblo Viejo Apartments. In addition, the Retail Cannabis Overlay Zone #1 is beginning to develop with Coachella Smoke opening its business this year and the City's \$3.2m Urban Greening Project which is currently underway.

Finally, the impact that has been felt due to the redevelopment of the City's wrecking yard area into Cultivation, Manufacturing and Distribution zone. This along with the industrial zone the City has approved more than 3 million sqft. of medical/retail cannabis cultivation facilities.

Because of these positive impacts to the City, Staff is recommending that the City host a 2<sup>nd</sup> Annual Summit which will highlight the City and the Coachella Valley.

### **DISCUSSION/ANALYSIS:**

The City of Coachella's SoCal Cannabis Summit was held on June 24-25<sup>th</sup> at Fantasy Springs Casino Convention Center with headlining speakers as follows: California's Chief Bureau of Cannabis Control Lori Ajax, State Treasurer Fiona Ma, Co-Founder of Harborside Steve Deangelo, Riverside County District Attorney Michael Hestrin and Former NFL Star Kyle Turley.

The Summit by all accounts exceeded expectation of the attendees, speakers and Fantasy Springs Convention management. The Summit was so well received it played a vital role in the City being awarded a \$500,000 Cannabis Equity Grant by California's Bureau of Cannabis Control. Given the excitement and interest of the Summit, in August 2019, City staff and Burk Rix staff began negotiating with Fantasy Springs Convention Management to lock in an in-kind sponsorship which is applied to the convention space rental. But after several untimely delays and 6 months later; Fantasy Casino Convention Management informed the City that this year they would forgo providing an in-kind sponsorship.

During this time staff had done its due diligences by looking and visiting other venues. Spotlight 29 Casino's venue was too small and the exhibitors would be located in the Medjool room which is a distance from the event center and not likely to please our exhibitors. Staff also considered Riverside County Fairgrounds and the potential of holding it at Rancho Las Flores Park utilizing tents. The fairgrounds facilities were cavernous and much like Las Flores Park, lacking everything the Summit would need therefore everything would have to be rented and furnished. Even though the fairground facility rental or using our park was not expensive, the cost of renting Audio/Visual, tables, chairs, linens, stage, decorations and hiring a caterer would far exceed the cost of holding the Summit at Fantasy Springs.

At the February 6<sup>th</sup> Economic Development Subcommittee Meeting, staff requested to host the 2<sup>nd</sup> Annual SoCal Cannabis Summit in the Fall and an additional \$10,000 of funding due to the lack of an in-kind contribution from Fantasy Springs. The ED Subcommittee shared some concern regarding the additional funding. As a result, Burke Rix has agreed to revenue split with the City after expenses are covered and profit \$40,000 is made. Therefore, every dollar that is brought in after \$40,000 profit, \$0.50 cents will go to the City and the remaining \$.50 will stay with Burke Rix until the additional \$10,000 of funding provided by the City is netted. This would leave the City's overall contribution back to its original level of \$20,000.

### **FISCAL IMPACT:**

There will be a fiscal impact to the General Fund in the amount not to exceed \$30,000. \$10,000 of the funding could be recouped with a revenue split as stated above.

**EXHIBIT(S):**

1. Professional Service Agreement- Burke Rix Communications

**CITY OF COACHELLA  
PROFESSIONAL SERVICES AGREEMENT**

**1. PARTIES AND DATE.**

This Agreement is made and entered into this 27<sup>th</sup> day of November, 2018, ("Execution Date") by and between the City of Coachella, a municipal corporation, organized under the laws of the State of California, with its principal place of business at 1515 6<sup>th</sup> Street, Coachella, California 92236, County of Riverside, State of California ("City") and Burke Rix Communications, LLC, a limited liability company, with its principal place of business at 431 South Palm Canyon Drive ("Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

**2. RECITALS.**

**2.1 Consultant.**

Consultant desires to perform and assume responsibility for the provision of certain professional services required by the City on the terms and conditions set forth in this Agreement. Consultant represents that it is experienced in providing event and production services to public clients, is licensed in the State of California, and is familiar with the plans of City.

**2.2 Project.**

City desires to engage Consultant to render such professional services for the Coachella's So Cal Cannabis Summit project (the "Project" or "Summit") as set forth in this Agreement.

Recent legalization of recreational marijuana has led to significant growth in the cannabis industry and key economic driver both statewide and locally. The Coachella Valley and especially the City are primed to be at the forefront of the cannabis industry with access to land, energy, workforce and logistics. The City has embraced this new business and desires to do an informative Summit showcasing their interest and involvement in the cannabis industry. It is anticipated that the Summit will consist of 1-2 days with the focus being on the economic and government activities surrounding the cannabis industry.

Consultant has extensive experience producing events and conferences that include the annual Southern California Energy Water + Green Living Summit. Consultant has produced the conference since 2009, managing all logistics, programing, marketing and sales.

It is understood and agreed that the Summit is owned by the City and that Consultant is acting as the producer.

**3. TERMS.**

**3.1 Scope of Services and Term.**

**3.1.1 General Scope of Services.** Consultant promises and agrees to furnish to



the City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional event and production consulting services necessary for the Project ("Services"). The Services are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement, the exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations.

3.1.2 Term. The term of this Agreement shall be from the Execution Date to June 30, 2019, unless earlier terminated as provided herein. The Parties shall have the option, at their sole discretion, to renew this Agreement automatically for no more than two (2) additional one-year terms. Consultant shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines. The Parties may, by mutual, written consent, extend the term of this Agreement if necessary to complete the Services.

### **3.2 Responsibilities of Consultant.**

3.2.1 Independent Contractor; Control and Payment of Subordinates. The Services shall be performed by Consultant or under its supervision. Consultant will determine the means, methods and details of performing the Services subject to the requirements of this Agreement. City retains Consultant on an independent contractor basis and not as an employee. Consultant retains the right to perform similar or different services for others during the term of this Agreement. Any additional personnel performing the Services under this Agreement on behalf of Consultant shall also not be employees of City and shall at all times be under Consultant's exclusive direction and control. Neither City, nor any of its officials, officers, directors, employees or agents shall have control over the conduct of Consultant or any of Consultant's officers, employees, or agents, except as set forth in this Agreement. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

3.2.2 Schedule of Services. Consultant shall perform the Services expeditiously, within the term of this Agreement, and in accordance with the Schedule of Services set forth in Exhibit "A" attached hereto and incorporated herein by reference. Consultant represents that it has the professional and technical personnel required to perform the Services in conformance with such conditions. In order to facilitate Consultant's conformance with the Schedule, City shall respond to Consultant's submittals in a timely manner. Upon request of City, Consultant shall provide a more detailed schedule of anticipated performance to meet the Schedule of Services.

3.2.3 Conformance to Applicable Requirements. All work prepared by Consultant shall be subject to the approval of City. Given the time requirements of producing this type of event all City approvals shall be done within a reasonable amount of time.

3.2.4 Substitution of Key Personnel. Consultant has represented to City that certain key personnel will perform and coordinate the Services under this Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel

of at least equal competence upon written approval of City. In the event that City and Consultant cannot agree as to the substitution of key personnel, City shall be entitled to terminate this Agreement for cause. As discussed below, any personnel who fail or refuse to perform the Services in a manner acceptable to the City, or who are determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project or a threat to the safety of persons or property, shall be promptly removed from the Project by the Consultant at the request of the City. The key personnel for performance of this Agreement are as follows: Brian G. Rix.

3.2.5 City's Representative. The City hereby designates William Pattison, City Manager, or his/her designee, to act as its representative in all matters pertaining to the administration and performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for review and approval of all products submitted by Consultant but not the authority to enlarge the Scope of Work or change the total compensation due to Consultant under this Agreement. The City Manager shall be authorized to act on City's behalf and to execute all necessary documents which enlarge the Scope of Work or change the Consultant's total compensation subject to the provisions contained in Section 3.3 of this Agreement. Consultant shall not accept direction or orders from any person other than the City Manager, City's Representative or his/her designee.

3.2.6 Consultant's Representative. Consultant hereby designates Brian G. Rix, or his/her designee, to act as its representative for the performance of this Agreement ("Consultant's Representative"). Consultant's Representative shall have full authority to represent and act on behalf of the Consultant for all purposes under this Agreement. The Consultant's Representative shall supervise and direct the Services, using his/her best skill and attention, and shall be responsible for all means, methods, techniques, sequences, and procedures and for the satisfactory coordination of all portions of the Services under this Agreement.

3.2.7 Coordination of Services. Consultant agrees to work closely with City staff in the performance of Services and shall be available to City's staff, consultants and other staff at all reasonable times.

3.2.8 Standard of Care; Performance of Employees. Consultant shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants that all employees and subconsultants shall have sufficient skill and experience to perform the Services assigned to them. Finally, Consultant represents that it, its employees and subconsultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein. Any employee of the Consultant or its sub-consultants who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to

(BB&K 2018)

80237.00000\31591117.1

-3-

perform any of the Services or to work on the Project.

3.2.9 Period of Performance Consultant shall perform and complete all Services under this Agreement within the term set forth in Section 3.1.2 above ("Performance Time"). Consultant shall also perform the Services in strict accordance with any completion schedule or Project milestones described in Exhibits "A" attached hereto, or which may be separately agreed upon in writing by the City and Consultant ("Performance Milestones"). Consultant agrees that if the Services are not completed within the aforementioned Performance Time and/or pursuant to any such Project Milestones developed pursuant to provisions of this Agreement, it is understood, acknowledged and agreed that the City will suffer damage.

3.2.10 Laws and Regulations; Employee/Labor Certification. Consultant shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, including all Cal/OSHA requirements, and shall give all notices required by law. Consultant shall be liable for all violations of such laws and regulations in connection with Services. If Consultant performs any work knowing it to be contrary to such laws, rules and regulations, Consultant shall be solely responsible for all costs arising therefrom. Consultant shall defend, indemnify and hold City, its officials, directors, officers, employees, agents, and volunteers free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.2.10.1 Employment Eligibility; Consultant. By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time. Such requirements and restrictions include, but are not limited to, examination and retention of documentation confirming the identity and immigration status of each employee of the Consultant. Consultant also verifies that it has not committed a violation of any such law within the five (5) years immediately preceding the date of execution of this Agreement, and shall not violate any such law at any time during the term of the Agreement. Consultant shall avoid any violation of any such law during the term of this Agreement by participating in an electronic verification of work authorization program operated by the United States Department of Homeland Security, by participating in an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, or by some other legally acceptable method. Consultant shall maintain records of each such verification, and shall make them available to the City or its representatives for inspection and copy at any time during normal business hours. The City shall not be responsible for any costs or expenses related to Consultant's compliance with the requirements provided for in Section 3.2.10 or any of its sub-sections.

3.2.10.2 Employment Eligibility; Subcontractors, Consultants, Sub-subcontractors and Subconsultants. To the same extent and under the same conditions as Consultant, Consultant shall require all of its subcontractors, consultants, sub-subcontractors and subconsultants performing any work relating to the Project or this Agreement to make the same verifications and comply with all requirements and restrictions provided for in Section 3.2.10.1.

3.2.10.3 Employment Eligibility; Failure to Comply. Each person executing this Agreement on behalf of Consultant verifies that they are a duly authorized officer of Consultant, and understands that any of the following shall be grounds for the City to terminate the Agreement for cause: (1) failure of Consultant or its subcontractors, consultants, sub-subcontractors or subconsultants to meet any of the requirements provided for in Sections 3.2.10.1 or 3.2.10.2; (2) any misrepresentation or material omission concerning compliance with such requirements (including in those verifications provided to the Consultant under Section 3.2.10.2); or (3) failure to immediately remove from the Project any person found not to be in compliance with such requirements.

3.2.10.4 Equal Opportunity Employment. Consultant represents that it is an equal opportunity employer and it shall not discriminate against any subconsultant, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's Minority Business Enterprise program, Affirmative Action Plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.2.10.5 NOT USED.

3.2.10.6 Safety. Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed. Safety precautions, where applicable, shall include, but shall not be limited to: (A) adequate life protection and lifesaving equipment and procedures; (B) instructions in accident prevention for all employees and subconsultants, such as safe walkways, scaffolds, fall protection ladders, bridges, gang planks, confined space procedures, trenching and shoring, equipment and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries; and (C) adequate facilities for the proper inspection and maintenance of all safety measures.

3.2.11 Insurance. [\*\*\*CITY RISK MANAGER TO REVIEW PRIOR TO USE\*\*\*]

3.2.11.1 Time for Compliance. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section. Failure to provide and maintain all required insurance shall be grounds for the City to terminate this Agreement for cause.

3.2.11.2 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder, and without limiting the indemnity provisions of the Agreement, the Consultant, in partial performance of its obligations under such Agreement, shall procure and maintain in full force and effect during the term of the Agreement the following policies of insurance. If the existing policies do not meet the insurance

requirements set forth herein, Consultant agrees to amend, supplement or endorse the policies to do so.

(A) Commercial General Liability: Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office "occurrence" form CG 00 01, or the exact equivalent, with limits of not less than \$1,000,000 per occurrence and no less than \$2,000,000 in the general aggregate. Defense costs shall be paid in addition to the limits. The policy shall contain no endorsements or provisions (1) limiting coverage for contractual liability; (2) excluding coverage for claims or suits by one insured against another (cross-liability); (3) products/completed operations liability; or (4) containing any other exclusion(s) contrary to the terms or purposes of this Agreement.

(B) Automobile Liability Insurance: Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 00 01 covering "Any Auto" (Symbol 1), or the exact equivalent, covering bodily injury and property damage for all activities with limits of not less than \$1,000,000 combined limit for each occurrence.

(C) Workers' Compensation: Workers' Compensation Insurance, as required by the State of California and Employer's Liability Insurance with a limit of not less than \$1,000,000 per accident for bodily injury and disease.

(D) Professional Liability (Errors & Omissions): Professional Liability insurance or Errors & Omissions insurance appropriate to Consultant's profession with limits of not less than \$1,000,000. Covered professional services shall specifically include all work to be performed under the Agreement and delete any exclusions that may potentially affect the work to be performed (for example, any exclusions relating to lead, asbestos, pollution, testing, underground storage tanks, laboratory analysis, soil work, etc.). If coverage is written on a claims-made basis, the retroactive date shall precede the effective date of the initial Agreement and continuous coverage will be maintained or an extended reporting period will be exercised for a period of at least five (5) years from termination or expiration of this Agreement.

3.2.11.3 Insurance Endorsements. Required insurance policies shall contain the following provisions, or Consultant shall provide endorsements on forms approved by the City to add the following provisions to the insurance policies:

(A) Commercial General Liability: (1) Additional Insured: The City, its officials, officers, employees, agents, and volunteers shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Agreement. Additional Insured Endorsements shall not (1) be restricted to "ongoing operations"; (2) exclude "contractual liability"; (3) restrict coverage to "sole" liability of Consultant; or (4) contain any other exclusions contrary to the terms or purposes of this Agreement. For all policies of Commercial General Liability insurance, Consultant shall provide endorsements in the form of ISO CG 20 10 10 01 and 20 37 10 01 (or endorsements providing the exact same coverage) to effectuate this requirement. (2) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(B) Automobile Liability: (1) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(C) Professional Liability (Errors & Omissions): (1) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium. (2) Contractual Liability Exclusion Deleted: This insurance shall include contractual liability applicable to this Agreement. The policy must "pay on behalf of" the insured and include a provision establishing the insurer's duty to defend.

(D) Workers' Compensation: (1) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium. (2) Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the City, its officials, officers, employees, agents, and volunteers.

3.2.11.4 Primary and Non-Contributing Insurance. All policies of Commercial General Liability and Automobile Liability insurance shall be primary and any other insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees, agents, or volunteers shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

3.2.11.5 Waiver of Subrogation. All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

3.2.11.6 Deductibles and Self-Insured Retentions. Any deductible or self-insured retention must be approved in writing by the City and shall protect the City, its officials, officers, employees, agents, and volunteers in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.

3.2.11.7 Evidence of Insurance. The Consultant, concurrently with the execution of the Agreement, and as a condition precedent to the effectiveness thereof, shall deliver either certified copies of the required policies, or original certificates on forms approved by the City, together with all endorsements affecting each policy. Required insurance policies shall not be in compliance if they include any limiting provision or endorsement that has not been submitted to the City for approval. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15 days) prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is cancelled or reduced and not replaced immediately so as to avoid a lapse in the required coverage, Consultant shall, within ten (10) days after receipt of written notice of such

(BB&K 2018)

80237.00000\31591117.1

-7-

cancellation or reduction of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.

3.2.11.8 Acceptability of Insurers. Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to transact business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

3.2.11.9 Enforcement of Agreement Provisions (non estoppel). Consultant acknowledges and agrees that actual or alleged failure on the part of the City to inform Consultant of non-compliance with any requirement imposes no additional obligation on the City nor does it waive any rights hereunder.

3.2.11.10 Requirements Not Limiting. Requirement of specific coverage or minimum limits contained in this Section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance.

#### 3.2.11.11 Additional Insurance Provisions

(A) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(B) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(C) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(D) Neither the City nor any of its officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

(E) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

(F) Consultant shall report to the City, in addition to Consultant's insurer, any and all insurance claims submitted by Consultant in connection with the Services under this Agreement.

**3.2.11.12 Insurance for Subconsultants.** Consultant shall include all subconsultants engaged in any work for Consultant relating to this Agreement as additional insureds under the Consultant's policies, or the Consultant shall be responsible for causing subconsultants to purchase the appropriate insurance in compliance with the terms of these Insurance Requirements, including adding the City, its officials, officers, employees, agents, and volunteers as additional insureds to the subconsultant's policies. All policies of Commercial General Liability insurance provided by Consultant's subconsultants performing work relating to this Agreement shall be endorsed to name the City, its officials, officers, employees, agents and volunteers as additional insureds using endorsement form ISO CG 20 38 04 13 or an endorsement providing equivalent coverage. Consultant shall not allow any subconsultant to commence work on any subcontract relating to this Agreement until it has received satisfactory evidence of subconsultant's compliance with all insurance requirements under this Agreement, to the extent applicable. The Consultant shall provide satisfactory evidence of compliance with this section upon request of the City.

### **3.2.12 NOT USED**

## **3.3 Fees and Payments.**

**3.3.1 Compensation.** Consultant shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "B" attached hereto and incorporated herein by reference. The total compensation shall be **Twenty Thousand Dollars and Zero Cents (\$20,000.00)** without written approval of the City Council or City Manager as applicable. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

**3.3.2 Payment of Compensation.** Consultant shall submit to City a monthly invoice which indicates work completed and hours of Services rendered by Consultant. The invoice shall describe the amount of Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the invoice. City shall, within 30 days of receiving such invoice, review the invoice and pay all non-disputed and approved charges thereon. If the City disputes any of Consultant's fees, the City shall give written notice to Consultant within thirty (30) days of receipt of an invoice of any disputed fees set forth therein.

**3.3.3 Reimbursement for Expenses.** Consultant shall not be reimbursed for any expenses unless authorized in writing by City, or included in Exhibit "B" of this Agreement.

**3.3.4 Extra Work.** At any time during the term of this Agreement, City may request that Consultant perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Consultant shall not perform, nor be compensated for, Extra Work without written authorization from the City.



3.3.5 Rate Increases. In the event that this Agreement is renewed pursuant to Section 3.1.2, the rate set forth in Exhibit "B" may be adjusted each year at the time of renewal as set forth in Exhibit "B."

### **3.4 Labor Code Requirements.**

3.4.1 Prevailing Wages. Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. If the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. City shall provide Consultant with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the project site. It is the intent of the parties to effectuate the requirements of sections 1771, 1774, 1775, 1776, 1777.5, 1813, and 1815 of the Labor Code within this Agreement, and Consultant shall therefore comply with such Labor Code sections to the fullest extent required by law. Consultant shall defend, indemnify and hold the City, its officials, officers, employees, agents, and volunteers free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

3.4.2 Registration/DIR Compliance. If the Services are being performed on a public works project of over \$25,000 when the project is for construction, alteration, demolition, installation, or repair work, or a public works project of over \$15,000 when the project is for maintenance work, in addition to the foregoing, then pursuant to Labor Code sections 1725.5 and 1771.1, the Consultant and all subconsultants must be registered with the Department of Industrial Relations ("DIR"). Consultant shall maintain registration for the duration of the project and require the same of any subconsultants. This project may also be subject to compliance monitoring and enforcement by the DIR. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements, including the submission of payroll records directly to the DIR. Any stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant.

3.4.3 Labor Certification. By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

### 3.5 Accounting Records.

3.5.1 Maintenance and Inspection. Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement.

### 3.6 General Provisions.

#### 3.6.1 Termination of Agreement.

3.6.1.1 Grounds for Termination. City may, by written notice to Consultant, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Consultant of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Consultant shall be compensated only for those services which have been adequately rendered to City, and Consultant shall be entitled to no further compensation. Consultant may not terminate this Agreement except for cause.

3.6.1.2 Effect of Termination. If this Agreement is terminated as provided herein, City may require Consultant to provide all finished or unfinished Documents and Data and other information of any kind prepared by Consultant in connection with the performance of Services under this Agreement. Consultant shall be required to provide such document and other information within fifteen (15) days of the request.

3.6.1.3 Additional Services. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.6.2 Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Consultant: Burke Rix Communications, LLC  
431 South Palm Canyon Drive  
Palm Springs, CA 92262  
ATTN: Brian G. Rix

City: City of Coachella  
1515 6<sup>th</sup> Street  
Coachella, CA 92236  
ATTN: William Pattison

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

### 3.6.3 Ownership of Materials and Confidentiality.

3.6.3.1 Documents & Data; Licensing of Intellectual Property. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify, reuse, or sublicense any and all copyrights, designs, and other intellectual property embodied in plans, specifications, studies, drawings, estimates, and other documents or works of authorship fixed in any tangible medium of expression, including but not limited to, physical drawings or data magnetically or otherwise recorded on computer diskettes, which are prepared or caused to be prepared by Consultant under this Agreement ("Documents & Data"). All Documents & Data shall be and remain the property of City, and shall not be used in whole or in substantial part by Consultant on other projects without the City's express written permission. Within thirty (30) days following the completion, suspension, abandonment or termination of this Agreement, Consultant shall provide to City reproducible copies of all Documents & Data, in a form and amount required by City. City reserves the right to select the method of document reproduction and to establish where the reproduction will be accomplished. The reproduction expense shall be borne by City at the actual cost of duplication. In the event of a dispute regarding the amount of compensation to which the Consultant is entitled under the termination provisions of this Agreement, Consultant shall provide all Documents & Data to City upon payment of the undisputed amount. Consultant shall have no right to retain or fail to provide to City any such documents pending resolution of the dispute. In addition, Consultant shall retain copies of all Documents & Data on file for a minimum of fifteen (15) years following completion of the Project, and shall make copies available to City upon the payment of actual reasonable duplication costs. Before destroying the Documents & Data following this retention period, Consultant shall make a reasonable effort to notify City and provide City with the opportunity to obtain the documents.

3.6.3.2 Subconsultants. Consultant shall require all subconsultants to agree in writing that City is granted a non-exclusive and perpetual license for any Documents & Data the subconsultant prepares under this Agreement. Consultant represents and warrants that Consultant has the legal right to license any and all Documents & Data. Consultant makes no such representation and warranty in regard to Documents & Data which were prepared by design professionals other than Consultant or its subconsultants, or those provided to Consultant by the City.

3.6.3.3 Right to Use. City shall not be limited in any way in its use or reuse of the Documents and Data or any part of them at any time for purposes of this Project or another project, provided that any such use not within the purposes intended by this Agreement or on a project other than this Project without employing the services of Consultant shall be at City's sole risk. If City uses or reuses the Documents & Data on any project other than this Project, it shall remove the Consultant's seal from the Documents & Data and indemnify and hold harmless Consultant and its officers, directors, agents and employees from claims arising out of the negligent use or re-use of the Documents & Data on such other project. Consultant shall be responsible and liable for its Documents & Data, pursuant to the terms of this Agreement, only with respect to the condition of the Documents & Data at the time they are provided to the City upon completion, suspension, abandonment or termination. Consultant shall not be responsible or liable for any revisions to the Documents & Data made by any party other than Consultant, a party for whom the Consultant is legally responsible or liable, or anyone approved by the Consultant.

3.6.3.4 Indemnification. Consultant shall defend, indemnify and hold the City, its directors, officials, officers, employees, volunteers and agents free and harmless, pursuant to the indemnification provisions of this Agreement, for any alleged infringement of any patent, copyright, trade secret, trade name, trademark, or any other proprietary right of any person or entity in consequence of the use on the Project by City of the Documents & Data, including any method, process, product, or concept specified or depicted.

3.6.3.5 Confidentiality. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other Documents & Data either created by or provided to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant. Such materials shall not, without the prior written consent of City, be used by Consultant for any purposes other than the performance of the Services. Nor shall such materials be disclosed to any person or entity not connected with the performance of the Services or the Project. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name or insignia, photographs of the Project, or any publicity pertaining to the Services or the Project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of City.

3.6.3.6 Confidential Information. The City shall refrain from releasing Consultant's proprietary information ("Proprietary Information") unless the City's legal counsel determines that the release of the Proprietary Information is required by the California Public Records Act or other applicable state or federal law, or order of a court of competent jurisdiction, in which case the City shall notify Consultant of its intention to release Proprietary Information. Consultant shall have five (5) working days after receipt of the Release Notice to give City written notice of Consultant's objection to the City's release of Proprietary Information. Consultant shall indemnify, defend and hold harmless the City, and its officers, directors, employees, and agents from and against all liability, loss, cost or expense (including attorney's fees) arising out of a legal action brought to compel the release of Proprietary Information. City shall not release the Proprietary Information after receipt of the Objection Notice unless either: (1) Consultant fails to fully indemnify, defend (with City's choice of legal counsel), and hold City harmless from any legal action brought to compel such release; and/or (2) a final and non-appealable order by a court of competent jurisdiction requires that City release such information.

3.6.4 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this Agreement.

### 3.6.5 Indemnification.

3.6.5.1 To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subconsultants, or agents in connection with the performance of the Consultant's Services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation

(BB&K 2018)

80237.00000\31591117.1

to indemnify shall be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

3.6.6 Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may only be modified by a writing signed by both parties.

3.6.7 Governing Law; Government Code Claim Compliance. This Agreement shall be governed by the laws of the State of California. Venue shall be in Riverside County. In addition to any and all contract requirements pertaining to notices of and requests for compensation or payment for extra work, disputed work, claims and/or changed conditions, Consultant must comply with the claim procedures set forth in Government Code sections 900 et seq. prior to filing any lawsuit against the City. Such Government Code claims and any subsequent lawsuit based upon the Government Code claims shall be limited to those matters that remain unresolved after all procedures pertaining to extra work, disputed work, claims, and/or changed conditions have been followed by Consultant. If no such Government Code claim is submitted, or if any prerequisite contractual requirements are not otherwise satisfied as specified herein, Consultant shall be barred from bringing and maintaining a valid lawsuit against the City.

3.6.8 Time of Essence. Time is of the essence for each and every provision of this Agreement.

3.6.9 Omit

3.6.10 Successors and Assigns. This Agreement shall be binding on the successors and assigns of the parties.

3.6.11 Assignment or Transfer. Consultant shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.

3.6.12 Construction; References; Captions. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days or period for performance shall be deemed calendar days and not work days. All references to Consultant include all personnel, employees, agents, and subconsultants of Consultant, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

3.6.13 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

3.6.14 Waiver. No waiver of any default shall constitute a waiver of any other

default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.

3.6.15 No Third-Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

3.6.16 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.6.17 Prohibited Interests. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Consultant further agrees to file, or shall cause its employees or subconsultants to file, a Statement of Economic Interest with the City's Filing Officer as required under state law in the performance of the Services. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.6.18 Authority to Enter Agreement. Consultant has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

3.6.19 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

### **3.7 Subcontracting.**

3.7.1 Prior Approval Required. Consultant shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

**[SIGNATURES ON NEXT PAGE]**


## SIGNATURE PAGE TO

PROFESSIONAL SERVICES AGREEMENT BY AND  
BETWEEN THE CITY OF COACHELLA AND BURKE RIX  
COMMUNICATIONS, LLC

CITY OF COACHELLA

BURKE RIX COMMUNICATIONS, LLC

By:

  
William Pattison  
City Manager 11/27/2018

By:

  
Brian G. Rix  
Senior Partner,  
Burke Rix Communications, LLC

Attest:

  
Deputy City Clerk

Approved as to Form:

  
Best Best & Krieger LLP  
City Attorney

**EXHIBIT "A"**  
**SCOPE OF SERVICES/SCHEDULE OF SERVICES**

1. Consultant will produce *Coachella's So Cal Cannabis Summit* in the Spring of 2019 with specific dates and venue to be agreed upon with the City.
2. The Summit will consist of a welcome reception, bus tour and a one day speakers summit combined with an expo.
3. The City shall secure and own the web domains for the Summit.
4. Consultant will develop a logo and branding for the Summit, which shall be the property of the City.
5. Consultant will develop a simple website for the Summit. The website will provide the program information and the ability to purchase tickets, sponsorships and exhibitors booths.
6. Consultant will develop a sponsorship and exhibitor packet to be used for sales.
7. Consultant in conjunction with the City will sell sponsorships and exhibitor spaces.
8. Consultant in conjunction with the City will secure speakers for the Summit and work on a mutually agreed program for the Summit events. Consultant will be responsible for handling all speaker logistics.
9. Consultant will be responsible for managing the venue and catering for the event.
10. Consultant will be responsible for exhibitor and sponsor fulfillment.
11. Consultant shall handle the marketing and advertising for the event including social media.
12. Consultant will handle ticketing for the event. Ticket sales will be done through EventBrite or another similar vendor.
13. Consultant will produce and staff the day-of the Summit.



**EXHIBIT "B"**  
**COMPENSATION**

1. The City agrees to provide \$20,000 ("Sponsor Payment") to be the Summit sponsor and host and to assist in covering expenses. The City shall pay \$5,000 up front for the Sponsorship Payment with the remaining \$15,000 paid, as needed, based on the event's expenses.
2. Any and all additional expenses necessary and proper to produce the Summit ("Expenses"), above and beyond the Sponsor Payment, shall be the responsibility of the Consultant. Consultant shall have the right to solicit sponsorships and vendor fees to cover the additional expenses. Consultant shall keep proper records of all Expenses.
3. If the Summit is cancelled at no fault to Consultant or this Agreement is terminated without cause by the City in accordance with Section 3.6.1 of this Agreement before the Summit is held, Consultant shall reimburse the City its Sponsor Payment, less any Expenses necessarily incurred by Consultant.
4. If the Summit is cancelled at the fault of Consultant or this Agreement is terminated for cause by the City in accordance with Section 3.6.1 of this Agreement before the Summit is held, Consultant shall reimburse the City its Sponsor Payment in full.
5. The City's sponsor payment and revenue from the Summit shall be paid to Consultant to cover all properly documented Expenses. The remaining revenues shall pay the consultant for their services under this agreement.
6. The City shall only be responsible for the Sponsor Payment and at no time shall be responsible for any other expenses, including, but not limited to, in the situation where revenue from the Summit does not properly cover Consultant's Expenses, unless this Agreement is otherwise modified in accordance with the terms and conditions of this Agreement.



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Gabriel Martin, Economic Development Manager

**SUBJECT:** Date Harvest Festival 2020 Sponsorship

**STAFF RECOMMENDATION:**

Provide direction pertaining to the sponsorship of the 2020 Date Harvest Festival

**BACKGROUND:**

On June 26, 2019, the City Council approved the 2019 Date Harvest Sponsorship and 3-Year Lease Agreement for Rancho Las Flores Park. The 2019 sponsorship included the following In-Kind contributions:

• Traffic Control & Signage for Van Buren Street Closure	(\$3,800)
• Facility Use Fee – Rancho Las Flores Park – 11/4/19 – 11/11/19	(\$14,500)
• Facility Use Fee – Coachella Library for Harvest Dinner Event	(\$2,624)
• 15 Light Towers for Event Parking	(\$1,300)
• <u>Ferris Wheel Sponsorship</u>	<u>(\$5,000)</u>
<b>▪ TOTAL:</b>	<b>\$27,224</b>

The Date Harvest Event was held on November 9, 2019 at the Ranchos Las Flores Park, from 10am to 10pm, with the organizer hosting the Harvest Dinner on November 8, 2019 at the Coachella Public Library for their philanthropy endeavor. The outcome of the event included the following attainments:

- Over 4,000 visitors
- \$10,000 in date sales
- \$40,000 in complementary tickets given to Date Industry Workers
- \$12,500 in complementary tickets given to Desert Sands Educational Foundation
- \$3,926 donated to Find Food Banks
- Over \$1,000 donated to local Non-Profit organizations through 50/50 ticket presales
- Over 97,000 social media impressions

### DISCUSSION/ANALYSIS:

The organizer wishes to continue their partnership with the City of Coachella for the upcoming 2020 Date Harvest Festival on November 14, 2020 at Rancho Las Flores Park. The event will have new amenities and features, such as an indoor date dealer pavilion, a reconfigured stage to allow for more visibility and open grass seating, an upgraded culinary demo tent, an expanded kid zone and food trucks, a wine and coffee bar, and a tethered hot air balloon ride.



The organizer submitted his Special Event Permit and Facilities Use Application on January 30, 2020 and has requested the following 2020 In-Kind contribution packet from the City of Coachella to accommodate the new features and estimated larger attendance:

• Traffic Control & Signage for Van Buren Street Closure	(\$3,800)
• Facility Use Fee – Rancho Las Flores Park – 11/12/20 – 11/15/20	(\$7,250)
• Bicycle Racks	(\$808)
• Dust Control for Parking Lot	(\$8,450)
• Trash Disposal and Portable Facilities	(\$5,235)
• Sheriff's and Fire Department Cost	(\$5,803)
• 15 Light Towers & Generators for Event Parking	(\$14,125)
• <u>Ferris Wheel Sponsorship</u>	<u>(\$5,600)</u>
<b>▪ TOTAL:</b>	<b>\$51,071</b>

### ALTERNATIVES:

1. Approve the Special Event Permit and the 2020 In-Kind contribution packet listed above; or

2. Approve the Special Event Permit and a modified version of the 2020 In-Kind contribution packet listed above; or
3. Approve the Special Event Permit without any In-Kind contributions; or
4. Provide alternative direction

**FISCAL IMPACT:**

If a sponsorship packet is supported the financial impact will be the In-Kind amount at which the City Council recommends and will be added as an upcoming expenditure in the 2020-2021 budget cycle.

**ATTACHMENT(S):**

2020 Date Harvest Presentation



THE 2ND ANNUAL  
DATE HARVEST FESTIVAL  
NOVEMBER 14, 2020



HOSTED BY THE C

OF COACHELLA





# 2019 EVENT HIGHLIGHTS

19.

The **first annual** Date Harvest Festival was held at the beautiful Rancho Las Flores Event Venue in Coachella, CA.

## Date Industry Highlights

- Over \$10,000 in date sales
- 19 date varieties sampled and sold
- Unique food and beverage offerings
- Opportunity for consumers to meet the farmers

## Foodie Highlights

- Food Network Stars
- Top of the line culinary demos
- Local culinary talent

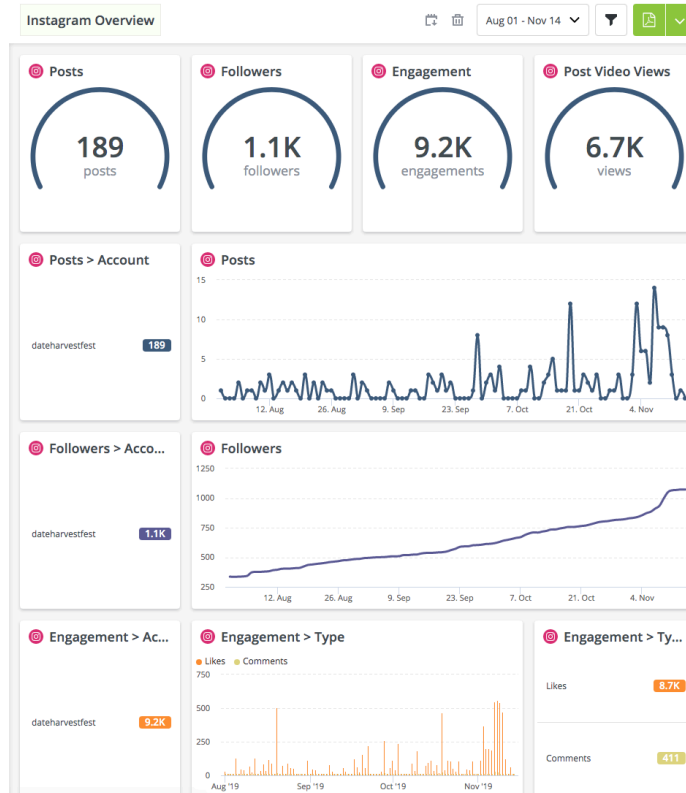
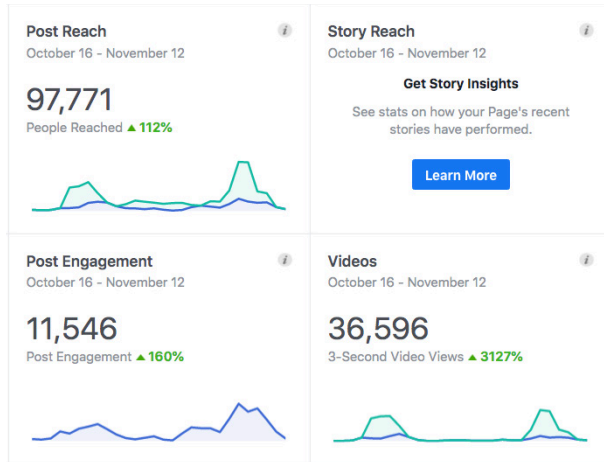
## Ag Community Highlights

- Local produce used in culinary offerings
- Community had a chance to experience the East Valley in a new way

# WHO DID WE REACH?

19.

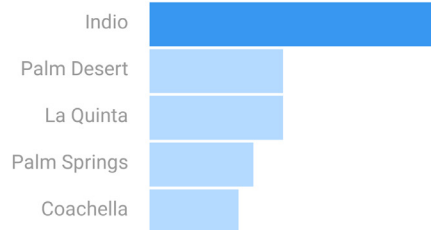
## DEMOGRAPHICS



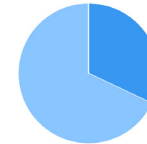
### CONTENT ACTIVITY AUDIENCE

#### Top Locations ⓘ

Cities Countries



#### Gender ⓘ

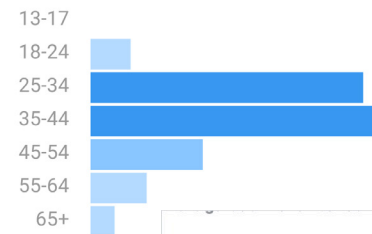


68%  
Women

32%  
Men

#### Age Range ⓘ

All Men Women





# WHO DID WE REACH?

19.



**Trina Gonzales-Alesi** Amazing community event for the #EastValley

Love · Reply · Message · 2d



**Saralyn Delk** Trina, the WHOLE Valley benefited.

Like · Reply · Message · 2d



**Kim Raciti Weider** What a beautiful venue.

Like · Reply · Message · 2d



**Aaron Segal** Loved everything about the festival. Looking forward to next year.



**Suzanne Kestell** Great event! We hope to be more involved next year!  
KESTELL FAMILY FARM

Like · Reply · Message · 3d



**Javier Toros** This was a lovely family friendly event. The music was just fantastic, and the food from Street Kitchen was such a delicacy! I can't wait for next year's event!

Like · Reply · Message · 3d



**Trina Gonzales-Alesi** Amazing community event!!  
#CoachellaStrong

Like · Reply · Message · 4d



**John Preston** Great event! My family and friends had a lot of fun. Looking forward to next one

Like · Reply · Message · 3d



**Rosemary L. Valdez** Having the best time!!! ❤️ 🎉



Like · Reply · Message · 4d

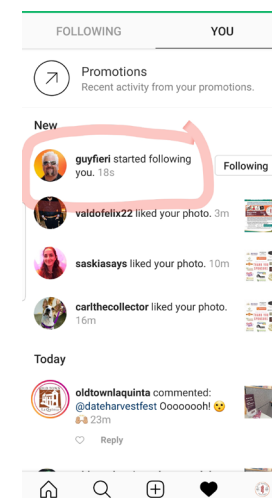


**Congressman Raul Ruiz, MD** is at Rancho Las Flores Park.

November 9 at 3:15 PM · Coachella · 🌐

Come out to the Date Harvest Festival in my hometown of Coachella! There's still time to enjoy some great music, food, and beverages!

Date Harvest Festival





# TARGET DEMO IN ATTENDANCE

19.



# THE FESTIVAL GIVES BACK

19.



Date Harvest Fest, LLC  
123 Main St  
Coachella, CA

Date: DEC 3, 2019

Pay to the order of **FIND FOOD BANK** **\$3925.89**

THREE THOUSAND NINE HUNDRED TWENTY FIVE AND 89/100 Dollars

FOR YOUR CHARITABLE  
PARTNERSHIP IN THE FIRST  
Memo ANNUAL DATE HARVEST FESTIVAL



\$40,000 in  
complementary tickets  
given to Date Industry  
Workers

\$12,500 in complementary  
tickets given to Desert Sands  
Educational Foundation



Over \$1000 donated to local non-profits through 50/50 ticket presales



Mission Vet spoke to over 200 family members and vets. They helped over 70 Veterans connect to local services including health care/mental health care, recreational services and benefits. They had staff on site to start filing claims through County and DAV (disabled Americans Veterans) representatives.



# MEDIA AND MARKETING

19.



**ALPHAMEDIA**  
LIVE. LOCAL. USA

240 drive time radio spots -  
3 weeks prior to festival  
**171,500 Impressions**

**Banner Ads**  
\_\_ Impressions



27.4M listeners daily to  
All Things Considered

**f** 1.2M Facebook  
Impressions  
**i** 975K Instagram  
Impressions

## Editorial Content

**Desert Sun.**  
PART OF THE USA TODAY NETWORK

**PALMSPRINGS LIFE**



**NBC**  
PALM SPRINGS



Advertorial  
20,000 Banner Impressions  
5 Email Features

## Billboards



560,000/week for 4 weeks  
**2.2M Impressions**  
10 freeway into Coachella Valley



50,000/week for 12 weeks  
**600K Impressions**

## Digital Billboards

16 billboards - Los Angeles Market  
14 billboards - San Diego Market  
Ran 9/28-11/9  
**4.6M Impressions**

# NEW FOR 2020

19.

Indoor Date Dealers' Pavilion - increased footprint by 400%  
Stage Direction change and open grass seating  
Upgraded Culinary demo tent footprint increased by 200%  
Expanded Kids Zone  
Wine and Coffee  
Tethered Hot Air Balloon



DATE DEALERS  
PAVILION



VETERAN'S  
RESOURCE TENT



FERRIS WHEEL



CULINARY  
DEMO TENT



FOOD TRUCKS



HARVEST FOOD  
PAVILION



STAGE

# NEW CULINARY DEMO TENT

19.

Separate, larger capacity tent  
Expanded seating  
New, exciting celebrity chef talent  
Heightened culinary experience with larger stage, audio video displays



# CONTINUED PARTNERSHIP WITH HOST CITY

19.

Cobranded marketing

Billboards

Website

Social Media

Flyers and Rack Cards

Merchandise

Continue to highlight Host City in all marketing

Utilize DHF social media reach to promote City of Coachella as Festival Host

Strengthening relationships with ag community and the City of Coachella







## IN KIND CONTRIBUTION FROM HOST CITY

Ferris Wheel

Trash and Toilets - Burrtec

Sheriff's Dept and Fire

Bicycle Racks

Dust Control for Parking Lot

Road Closure/Traffic Control

Light Towers and Generators

**DATE HARVEST FEST 2020**  
**BRINGING THE FOCUS TO DATES**



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Kismet Coachella Dispensary

- SPECIFICS:**
- a) Ordinance No. 1146 approving Change of Zone No. 18-07 that proposes to add the RC (Retail Cannabis) overlay zone to the existing C-G (General Commercial) zone on Building 1 located at 1639 and 1645 6<sup>th</sup> Street. (*First Reading*)
  - b) Resolution No. 2020-09 approving Conditional Use Permit No. 305 to convert an existing vacant commercial tenant space into a 3,050 square foot cannabis dispensary with 750 square feet for check-in and waiting area, 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4,500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street.

---

**STAFF RECOMMENDATION:**

Staff recommends that the City Council approve the Kismet Coachella project by taking the following actions:

- 1) Introduce for first reading, by title only, Ordinance No. 1146 to add the RC (Retail Cannabis) overlay zone to the existing C-G (General Commercial) zone on Building 1 located at 1639 and 1645 6<sup>th</sup> Street.
- 2) Adopt Resolution No. 2020-09 approving Conditional Use Permit No. 305 that proposes to convert existing vacant commercial tenant space into a 3,050 square foot cannabis dispensary with 750 square feet for check-in and waiting area, 1,800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4,500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street.

**EXECUTIVE SUMMARY:**

The Kismet Coachella Project is proposing to convert four existing vacant tenant spaces on the north side of 6<sup>th</sup> Street into the following uses: a 3050 square foot cannabis dispensary that includes the following uses: a 750 square feet area for check-in and waiting area; 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging that would be located in Building No. 1. A 4500 square foot coffee shop, art display and office/event space is proposed to be located in Building No. 2.



**BACKGROUND:**

The above referenced applications are proposed within four existing commercial buildings at 1639, 1645, 1657 and 1669 Sixth Street as illustrated on the following aerial photograph:



The photograph below is looking north at the existing buildings from Sixth Street. The retail cannabis business is proposed for this building.



The photograph below is looking at Building #2 that is proposed for the coffee shop, art display and office/event space.



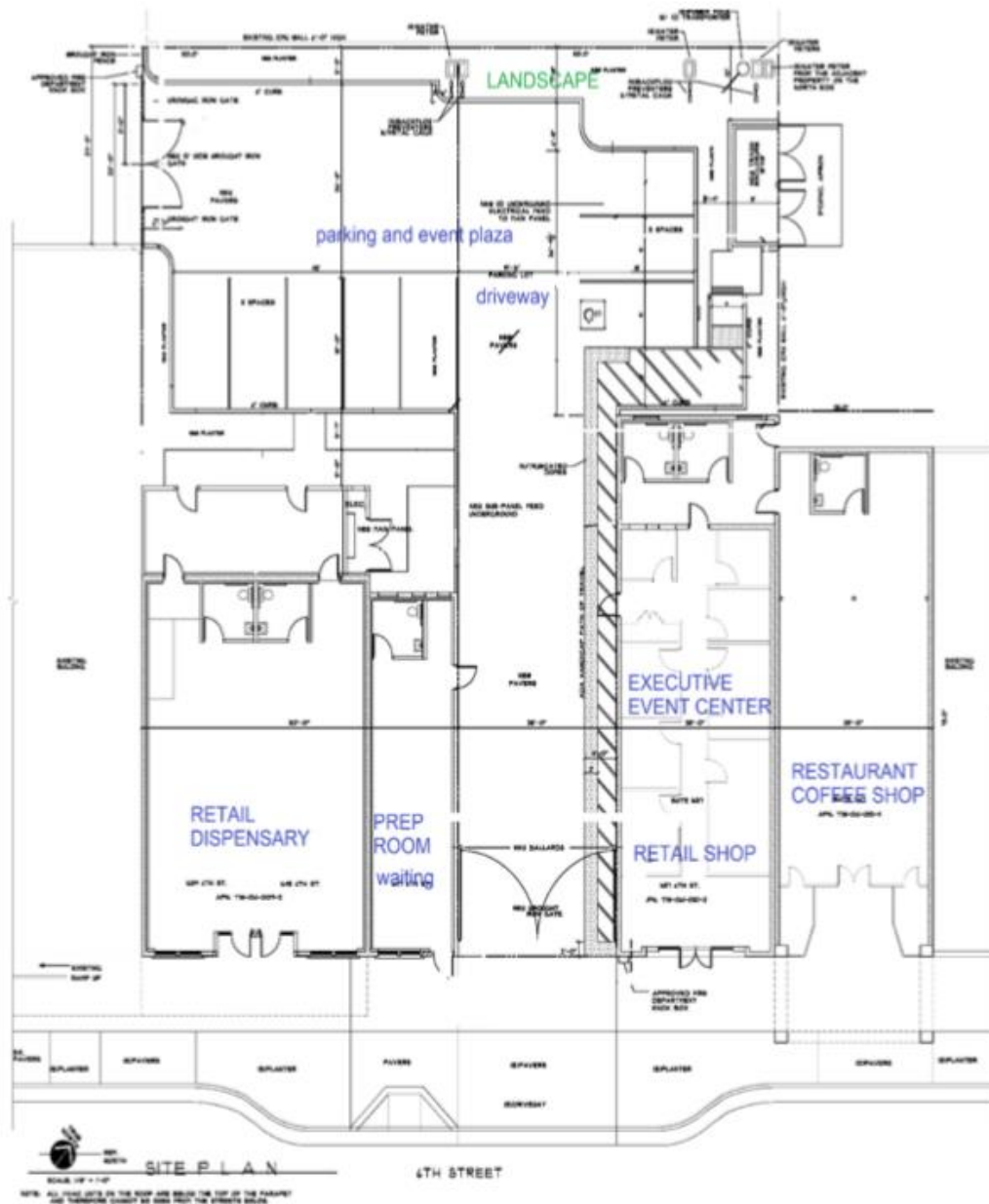
### **History of the Existing Buildings**

According to information obtained from Riverside County, the four lots on which the buildings exist were recorded on June 1, 1902 and the buildings were constructed around 1930. Staff has reviewed the building permits that have been issued for the property. (see attachment 4) The first record of a building permit was issued on November 30, 1972 for the refurbishing of a women's clothing store. On June 18, 1975 a permit was issued for a sign for the United Farm Workers and on April 4, 1978 a permit was issued to repair the roof. The next building permits were issued in 2013 to retrofit wall anchorage and re-roof the buildings. Additional permits were issued in 2015 for interior demolition and asbestos remediation. The last building permit was issued on April 23, 2019 for alterations and additions to demolish and discard all interior, "non-bearing" walls, framing, electrical outlets and HVAC, remove or grind down to slab anchor bolts flush. The Applicant has stated that these buildings have been vacant for at least twenty years.

### **Overview of the Kismet Coachella Project (CUP 305)**

The project proposes the following uses as shown on the site plan below: a 3050 square foot cannabis dispensary including 750 square feet for check-in and waiting area, 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street; and a new 8 space parking lot including 1 disabled space in the rear of the building with new landscaping and a new trash enclosure.





As seen from the exhibit below, the Applicant is proposing the following modifications to the outside of the buildings: new smooth Spanish stucco texture; a new curved awning over the dispensary building; new gates across the driveway with a curbed arbor over the driveway area and new signs over each of the proposed uses.

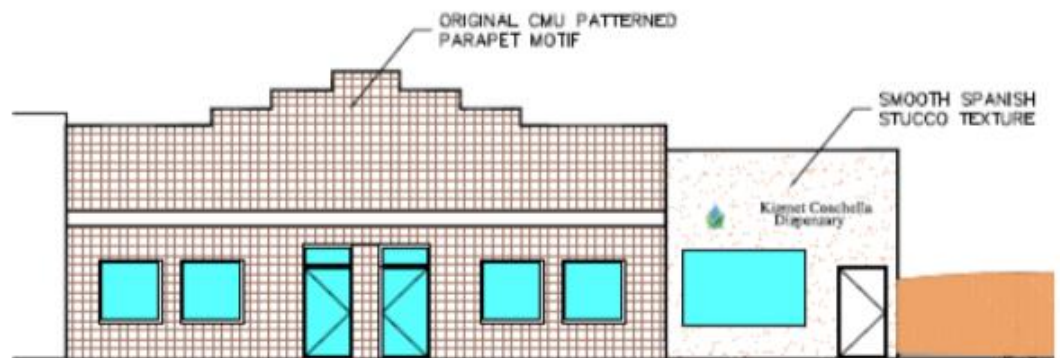
The overall project and streetscape including both buildings is illustrated below:

### Front Elevations Building 1 and Building 2 along 6<sup>th</sup> Street



The dispensary is proposed for Building 1 as illustrated and described below:

#### Building 1 (Dispensary)



#### Building 1 -- Dispensary

1639 6<sup>th</sup> Street – 2,300 SF

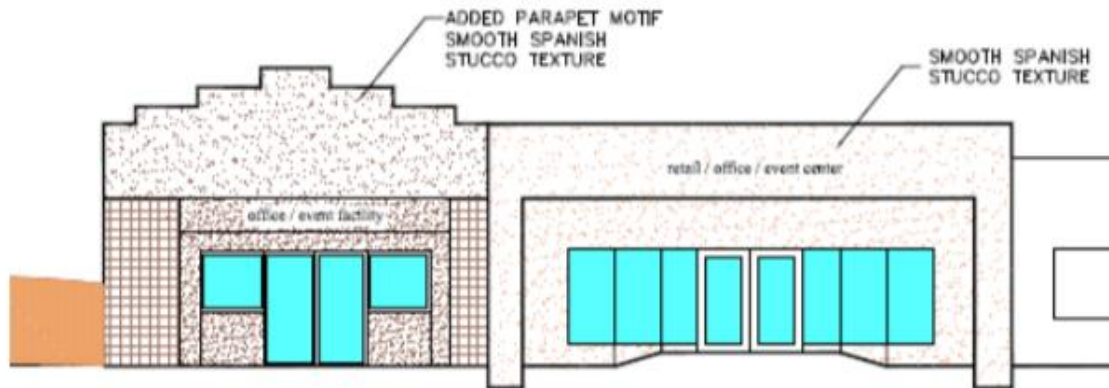
1645 6<sup>th</sup> Street – 750 SF

These two addresses are adjoining and considered one building.

Kismet has control of these two buildings in agreement with the property owner.

The proposed coffee shop, art displays and office/event space is illustrated and described below.

### Building 2 (Coffee & Art)



### Building 2 – Coffee Shop, Art Displays, & Office/Event Space

1657 6<sup>th</sup> Street – 2,200 SF

1669 6<sup>th</sup> Street – 2,300 SF

Artist renderings of the completed buildings are illustrated on the two exhibits below:



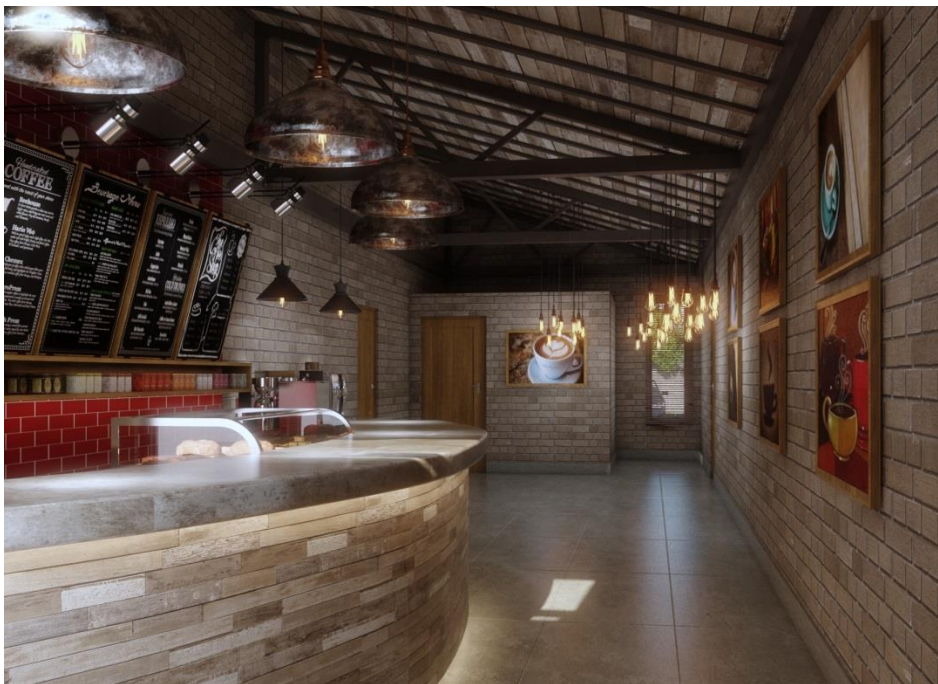




The exhibit below shows the view towards the rear of the building looking at the proposed parking lot.



The two exhibits below illustrate the interior of the cannabis dispensary.



The above exhibit illustrates the proposed coffee bar, check in reception and waiting area of the proposed cannabis dispensary.



## **DISCUSSION/ANALYSIS:**

### **Environmental Setting:**

The site is designated as being within the Downtown Center on the 2035 Coachella General Plan as illustrated on the exhibit below:



The project site is zoned General Commercial (C-G) as illustrated on the exhibit below. Surrounding properties to the north, south and west are zoned C-G (General Commercial).

Surrounding land uses to the north, south, east and west of the site consist of commercial land uses.

### **Consistency with the Coachella General Plan**

The proposed project is within the Downtown Center land use designation of the General Plan 2035 Land Use Element. The project is consistent with the

development intensity permitted by the Downtown Center land use category.

### **Consistency with the (C-G) General Commercial Zone**

The parcels in question were created in 1902 within the jurisdiction of Riverside County, 44 years before the City incorporated in December 1946.

As stated previously, the buildings were constructed around 1930, before the current development standards of the General Commercial (C-G) zone were enacted by the City of Coachella.

Because the buildings were constructed prior to the General Commercial (C-G) zoning standards were established within the City of Coachella, they do not meet the current standards for minimum lot width, minimum side yard setback, nor does the project meet the requirement for a 15 foot front yard setback, as the buildings were constructed on the front and side yard property lines.

### **Consistency with Section 17.54.010 Parking and Landscaping Requirements**

The total square footage of the proposed project is 7550 square feet. Based on the Municipal Code, a total of 19 parking spaces would be required. As mentioned earlier in the staff report, the buildings were constructed around 1930. The site plan includes a total of 8 parking spaces, 11 less than what the Municipal Code requires.

The Planning Department has retained a consultant that is currently conducting a block by block assessment of downtown parking needs based on current land uses and build out anticipated by the General Plan as well as the Pueblo Viejo Plan. This study will lead to overall parking recommendations for the downtown area. As stated previously, based on the size of the lots and the size of the existing buildings, it would be impossible for any proposed retail use to provide the required number of off-street parking spaces.

Section J of Section 17.54.010 specifies the landscaping requirements for projects within the City. Because the lots were created and the buildings constructed before these standards were in existence it is impossible for the proposed project to meet the requirements of this section. Section 17.54.010, J4 requires that internal landscaping equal a minimum 5% of the parking area. The Applicant is proposing landscaping within the parking area at the rear of the buildings, in excess of the 5% required by the Municipal Code.

The Planning Department considers the existing buildings a non-conforming use and as such, the Director has the discretion of allowing the proposed uses to proceed without adherence to the above reference specific zoning standards.

Furthermore, the existing building will be brought up to all current building codes prior to the issuance of a certificate of occupancy.

### **Consistency with Section 17.47: RC Retail Cannabis Overlay Zone**

The proposed project is within Sub-Zone 1 as identified within Chapter 17.47 of the Municipal Code. The project meets the property development standards as identified in Section 17.47.060, A-E as outlined below, except for Standard F1 and F2 regarding adherence to on and off-site parking:

#### **17.47.060 - Property development standards.**

- A. **Project Area/Lot/Building Height Requirements.** Except as specified in the applicable development agreement, CUP or regulatory permit, the project area, lot size, lot coverage and building height requirements of the underlying zone shall apply.
- B. **No Drive-Thru Retail Cannabis Facilities.** No retail cannabis business within the RC Overlay Zone shall operate "drive-thru", "drive up", "window service" or similar facilities whereby a customer can order, purchase and receive retail cannabis without leaving his or her vehicle.
- C. **No Non-Storefront Retailers.** No retail cannabis business within the RC overlay zone shall be operated as "non-storefront" or "delivery only". Delivery may only be approved as ancillary to the operation of a permitted cannabis retail business which is physically located within the RC overlay zone and which primarily provides cannabis to customers on the premises.
- D. **Distance Restrictions.** No retail cannabis business within the RC overlay zone shall be located within two hundred fifty (250) feet of any public or private school (K-12), day care center or youth center. The distance shall be measured from the nearest point between any part of the building containing the retail cannabis business to any lot line of the other use. For purposes of this paragraph, the following definitions shall apply:
  - 1. "Day care center" means any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities and school age child care centers.
  - 2. "Youth center" means any public or private facility that is primarily used to house recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.
- E. **Location of Customer Entrance.** No retail cannabis business shall have a customer entrance that is adjacent to or directly across the street from a residentially zoned lot.
- F. **On-Street/Off-Street Parking and Loading.**
  - 1. **Off-Street Parking and Loading.** Off-street parking and loading facilities for a retail cannabis business shall be provided in accordance with the provisions of Section 17.54.010-C (1) of this title.
  - 2. **On-Street Parking and Loading.** On-street parking or loading shall be prohibited for a retail cannabis business.

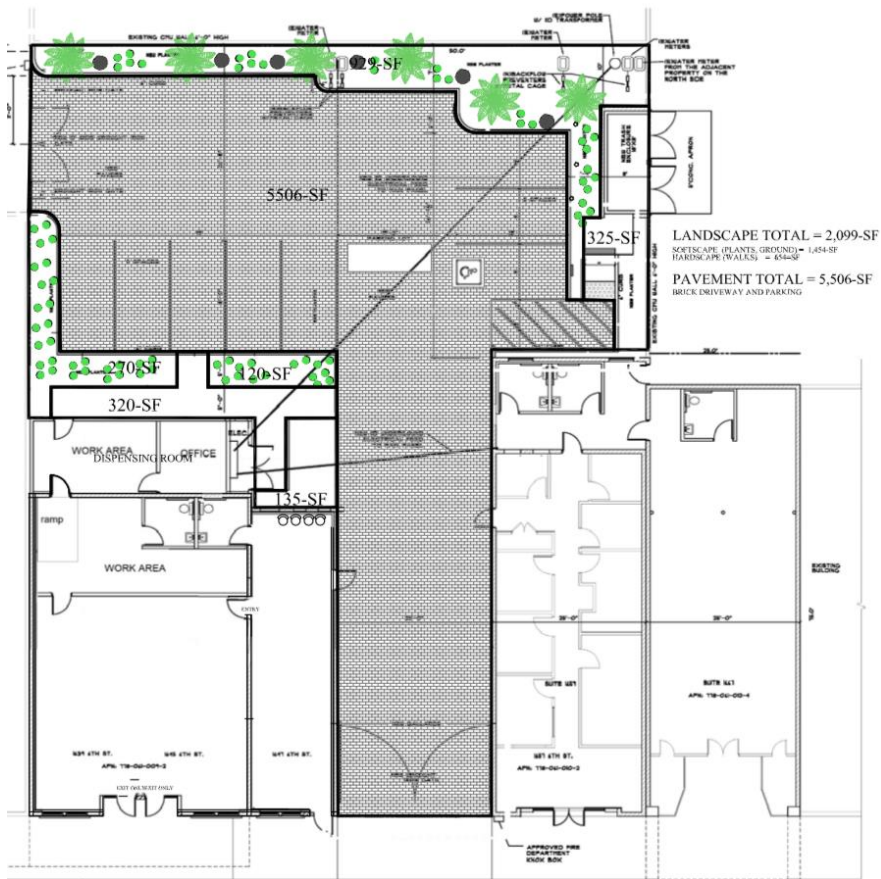
The proposed conditional use permit meets all the above development standards except for Standard F1, off-street parking and F2-On-Street parking. A discussion on overall downtown parking is discussed previously in the staff report.

### **Architectural Review/Building Materials**

The artist renderings on pages 6, 7 and 8 of this staff report provide an overview of the modifications and enhancements proposed for the two buildings.

### **Landscaping**

The project proposes two new landscape planters in the rear parking lot: One is adjacent to the rear of the building and the other is adjacent to the block wall at the rear property line. The parking area includes 5506 square feet of pavement area. Of that area the project proposes 2099 square feet of landscaped area, or 38%, in excess of the 5% required by the Municipal Code. Because the buildings were constructed around 1930 and are considered non-conforming structures, conformance to current City landscaping standards is not possible. Specifically, since the buildings were constructed to the front property line, construction of a 15 foot landscaped planter is not possible.



**ENVIRONMENTAL REVIEW:**

The City has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (C) that exempts the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

**CORRESPONDENCE**

The City has not received any correspondence for the proposed project

**ALTERNATIVES:**

- 1) Approve Conditional Use Permit No. 305 and Change of Zone No. 18-07 with the findings and conditions as recommended by the Planning Commission and Staff.
- 2) Deny Conditional Use Permit No. 305 and Change of Zone 18-07.
- 3) Continue these items and provide staff and the applicant with direction.

**RECOMMENDED ALTERNATIVE(S):**

It is staff's recommendation that the City Council open the public hearing and allow input from all proponents and opponents of the proposed project. Because the proposed Project is in conformance with the City's General Plan and the proposed use would be consistent with the Municipal Code and compatible with the surrounding uses in the area, it is staff's recommendation that the proposed project be approved by taking the following actions:

1. Motion to introduce for first reading, by title only, Ordinance No. 1146, approving Change of Zone 18-07 with the attached findings.
2. Motion to adopt Resolution No. 2020-09 approving Conditional Use Permit No. 305 with the findings and attached conditions of approval.

**Attachments:**

Attachment No. 1: Ordinance No. 1146 for CZ 18-07  
 Attachment No. 2: Resolution No. 2020-09 for CUP 305  
 Attachment No. 3: Exhibit A: Conditions of Approval for CUP 305  
 Attachment No. 4: Historical Building Permits

**ORDINANCE NO. 1146****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CHANGE OF ZONE 18-07 TO ADD THE THE RETAIL CANNABIS OVERLAY ZONE (RC) TO THE EXISTING GENERAL COMMERCIAL ZONE (C-G) ON PROPERTY LOCATED AT 1639 AND 1645 SIXTH STREET; ED SAPIGAO, APPLICANT.**

**WHEREAS**, Ed Sapigao (on behalf of Kismet Organic Cultivation) filed an application for Change of Zone 18-07 on property located at 1639 and 1645 Sixth Street, and attendant applications Conditional Use Permit 305, Assessor's Parcel No. 778-061-009 ("Project"); and,

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on Change of Zone 18-07 and CUP 305 on November 6, 2019 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California and recommended that the City Council approve Change of Zone 18-07 and CUP 305; and,

**WHEREAS**, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

**WHEREAS**, the Project is permitted pursuant to Chapter 17.47 of the Coachella Municipal Code, and the attendant applications for a Conditional Use Permit to allow the Project; and,

**WHEREAS**, the proposed use is necessary or desirable for the development of the community, is consistent with the objectives of the City's General Plan, and is not detrimental to the existing uses or the uses specifically permitted in the zone in which the proposed use is to be located; and,

**WHEREAS**, the City Council conducted a duly noticed public hearing on Change of Zone 18-07 and CUP 305 on February 26 2020 at the Coachella City Hall, 1515 6<sup>th</sup> Street, Coachella, California and allowed public testimony; and,

**WHEREAS**, the proposed site is adequate in size and shape to accommodate the proposed development; and,

**WHEREAS**, the site for proposed use relates properly to streets which are designed to carry the type and quantity of traffic to be generated by the proposed use; and,

**WHEREAS**, the Project is exempt from the provisions of the California Environmental Quality Act, as amended; and,

**WHEREAS**, the conditions as stipulated by the City are necessary to protect the public health, safety and welfare of the community.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA CALIFORNIA, DOES HEREBY ORDANIN AS FOLLOWS:**

**Section 1.** That the City of Coachella Official Zoning Map be amended as shown on the attached Change of Zone 18-07 map marked “Exhibit A” from C-G (General Commercial) to CG-RC (General Commercial with the Retail Cannabis Overlay zone) on property located at 1639 and 1645 Sixth Street, with the findings listed below:

**Findings for Change of Zone 18-07:**

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has a Downtown Center land use designation that allows for the proposed development. The proposed change of zone is in keeping with the policies of the Downtown Center land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The site plan proposes a cannabis retail business. The Project complies with applicable C-G (General Commercial) and Section 17.47.020 property development standards as proposed.
3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The proposed change of zone is compatible with existing surrounding land uses that include commercial land uses.
4. The Project will be compatible with neighboring properties with respect to land development patterns and application of architectural treatments. The plans submitted for this Project propose a cannabis business that is permitted in the C-G (General Commercial) zone pursuant to an approved Conditional Use Permit. Surrounding properties to the project site include commercial land uses. As such, the Project will be in keeping with the scale, massing, and aesthetic appeal of the existing area and future development.
5. The Project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 (C) that exempts the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

**Section 2.** SEVERABILITY. The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final

court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Section 3.** EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after it's second reading by the City Council.

**Section 4.** CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance and shall cause it to be published and circulated in the City of Coachella.

**ORDINANCE PASSED APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez, Mayor

**ATTEST:**

---

Angela M. Zepeda, City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney



I, Angela M. Zepeda, City Clerk, City of Coachella, California, certify that the foregoing Ordinance No. 1146 was adopted by the City Council at a regular meeting held on the 26<sup>th</sup> day of February 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

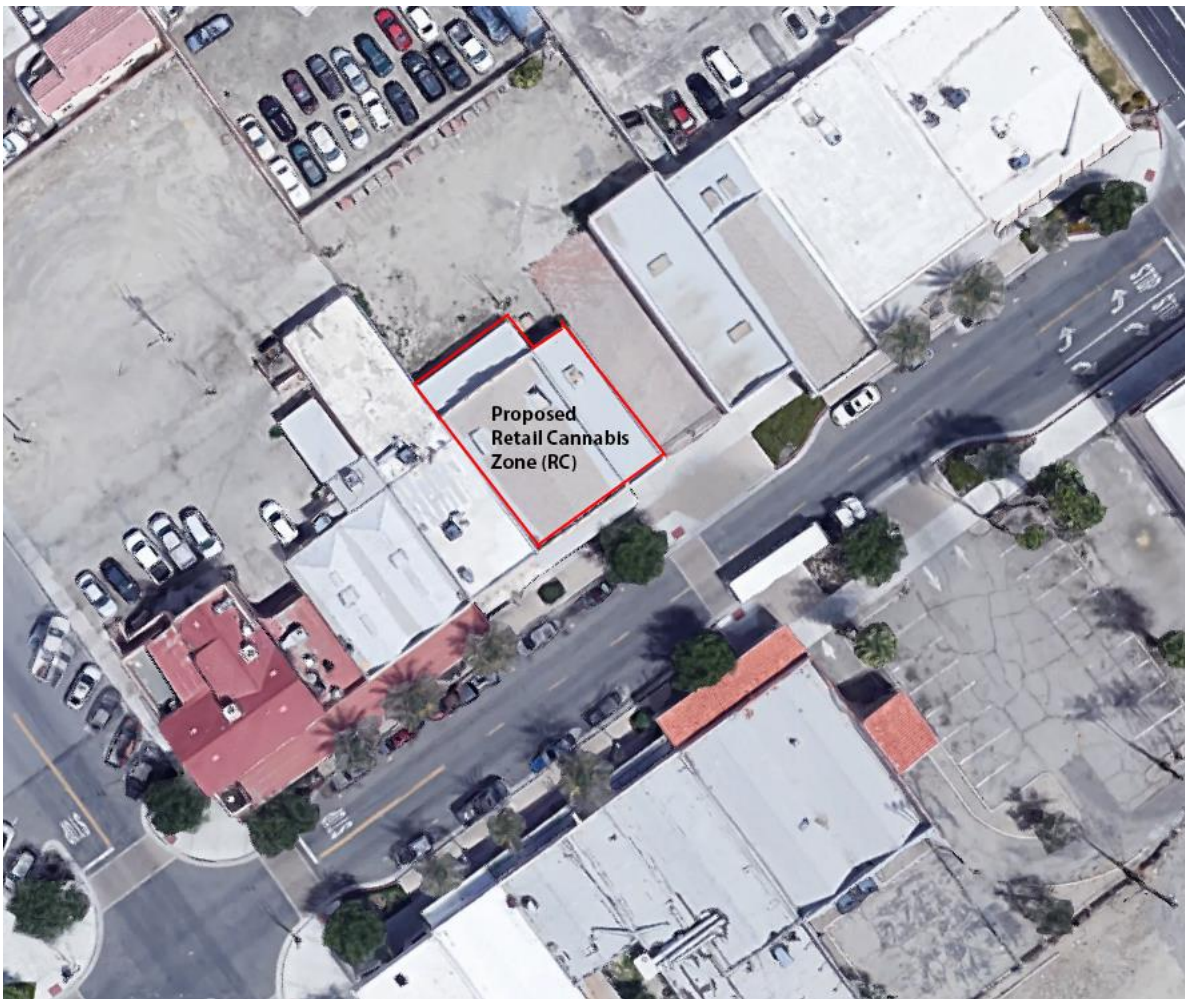
---

Angela M. Zepeda, City Clerk

**“EXHIBIT A”**

Existing Zoning: C-G (General Commercial)

Proposed Zoning: CG-RC (General Commercial-Retail Cannabis Overlay)



**RESOLUTION NO. 2020-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CONDITIONAL USE PERMIT NO. CUP 305 TO CONVERT EXISTING VACANT COMMERCIAL TENANT SPACE INTO THE FOLLOWING USES: A 3050 SQUARE FOOT CANNABIS DISPENSARY INCLUDING 750 SQUARE FEET FOR CHECK-IN AND WAITING AREA, 1800 SQUARE FEET OF RETAIL DISPLAY AREA AND 500 SQUARE FEET OF REAR STORAGE, INVENTORY CONTROL AND PACKAGING TO BE LOCATED IN BUILDING 1 LOCATED AT 1639 AND 1645 6<sup>TH</sup> STREET; AND A 4500 SQUARE FOOT COFFEE SHOP, ART DISPLAY AND OFFICE/EVENT SPACE TO BE LOCATED IN BUILDING 2 LOCATED AT 1657 AND 1669 6<sup>TH</sup> STREET; LOCATED IN THE C-G (GENERAL COMMERCIAL ZONE); KISMET ORGANIC, APPLICANT.**

**WHEREAS**, Ed Sapiago (on behalf of Kismet Organic Cultivation) filed an application for Conditional Use Permit 305 to convert existing vacant commercial tenant space into the following uses: a 3050 square foot cannabis dispensary including 750 square feet for check-in and waiting area, 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street; Assessor's Parcel No's. 778-061-009 and 778-061-010 ("Project"); and,

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on CUP No. 305 on November 6, 2019 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California and recommended that the City Council approve Conditional Use Permit No. 305; and,

**WHEREAS**, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

**WHEREAS**, the Project is permitted pursuant to Chapter 17.38 of the Coachella Municipal Code, and the attendant applications for Conditional Use Permit and a Change of Zone to allow the Project; and,

**WHEREAS**, the proposed use is necessary or desirable for the development of the community, is consistent with the objectives of the City's General Plan, and is not detrimental to the existing uses or the uses specifically permitted in the zone in which the proposed use is to be located; and,

**WHEREAS**, the proposed site is adequate in size and shape to accommodate the proposed development; and,

**WHEREAS**, the site for proposed use relates properly to streets which are designed to carry the type and quantity of traffic to be generated by the proposed use; and,

**WHEREAS**, the proposed project is exempt from the California Environmental Quality Act, as amended; and,

**WHEREAS**, the City Council conducted a duly noticed public hearing on CUP No. 305 on February 26, 2020 at the Coachella City Hall, 1515 6<sup>th</sup> Street, Coachella, California and allowed public testimony; and,

**WHEREAS**, the conditions as stipulated by the City are necessary to protect the public health, safety and welfare of the community.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Coachella, California does hereby approve of Conditional Use Permit No. 305, subject to the findings listed below and the attached Conditions of Approval for the Kismet Coachella Project (contained in “Exhibit A” and made a part herein).

**Findings for Conditional Use Permit No. 305**

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has a Downtown Center land use designation that allows for the proposed development. The proposed uses on the site are in keeping with the policies of the Downtown Center land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The site plans proposes a cannabis microbusiness including an indoor cannabis lounge where cannabis products will be sold and consumed. The Project complies with applicable CG-RC (General Commercial-Retail Cannabis Overlay) zoning standards as proposed.
3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The Project site is within the Downtown Center land use designation of the City’s general plan. This category provides for a broad spectrum of commercial and residential land uses. The proposed uses are compatible with existing adjacent land uses.
4. The City has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (C) that exempts the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-09 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk

**“EXHIBIT A”**  
**CONDITIONS OF APPROVAL FOR THE KISMET COACHELLA PROJECT**  
**INCLUDING A RETAIL CANNIBIS DISPENSARY AND COFFEE SHOP,**  
**ART DISPLAY AND OFFICE/EVENT SPACE**  
**(CUP 305).**

**General Conditions**

1. Conditional Use Permit No. 305 is contingent upon City Council approval of the attendant Change of Zone 18-07 application. Conditional Use Permit No. 305 hereby approves the following uses: A 3050 square foot cannabis dispensary including 750 square feet for check-in and waiting area; 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging located in Building 1 located at 1639 and 1645 Sixth Street; and a 4500 square foot coffee shop, art display and office/event space located in building 2 located at 1657 and 1669 Sixth Street. The applicant shall secure building permits for tenant improvements for the new businesses through the City’s Building Division and the Riverside County Fire Marshal’s office prior to the commencement of business activities. Hours of operation for the cannabis dispensary retail business may be from 7:00 am to 10:00 pm daily, unless otherwise restricted by the State of California. The owner shall procure a City Cannabis Regulatory Permit and a State License prior to commencement of business activities.
2. Conditional Use Permit No. 305 shall be valid for 12 months from the effective date of said City Council approvals unless the applicant requests an extension of time and granted by the Planning Commission. Issuance of building permits and pursuit of construction will vest the Conditional Use Permit.
3. The construction of all new structures shall be in conformance with construction drawings and landscaping plans designed in accordance with the Kismet Coachella Project and the conditions of approval imposed below:
  - a. All exterior building materials and colors shall substantially match the exhibits submitted with the Kismet Coachella Project Development applications.
  - b. All fencing or garden walls shall be subject to issuance of a separate building permit by the City Building Division.
  - c. All parking lot lighting for the Project shall be consistent with the architectural design exhibits of the Project, as approved by the Development Services Director.
  - d. All masonry/wrought iron perimeter walls and garden walls shall be consistent with the submitted plans, subject to review by the Development Services Director, and subject to the City’s Building Codes.

4. All plans, as shown, are considered “conceptual,” subject to revisions as called out by the conditions of this resolution. The plans shall not be stamp-approved until all conditions requesting revisions have been satisfied during the building plan check process. Any substantial changes to the plans, including changes shown on future building permit plans deemed by Staff to not be within substantial conformance with this approval, will require an amendment to the approval of the conditional use permits, including architectural features, materials and site layout.
5. The project shall comply with all applicable codes, laws and regulations, regardless of whether they are listed in these conditions. This includes conformance with the requirements of the adopted U.B.C., U.P.C., U.M.C., N.E.C., including all requirements of the South Coast Air Quality Management District, the Riverside County Fire Department and any requirements by any other agency having jurisdiction on the project.
6. The applicant shall defend, indemnify and hold harmless the City of Coachella, its officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its officials, officers, employees or agents to attack, set aside, void or annul any project approval or condition of approval of the city concerning this project, including but not limited to any approval or condition of approval or mitigation measure imposed by the City Council or Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officials, officers, employees and agents in the defense of the City Attorney, within five days of the effective date of this approval.
7. All plan submittals are the responsibility of the developer; this includes plan submittals to the City of Coachella, the Riverside County Fire Department or to other agencies for whom plan review and approval is required.
8. Prior to the issuance of building permits, grading or construction, the following mitigation measures shall be implemented:
  - a) In the event any onsite structures are demolished, an asbestos inspection of onsite structures shall be conducted by a qualified professional in accordance with currently accepted methods and protocols. The inspection shall include, but not be limited to



visual inspection, sampling, and laboratory analysis for the presence of asbestos products, including asbestos-containing material (ACM) and asbestos-containing construction material (ACCM). Polarized Light Microscopy and other methods consistent with the US EOA 600 method shall be applied to this investigation. A comprehensive report that documents methods, findings, and appropriate mitigation measures and/or recommendations shall be provided to the City.

- b) In the event any onsite structures are demolished, a lead-based paint inspection of onsite structures shall be conducted by a qualified professional in accordance with currently accepted methods and protocols. Inspections shall be carried out in accordance with US Department of Housing and Urban Development (HUD) guidelines, as well as OSHA Lead Exposure in Construction, Code of Federal Regulations, Title 29, Section 1926. The inspection shall include, but not be limited to visual inspection, sampling, and analysis of materials suspected of containing lead paint or other lead-based materials and coatings. A comprehensive report that documents methods, findings, and appropriate mitigation measures and/or recommendations shall be provided to the City.
- c) Prior to the start of any activity that might disturb materials potentially containing asbestos, lead, and/or other hazardous or potentially hazardous materials, a qualified and licensed contractor shall be hired to complete necessary abatement procedures. All demolition and other project related actions that might potentially disturb hazardous materials shall be performed by properly trained and qualified personnel. Remediation actions are expected to include but will not be limited to the following:
  - 1. Each part of the building from which asbestos is being removed shall, as appropriate, be sealed off in order to prevent contamination of the other area. Methods of area containment may include polyethylene film, duct tape, negative air pressure machines and other appropriate means depending on the type of asbestos materials encountered.
  - 2. Specially designed vacuum cleaners that are designed for asbestos containment (class H) can be safely used when cleaning up during and after asbestos removal.
  - 3. Removed asbestos and materials with embedded or coated with asbestos shall, as appropriate, be double wrapped in plastic and driven to a landfill.
- d) If surficial or buried materials within the project site are found to contain potentially hazardous materials (such as: asbestos-containing material, lead-based paint, and mercury or PCB-containing material) such materials shall be removed properly prior to any further site disturbance in the affected area, and disposed of at appropriate landfills or recycled, in accordance with the regulatory guidance provided in California Code of Regulation (CCR) and following the requirements of the Universal Waste Rule (40 CFR part 9).
- e) During project construction and implementation, the handling, storage, transport, and

disposal of all chemicals, including herbicides and pesticides, runoff, hazardous material and waste used on, or at, the project site, shall be in accordance with applicable local, state, and federal regulations.

- f) Vapor Encroachment Screening shall be conducted in accordance with the ASTM Standard E2600-10 Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions to identify the likelihood of migrating vapors to encroach on the subject property, thereby creating a Vapor Encroachment Condition (VEC). A complete report of findings and recommended mitigation measures, if any, shall be provided to the City prior to the issuance of building permits.
- g) A vapor intrusion risk evaluation shall be conducted in accordance with most recent version of the CalEPA Department of Toxic Substances Control's "Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air" to identify the likelihood of vapor intrusion into future buildings and potential impacts on indoor air quality. A complete report of findings and recommended mitigation measures, if any, shall be provided to the City prior to the issuance of grading and building permits.
- h) The applicant shall provide the City with copies of permits required by the South Coast Air Quality Management District, or a written confirmation that no permits are necessary.
- i) The applicant shall satisfy all requirements of the Fire Department relating to construction, operation, and emergency response. No building permits shall be issued, and no occupancy of the buildings shall be permitted prior to written approval by the Fire Department.

#### **Engineering – Grading and Drainage:**

- 9. Site access improvements shall be in conformance with the requirements of Title 24 of the California Administrative Code. This shall include access ramps for off-site and on-site streets as required.
- 10. If the applicant is planning to build a wall, separate permits shall be required for wall construction. The maximum height of any wall shall be limited to six (6) feet as measured from an average of the ground elevations on either side.

#### **Engineering – Street Improvements:**

- 11. Applicant shall construct all off-site and on-site improvements including street pavement, curb, gutter, sidewalk, street trees, perimeter walls, perimeter landscaping and irrigation, storm drain, street lights, and any other incidental works necessary to complete the

improvements. Driveways shall conform to City of Coachella standards for commercial driveways with a minimum width of 24.00 feet and curbed radius entrances.

12. Applicant shall obtain an encroachment permit for any improvements constructed within public right-of-way including alleys.

### **Engineering-Sewer and Water Improvements**

13. Sewer & Water Improvement Plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check and City Engineer approval.
14. Applicant shall construct all off-site and on-site water improvements and any other incidental works necessary to complete the improvements

### **Engineering – General:**

15. Applicant shall take into consideration City's project titled "Grapefruit Boulevard Urban Greening & Connectivity Project" and match improvements proposed for Grapefruit Blvd. Engineering department will provide direction on this matter.
16. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is to leave the site. Additional securities, in bond form, in amount of \$2,000.00 per acre of gross area, and a one time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved, the original plans, and executed dust control agreement, are filed in the engineering department at the City of Coachella.
17. The applicant shall pay all necessary plan check, permit and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.
18. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a Preliminary WQMP for plan review accompanied by a \$3,000 plancheck deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.

### **Engineering – Completion:**

19. "As-built" plans shall be submitted to and approved by the City Engineer prior to acceptance of the improvements by the City. All off-site and on-site improvements shall be completed to the City Engineer prior to acceptance of improvements for maintenance by the City.

20. Prior to issuance to of certificate of occupancy, all public improvements, including landscaping and lighting of the retention basins, and landscaped areas along the exterior streets, shall be completed to the satisfaction of the City Engineer.

**Environmental Compliance:**

21. The applicant shall comply with the following items prior to issuance of building permits:
- a) Verify that asbestos has been mitigated and submit disposal and closure plan
  - b) Submit detailed plumbing and mechanical plans
  - c) Facility required to submit a source control survey;
  - d) Backflow devices; will require Reduced Pressure Principle Device (RP) within 12 inches of water service installed to protect water supply from contamination or pollution; 1
  - e) Install separate AMI metering system for each building;
  - f) Install separate AMI water service meter for irrigation system;
  - g) The project must implement the State's drought mandate which prohibits irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;
22. Prior to the issuance of a building permit, the applicant shall pay all Development Fees to the City; including outside agency fees such as sewer water and utilities. Copies of receipts shall be provided to the Development Services Department prior to permit issuance.
23. The applicant shall be responsible for paying all applicable development and processing (plan check, inspection, etc.) fees associated with this project.
24. The applicant shall pay all required water connection fees.

**Coachella Valley Unified School District**

25. The Coachella Valley Unified School District is authorized by the State Legislature to levy developer fees on commercial development. The Applicant or successor in interest shall pay fees in effect at the time of building permit issuance. The fees collected will be used to assist in the housing of students within the District.

26. The owner/operator of the retail cannabis business shall assign an employee to act as parking monitor to direct vehicles to parking spaces during business hours to improve traffic safety.

27. The applicant shall obtain separate sign permits for all wall signs. All signs may be channel lettering or logo signs with “halo” lighting and reduced illumination or backlit with gooseneck lamps.

BUILDING PERMIT No. 2993

CITY OF COACHELLA, CALIFORNIA

Phone (714) 398-0161 398-6131

765-262-012

OWNER United Farm Workers

CONTRACTOR

JOB ADDRESS 1639 6th St.

LOT BLK TRACT

ARCHITECT

ENGINEER

PURPOSE OF PERMIT Sign (6x8)

PLAN CK SPECIAL INSP

AIR COND PLUMB ELECT

LOT SIZE BLDG. SIZE

VALUATION FOOTAGE

OCCUPANCY GROUP USE ZONE

TYPE CONSTR. FIRE ZONE

SETBACK-FRONT REAR SIDE

CURBING TYPE V CEMENT

DATE REC. DATE APP. 6-18-75

APPROVED BY

SPECIAL NOTES:

## OWNER-BUILDER CONTRACTOR

I certify that in the performance of the work for which this permit is issued I shall not employ any person in violation of the workmen's compensation laws of California.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City Ordinances and State laws applicable.

Signed: Ann McQuinn \$5.00

FEES: PLAN CK BUILDING

TOTAL OF ALL FEES \$5.00

## NOTICE TO CONTRACTORS &amp; SUB-CONTRACTORS

Final inspection of this job may be withheld until all contractors or sub-contractors having performed work under the above building permit have signed this card below as having valid Coachella business licenses.

GRADING

SEWERS

FRAMING \$5.00 #274

ROOFING

PLUMBING

LATHING

FLOORING

TILES

PAVING

PAINTING

OTHER

CEMENT

MASONRY

ELECTRIC 2993

HEATING

PLASTERING

CABINETS

GLAZING

SHEET METAL

INSULATION

OTHER:

## INSPECTION RECORD

## EXCAVATION &amp; SETBACKS:

Pour no concrete until

signed here:

INT.

DATE

SETBACKS

FOOTINGS

FORMS OR STEEL

## CONCRETE SLAB FLOOR:

Do not pour until signed

ELECTRIC Gnwrk

PLUMBING Gnwrk

SLAB HEIGHT

ELECT GROUND

CRUSHED ROCK

## ROUGH INSPECTIONS:

Cover no work until signed

ELECTRIC

PLUMBING

T &amp; P VALVE

GAS LINES

A/C &amp; HEATING

ATTIC ACCESS

ATTIC VENTS

GARAGE VENTS

FRAMING

ROOF NAILING

OTHER:

## SPECIAL INSPECTION:

Cover no work until signed

INSULATION

## LATH &amp; PLASTER:

Cover no work until signed

EXT. LATH

INT. LATH

SHOWER BACKING

CORNER BEAD

VENEER ANCHORS

## FINISH INSPECTION:

Do not occupy until signed

ELECTRICAL

PLUMBING

GAS

A/C &amp; HEATING

BUILDING

SEWAGE

CURBING

PARKING

DOOR CLOSER

T &amp; P. VALVE

OTHER:

## AIR CONDITIONING PERMIT

AMOUNT

CLASSIFICATION

20.

PERMIT

APPLIANCES

AIR DUCTS

VENTS

VENT DUCTS

COMPRESSORS

COILS

TOWERS

COOLERS

PRE-COOLERS

SPECIAL INSP

OTHER:

TOTAL FEE

Special Notes:

## ELECTRICAL PERMIT

AMOUNT

CLASSIFICATION

FEE

PERMIT

SERVICE

ONE CENT RATE

1/2 CENT RATE

FIXTURES

GENERATORS

APPLIANCES

MISC.

MOTORS

OUTLETS

SIGNS

CONSTR. POLE

TRANSFORMERS

ANNUAL PERMIT

SPECIAL INSP.

OTHER:

TOTAL FEE

Special Notes:

## PLUMBING PERMIT

AMOUNT

CLASSIFICATION

FEE

PERMIT

FIXTURES

SEWER

PRIVATE SEWER

WATER HEATER

GAS PIPING

WATER PIPING

DRAINAGE

SPRINKLERS

OTHER:

TOTAL FEE

Special Notes:

**HARD COPY MUST BE POSTED ON BUILDING SITE**

**BUILDING PERMIT****CITY OF COACHELLA, CALIFORNIA****Phone (714) 398-6131 N<sup>o</sup> 4071**OWNER **George Thomas 769-262-012**CONTRACTOR **Ortin Roofing**JOB ADDRESS **1639 6th St.**

LOT \_\_\_\_\_ BLK \_\_\_\_\_ TRACT \_\_\_\_\_

ARCHITECT \_\_\_\_\_

ENGINEER \_\_\_\_\_

PURPOSE OF PERMIT **Regular roof**

PLAN CK \_\_\_\_\_ SPECIAL INSP \_\_\_\_\_

AIR COND \_\_\_\_\_ PLUMB \_\_\_\_\_ ELECT \_\_\_\_\_

LOT SIZE \_\_\_\_\_ BLDG. SIZE \_\_\_\_\_

VALUATION **\$435.00** FOOTAGE \_\_\_\_\_

OCCUPANCY GROUP \_\_\_\_\_ USE ZONE \_\_\_\_\_

TYPE CONSTR. \_\_\_\_\_ FIRE ZONE \_\_\_\_\_

SETBACK-FRONT \_\_\_\_\_ REAR \_\_\_\_\_ SIDE \_\_\_\_\_

CURBING \_\_\_\_\_ TYPE V CEMENT \_\_\_\_\_

DATE REC. \_\_\_\_\_ DATE APP. **4-4-78**

APPROVED BY \_\_\_\_\_

SPECIAL NOTES: \_\_\_\_\_

**OWNER-BUILDER****CONTRACTOR**

I certify that in the performance of the work for which this permit is issued I shall not employ any person in violation of the work-  
er's compensation laws of California.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City Ordinances and State laws applicable.

Signed: \_\_\_\_\_

FEES: PLAN CK \_\_\_\_\_ BUILDING **\$10.00**TOTAL OF ALL FEES **\$10.00****NOTICE TO CONTRACTORS & SUB-CONTRACTORS**

Final inspection of this job may be withheld until all contractors or sub-contractors having performed work under the above building permit have signed this card below as having valid Coachella business licenses.

GRADING **Final 4/3/78**SEWERS **4/3/78**FRAMING **4/3/78**ROOFING **4/3/78**PLUMBING **4/3/78**LATHING **4/3/78**FLOORING **4/3/78**TILES **4/3/78**PAVING **4/3/78**PAINTING **4/3/78**CEMENT **4/3/78**MASONRY **4/3/78**ELECTRIC **4/3/78**HEATING **4/3/78****INSPECTION RECORD****EXCAVATION & SETBACKS:**

Pour no concrete until signed here.

INT. \_\_\_\_\_ DATE \_\_\_\_\_

SETBACKS \_\_\_\_\_

FOOTINGS \_\_\_\_\_

FORMS OR STEEL \_\_\_\_\_

**CONCRETE SLAB FLOOR:**

Do not pour until signed

ELECTRIC Gnwrk \_\_\_\_\_

PLUMBING Gnwrk \_\_\_\_\_

SLAB HEIGHT \_\_\_\_\_

ELECT GROUND \_\_\_\_\_

CRUSHED ROCK \_\_\_\_\_

**ROUGH INSPECTIONS:**

Cover no work until signed

ELECTRIC \_\_\_\_\_

PLUMBING \_\_\_\_\_

T &amp; P VALVE \_\_\_\_\_

GAS LINES \_\_\_\_\_

A/C &amp; HEATING \_\_\_\_\_

ATTIC ACCESS \_\_\_\_\_

ATTIC VENTS \_\_\_\_\_

GARAGE VENTS \_\_\_\_\_

FRAMING \_\_\_\_\_

ROOF NAILING \_\_\_\_\_

OTHER: \_\_\_\_\_

**SPECIAL INSPECTION:**

Cover no work until signed

INSULATION \_\_\_\_\_

**LATH & PLASTER:**

Cover no work until signed

EXT LATH \_\_\_\_\_

INT LATH \_\_\_\_\_

SHOWER BACKING \_\_\_\_\_

CORNER BEAD \_\_\_\_\_

VENEER ANCHORS \_\_\_\_\_

**FINISH INSPECTION:**

Do not occupy until signed

ELECTRICAL \_\_\_\_\_

PLUMBING \_\_\_\_\_

GAS \_\_\_\_\_

A/C &amp; HEATING \_\_\_\_\_

BUILDING \_\_\_\_\_

SEWAGE \_\_\_\_\_

CURBING \_\_\_\_\_

PARKING \_\_\_\_\_

DOOR CLOSER \_\_\_\_\_

T &amp; P VALVE \_\_\_\_\_

OTHER: \_\_\_\_\_

PLASTERING \_\_\_\_\_

CABINETS \_\_\_\_\_

GLAZING \_\_\_\_\_

SHEET ME \_\_\_\_\_

INSULATION \_\_\_\_\_

OTHER: \_\_\_\_\_

**AIR CONDITIONING PERMIT**AMOUNT \_\_\_\_\_ CLASSIFICATION \_\_\_\_\_ FEE **20.**

PERMIT \_\_\_\_\_

APPLIANCES \_\_\_\_\_

AIR DUCTS \_\_\_\_\_

VENTS \_\_\_\_\_

VENT DUCTS \_\_\_\_\_

COMPRESSORS \_\_\_\_\_

COILS \_\_\_\_\_

TOWERS \_\_\_\_\_

COOLERS \_\_\_\_\_

PRE-COOLERS \_\_\_\_\_

SPECIAL INSP \_\_\_\_\_

OTHER: \_\_\_\_\_

TOTAL FEE \_\_\_\_\_

Special Notes: \_\_\_\_\_

**ELECTRICAL PERMIT**

AMOUNT \_\_\_\_\_ CLASSIFICATION \_\_\_\_\_ FEE \_\_\_\_\_

PERMIT \_\_\_\_\_

SERVICE \_\_\_\_\_

ONE CENT RATE \_\_\_\_\_

½ CENT RATE \_\_\_\_\_

FIXTURES \_\_\_\_\_

GENERATORS \_\_\_\_\_

APPLIANCES \_\_\_\_\_

MISC. \_\_\_\_\_

MOTORS \_\_\_\_\_

OUTLETS \_\_\_\_\_

SIGNS \_\_\_\_\_

CONSTR POLE \_\_\_\_\_

TRANSFORMERS \_\_\_\_\_

ANNUAL PERMIT \_\_\_\_\_

SPECIAL INSP. \_\_\_\_\_

OTHER: \_\_\_\_\_

TOTAL FEE \_\_\_\_\_

Special Notes: \_\_\_\_\_

**PLUMBING PERMIT**

AMOUNT \_\_\_\_\_ CLASSIFICATION \_\_\_\_\_ FEE \_\_\_\_\_

PERMIT \_\_\_\_\_

FIXTURES \_\_\_\_\_

SEWER \_\_\_\_\_

PRIVATE SEWER \_\_\_\_\_

WATER HEATER \_\_\_\_\_

GAS PIPING \_\_\_\_\_

WATER PIPING \_\_\_\_\_

DRAINAGE \_\_\_\_\_

SPRINKLERS \_\_\_\_\_

OTHER: \_\_\_\_\_

TOTAL FEE \_\_\_\_\_

Special Notes: \_\_\_\_\_



**CITY OF COACHELLA  
BUILDING PERMIT  
COMMUNITY & DEVELOPMENT SERVICES**

Inspection Request Require 24 Hour Notice  
(760) 398-3002



DATE: 10/29/2013  
PERMIT NO: **BL-2013-01-09443**  
USE ZONE: General Commercial  
OCCUPANCY: CONSTR TYPE: SQ FT:

20.

Project Address: 1667 6TH ST  
COACHELLA CA 92236

Project Valuation: \$ 30,000.00

PARCEL #: 765262010

LOT #: 9

TRACT #: 0.00

Applicant's Name: GENEVIEVE THOMAS  
Owner's Name: GENEVIEVE THOMAS  
Owner's Address: PO BOX 6  
COACHELLA CA 92236

Phone: (760) 899-0984

Fax:

Contractor's Name:  
Contractor's Address:

Phone:

Fax:

Business Lic:

State Licence:

Contact Phone:

Contact Person:

Project Name:

Permit Type: MISCELLANEOUS BUILDING PERMIT

Description of Work: RETROFIT WALL ANCHORAGE AND REROOF BUILDINGS AT 1667, 1657, 1639, 1645 AND 1647

Condition: SIXTH STREET

**FEE(S):**

BUILDING FEE	\$502.50	Plan Check Fees	\$567.50	Strong Motion Instrumentation	\$6.30
Senate Bill 1473	\$2.00				

**TOTAL FEES: \$ 1,078.30**

**CERTIFICATION APPEARING ON APPLICATIONS**

I have carefully examined the above completed "Application and Permit" and do hereby certify that all information hereon is true and correct, and I further certify and agree, if a permit is issued, to comply with all City, County, and State laws governing building construction, whether specified herein or not, and I hereby agree to save, indemnify and keep harmless the City of Coachella against liabilities, judgments, costs and expenses which may in any way accrue against said City in consequence of the granted of this permit.

The issuance of this permit is based upon plans and specifications filed with the City of Coachella and shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications.

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is

*Genevieve Thomas*  
(Applicant Signature)

*[Signature]* 10/29/13  
Building  
Planning

BUILDING PERMIT NO. \_\_\_\_\_

CITY OF COACHELLA, CA  
1515 SIXTH STREET  
COACHELLA, CA. 92236 (760) 398-3002

Building Address: \_\_\_\_\_

Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ Tel: \_\_\_\_\_

Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ Tel: \_\_\_\_\_

Contractor: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ Tel: \_\_\_\_\_

State Lic. & Class: \_\_\_\_\_ City License #: \_\_\_\_\_

#### LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provision of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class: \_\_\_\_\_ License #: \_\_\_\_\_

Date: \_\_\_\_\_ Contractor: \_\_\_\_\_

#### OWNER-BUILDER DECLARATION

I, hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law for the following reason (Sec. 703.1.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and professions Code) or that he or she is exempt there from and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own

employees provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder shall have the burden of proving that he or she did not build or improve for the purpose of sale.).

☒ I, as owner of the property, am exclusively contracting with licensed contractor's to construct the project (Sec. 7044, business and Professions Code: the Contractor's License Law does not apply to owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.).

☐ I am exempt under Sec. \_\_\_\_\_ B & P C for this reason

Date: Oct 29, 2017 Owner: Genevieve Thomas

#### WORKER'S COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

☐ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: Carrier: \_\_\_\_\_ Policy # \_\_\_\_\_

(This section need not be completed if the permit is for one hundred dollars (\$100) or less).

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date: \_\_\_\_\_ Applicant: \_\_\_\_\_

**WARNING:** Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provide for in Section 3706 of the Labor Code, Interest, and Attorney's fees.

#### CONSTRUCTION LENDING AGENCY

I, hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civ. C).

Lender's Name \_\_\_\_\_

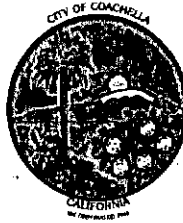
Address: \_\_\_\_\_

☐ I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes.

Date: Oct 29, 2017 Applicant Signature: Genevieve Thomas

**CITY OF COACHELLA  
BUILDING PERMIT  
COMMUNITY & DEVELOPMENT SERVICES**

Inspection Request Require 24 Hour Notice  
(760) 398-3002



DATE: 08/13/2015  
PERMIT NO: BL-2015-08-11162

USE ZONE:

OCCUPANCY: CONSTR TYPE: SQ FT:

20.

Project Address: 1639 6TH ST  
COACHELLA CA 92236

Project Valuation: \$ 0.00

PARCEL #:

LOT #:

TRACT #:

Applicant's Name: CALACON, INC.  
Owner's Name: GENEVIEVE THOMAS

Owner's Address: 1639 6TH ST  
COACHELLA CA 92236

Phone: (760) 275-4995

Fax:

Contractor's Name:  
Contractor's Address:

Phone: 760-275-4995

Fax:

Business Lic:

State Licence:

Contact Phone:

Contact Person:

Scott Mabe

Project Name:  
Permit Type: DEMOLITION PERMIT  
Description of Work: DEMOLITION PERMIT  
Condition:

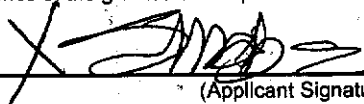
**FEE(S):**

DEMO \$368.00

**TOTAL FEES: \$368.00**

**CERTIFICATION APPEARING ON APPLICATIONS**

I have carefully examined the above completed "Application and Permit" and do hereby certify that all information hereon is true and correct, and I further certify and agree, if a permit is issued, to comply with all City, County, and State laws governing building construction, whether specified herein or not, and I hereby agree to save, indemnify and keep harmless the City of Coachella against liabilities, judgments, costs and expenses which may in any way accrue against said City in consequence of the granting of this permit.

  
(Applicant Signature)

The issuance of this permit is based upon plans and specifications filed with the City of Coachella and shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications.

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is

  
Building 8/13/15

# Demo Permit



CITY OF COACHELLA  
BUILDING PERMIT  
COMMUNITY & DEVELOPMENT SERVICES

RECEIVED

AUG 13 2015

DATE:

PERMIT NO:

USE ZONE:

OCCUPANCY: CONSTR TYPE: SQ FT:

INSPECTION REQUEST REQUIRE 24 HOUR NOTICE  
(760) 398-3002

Project Address:

Dirección del Proyecto:

Applicant's Name:

Nombre del Solicitante

Owner's Name:

Nombre del Propietario:

Owner's Address:

Dirección del Propietario

Project Valuation:

Evaluación del Proyecto:

PARCEL#

LOT#:

TRACT#:

Phone Number:

Numero de Telefono

Fax:

Fax:

Contractor's Name:

Nombre del Contratista

Contractor's Address:

Dirección del Contratista:

Phone Number:

Numero de Telefono:

Fax:

Fax:

Contact Person:

Persona de Contacto

Project Name/ Nombre del Proyecto:

Permit Type/ Tipo de Permiso:

Description of Work/ Descripción de los trabajos:

Condition/ Condición:

ELECTRICAL	MECHANICAL	PLUMBING
# OF SVCS 600 V/UP TO 200 AMPS	# AC/ BOILERS UP TO 100K BTU	# OF BACKFLOW DEVICES <=2"
# OF SVCS 600 V/ OVER 200 AMPS	# A/C BROILERS 100K-500K BTU	# OF BACKFLOW DEVICES >=2"
# OF SVCS 600 V/ OVER 1000 AMPS	# AC/BROILERS 500K BTU- 1M BTU	# OF PLUMBING FIXTURES:
# OF TEMP POWER SERVICES	# AC/BROILERS 1M BTU- 1.75M BTU	# OF PRIVATE SEWAGE DISPOSAL
# OF SUB-POLES	# AC/BROILERS OVER 1.75M BTU	# OF SEPTIC TANKS
# OF ELECT GENERATORS/RIDES	# OF A/C UNITS	# OF SEWER CONNECTIONS
# OF BOOTH LIGHTING	# OF AIR HANDLERS < 10K CFM	# OF WATER SERVICE
# OF FIXTURES FOR REPAIR/ALT	# OF AIR HANDLERS > 10K CFM	# OF WATER HEATERS
# OF ELECTRICAL FIXTURES	# OF APPLIANCE VENTS	# OF GAS SYSTEMS
# OF RESIDENTIAL APPLIANCES	# OF FURNACES UP TO 100K BTU	# OF VACUUM/BACKFLOW DEVICES
# OF RECEPTACLES/SWITCHES/OUTLETS	# OF FURNACES OVER 100K BTU	# OF LAWN SPRINKLERS
# OF POWER APPARATUS	# OF INCINERATORS- DOMESTIC	# SWIMMING POOL/PUBLIC POOL
# OF PRIVATE SWIMMING POOL(S)	# OF EXHAUST FANS	# OF SWIMMING POOL/PUBLIC SPA
	# COMM. RANGE HOODS	# OF SWIMMING POOL/PRIVATE POOL
		# OF SWIMMING POOL/PRIVATE SPA
		# OF INDUST WASTE INTERCEPTOR

CERTIFICATION APPEARING ON APPLICATIONS have carefully examined the above completed "Application and Permit" and do hereby certify that all information herein is true and correct, and I further certify and agree, if a permit is issued, to comply with all City, County, and State laws governing building construction, whether specified herein or not, and I hereby agree to save, indemnify and keep harmless the City of Coachella against liabilities, judgments, costs and expenses which may in any way accrue against said City in consequence of the granting of this permit.

The issuance of this permit is based upon plans and specifications filed with the City of Coachella and shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Applicant's Signature

Building

Planning

BUILDING PERMIT NO. \_\_\_\_\_

CITY OF COACHELLA, CA  
1515 SIXTH STREET

COACHELLA, CA. 92236 (760) 398-3002

Building Address: 1639/45, 47, 57, 67/6th St

Applicant: GENEVIEVE Thomas

Mailing Address: PO Box 6

City: Coachella Zip: 92236 Tel: \_\_\_\_\_

Owner: GENEVIEVE Thomas

Mailing Address: PO Box 6

City: Coachella Zip: 92236 Tel: \_\_\_\_\_

Contractor: CALCON INC. Scott Mabe

Mailing Address: 59-820 AUSDIA LaCumbre

City: Coachella CA Zip: 92236 Tel: 760 275-4995

State Lic. & Class: B City License #: 622308

#### LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provision of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class: B License #: 622308

Date: 8/13/13 Contractor: CALCON INC

#### OWNER-BUILDER DECLARATION

I, hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and professions Code) or that he or she is exempt there from and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

- ☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own

employees provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-build 20 have the burden of proving that he or she did not build or improve for the purpose of sale.).

- ☐ I, as owner of the property, am exclusively contracting with licensed contractor's to construct the project (Sec. 7044, business and Professions Code: the Contractor's License Law does not apply to owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.).

- ☐ I am exempt under Sec. \_\_\_\_\_ B & P C for this reason \_\_\_\_\_

Date: \_\_\_\_\_ Owner: \_\_\_\_\_

#### WORKER'S COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

- ☐ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

- ☒ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: Carrier: State Fund Policy # 906629-14  
(This section need not be completed if the permit is for one hundred dollars (\$100) or less).

- ☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date: 8/13/2013 Applicant: Shope

**WARNING:** Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provide for in Section 3706 of the Labor Code, Interest, and Attorney's fees.

#### CONSTRUCTION LENDING AGENCY

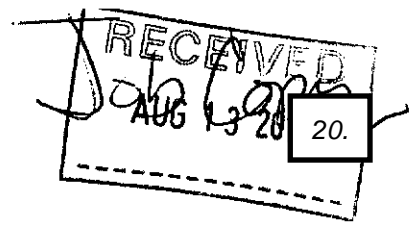
I, hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civ. C).

Lender's Name \_\_\_\_\_

Address: \_\_\_\_\_

- ☐ I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes.

Date: \_\_\_\_\_ Applicant Signature: \_\_\_\_\_



# **INSPECTION REPORT**

## **ASBESTOS**

**Conducted at**

**1639-1667 – 6<sup>th</sup> St.  
Coachella, CA**

**Prepared for**

**Genevieve Thomas  
P.O. Box 6  
Coachella, CA 92236**

**Prepared by**

**MASTERS ENVIRONMENTAL INC.  
44719 ALEXANDRIA VALE  
INDIO, CA 92201**

**ASBESTOS CONSULTANT  
# 03-3365 – GREGORY MASTERS  
CALIFORNIA LEAD INSPECTOR/ASSESSOR #18638**



**August 11, 2015**



## **ASBESTOS SURVEY**

**DATE OF SURVEY:** July 27, 2015

**LOCATION:** 1639-1667 – 6<sup>th</sup> St.  
Coachella, CA

**BY:**

**Gregory Masters**

**California Certified Asbestos Consultant # 03-3365**

**Masters Environmental Inc.**

**44719 Alexandria Vale**

**Indio, CA 92201**

**760-200-2900**

**Survey authorized by:** Genevieve Thomas  
P.O. Box 6  
Coachella, CA 92236

### **Methods:**

All materials in the structures that were suspected of containing asbestos were sampled according to specified protocols. Samples were sent to a NAVLAP accredited laboratory, Patriot Environmental Laboratory Services, Fullerton, CA – Lab code 200358-0. They were analyzed by Polarized Light Microscopy according to Bulk Analysis Protocol EPA 600/R-93/116. The laboratory report is attached to this message for your inspection. Collection of suspect ACM's followed the National Emissions Standards of Hazardous Air Pollutants (NESHAPS) protocol for sample collection for a demolition/renovation survey.

### **Bulk Sampling of Asbestos**

Bulk samples of all homogeneous materials from identified areas containing suspect ACM were collected. A homogeneous material is defined as a surfacing material, thermal system insulation (TSI), asbestos-containing construction material or miscellaneous material that is uniform in use, color, texture and age of construction. As materials were identified, bulk samples were placed into individual sampling bags. Each sample was given a discreet identification number and recorded on chain-of-custody forms.

**Sampling Table:**

Sample	Location	Description	Friable	Quantity	Condition	Asbestos
--------	----------	-------------	---------	----------	-----------	----------

1665 - 6<sup>th</sup> St.

001	Office #1	Drywall & T.C.	F	TBD	Good	ND
002	Office #1	↓	F		Good	ND
003	Hall	↓	F		Good	ND
004	Insulation	Brown, floor	NF	20 cu.ft	Good	ND
005	Ceiling	Popcorn ceiling	F	75 sq.ft.	Good	5% Chrys
006	↓	↓	F		Good	5% Chrys
007	↓	↓	F		Good	5% Chrys



Popcorn ceiling

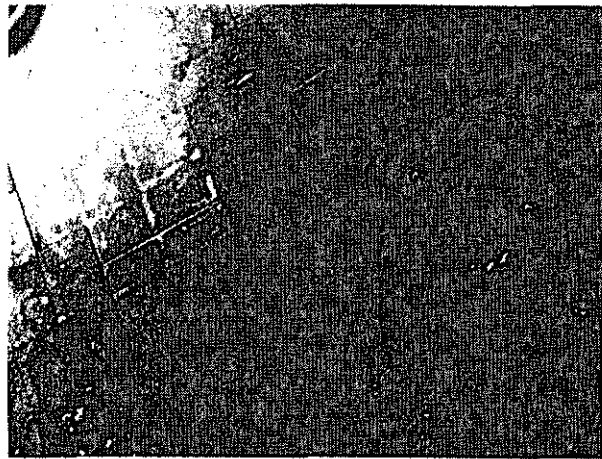


Popcorn ceiling debris



1667 – 6<sup>th</sup> St.

008	Floor	9x9 floor tile	NF	1334 sq.ft	Good	ND
009	↓	Mastic	NF		Good	ND
010	Ceiling	Drywall & T.C.	F	437 sq.ft	Good	ND
011		↓	F		Good	<1% Chrys
012			F		Good	<1% Chrys



9x9 floor tiles that test (surprise!) negative for asbestos

1647 – 6<sup>th</sup> St.

013	Ceiling	Drywall & T.C.	F	247 sq.ft	Good	<1% Chrys
014	↓	↓	F		Good	<1% Chrys
015			F		Good	<1% Chrys

1639, 1645 – 6<sup>th</sup> St.

016	Office #1	Drywall & T.C.	F	3700 sq.ft	Good	ND
017	Hall, site 1	↓	F		Good	ND
018	Hall, site 2	↓	F		Good	ND
019	Bathroom	12x12 floor tile	NF	55 sq.ft	Good	ND
020	↓	Mastic	NF		Good	ND

**1000 point count**

Asbestos samples that test positive for asbestos at <1% are re-tested by the laboratory with a process called POINT COUNT.

Patriot Environmental Laboratory Services was instructed to re-test by POINT COUNT a drywall sample from 1647 and 1667. These were put through the process. Results: Each sample tested at less than 0.1% asbestos.

Therefore, the drywall may be removed by ordinary workers who are not asbestos removal certified.

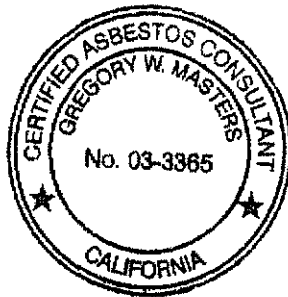
**RESULTS:**

The popcorn ceiling tested positive for Chrysotile asbestos at 5%. There is about 75 sq.ft on the ceiling. The rest is in floor debris, which is therefore considered contaminated. Whether on the ceiling or on the floor, It must be removed by certified workers who are trained, and who use safe and approved methods.

No guarantees are offered or implied.

We appreciate the opportunity to serve your asbestos needs, and look forward to working with you again.

*Gregory Masters, CAC*



---

Masters Environmental Inc.  
44719 Alexandria Vale  
Indio, CA 92201

760-200-2900  
760-200-2901 FAX  
[gmasters@sonic.net](mailto:gmasters@sonic.net)

Certificate of Analysis  
PLM Asbestos Identification

tel - 714-899-8900  
free - 888-743-0998  
fax - 714-899-7098  
www.patriotlab.com

1041 S. Placentia Avenue, Fullerton, CA 92831



20.

Masters Environmental  
44719 Alexandria Vale  
Indio, CA 92201

Report Number: 576263  
Project Number: 2392  
Project Name:  
Project Location: 1639-1667 6th St  
Coachella CA

Date Collected: 7/27/2015  
Date Received: 8/6/2015  
Date Analyzed: 8/6/2015  
Date Reported: 8/7/2015

Collected By:  
Claim Number:  
PO Number:  
Number of Samples: 2

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
576263-001 011	Ceiling	Drywall and Taping Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint

Chrysotile <0.1 %  
Total Asbestos < 0.1%

576263-002 013	Ceiling	Drywall and Taping Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint
-------------------	---------	--------------------------------	-------	--

Chrysotile <0.1 %  
Total Asbestos < 0.1%

Note: Sample(s) was/were analyzed following the EPA Point Count method using 1000 points to meet the Cal OSHA Detection Limit of 0.1%.

Melissa Sandoval - Analyst

Ian Reyes - Approved By

Bulk sample(s) submitted was (were) analyzed in accordance with the procedure outlined in the US Federal Register 40 CFR 763, Subpart F, Appendix A; EPA-600/R-93/116 (Method for Determination of Asbestos in Building Materials), and EPA-600/M4-82-020 (US EPA Interim Method for the Determination of Asbestos in Bulk Insulation Samples). Samples were analyzed using Calibrated Visual Estimations (CVES); therefore, results may not be reliable for samples of low asbestos concentration levels. Samples of wall systems containing discrete and separable layers are analyzed separately and reported as composite unless specifically requested by the customer to report analytical results for individual layers. This report applies only to the items tested. Results are representative of the samples submitted and may not represent the entire material from which the samples were collected. "None Detected" means that no asbestos was observed in the sample. "<1%" (less than one percent) means that asbestos was observed in the sample but the concentration is below the quantifiable level of 1%. This report was issued by a NIST/NVLAP (Lab Code 200358-0) and CADOHS- ELAP (Cert. No. 2540) accredited laboratory and may not be reproduced, except in full without the expressed written consent of Patriot Environmental Laboratory Services, Inc. This report may not be used to claim product certification, approval or endorsement by NIST, NVLAP, ELAP or any government agency.

\*Point Count request Per Greg Masters

8/6/15 @ 11:21 AM 24HR TA

# CHAIN OF CUSTODY

20.

Page 1 of 1

Lab Use Only

Report Number:

576263

<b>MASTERS ENVIRONMENTAL</b>	<b>Project #:</b> 2392
<b>44719 ALEXANDRIA VALE</b>	<b>Project Name:</b>
<b>INDIO, CA 92201</b>	<b>Location:</b> 1639-1667-6th St, Coachella, CA
<b>760-200-2900</b>	<b>Sample Collection Date:</b> 7-27-15
<b>Contact Phone:</b>	<b>Preservative:</b>
<b>760-399-8769 (CELL)</b>	<b>Authorized By:</b> Gayle Thomas
<b>760-200-2901 (FAX)</b>	<b>PO#:</b> <b>Claim #:</b>
<b>Special Instructions:</b>	

## Analysis Requested

### Asbestos

PCM (fiber count)

NIOSH 7400A

PLM (bulk asbestos)

EPA 800/R-93/116

CARB 435

Point Count 400

Point Count 1000

Gravimetric Reduction

## Turnaround Time

Rush (Same Day)

24HR

48HR

72HR

Other

(specify):

Note: -STLC/CAL WET requires a minimum of 52 hrs turnaround

-TCLP requires a minimum of 22 hrs turnaround

-Cultures require 5-7 days turnaround

**Lead by Flame AA** Paint, Air Cassette, Dust Wipe, Waste Water, Soils, Misc. Solids EPA 3060B/7420mod, NIOSH 7082mod

**Lead Waste Profile** As necessary for disposal

\* Note: Please provide at least 200-500 grams (approx. 1/2 - 1 lb) of sample for necessary analyses.

**followed by Flame AA**

~or individual tests by request~

1: TTLC Total Threshold by EPA 3060B mod

2: STLC/CAL WET Title 22 CCR Ch11 Article 5 App 2

3: TCLP EPA 1311

SAMPLE #	LOCATION	DESCRIPTION	QUANTITY	CONDITION
665	001	Office #1	Drywall + Taping Compound	TBD
	002	Office #1		Good
	003	Hall		Good
	004	Insulation	Insulation Brown Floor	20 cub. ft
	005	Ceiling	Popcorn Ceiling	75 sq. ft
	006		+ on floor	Sev. Dam.
	007			
1647	008	Floor	9 x 9 Floor tile	1334 sq. ft
	009		Tile mastic	Good
	010	Ceiling	Drywall + T.C.	437 sq. ft
	011			Good
	012			
1647	013	Ceiling	Drywall + Taping Compound	247 sq. ft
	014			Good
	015			
639	016	Office #1	Drywall + Taping Compound	3700 sq. ft
645	017	Hall site #2		Good
	018	Hall site #3		
	019	Bathroom	12 x 12 Floor tile	55 sq. ft
	020		Mastic	Good

<b>Relinquished By:</b> (Print) Greg Masters #033365	<b>(Sign)</b> Greg Masters	<b>(Date)</b> 7-27-15
<b>Received By:</b> (Print) Mikael Ortiz	<b>(Sign)</b> Mikael Ortiz	<b>(Date)</b> 7/28/15 11:40
<b>Relinquished By:</b> (Print)	<b>(Sign)</b>	<b>(Date)</b>
<b>Received By:</b> (Print)	<b>(Sign)</b>	<b>(Date)</b>
<b>Relinquished By:</b> (Print)	<b>(Sign)</b>	<b>(Date)</b>

8/7 9AM

Certificate of Analysis  
**PLM Asbestos Identification**

tel - 714-899-8900  
 free - 888-743-0998  
 fax - 714-899-7098  
 www.patriotlab.com

1041 S. Placentia Avenue, Fullerton, CA 92831



20.

Masters Environmental  
 44719 Alexandria Vale  
 Indio, CA 92201

Report Number: 574927  
 Project Number: 2392  
 Project Name:  
 Project Location: 1639-1667 6th St  
 Coachella CA

Date Collected: 7/27/2015  
 Date Received: 7/28/2015  
 Date Analyzed: 7/29/2015  
 Date Reported: 7/29/2015

Collected By:  
 Claim Number:  
 PO Number:  
 Number of Samples: 20

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
574927-001 001	Office 1	Drywall and Joint Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint

**Total Asbestos**      **None Detected**

574927-002 002	Office 1	Drywall and Joint Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint
-------------------	----------	----------------------------	-------	--

**Total Asbestos**      **None Detected**

574927-003 003	Hall	Drywall and Joint Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint
-------------------	------	----------------------------	-------	--

**Total Asbestos**      **None Detected**

574927-004 004	Insulation	Insulation	Brown	100% Cellulose
-------------------	------------	------------	-------	----------------

**Total Asbestos**      **None Detected**

574927-005 005	Ceiling	Popcorn Ceiling	Beige	75% Carbonate 15% Vermiculite 5% Paint
-------------------	---------	-----------------	-------	--

Chrysotile      5 %  
**Total Asbestos**      **5 %**

Certificate of Analysis  
**PLM Asbestos Identification**

20.

tel - 714-899-8900  
 free - 888-743-0998  
 fax - 714-899-7098  
 www.patriotlab.com

1041 S. Placentia Avenue, Fullerton, CA 92831

Masters Environmental  
 44719 Alexandria Vale  
 Indio, CA 92201

Report Number: 574927  
 Project Number: 2392  
 Project Name:  
 Project Location: 1639-1667 6th St  
 Coachella CA

Date Collected: 7/27/2015  
 Date Received: 7/28/2015  
 Date Analyzed: 7/29/2015  
 Date Reported: 7/29/2015

Collected By:  
 Claim Number:  
 PO Number:  
 Number of Samples: 20

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
574927-006 006	Ceiling	Popcorn Ceiling	Beige	75% Carbonate 15% Vermiculite 5% Paint
Chrysotile	5 %			
<b>Total Asbestos</b>	<b>5 %</b>			
574927-007 007	Ceiling	Popcorn Ceiling	Beige	75% Carbonate 15% Vermiculite 5% Paint
Chrysotile	5 %			
<b>Total Asbestos</b>	<b>5 %</b>			
574927-008 008	Floor	9x9 Floor Tile	Black	100% Non- Fibrous Material
<b>Total Asbestos</b>	<b>None Detected</b>			
574927-009 009	Floor	Tile Mastic	Black	100% Tar
<b>Total Asbestos</b>	<b>None Detected</b>			
574927-010 010	Ceiling	Drywall and Tape Compound	Beige	90% Sulfate 7% Cellulose 3% Glass Fibers
<b>Total Asbestos</b>	<b>None Detected</b>			

Certificate of Analysis  
**PLM Asbestos Identification**

20.

tel - 714-899-8900  
 free - 888-743-0998  
 fax - 714-899-7098  
 www.patriotlab.com

1041 S. Placentia Avenue, Fullerton, CA 92831

Masters Environmental  
 44719 Alexandria Vale  
 Indio, CA 92201

Report Number: 574927  
 Project Number: 2392  
 Project Name:  
 Project Location: 1639-1667 6th St  
 Coachella CA

Date Collected: 7/27/2015  
 Date Received: 7/28/2015  
 Date Analyzed: 7/29/2015  
 Date Reported: 7/29/2015

Collected By:  
 Claim Number:  
 PO Number:  
 Number of Samples: 20

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
574927-011 011	Ceiling	Drywall and Tape Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint

Chrysotile <1 %  
**Total Asbestos** < 1%

574927-012 012	Ceiling	Drywall and Tape Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint
-------------------	---------	------------------------------	-------	--

Chrysotile <1 %  
**Total Asbestos** < 1%

574927-013 013	Ceiling	Drywall and Tape Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint
-------------------	---------	------------------------------	-------	--

Chrysotile <1 %  
**Total Asbestos** < 1%

574927-014 014	Ceiling	Drywall and Tape Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint
-------------------	---------	------------------------------	-------	--

Chrysotile <1 %  
**Total Asbestos** < 1%



Certificate of Analysis  
**PLM Asbestos Identification**

20.

tel - 714-899-8900  
 free - 888-743-0998  
 fax - 714-899-7098  
 www.patriotlab.com

1041 S. Placentia Avenue, Fullerton, CA 92831

Masters Environmental  
 44719 Alexandria Vale  
 Indio, CA 92201

Report Number: 574927  
 Project Number: 2392  
 Project Name:  
 Project Location: 1639-1667 6th St  
 Coachella CA

Date Collected: 7/27/2015  
 Date Received: 7/28/2015  
 Date Analyzed: 7/29/2015  
 Date Reported: 7/29/2015

Collected By:  
 Claim Number:  
 PO Number:  
 Number of Samples: 20

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
574927-015 015	Ceiling	Drywall and Tape Compound	Beige	80% Sulfate 10% Cellulose 5% Carbonate 5% Paint

Chrysotile <1 %  
 Total Asbestos <1%

574927-016 016	Office 1	Drywall and Tape Compound	Beige	86% Sulfate 7% Cellulose 5% Carbonate 2% Paint
-------------------	----------	---------------------------	-------	---

Total Asbestos None Detected

574927-017 017	Hall Suite 2	Drywall and Tape Compound	White	86% Sulfate 7% Cellulose 5% Carbonate 2% Paint
-------------------	--------------	---------------------------	-------	---

Total Asbestos None Detected

574927-018 018	Hall Suite 3	Drywall and Tape Compound	White	86% Sulfate 7% Cellulose 5% Carbonate 2% Paint
-------------------	--------------	---------------------------	-------	---

Total Asbestos None Detected

574927-019 019	Bathroom	12x12 Floor Tile	Beige	100% Non-Fibrous Material
-------------------	----------	------------------	-------	---------------------------

Total Asbestos None Detected

Certificate of Analysis  
PLM Asbestos Identification

20.

tel - 714-899-8900  
free - 888-743-0998  
fax - 714-899-7098  
www.patriotlab.com

1041 S. Placentia Avenue, Fullerton, CA 92831

Masters Environmental  
44719 Alexandria Vale  
Indio, CA 92201

Report Number: 574927  
Project Number: 2392  
Project Name:  
Project Location: 1639-1667 6th St  
Coachella CA

Date Collected: 7/27/2015  
Date Received: 7/28/2015  
Date Analyzed: 7/29/2015  
Date Reported: 7/29/2015

Collected By:  
Claim Number:  
PO Number:  
Number of Samples: 20

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
574927-020 020	Bathroom	Mastic	Yellow	100% Non- Fibrous Material

**Total Asbestos**      **None Detected**

574927-010      Sample Contained Drywall Only



Melissa Sandoval - Analyst



Ian Reyes - Approved By

Bulk sample(s) submitted was (were) analyzed in accordance with the procedure outlined in the US Federal Register 40 CFR 763, Subpart F, Appendix A; EPA-600/R-93/116 (Method for Determination of Asbestos in Building Materials), and EPA-600/M4-82-020 (US EPA Interim Method for the Determination of Asbestos in Bulk Insulation Samples). Samples were analyzed using Calibrated Visual Estimations (CVES); therefore, results may not be reliable for samples of low asbestos concentration levels. Samples of wall systems containing discrete and separable layers are analyzed separately and reported as composite unless specifically requested by the customer to report analytical results for individual layers. This report applies only to the items tested. Results are representative of the samples submitted and may not represent the entire material from which the samples were collected. "None Detected" means that no asbestos was observed in the sample. "<1%" (less than one percent) means that asbestos was observed in the sample but the concentration is below the quantifiable level of 1%. This report was issued by a NIST/NVLAP (Lab Code 200358-0) and CADOHS- ELAP (Cert. No. 2540) accredited laboratory and may not be reproduced, except in full without the expressed written consent of Patriot Environmental Laboratory Services, Inc. This report may not be used to claim product certification, approval or endorsement by NIST, NVLAP, ELAP or any government agency.

# CHAIN OF CUSTODY

5197LT

20.

Page 1 of 1

Lab Use Only  
Report Number:

<b>MASTERS ENVIRONMENTAL</b>	<b>Project #:</b> 2392
<b>44719 ALEXANDRIA VALE</b>	<b>Project Name:</b>
<b>INDIO, CA 92201</b>	<b>Location:</b> 1639-1667 6th St, Coachella, CA
<b>760-200-2900</b>	<b>Sample Collection Date:</b> 7-27-15
<b>Contact Phone:</b>	<b>Preservative:</b>
<b>760-399-8769 (CELL)</b>	<b>Authorized By:</b> Gayle Thomas
<b>760-200-2901 (FAX)</b>	<b>PO#:</b> <b>Claim #:</b>
<b>Special Instructions:</b>	

## Analysis Requested

### Asbestos

PCM (fiber count) NIOSH 7400A ☐  
 PLM (bulk asbestos) EPA 800/R-93/116 ☒  
 CARB 435 ☐  
 Point Count 400 ☐  
 Point Count 1000 ☐  
 Gravimetric Reduction ☐

### Turnaround Time

Rush (Same Day) ☐ Other ☐  
 24HR ☒ (specify):  
 48HR ☐  
 72HR ☐

Note: -STLC/CAL WET requires a minimum of 52 hrs turnaround  
 -TCLP requires a minimum of 22 hrs turnaround  
 -Cultures require 5-7 days turnaround

**Lead by Flame AA** Paint, Air Cassette, Dust Wipe, Waste Water, Soils, Misc. Solids EPA 3050B/7420mod, NIOSH 7082mod  
**Lead Waste Profile** As necessary for disposal ☐ \*Note: Please provide at least 200-500 grams (approx. 1/2 - 1 lb) of sample for necessary analyses.  
**followed by Flame AA**

-or individual tests by request-

- 1: TTLC Total Threshold by EPA 3050B mod ☐  
 2: STLC/CAL WET Title 22 CCR Ch11 Article 5 App 2 ☐  
 3: TCLP EPA 1311 ☐

	SAMPLE #	LOCATION	DESCRIPTION	QUANTITY	CONDITION
665	001	Office #1	Drywall & Taping Compound	TBD	Good
	002	Office #1			Good
	003	Hall			Good
	004	Insulation	Insulation Brown, Floor	20 cub. ft	—
	005	Ceiling	Popcorn Ceiling	75 sq. ft	Sev. Dam.
	006			+ on floor	
	007				
1647	008	Floor	9 x 9 Floor tile	1334 sq. ft	Good
	009		Tile mastic		
	010	Ceiling	Drywall & T.C.	437 sq. ft	Good
	011				
	012				
647	013	Ceiling	Drywall & Taping Compound	247 sq. ft	Good
	014				
	015				
639 645	016	Office #1	Drywall & Taping Compound	3700 sq. ft	Good
	017	Hall site #2			
	018	Hall site #3			
	019	Bathroom	12 x 12 floor tile	55 sq. ft	Good
	020		Mastic		

<b>Relinquished By:</b> (Print) Greg Masters #033365 (Sign) Gregory Masters (Date) 7-27-15
<b>Received By:</b> (Print) Mirine Ortiz (Sign) [Signature] (Date) 7/28/15 11:40
<b>Relinquished By:</b> (Print) (Sign) (Date)
<b>Received By:</b> (Print) (Sign) (Date)
<b>Relinquished By:</b> (Print) (Sign) (Date)

**CITY OF COACHELLA  
BUILDING PERMIT  
COMMUNITY & DEVELOPMENT SERVICES**

Inspection Request Require 24 Hour Notice  
(760) 398-3002



DATE: 04/23/2019  
PERMIT NO: **BL-2019-04-13344**  
USE ZONE: General Commercial  
OCCUPANCY: CONSTR TYPE: SQ FT:

20.

Project Address: 1639 6TH ST  
COACHELLA CA 92236

Applicant's Name: CALACON INC.  
Owner's Name: GENEVIEVE THOMAS  
Owner's Address: 1639 6TH ST  
COACHELLA CA 92236

Contractor's Name: CALACON INC.  
Contractor's Address: 59800 AVENIDA LA CUMBRE  
MOUNTAIN CENTER CA 92561

Contact Person: SCOTT MABE

Project Name: ALTERATIONS AND ADDITIONS  
Permit Type: 1639/67 6TH ST. DEMOLISH AND DISCARD ALL INTERIOR, "NON-BEARING" WALLS, FRAMING,  
Description of Work: ELECTRICAL OUTLETS AN HVAC, REMOVE OR GRIND DOWN TO SLAB ANCHOR BULTS FLUSH  
Condition:

Project Valuation: \$ 9,000.00

PARCEL #:

LOT #:

TRACT #:

Phone: (760) 275-4995

Fax:

Phone: (760) 275-4995

Fax:

Business Lic:

State Licence:

Contact Phone: (760) 275-4995

**FEE(S):**

CONSTRUCTION COST 1%  
Senate Bill 1473

\$90.00  
\$1.00

Plan Check Fees

\$288.00

Strong Motion Instrumentation

\$1.17

**TOTAL FEES: \$ 380.17**

**CERTIFICATION APPEARING ON APPLICATIONS**

I have carefully examined the above completed "Application and Permit" and do hereby certify that all information hereon is true and correct, and I further certify and agree, if a permit is issued, to comply with all City, County, and State laws governing building construction, whether specified herein or not, and I hereby agree to save, indemnify and keep harmless the City of Coachella against liabilities, judgments, costs and expenses which may in any way accrue against said City in consequence of the granted of this permit.

(Applicant Signature)

The issuance of this permit is based upon plans and specifications filed with the City of Coachella and shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications.

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is

Building

1639/67 6TH ST. DEMOLISH AND DISCARD ALL INTERIOR, "NON-BEARING" WALLS, FRAMING, ELECTRICAL OUTLETS AN HVAC, REMOVE OR GRIND DOWN TO SLAB ANCHOR BULTS FLUSH TO FINISH AS PER ATTACHED APPROVED PLANS.



CITY OF COACHELLA  
BUILDING PERMIT  
COMMUNITY & DEVELOPMENT SERVICES

Project Address: 1639/67 4th Street  
Dirección del Proyecto:

Applicant's Name: CALACON INC.  
Nombre del Solicitante  
Owner's Name: GENEVIEVE Laffey Thomas Est.  
Nombre del Propietario:  
Owner's Address: - Same -  
Dirección del Propietario:

DATE:  
PERMIT NO:  
USE ZONE:  
OCCUPANCY: CONSTR TYPE: SQ FT:

INSPECTION REQUEST REQUIRE 24 HOUR NOTICE  
(760) 398-3002

Project Valuation: \$9,000  
Evaluación del Proyecto:

PARCEL#

LOT#:

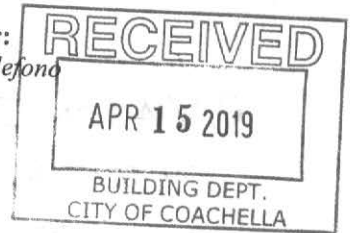
TRACT#:

Phone Number:

Numero de Telefono

Fax:

Fax:



Contractor's Name: CALACON INC.  
Nombre del Contratista

Contractor's Address: 59-800 AVENIDA LACUMBE  
Dirreccion del Contratista: Mountain Center CA  
92561

Phone Number: (760) 275-4995  
Numero de Telefono:

Fax:

Fax:

Bus Lic/ Licencia:

State Lic/Licencia del Estado: 622308

Contact Phone: (760) 275-4995

Teléfono de Contacto:

Contact Person: Scott Mabe  
Persona de Contacto

Project Name/ Nombre del Proyecto:

Permit Type/ Tipo de Permiso: Demo/Electric upgrade - Demo/Dis card all int.  
Description of Work/Descripción de los trabajos: Non-bearing wall, framing, elect. OUTLET + HVAC, remount

Condition/Condición:

ELECTRICAL	MECHANICAL	PLUMBING
# OF SVCS 600 V/UP TO 200 AMPS	# AC/ BOILERS UP TO 100K BTU	# OF BACKFLOW DEVICES <=2"
# OF SVCS 600 V/ OVER 200 AMPS	# A/C BROILERS 100K-500K BTU	# OF BACKFLOW DEVICES >=2"
# OF SVCS 600 V/ OVER 1000 AMPS	# AC/BROILERS 500K BTU-1M BTU	# OF PLUMBING FIXTURES
# OF TEMP POWER SERVICES	# AC/BROILERS 1M BTU- 1.75M BTU	# OF PRIVATE SEWAGE DISPOSAL
# OF SUB-POLES	# AC/BROILERS OVER 1.75M BTU	# OF SEPTIC TANKS
# OF ELECT GENERATORS/RIDES	# OF A/C UNITS	# OF SEWER CONNECTIONS
# OF BOOTH LIGHTING	# OF AIR HANDLERS < 10K CFM	# OF WATER SERVICE
# OF FIXTURES FOR REPAIR/ALT	# OF AIR HANDLERS > 10K CFM	# OF WATER HEATERS
# OF ELECTRICAL FIXTURES	# OF APPLIANCE VENTS	# OF GAS SYSTEMS
# OF RESIDENTIAL APPLIANCES	# OF FURNACES UP TO 100K BTU	# OF VACUUM/BACKFLOW DEVICES
# OF RECEPTACLES/SWITCHES/OUTLETS	# OF FURNACES OVER 100K BTU	# OF LAWNSPRINKLERS
# OF POWER APPARATUS	# OF INCINERATORS- DOMESTIC	# SWIMMING POOL/PUBLIC POOL
# OF PRIVATE SWIMMING POOL(S)	# OF EXHAUST FANS	# OF SWIMMING POOL/PUBLIC SPA
	# COMM. RANGE HOODS	# OF SWIMMING POOL/PRIVATE POOL
		# OF SWIMMING POOL/PRIVATE SPA
		# OF INDUST WASTE INTERCEPTOR

CERTIFICATION APPEARING ON APPLICATIONS

have carefully examined the above completed \*Application and Permit\* and do hereby certify that all information hereon is true and correct, and I further certify and agree, if a permit is issued, to comply with all City, County, and State laws governing building construction, whether specified herein or not, and I hereby agree to save, indemnify and keep harmless the City of Coachella against liabilities, judgments, costs and expenses which may in any way accrue against said City in consequence of the granted of this permit.

The issuance of this permit is based upon plans and specifications filed with the City of Coachella and shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Applicant's Signature

Building

Planning



City of Coachella  
Community Develop.  
Services  
1515 Sixth Street  
Coachella, CA. 92236  
(760) 398-3002

## BUILDING PLAN CHECK CORRECTIONS

Project Address: 1639 6<sup>th</sup> St.

Plan Check #: TBD

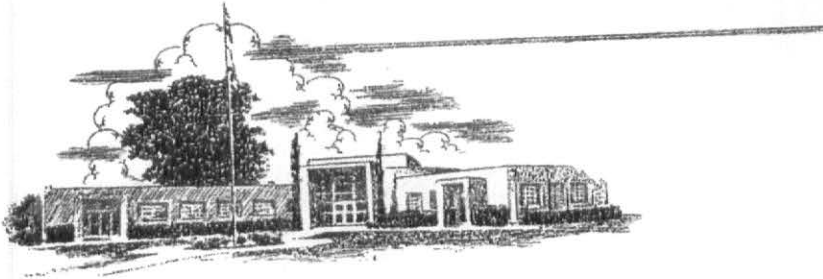
Review #: 1

Applicant: Coachella Organic

Date: 04/22/2019

1. Provide a clear scope of work on cover sheet.
2. Size any conduit to be installed as shown on plans.
3. Show use of adjacent suites and list total amount of square footage to be altered or demolished.
4. Provide a recycling plan for waste as required by CGBC 5.408.

Plan Checker: Brian F Gumpert CBO



City of Coachella  
Community Develop.  
Services  
1515 Sixth Street  
Coachella, CA. 92236  
(760) 398-3002

## BUILDING PLAN CHECK CORRECTIONS

Project Address: 1639 6<sup>th</sup> St.

Review #: 1

Plan Check #: TBD

Date: 04/22/2019

Applicant: Coachella Organic

1. Provide a clear scope of work on cover sheet.
2. Size any conduit to be installed as shown on plans.
3. Show use of adjacent suites and list total amount of square footage to be altered or demolished.
4. Provide a recycling plan for waste as required by CGBC 5.408.

Plan Checker: Brian F Gumpert CBO



City of Coachella  
Utility  
1515 6th Street  
Coachella, CA 92236  
760-398-2702  
Welcome

20.

000832-0008 Carmin T. 04/24/2019 08:43AM

**PERMITS & INSPECTIONS**

CALACON INC.

BL-2019-04-13344

ALTERATIONS AND ADDITIONS

1639/67 6TH ST. DEMOLISH

AND DISCARD ALL

pending

2019 Item: BL-2019-04-13344 380.17

Payment Id: 80065

380.17

Subtotal

380.17

Total

380.17

CHECK

Check Number 2638

380.17

Change due

0.00

Paid by: CALACON INC.

CALACON INC.		2638
1515 6TH STREET		4/24/2019
COACHELLA, CA 92236		
CITY OF COACHELLA		\$ 380.17
Three Hundred Eighty		
AND NO/100 PERMIT		
1ST BANK		
Signature		

Thank you for your payment  
Gracias por su pago

CUSTOMER COPY  
DUPLICATE RECEIPT

BUILDING PERMIT NO. \_\_\_\_\_

CITY OF COACHELLA, CA  
1515 SIXTH STREET  
COACHELLA, CA. 92236 (760) 398-3002

**Building Address:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **Tel:** \_\_\_\_\_

**Owner:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **Tel:** \_\_\_\_\_

**Contractor:** CALACON INC.

**Mailing Address:** 59-800 Avenida LaCumbre

**City:** Mountain View **Zip:** 92561 **Tel:** (760) 275-4995

**State Lic. & Class:** B **City License #:** 622308

**LICENSED CONTRACTOR'S DECLARATION**

I hereby affirm under penalty of perjury that I am licensed under provision of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

**License Class:** B **License #:** 622308

**Date:** 7/31/2019 **Contractor:** Scott Mabe  
CALACON INC.

**OWNER-BUILDER DECLARATION**

I, hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law for the following reason (Sec. 703.1.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and professions Code) or that he or she is exempt there from and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

- ☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own

employees provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder shall have the burden of proving that he or she did not build or improve for the purpose of sale.).

- ☐ I, as owner of the property, am exclusively contracting with licensed contractor's to construct the project (Sec. 7044, business and Professions Code: the Contractor's License Law does not apply to owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.).

- ☐ I am exempt under Sec. \_\_\_\_\_ B & P C for this reason \_\_\_\_\_

**Date:** \_\_\_\_\_ **Owner:** \_\_\_\_\_

**WORKER'S COMPENSATION DECLARATION**

I hereby affirm under penalty of perjury one of the following declarations:

- ☐ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: Carrier: State Fund Policy # 9066129-17  
(This section need not be completed if the permit is for one hundred dollars (\$100) or less).
- ☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

**Date:** \_\_\_\_\_ **Applicant:** \_\_\_\_\_

**WARNING:** Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provide for in Section 3706 of the Labor Code, Interest, and Attorney's fees.

**CONSTRUCTION LENDING AGENCY**

I, hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civ. C).

**Lender's Name** \_\_\_\_\_

**Address:** \_\_\_\_\_

- ☐ I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes.

**Date:** \_\_\_\_\_ **Applicant Signature:** \_\_\_\_\_



**STAFF REPORT**  
**2/26/2020**

**TO:** Honorable Mayor and City Council Members

**FROM:** Luis Lopez, Development Services Director

**SUBJECT:** Vista Del Agua Specific Plan and EIR

**SPECIFICS:**

- a) Resolution No. WA-2020-03 a Resolution of the Board of Directors of the Coachella Water Authority approving the Water Supply Assessment dated November 2017 for the Vista Del Agua Project.
- b) Resolution No. 2020-02, a Resolution of the City Council of the City of Coachella certifying Environmental Impact Report (SCH # 2015031003) prepared for the Vista Del Agua Specific Plan; the adoption of environmental findings and a mitigation monitoring and reporting program pursuant to the California Environmental Quality Act and approving the Vista Del Agua Specific Plan Project.
- c) Resolution No. 2020-03 a Resolution of the City Council of the City of Coachella approving General Plan Amendment 14-01 on approximately 275 acres (Vista Del Agua Specific Plan) generally located on the south side of Interstate 10 and Vista Del Sur, north of Avenue 48; east of Tyler Street and west of Polk Street. General Plan Amendment 14-01 proposes to amend the General Plan from General Neighborhood, Urban Neighborhood, Suburban Neighborhood, Suburban Retail and Neighborhood Center to Specific Plan.
- d) Ordinance No. 1156 an Ordinance of the of the City of Coachella approving Change of Zone 14-01 that changes the existing General Commercial (C-G), Residential Single Family (R-S), Manufacturing –Service (M-S) zoning to a Specific Plan zone. (*First Reading*)
- e) Ordinance No. 1157, an Ordinance of the City of Coachella approving the Vista Del Agua Specific Plan 14-01 that proposes residential, commercial, open space and park land uses along with development standards and design guidelines for the development of approximately 275 acres. (*First Reading*)
- f) Resolution No. 2020-04, a Resolution of the City Council of the City of Coachella approving Tentative Parcel Map 36872 to subdivide 275 acres into six numbered lots and one lettered lot for financing and conveyance purposes only.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council (and the City Council sitting as the Coachella Water Authority Board for the WSA) approve the Vista Del Agua Project by taking the following actions:

- 1) Adopt Resolution No. WA-2020-03 a Resolution of the Board of Directors of the Coachella Water Authority approving the Water Supply Assessment dated November 2017 for the Vista Del Agua Project.
- 2) Adopt Resolution No. 2020-02, a Resolution of the City Council of the City of Coachella certifying Environmental Impact Report (14-04) prepared for the Vista Del Agua Specific Plan; the adoption of environmental findings and a mitigation monitoring and reporting program pursuant to the California Environmental Quality Act.
- 3) Adopt Resolution No. 2020-03, a Resolution of the City Council of the City of Coachella approving General Plan Amendment 14-01 that proposes to amend the General Plan from General Neighborhood, Urban Neighborhood, Suburban Neighborhood, Suburban Retail and Neighborhood Center to Specific Plan.
- 4) Adopt Resolution No. 2020-04, a Resolution of the City Council of the City of Coachella approving Tentative Parcel Map 36872 to subdivide 275 acres into 6 numbered lots and 1 lettered lot for finance and conveyance purposes only.
- 5) Introduce for 1<sup>st</sup> Reading, by title only, Ordinance No. 1156 an Ordinance of the of the City of Coachella approving Change of Zone 14-01 that changes the existing General Commercial (C-G), Residential Single Family (R-S), Manufacturing –Service (M-S) zoning to a Specific Plan zone.
- 6) Introduce for 1<sup>st</sup> Reading, by title only, Ordinance No. 1157, an Ordinance of the City of Coachella approving the Vista Del Agua Specific Plan 14-01 that proposes residential, commercial, open space and park land uses along with development standards and design guidelines for the development of approximately 275 acres.

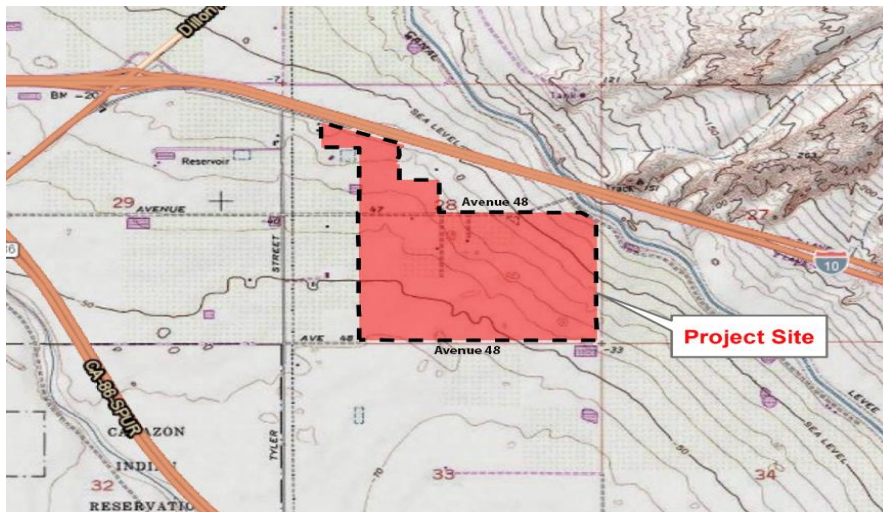
**EXECUTIVE SUMMARY:**

The Vista Del Agua applications were submitted to the City in 2014 and consist of the above referenced six applications. Over the past 5 ½ years a significant effort on behalf of the Project Applicant and City Staff culminated in a June 19, 2019 Planning Commission public hearing and a unanimous recommendation of approval from the Planning Commission. At the Planning Commission public hearing an attorney representing the Shadow View property owners raised concerns about the future alignment of Shadow View Blvd through the Shadow View property. Subsequent to the Planning Commission public hearing, the Applicant and Planning Staff have been exploring and analyzing the project and area wide circulation system to determine if there are any viable transportation options without Shadow View Blvd connecting Avenue 48 to

Dillon Road through the Shadow View property. That analysis (see Attachment 11) determined that the alternatives to access the site without construction of Shadow View Blvd are not feasible. Therefore, Staff is not recommending any changes to the conditions of approval or the mitigation monitoring plan regarding the construction of Shadow View Blvd through the Shadow View property.

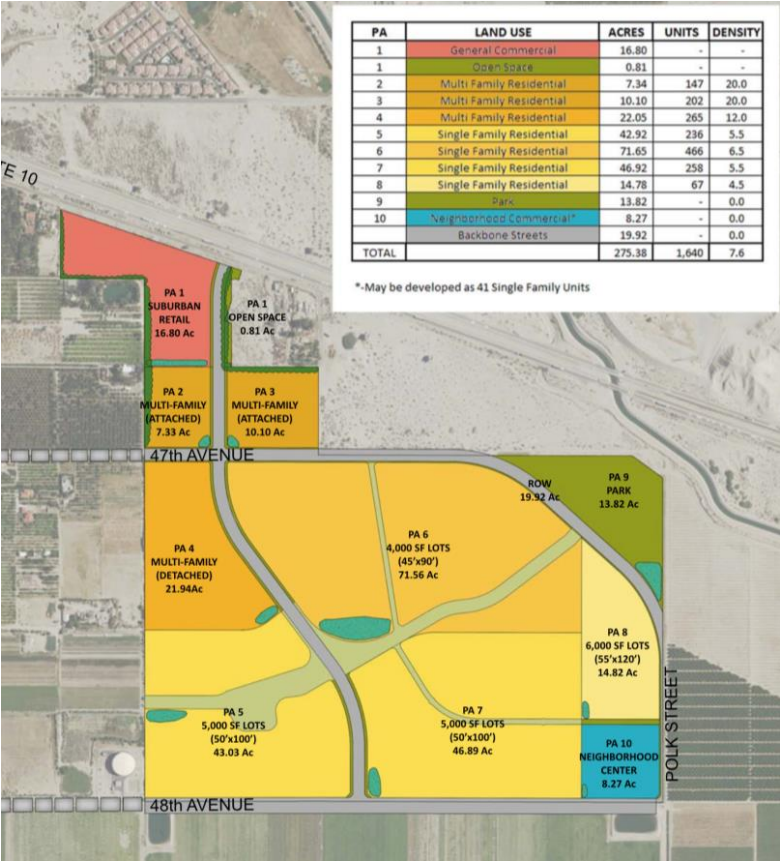
### **BACKGROUND:**

The proposed project includes approximately 275 acres located south of I-10 and Vista Del Sur, east of Tyler Street, south of Avenue 47, north of Avenue 48 and east and west of Polk Street as illustrated on the exhibit below.



The specific plan proposes a maximum of 1,640 dwelling units including 1,026 single-family homes and 613 multi-family dwelling units. The project also includes two commercial planning areas that total approximately 25 acres along with approximately 30 acres of open space including a 14-acre park located east of Polk Street. The project includes both a main and tributary paseo system that traverse the site that serve as both drainage and open space corridors. A copy of the specific plan land use plan is illustrated below along with a table of proposed lands uses, planning areas, acres, units and density:





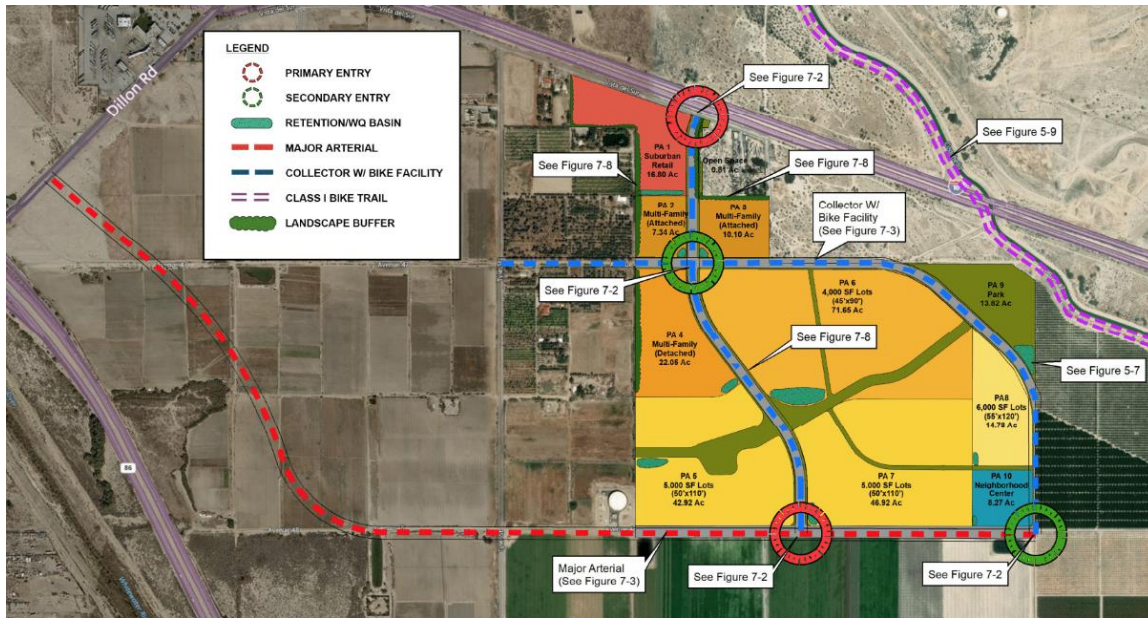
The aerial photograph to the left was taken a few years ago. At that time the eastern portion of the site was in agricultural production. However, as of now the agricultural use on the site is now fallow.

The highlights of the Vista Del Agua Project include the following:

- A mix of single family and multi-family dwelling units totaling 1,640 dwelling units on approximately 275 acres;
- An approximately 17-acre General Commercial planning area located south of Vista Del Sur and west of proposed Street A;
- An 8-acre Neighborhood Commercial planning area located north of Avenue 48, west of Polk Street. (This planning area may be developed with 41 dwelling units if the Neighborhood Commercial center has not been developed by the issuance of the 800<sup>th</sup> occupancy permit).
- A 13.82-acre public park to be dedicated to the City located east of Polk Street, south of Avenue 47
- Two paseos that traverse the site that include drainage facilities and multi-purpose trail networks that link to the site to City and a Regional multi-purpose (CV Link) trail network.
- The extension of Shadow View Blvd to the site in accordance with the Mobility Element of the Coachella General Plan

### **VISTA DEL AGUA SPECIFIC PLAN**

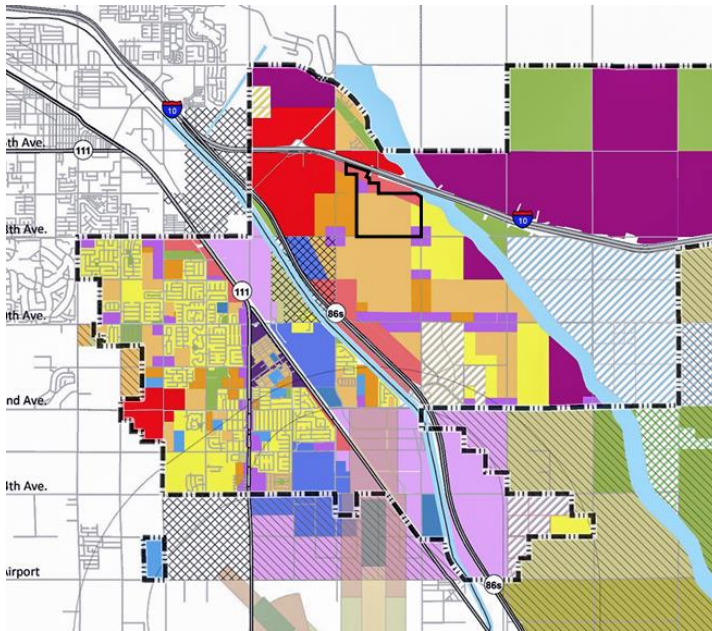
As stated above the specific plan proposes a maximum of 1,640 dwelling units including both single family and multi-family dwelling units. Planning Areas 2, 3 and 4 are proposed for multi-family dwelling units and Planning Areas 5, 6, 7 and 8 are proposed for single-family dwellings. The exhibit below illustrates the land use plan with planned neighborhood monuments and streetscapes and contains references to Planning Area details and cross sections that are within the Specific Plan document.



## **DISCUSSION/ANALYSIS**

### **Existing General Plan**

The Coachella General Plan 2035 designates the 275-acre site as General Neighborhood, Urban Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center shown on the exhibit below:

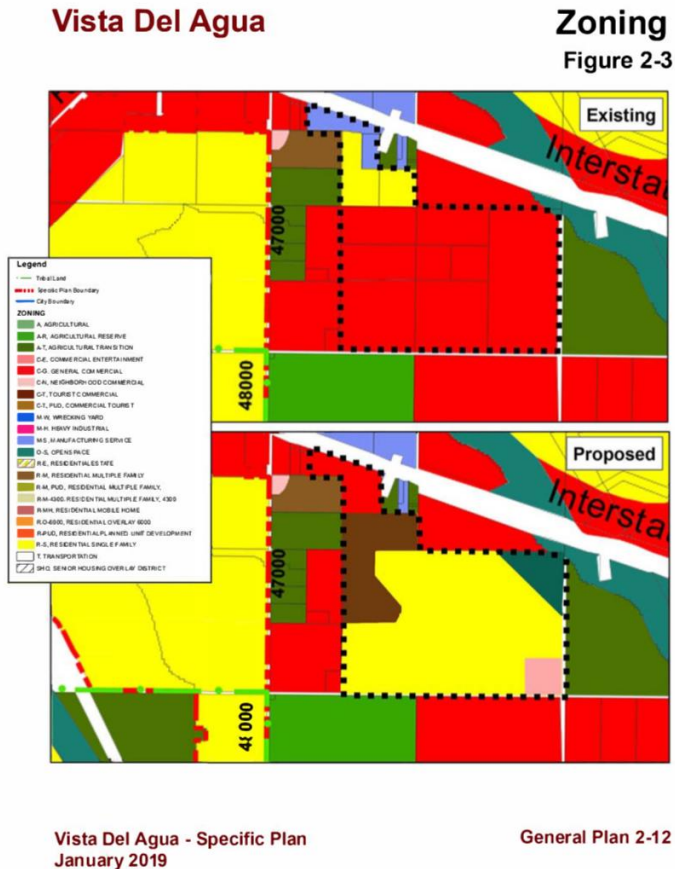


The proposed General Plan Amendment would change the land use designation of the site to “Specific Plan”, allowing for the adoption of the Vista Del Agua Specific Plan.



## Existing Zoning

The existing zoning on the site includes C-G, General Commercial, with portions of the site zoned R-S, Residential Single Family and M-S, Manufacturing Service. The proposed zoning is Specific Plan that will utilize the zoning standards contained within the specific Plan for development standards within each planning area.

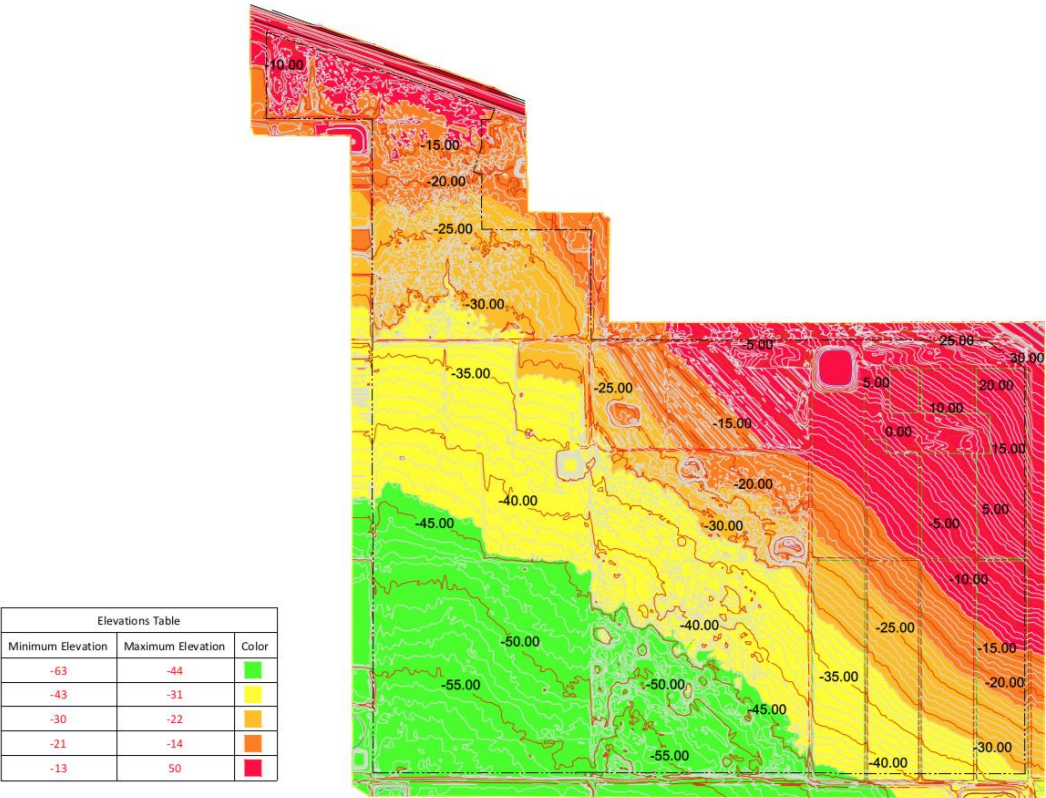


The proposed change of zone would change the current zoning districts to Specific Plan, which will then match the land use districts of the Vista Del Agua Specific Plan, including Neighborhood Center, Suburban Retail, Multifamily Residential, Single Family Residential, and Park (Open Space) zoning.

## Project Setting and Location

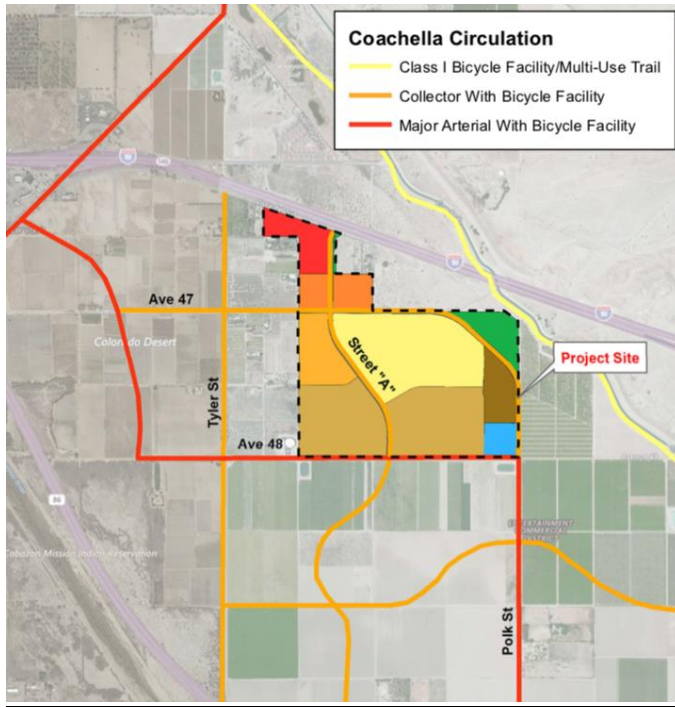
The project site is surrounded by existing agricultural uses and vacant land to the west, south and east. The site is currently undeveloped with unimproved dirt roads created from prior on-site agricultural activities, trails from off-road recreational vehicles and former paint ball activities. The site is relatively flat and slopes upward about 25 feet in elevation to the

northwest. In the south central and eastern portion of the project site, the property slopes upward from about 60 feet below sea level to 25 feet above sea level as illustrated on the exhibit below.

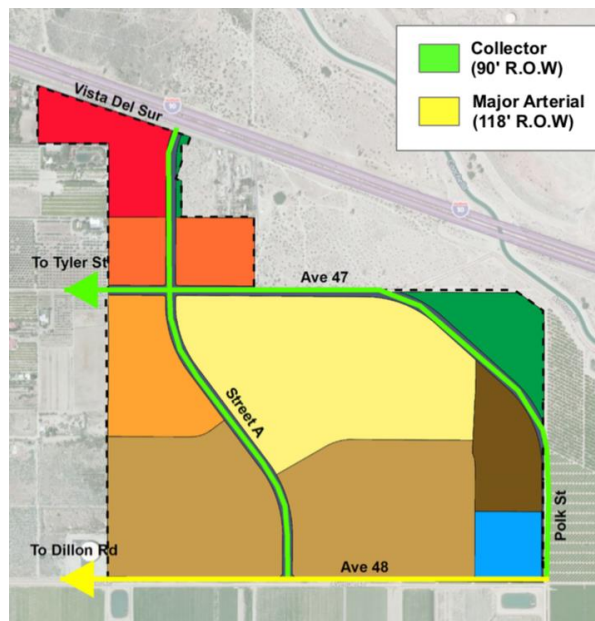


**Site Access**

Access to the proposed project is planned via Shadow View Blvd, Avenue 47, Vista Del Sur and Avenue 48 as shown on the exhibit below.

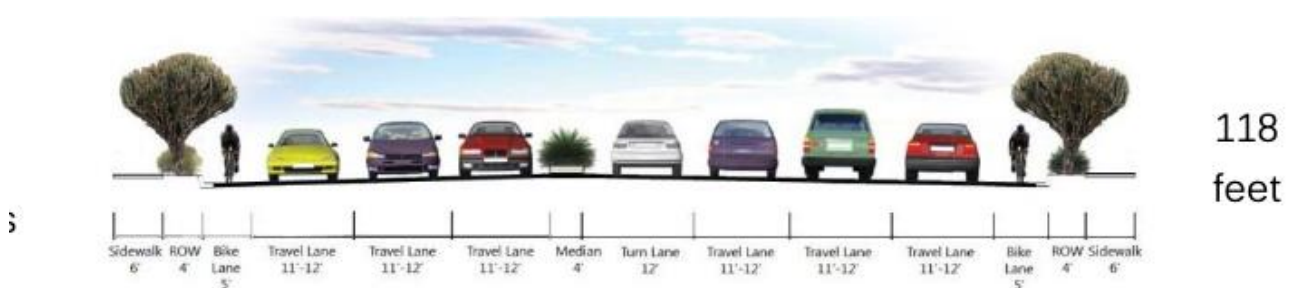
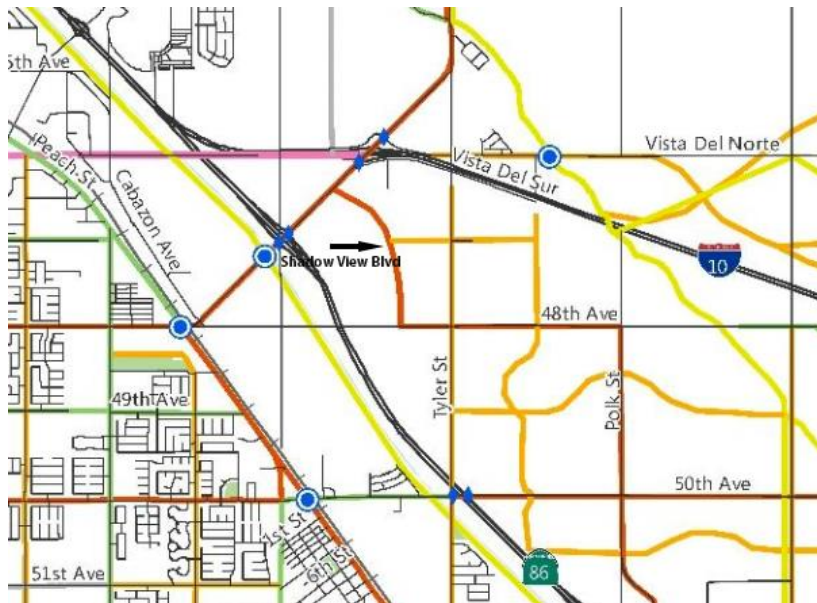


Local access within the specific plan is planned via Street A, Avenue 47, Avenue 48 and Polk Street. Local streets within the specific plan will connect each planning area to the regional system.



The specific plan also includes several non-vehicular project design features including bicycle lanes, trails, pathways and sidewalks that are designed to promote non-vehicular modes of

transportation that will reduce vehicle trips to the adjacent City and regional street system. With regards to the off-site improvement of Shadow View Blvd, Shadow View Blvd is designated as a Major Arterial with Bicycle Facilities as illustrated on the exhibit below and proposes a right of way of 118 feet as illustrated below.

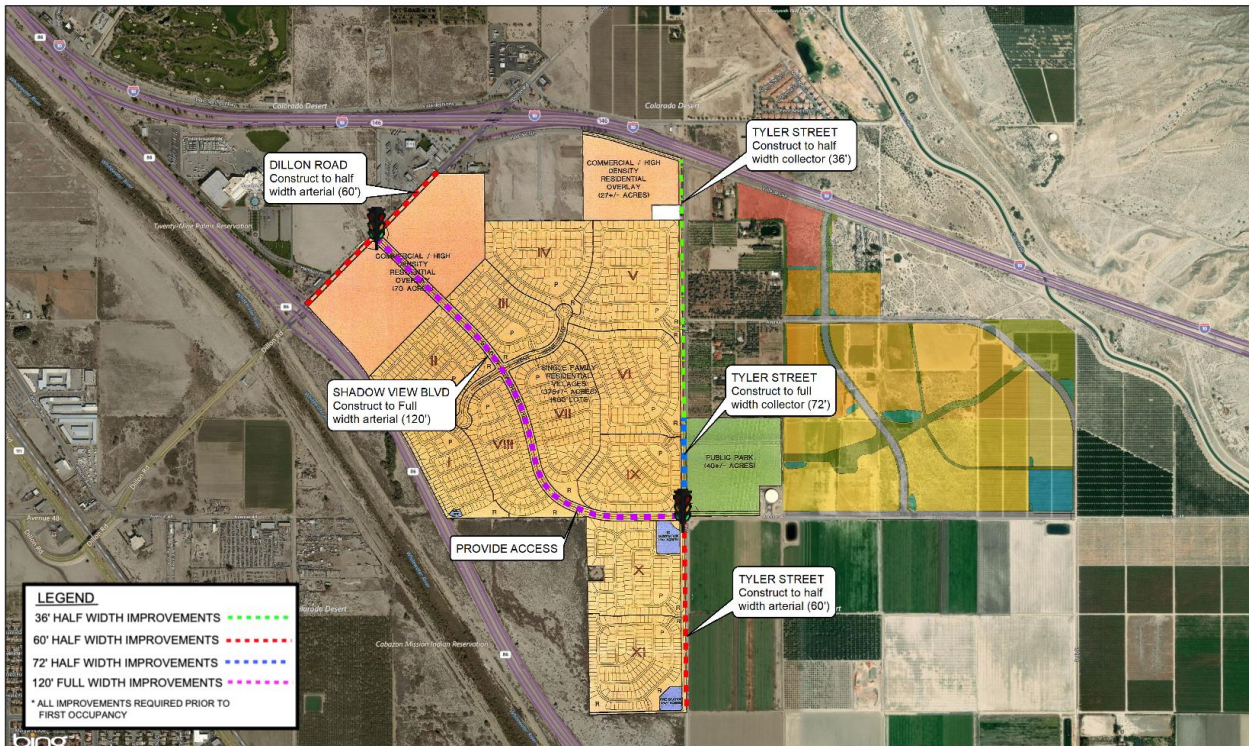


Although the right-of-way for Shadow View Blvd does not exist through the Shadow View specific plan area at this time, the conceptual amendment for the Shadow View Specific Plan as illustrated on Figure 4-25 within the Coachella General Plan illustrates Shadow View Blvd connecting to Dillon Road and the Vista Del Agua Property via Avenue 48. The Shadow View Specific Plan and tentative tract maps (that have since expired) also showed Shadow View Blvd in this basic alignment.

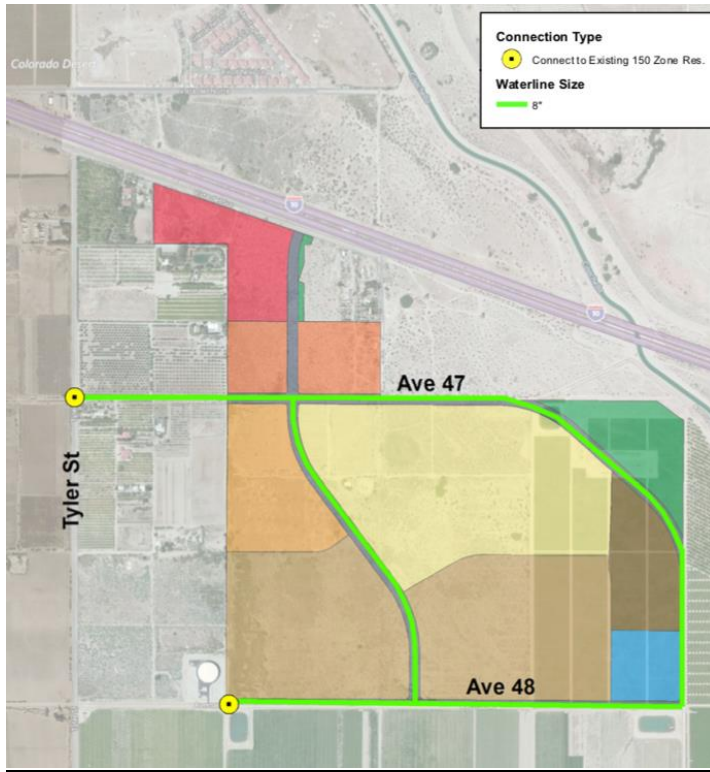




Furthermore, the conditions of approval for the Shadow View Project required extensive circulation improvements prior to occupancy of the first occupancy permit as illustrated on the following exhibit:

**Vista Del Agua****SHADOW VIEW SPECIFIC PLAN**  
Circulation Master Plan**PUBLIC UTILITIES****Water**

The project will require the extension of water lines and other support facilities to serve the proposed project as shown on the following exhibit. A water supply assessment (WSA) was completed for the proposed project and it determined that substantial evidence supports a determination that the total project water supplies available to the City's Water Authority during normal, single dry, and multiple dry water years during a 20 year projection (and beyond) are sufficient to meet the projected water demand of the proposed project, in addition to the City's existing and planned future uses, including agricultural and manufacturing uses. This conclusion is based on, among other things, the volume of water available in the regional aquifer, the City's current and planned local water management programs and projects and supplemental and sustained regional groundwater supplies. Furthermore, the WSA and the Vista Del Agua project will incorporate various water conservation elements adopted by the City and /or CVWD including conservation elements for indoor and outdoor uses throughout the project. The project will connect to existing City water infrastructure as illustrated on the exhibit below.

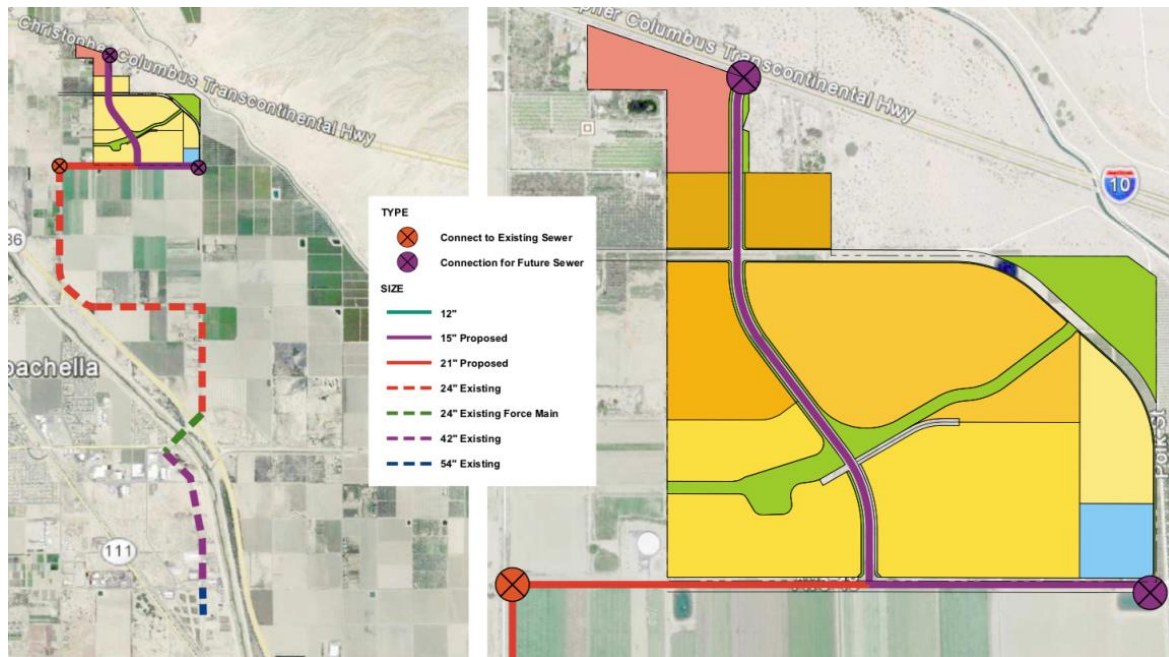


### Sewer

The following exhibit illustrates the proposed conceptual sewer plan for the Vista Del Agua project. The Project proposes to extend sewer lines to the existing sewer line at Avenue 48 and Tyler Street. From there, the line will utilize existing pipes that extend to the City treatment plant at Avenue 54 and Polk Street.

The sewer connection plan exhibit in the Specific Plan is shown below.





### **Electricity and Natural Gas**

IID will provide electricity to the project and Southern California Gas will provide natural gas to the project site. Additional lines for both IID and Southern California Gas will be extended to the project site. Both IID and the Southern California Gas Company can provide service to the proposed project without significant improvements to their operating system.

### **Law Enforcement**

The Coachella Police Department (CPD) through a contract with the Riverside County Sheriff's Department (RCSD) provides law enforcement to the City of Coachella. Additional residents and employees generated by the Specific Plan build out would result in increased demand on existing police facilities and services would likely increase response times. The proposed project will pay Development Impact Fees (DIF) to the City consistent with City Ordinance 1013

### **Fire Services**

The Coachella Fire Department through a contract with the Riverside County Fire Department (RCFD) will provide fire services to the site. Existing fire stations that would provide service to the Vista Del Agua site include Stations No's 79, 86, 87 and 39 which would jointly provide fire services to the proposed project. The proposed project will pay Development Impact Fees (DIF) fees to the City consistent with Ordinance 1013.

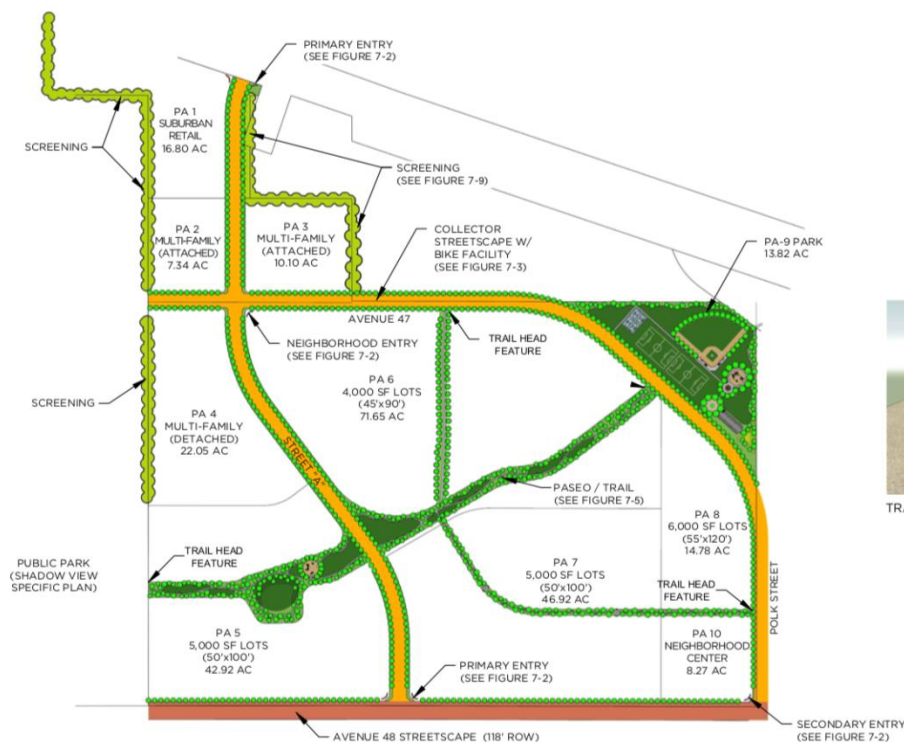


## Schools

The project site is within the Desert Sands Unified School District. In 2018, Staff initiated discussions with DSUSD staff regarding incorporating a school site within the Vista Del Agua Project, however the School District responded that a school site within the Vista Del Agua project site was not required. Future students from this development will utilize existing and planned schools within the DSUSD. In addition, the Project will pay school fees consistent with State law.

## Parks

The specific plan includes park, open space and recreational uses that total approximately 30 acres. As can be seen from the exhibit below, a proposed 13 acre public park is located on the east side of the project site across Polk Street within the building restriction zone. Additional open space areas are proposed within two paseos that are proposed to traverse the project site that will provide access to the proposed park. The west end of the east/west paseo terminates at a planned 40 acre regional park within the Shadow View specific plan thereby connecting the two parks together via the paseo system. The three multiple family planning areas will incorporate private open space and recreational amenities within each planning areas. Additional active open space will be provided within the proposed single family planning areas as well.



TRAIL HEAD FEATURE

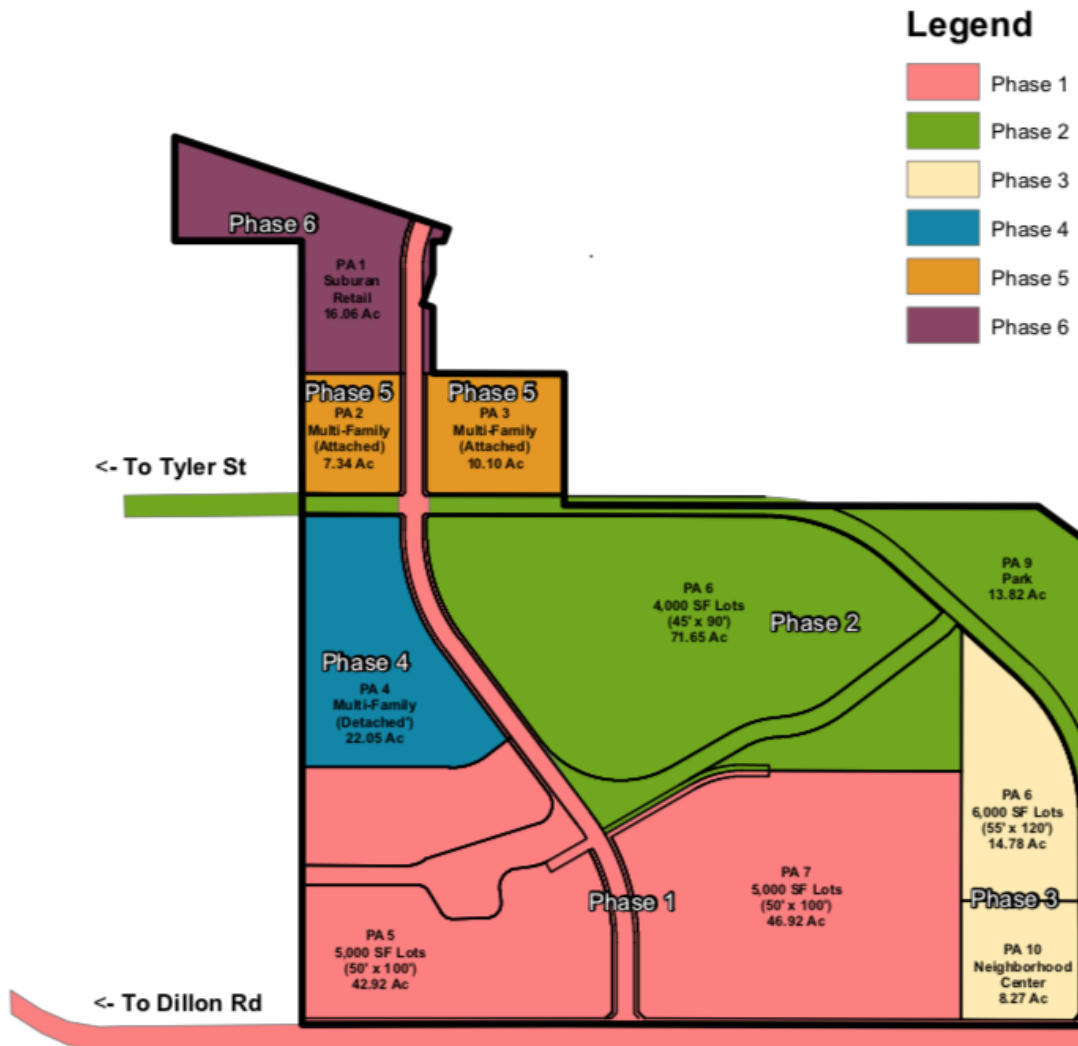
**Drainage/Hydrology**

The Project will provide flood control facilities to intercept and convey off-site and on-site drainage areas that will revert to natural conditions as illustrated on the above exhibit. Most of the drainage for the site will be conveyed along the paseo areas with excess storm water released into a proposed detention basin in the southwest portion of the site. The runoff will be conveyed to the existing watercourse that discharges into the Coachella Valley Storm Channel.

**Phasing**

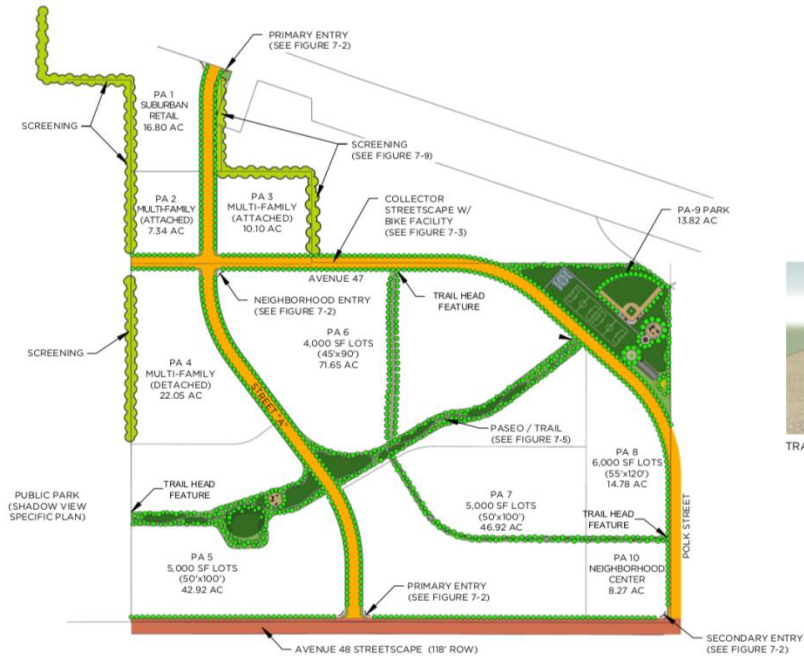
The Specific Plan phasing plan proposes that the specific plan be developed over 6 phases as illustrated on the exhibit below. Phase 1 includes Planning Areas 5 and 7, both of which are proposed for 236 and 258 single-family homes. Phase 2 includes Planning Area 6 that includes 466 single-family homes and includes construction of the 14-acre public park. Phase 3 includes PA 8 that is proposed for 67 single-family homes and PA 10 is proposed for an 8-acre Neighborhood Center. However, in the event PA 8 is not developed as neighborhood commercial by the 800<sup>th</sup> certificate of occupancy, PA 10 may be developed with up to 41 single family homes. Phase 4 is located on the west side of the project and includes PA 4 that is proposed for 265 single-family homes. Phase 5 is located north of Avenue 47 on either side of "A" Street and includes PA 2 and PA 3. PA 2 proposes 147 dwelling units and PA 3 includes 202 dwelling units, both at a density of 20 dwelling units per acre. The last phase, phase 6 includes PA 1 the 16.80-acre Suburban retail center.

The Phasing Plan Exhibit, in the Specific Plan, is shown below:



### SPECIFIC PLAN DESIGN GUIDELINES

As stated earlier, the Specific Plan includes a total of 10 planning areas including 4 planning areas that are proposed for single-family homes and 3 planning areas that are proposed for multi-family detached homes. A 16-acre suburban retail planning area is proposed at the northwest portion of the site and an 8-acre neighborhood commercial center is proposed at the southeastern portion of the project site. A 13-acre public park is proposed at the eastern end of the site across Polk Street and a primary and secondary paseo system is proposed within the project to connect the proposed park to a future regional park proposed adjacent to the western side of the project as illustrated below:



TRAIL HEAD FEATURE

The specific plan includes primary, secondary and neighborhood entry treatments located at major project intersections along with landscape buffers that will be used for screening between existing and future land uses within the specific plan.

Examples of the three types of entry treatments are provided below:



PRIMARY ENTRY



SECONDARY ENTRY

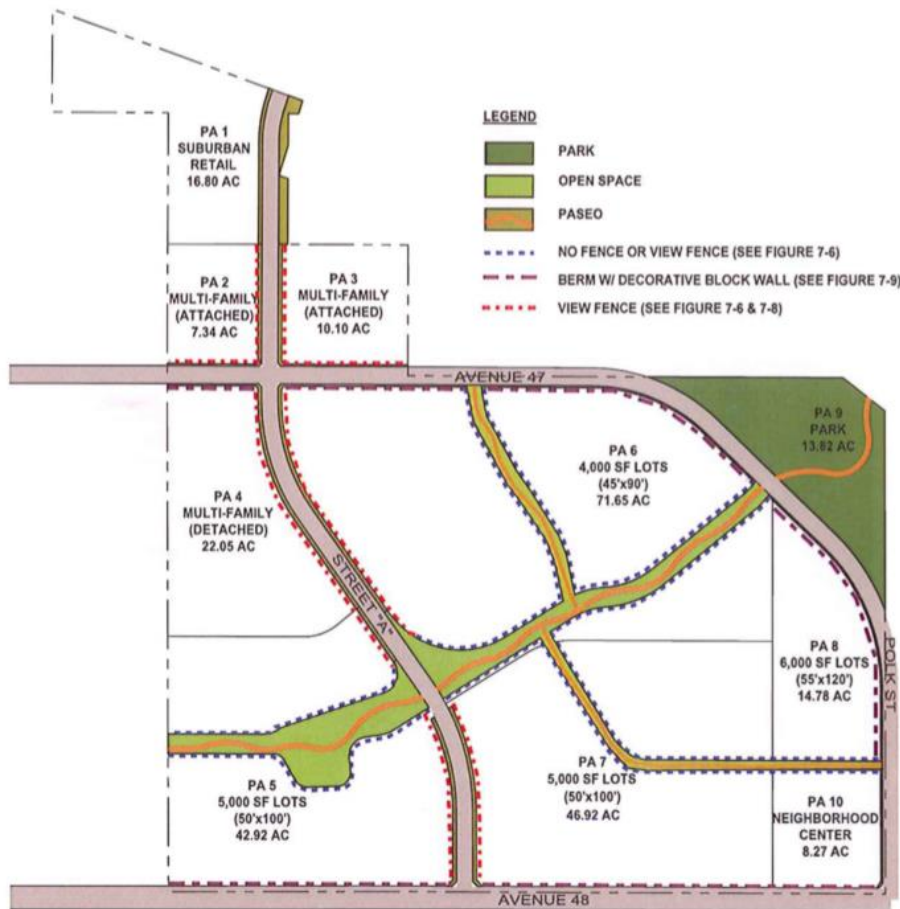


NEIGHBORHOOD ENTRY

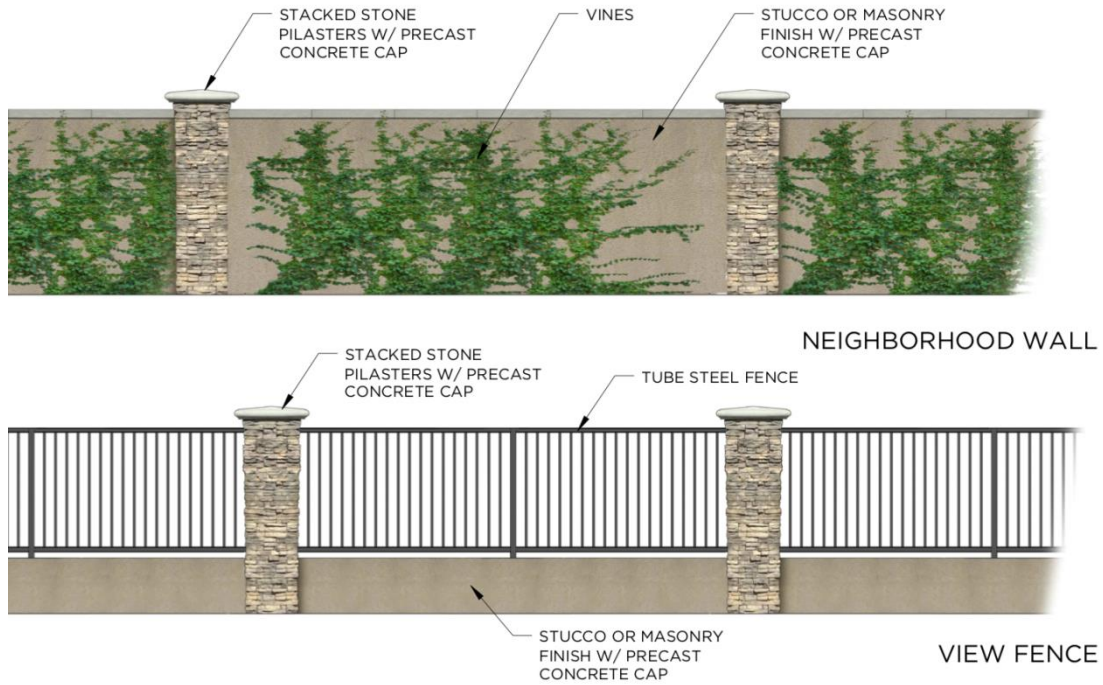
A specific plan wall and fence plan, as illustrated on the exhibits below illustrate both the location and types of fencing that are proposed within the specific plan.

## Vista del Agua

### Wall / Fence Plan Figure 7-7







A conceptual plan for the proposed public park located in PA 9 is presented below. Plans include sports fields, a tot lot and open play areas.



The Specific Plan includes conceptual illustrations of both the proposed single family and multi-family housing types as illustrated on the exhibits below:



**Typical Cluster Layout**  
NTS



**Conceptual Apartment Layouts**  
NTS







## **DRAFT (DEIR) AND FINAL ENVIRONMENTAL (FEIR) IMPACT REPORTS**

A DEIR was prepared for the Vista Del Agua project in accordance with the California Quality Act (CEQA) and Sections 15120 through 15131 and 15161 of the CEQA Guidelines.

The DEIR was circulated to the State Clearinghouse and Interested Parties for two 45-day review periods from June 8, 2018 to July 23, 2018 and from August 10 to September 24, 2018. Twelve comment letters were received during the first public review period and four comment letters were received on the re-distributed DEIR. The City, in accordance with CEQA requirements, has responded to public comments that were received during the DEIR review periods. (See Comments and Responses in Attachment No. 7: Volume IV of the Environmental Impact Report).

The DEIR identified seven significant unavoidable significant adverse impacts that would result from the proposed project in the following four areas:

1. Aesthetics-Visual Character
2. Agricultural and Forest Resources
3. Air Quality/Greenhouse Gas
4. Transportation/Traffic

For a complete discussion and analysis of the significant impacts please reference the attached CEQA Findings of Fact. The Findings of Fact have been prepared for the Project and are included as Exhibit A within Attachment No. 2. The California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA) requires that public agencies shall not approve or carry out a project for which an environmental impact report (EIR) has been certified that identifies one or more significant adverse environmental effects of a project unless the public agency makes one or more written Findings for each of those significant effects, accompanied by a brief explanation of the rationale for each Finding (State CEQA Guidelines [Cal. Code Regs., title 14, § 15000 et seq.], § 15091). This document presents the CEQA Findings of Fact and Statement of Overriding Considerations made by the City of Coachella (City), in its capacity as the CEQA lead agency, regarding the Vista Del Agua Project (Project), evaluated in the Draft Environmental Impact Report (“Draft EIR”) and Final Environmental Impact Report (Final EIR) for the Project.

Also included within Attachment No. 2 is the proposed Mitigation Monitoring and Reporting Program for the Vista Del Agua Project that contains all of the proposed mitigation measures along with the timing for implementation of each mitigation measure.

### **ALTERNATIVES:**

1. Approve the Vista Del Agua project applications with the findings and conditions of approval as recommended by the Planning Commission and Staff.

2. Deny the Vista Del Agua project applications
3. Continue these items and provide staff and the applicant with direction.

**FISCAL IMPACT:**

There are no fiscal impacts expected to the City from the Vista Del Agua Project.

**RECOMMENDED ALTERNATIVE(S):**

Staff has analyzed all of the components of the proposed project, including the Draft and Final Environmental Impact Report that have been prepared to analyze expected project impacts. Staff believes the Environmental Impact Report has been prepared in accordance with the California Environmental Quality Act and recommends that the City Council certify the Environmental Impact Report and approve the Water Supply Assessment, General Plan Amendment, Specific Plan, Change of Zone and Tentative Parcel Map.

**Attachments:**

1. Resolution No. WA 2020-03 approving the Water Supply Assessment
2. Resolution 2020-02 including CEQA Findings (Exhibit A) and MMRP (Exhibit B) certifying the EIR for the Vista Del Agua Project (SCH2015031003)
3. Resolution 2020-03 for GPA 14-01
4. Ordinance No. 1156 for Change of Zone 14-01
5. Ordinance No. 1157 for Specific Plan 14-01
6. Resolution 2020-04 for TPM 36872
7. Volume IV (FEIR) of the Environmental Impact Report
8. Specific Plan Conditions of Approval
9. TPM 36872 Conditions of Approval
10. Correspondence (None Received as of this writing)
11. Vista Del Agua Specific Plan Document
12. Water Supply Assessment for Vista Del Agua

**RESOLUTION NO. WA-2020-03**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COACHELLA WATER AUTHORITY, APPROVING THE WATER SUPPLY ASSESSMENT DATED NOVEMBER 2017 FOR THE VISTA DEL AGUA PROJECT, APPLICANT: CVC PALM SPRINGS LLC.**

**WHEREAS**, as part of the City of Coachella (the “City”), the Coachella Water Authority (the “Authority”) is a public water system for purposes of California Water Code section 10910 et seq., commonly referred to as California Senate Bill 610 (“SB 610”); and

**WHEREAS**, SB 610 and related provisions of the California Environmental Quality Act (“CEQA”) require the preparation and approval of a water supply assessment (“WSA”) in connection with certain proposed development projects (as defined in Water Code section 10912); and

**WHEREAS**, the proposed Vista Del Agua (“Project”) would allow a maximum of 1640 dwelling units, approximately 25 acres of commercial land uses, approximately 30 acres of open space, including a 14 acre community park, thus qualifying as a project for which a WSA is required; and

**WHEREAS**, the Authority is the public water system that would provide retail water service to the Project; and

**WHEREAS**, in accordance with applicable provisions of law, specifically including the requirements of SB 610, City and Authority staff have caused a WSA to be prepared for the Project, which evaluates and concludes, among other things, that the total projected water supplies available to the City during normal, single-dry and multiple-dry years during a 20-year projection will be sufficient to meet the projected water demands associated with the Project, in addition to the City’s other current and planned future uses, including agricultural and manufacturing uses; and

**WHEREAS**, the WSA utilized and relied in part upon the information, analyses and conclusions set forth in other local and regional water supply planning documents that have been prepared and duly adopted by agencies such as the City, the Authority, the Coachella Valley Water District (“CVWD”) and the California Department of Water Resources, which documents include, without limitation, the City’s 2015 Urban Water Management Plan, CVWD’s 2015 Urban Water Management Plan, CVWD’s 2015 Water Management Plan Update, CVWD’s 2015 Subsequent Programmatic Environmental Impact Report for the 2015 Water Management Plan, and other water supply planning documents; and

**WHEREAS**, pursuant to the 2013 Memorandum of Understanding between the City and CVWD, the WSA has been reviewed by CVWD staff and all comments received during that process have been incorporated in the WSA, wherein as part of its review CVWD has concluded it has the ability to provide sufficient supplemental water supplies to meet Project demands as set forth by the WSA; and

**WHEREAS**, in accordance with Water Code section 10911 and related provisions of CEQA, the WSA has been included in the CEQA review undertaken for the Project, wherein the final WSA was included as an Appendix to the Draft Environmental Impact Report that was prepared for the Project and noticed and circulated for public comment in accordance with CEQA, and where no public comments were received regarding the analyses or conclusions of the WSA; and

**WHEREAS**, the Board of Directors wishes to adopt this Resolution to approve the WSA for the Vista Del Agua Project;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Coachella Water Authority, as follows:

**SECTION 1.** The Board of Directors finds that the foregoing recitals are true and correct, and are hereby incorporated into this Resolution.

**SECTION 2.** The Board of Directors finds that analyses and conclusions set forth in the WSA prepared for the proposed Vista Del Agua Project, a copy of which, without attachments and exhibits, is attached hereto as Exhibit “A” and incorporated herein by reference, are supported by substantial evidence and reasonable analysis, and are consistent with policies, plans, documents and operations of the City and the Authority.

**SECTION 3.** Pursuant to the requirements of Water Code sections 10910 et. seq., the Board of Directors hereby approves the WSA prepared for the proposed Vista Del Agua Project.

**SECTION 4.** In accordance with Water Code section 10914, the WSA does not create a right or entitlement to water service or any specific level of water service, nor does the WSA impose, expand or limit any duty concerning the obligation of the Authority to provide certain services. Water service shall also be subject to applicable fees and charges as they become due, completion of such improvements as may be needed to provide service, and compliance with such water conservation requirements and other conditions of service which may apply to the Project.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
President

**ATTEST:**

---

Angela M. Zepeda  
Secretary

**APPROVED AS TO FORM:**

---

Carlos Campos  
Attorney

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. WA-2020-03 was duly adopted by the Board of Directors of the Coachella Water Authority at a regular meeting thereof, held on the 26<sup>th</sup> day of February 2020, by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk

**EXHIBIT “A”**

**WATER SUPPLY ASSESSMENT (WITHOUT ATTACHMENTS AND EXHIBITS)**

**[ATTACHED ON FOLLOWING PAGES]**



## RESOLUTION NO. 2020-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH# 2015031003) PREPARED FOR THE VISTA DEL AGUA SPECIFIC PLAN PROJECT, THE ADOPTION OF ENVIRONMENTAL FINDINGS (EXHIBIT A), AND A MITIGATION MONITORING AND REPORTING PROGRAM (EXHIBIT B), PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE VISTA DEL AGUA SPECIFIC PLAN PROJECT**

**WHEREAS**, the Vista Del Agua Specific Plan Project proposes a master-planned residential community in the City of Coachella (the "City") that would consist of a mix of residential, commercial, recreation, open-space, and other uses on approximately 275 acres, as well as approximately 29 acres of off-site infrastructure improvements (the "Project" or "Proposed Project"); and

**WHEREAS**, the Project site is located in the City of Coachella south of Interstate 10 and Vista Del Sur, east of Tyler Street and North of Avenue 48; and

**WHEREAS**, the Project applicant is seeking approval of General Plan Amendment No. 14-01, Specific Plan No. 14-01, Change of Zone No. 14-01 and Tentative Parcel Map No. 36872 to implement the Proposed Project; and

**WHEREAS**, pursuant to section 21067 of the Public Resources Code, and section 15367 of the State CEQA Guidelines, the City is the lead agency for the Project; and

**WHEREAS**, pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.), the State California Environmental Quality Act Guidelines (14 Cal. Code Regs. §§ 15000 et seq.), and the City's Local CEQA Guidelines (collectively, "CEQA"), the City has determined that an Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze the potential adverse environmental impacts of the Proposed Project; and

**WHEREAS**, in accordance with State CEQA Guidelines section 15082, on or about March 12, 2015 the City sent to the Office of Planning and each responsible and trustee agency a Notice of Preparation ("NOP") stating that an Environmental Impact Report (State Clearinghouse Number 2015031003) would be prepared; and

**WHEREAS**, the City held a duly noticed public scoping meeting on March 12, 2015, to gather public comments on the Proposed Project and its potential impacts on the physical environment; and

**WHEREAS**, a Draft Environmental Impact Report (14-04) ("Draft EIR") was prepared, incorporating comments received in response to the NOP; and

**WHEREAS**, in accordance with State CEQA Guidelines section 15085, on or about June 7, 2018 the City initiated a 45-day public review period by filing Notices of Completion and Availability with the Office of Planning and Research and the Riverside County Clerk and releasing the Draft EIR for public review and comment in the manner required by CEQA; and

**WHEREAS**, on or about August 10, 2018 the City initiated a re-circulated 45-day public review period by filing a Notice of Completion and Availability with the Office of Planning and Research and the Riverside County Clerk for an additional 45 day public review period; and

**WHEREAS**, during the public comment period, copies of the Draft EIR and technical appendices were available for review and inspection at City Hall, on the City's website, and at the Coachella Library; and

**WHEREAS**, pursuant to CEQA Guidelines section 15086, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and the public during the two 45-day comment periods; and

**WHEREAS**, during the first public comment period, the City received twelve (12) written comments for the Draft EIR and four (4) written comments during the second public review period; and

**WHEREAS**, pursuant to Public Resources Code section 21092.5, the City provided copies of its responses to commenting public agencies at least ten (10) days prior to the Planning Commission's consideration of the Final EIR on June 6, 2019; and

**WHEREAS**, on June 19, 2019, the Planning Commission conducted a duly noticed public hearing on the Vista Del Agua Project, at which time all persons wishing to testify were heard and the Project was fully considered and the Planning Commission has recommended certification of the EIR and approval of the Vista Del Agua Project; and

**WHEREAS**, the City has prepared a Final EIR, consisting of the Draft EIR, all technical appendices prepared in support of the Draft EIR, all written comments received during the two 45-day public review and comment periods on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR and technical appendices. For the purposes of this Resolution, the "EIR" shall refer to the Draft EIR and its attachments and appendices, as revised by the Final EIR's errata section, together with the other sections of the Final EIR; and

**WHEREAS**, all potentially significant adverse environmental impacts were sufficiently analyzed in the EIR; and

**WHEREAS**, all of the findings and conclusions made by the City pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and the entirety of the administrative record for the Project, which are incorporated herein by this

reference, and not based solely on the information provided in this Resolution; and

**WHEREAS**, the City has made certain findings of fact, as set forth in **Exhibit A** to this Resolution, attached hereto and incorporated herein, based upon the oral and written evidence presented to it as a whole and the entirety of the administrative record for the Project, which are incorporated herein by this reference; and

**WHEREAS**, the City finds that environmental impacts that are identified in the EIR as less than significant and do not require mitigation are set forth in Section 2 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, the City finds that environmental impacts that are identified in the EIR that are less than significant with incorporation of mitigation measures are set forth in Section 3 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, the City finds that even with the incorporation of all feasible mitigation measures, the environmental impacts that are identified in the EIR that are significant and unavoidable are set forth in Section 4 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, the cumulative impacts of the Project identified in the EIR are set forth in Section 5 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, the potential significant and irreversible environmental changes that would result from the proposed Project identified in the EIR are set forth in Section 6 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, the existence of any growth-inducing impacts resulting from the proposed Project identified in the EIR are set forth in Section 7 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, alternatives to the proposed Project identified for their potential to possibility reduce the significant and unavoidable impacts of the Proposed Project are set forth in Section 8 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, because the Final EIR identified significant and unavoidable impacts, the City Council explains its reasoning for recommending the adoption of the Project despite those impacts in the Statement of Overriding Considerations, as set forth in Section 9 of the CEQA Findings of Fact, attached hereto and incorporated herein as **Exhibit A**; and

**WHEREAS**, all the mitigation measures identified in the EIR and necessary to reduce the potentially significant impacts of the proposed Project to a level of less than significant are set forth in the Mitigation Monitoring and Reporting Program (MMRP) in Exhibit B to this Resolution, attached hereto and incorporated herein; and

**WHEREAS**, as contained herein, the City Council has endeavored in good faith to set forth the basis for its recommendation on the Proposed Project; and

**WHEREAS**, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by the City in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Proposed Project have been adequately evaluated; and

**WHEREAS**, all of the findings, recommendations and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

**WHEREAS**, prior to taking action, the has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings, all of which is incorporated herein by this reference; and

**WHEREAS**, the Final EIR reflects the independent judgment of the City Council and is deemed adequate for purposes of making decisions on the merits of the Project; and

**WHEREAS**, the City Council has not received any comments or additional information that produced substantial new information requiring recirculation or additional environmental review under Public Resources Code sections 21166 and 21092.1 and State CEQA Guidelines section 15088.5; and

**WHEREAS**, on February 26, 2020, the City conducted a duly noticed public hearing on this Resolution, at which time all persons wishing to testify were heard and the Project was fully considered; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY COACHELLA:**

**SECTION 1.** The City Council finds that it has reviewed and considered the Draft EIR and Final EIR (including the comment letters, responses to comments, and errata) in evaluating the Project, that the Final EIR fully complies with CEQA, and that the Final EIR reflects the independent judgment of the City Council. The City Council declares that no evidence of new significant impacts or any new information of “substantial importance” as defined by State CEQA Guidelines section 15088.5, has been received by the City after circulation of the Draft EIR that would require recirculation. Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.

**SECTION 2.** Based on the entire record before the City Council, and all written and oral evidence presented, the City Council of the City of Coachella certifies the Final EIR,

and adopts the CEQA Findings of Fact, including the Statement of Overriding Considerations, attached as **Exhibit A** to this Resolution.

**SECTION 3.** Pursuant to Public Resources Code section 21081.6, the City Council of the City of Coachella adopts the Mitigation Monitoring and Reporting Plan attached to this Resolution as **Exhibit B**. The City Council determines that - in the event of any inconsistencies between the mitigation measures as set forth in the Draft EIR or the CEQA Findings in Exhibit A and the Mitigation Monitoring and Reporting Plan, the Mitigation Monitoring and Reporting Plan shall control.

**SECTION 4.** Based on the entire record before the City Council, all written and oral evidence presented, the CEQA Findings, the Statement of Overriding Considerations, and Mitigation Monitoring Reporting Plan, and all other evidence, the City Council of the City of Coachella approves the Vista Del Agua Specific Plan Project.

**SECTION 5.** The documents and materials that constitute the record of proceedings on which this Resolution is based are located at the City of Coachella, Development Services Department, 53-990 Enterprise Way, Coachella, California 92236. The custodian for these records is Luis Lopez, Development Services Director. This information is provided in compliance with Public Resources Code section 21081.6.

**SECTION 6.** The City Council of the City of Coachella directs staff to file a Notice of Determination with the Riverside County Clerk within five (5) working days of the Project approval by the City Council.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-02 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk

## **CEQA FINDINGS OF FACT**

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

### **SECTION I** **INTRODUCTION**

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

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

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

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

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

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

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

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



**SECTION II**  
**FINDINGS REGARDING ENVIRONMENTAL**  
**IMPACTS NOT REQUIRING MITIGATION**

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

**A. AESTHETICS**

**1. Scenic Vistas**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 2. Scenic Resources

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

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

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

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

A Project consistency analysis is provided below.

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

Consistent. Billboards are not permitted in the Specific Plan.

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

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

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

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

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

### 3. **Light and Glare**

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

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

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

#### *Short-Term Construction Impacts*

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

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

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

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

## **B. AGRICULTURE AND FOREST RESOURCES**

### **1. Agricultural Zoning**

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

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

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

The current zoning on the Project site is:

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

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

## 2. Forestland Zoning

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

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

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

## 3. Loss of Forest Land

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

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

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

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

**C. AIR QUALITY**

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

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

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

Explanation:

**Construction Air Quality Impacts**

*Localized Construction Emissions*

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

*Fugitive Dust*

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

Construction emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors. The proposed Project will be required to comply with SCAQMD Rules 402, 403 and 403.1 to control fugitive dust. **Table 4.4.4-6, Regional Significance—Construction Emissions** of the Draft EIR illustrates total construction emissions, i.e., fugitive-dust emissions and construction equipment exhausts that have incorporated a number of feasible control measures that can be reasonably implemented to significantly reduce PM<sub>10</sub> emissions from construction. **Table 4.4.4-6** illustrates that all construction phases, the daily total construction emissions with standard control measures, would be below the daily thresholds established by the SCAQMD. Therefore, the Project will not result in significant fugitive dust emissions. (Draft EIR, p. 4.4-43.)

*Naturally Occurring Asbestos*

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

#### *Construction-Related Toxic Air Contaminant*

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

#### **Health Risk Assessment**

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

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

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



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

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

#### *Localized Operational Emissions*

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

#### *CO Hot Spot Emissions*

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

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

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

## **D. BIOLOGICAL RESOURCES**

### **1. Sensitive Species**

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

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

Explanation:

#### **Sensitive Elements**

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

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

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

### ***Sensitive Plants***

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

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

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

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

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

### ***Sensitive Reptiles***

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

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

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

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

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

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

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

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

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

***Sensitive Mammal Species***

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

**Sensitive Insects**

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

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

## 2. Riparian Habitat

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

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

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

### Species

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

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

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

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

### 3. Wetlands

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

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

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

### 4. Local Policies and Ordinances

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

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

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

### 5. Habitat Conservation Plans

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

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

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

## **E. GEOLOGY AND SOILS**

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

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

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

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

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

### **2. Unstable Soils**

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

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

Explanation: *On- or Off-Site Landslide*

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

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

### 3. Septic Tanks

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

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

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



## **F. GREENHOUSE GAS EMISSIONS**

### **1. Emissions Generation**

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

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

Explanation:

#### *Construction Greenhouse Gas Emissions Impact*

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

### **2. Emission Reduction Plans**

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

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

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

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

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

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

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

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

## **G. HAZARDS AND HAZARDOUS MATERIALS**

### **1. Hazardous Materials**

Threshold: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or, create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ?

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

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

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

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

### **Paintball Use on the Property**

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

## **2. Hazards Near Schools**

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

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

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

## **3. Waste Sites**

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

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

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

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

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

#### 4. Public Airports

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

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

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

#### 5. Private Airports

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

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

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

Appendices, Initial Study, p. 22.)

## 6. Emergency Plans

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

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

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

## 7. Wildland Fires

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

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

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

## H. HYDROLOGY AND WATER QUALITY

### 1. Water Quality Standards

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

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

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

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

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

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

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

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

Project Design Features related to hydrology and water quality are:

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

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

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

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

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

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

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

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

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

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



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

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

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

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

Treatment Control BMPs to be considered and incorporated into the

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

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

## 2. Groundwater Supplies

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

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

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

## 3. Erosion or Siltation

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

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

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

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

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

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

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

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

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

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

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

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

#### 4. **Flooding**

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

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

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

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

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

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

### *Hydrologic Conditions*

#### 1. Methodology

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

#### 2. Off-Site

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

#### 3. On-Site

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

### *Hydraulic Conditions*

## 1. Proposed Conditions

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

## 2. Roads

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

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

## 5. **Runoff**

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

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

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

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

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

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

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

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

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

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

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

## 6. Flooding – Housing and Other Structures

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

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

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

## 7. Levee and Dam Failure



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

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

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

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

## **8. Seiche, Tsunami and Mudflow**

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

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

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

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

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

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

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

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

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

## **I. LAND USE AND PLANNING**

### **1. Established Communities**

Threshold: Would the Project physically divide an established community?

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

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

## 2. Conflicts With Plans

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

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

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

The City's formal case numbers are:

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

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

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

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

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

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

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

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

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

### 3. Habitat Conservation Plans

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

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

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

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

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

## **J. MINERAL RESOURCES**

### **1. Regional and Statewide Mineral Resources**

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

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

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

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

## **K. NOISE**

### **1. Noise Standards**

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

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

Explanation: ***Exterior Noise***

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

#### ***Traffic Source Noise***

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

##### **1. Existing Year with Project Condition**

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

## 2. Project Completion Year 2022 Without Project Condition

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

## 3. Project Completion Year 2022 With Project Condition

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

## 4. General Plan Buildout Year 2035 Without Project Condition

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

## 5. General Plan Buildout Year 2035 With Project Condition

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

*Off-Site Traffic Noise Impact*

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

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

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

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

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

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

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



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

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

### ***I-10***

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

## **2. Vibration**

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

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

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

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

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

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

### 3. Public Airport Noise

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

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

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

### 4. Private Airstrip Noise

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

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

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

## **L. POPULATION AND HOUSING**

### **1. Population Growth**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 2. Displacement of Housing

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

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

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

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

## **M. PUBLIC SERVICES**

### **1. Fire Protection**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 2. Police Protection

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

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

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

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

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



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

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

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

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

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

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

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

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

### 3. Schools

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

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

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

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

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

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

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

- Elementary school: 280

- Middle school: 149
- High school: 207

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

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

#### 4. Parks

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 5. Recreational Facilities

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

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

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

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

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

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

## 6. Library Services

Threshold: Other Services—Library Services

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

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

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

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

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

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

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

## 7. Health Services

Threshold: Other Services—Health Services

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

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

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

The need for new medical facilities are accommodated through general

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

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

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

Therefore, substantial adverse impacts associated with the Project as they



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

## **N. TRANSPORTATION / TRAFFIC**

### **1. Plans, Policies, and Ordinances**

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

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

**Explanation:**

#### **Roadway Segment Level of Service for Existing Plus Project Conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 2. Air Traffic Patterns

- Threshold: Does the Project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, pp. 32-33.)
- Explanation: The Project site is not located within two miles of a public airport or public use airport. The closest public airport, or public use airports are Thermal Airport (Jacqueline Cochran Regional Airport), located approximately 5 miles to the south, and the Bermuda Dunes Airport (located over 5 miles to the north-northwest). According to the Riverside County Land Information System (<http://tlmabld5.agency.tlma.co.riverside.ca.us/website/rclis/>), the Project site is not located within the vicinity of a private airstrip. Therefore, implementation of the Project (on-site and off-site components) will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. No impacts are anticipated. No mitigation is required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 33.)

## **O. UTILITIES AND SERVICE SYSTEMS**

### **1. Wastewater Treatment Requirements**

- Threshold: Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- Finding: Less than significant. (Draft EIR, p. 4.15-25.)
- Explanation: Compliance with federal regulations for both wastewater plant operations and the collection systems which convey wastewater to the Wastewater Treatment Facility (WWTF) falls within the responsibility of local governments and water districts. Proper operation and maintenance is critical for sewage collection and treatment as impacts from these processes can degrade water resources and affect human health. For these reasons, Publicly Owned Treatment Works (POTWs) receive Waste Discharge Requirements (WDRs) or National Pollutant Discharge Elimination System (NPDES) permits to ensure that such wastewater facilities operate in compliance with water quality regulations set forth by federal and State governments. WDRs and NPDES permits, issued by the State, establish effluent limits on the kinds and quantities of pollutants that POTWs can discharge. These permits also contain pollutant monitoring, recordkeeping, and reporting requirements. Each POTW that intends to discharge into the nation's waters must obtain a permit prior to initiating its discharge. NPDES permits are further discussed in detail in Subchapter 5.9, Hydrology and Water Quality of the EIR.

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

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

## 2. New Wastewater Treatment Facilities

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

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

Explanation: Water

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

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

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

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

Any impacts are considered less than significant.

#### Wastewater

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

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

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

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

### 3. New Storm Drainage Facilities

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

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

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

### 4. Water Supplies

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

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

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

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

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

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

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

The following ACF's were applied to this Project:

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

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

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

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

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



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

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

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

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

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

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

- Utilize native plant choices to the greatest extent possible;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. To the greatest extent practicable, native plant materials and other drought-tolerant plants will be used in all non-turf areas of Project landscaping. Large expanses of lawn and other water-intensive landscaped areas shall be kept to the minimum necessary and consistent with the functional and aesthetic needs of the Project, while providing soil stability to resist erosion;
2. Potential use of the Coachella Canal for construction water and Project landscaping may further reduce Project demand for potable water. This will be reviewed for feasibility and subject to agreements between the City and CVWD since the Project lies outside of the IID boundary;
3. In the event recycled water becomes available to the Project, the potential use of tertiary treated water will be reviewed to determine feasibility of its use for on-site landscaped areas to reduce the use of groundwater for irrigation;
4. The installation and maintenance of efficient on-site irrigation systems will minimize runoff and evaporation and maximize effective watering of plant roots. Drip irrigation and moisture detectors will be used to the greatest extent practicable to increase irrigation efficiency;
5. The use of low-flush toilets and water-conserving showerheads and faucets shall be required in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Code of Regulations Section 1601(b), and applicable sections of Title 24 of the State Code.

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

Design strategies for water efficiency include:

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

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

Landscape design strategies include:

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

General direction for design of the landscaped places:

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

connectivity throughout the project site;

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

## 5. Wastewater Treatment Capacity

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

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

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

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

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

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

## 6. Landfill Capacity

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Draft EIR, pp. 4.15-34—4.15-36.)



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

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

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

## 7. Solid Waste Laws

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

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

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

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

## 8. Electricity

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

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

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

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

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

## 9. Natural Gas

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

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

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

## 10. Communication Systems

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

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

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

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

### **SECTION III**

#### **IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED**

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

#### **A. AESTHETICS**

##### **1. Light and Glare**

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

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

Explanation: *Long-Term Impacts*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **B. AIR QUALITY**

### **1. Air Quality Plans**

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

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

Explanation: **Construction Air Quality Impacts**

#### *Regional Construction Emissions*

CalEEMod was used to estimate onsite and offsite construction emissions as shown in **Table 4.4.4-6, Regional Significance – Construction Emissions**. The construction emissions incorporate SCAQMD Rules 403 and 403.1. The mitigated construction emissions incorporate **SC-AQ-1**, and **MM-AQ-1** through **MM-AQ-10**, which pertain to implementing SCAQMD Rules 403 and 403.1; limits to maximum site disturbance per day; particular construction equipment; EPA, Tier 4-Final Emission Standards; application of architectural coatings; construction equipment maintenance; construction equipment operating optimization; construction generator use minimization; and construction equipment idling minimizing. All of these Mitigation Measures will implement techniques to reduce the VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> from the proposed Project. The emissions will be below the SCAQMD thresholds of significance for regional construction emissions.

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

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

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

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

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

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

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

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



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

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

## 2. Sensitive Receptors

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

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

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

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

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

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

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

### 3. Odors

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

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

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

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

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

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

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

## C. **GREENHOUSE GAS EMISSIONS**

### 1. **Emissions Generation**

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

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

Explanation: *Operational Greenhouse Gas Emissions Impact*

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

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

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

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

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

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

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

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

**Operational Mitigation Measures (Materials Efficiency)**

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

**Operational Mitigation Measures (Transportation)**

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

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

#### **Operational Mitigation Measures (Landscaping).**

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

#### **Operational Mitigation Measures (Water Conservation and Efficiency Features).**

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

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

#### **Operational Mitigation Measures (Energy Efficiency).**

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

#### **Operational Mitigation Measures (Other)**

- Require the use of electric or alternative fueled maintenance

vehicles by all grounds maintenance contractors.

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

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

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

## **D. BIOLOGICAL RESOURCES**

### **1. Sensitive Species**

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

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

Explanation:



### ***Sensitive Birds***

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

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

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

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

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

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

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

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

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

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

***Burrowing Owl (*Athene cunicularia*)***

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

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

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

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

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

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

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

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

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

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

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

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

## 2. Wildlife Movement

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

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

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

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

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

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

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

## **E. CULTURAL RESOURCES**

### **1. Historical Resources**

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

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

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

#### *Discussion*

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

22.)

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

## 2. Archaeological Resources

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

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

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

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

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

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

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

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

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

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

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

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

### 3. Paleontological Resources

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

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

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

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

#### **4. Human Remains**

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

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

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

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

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

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

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

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

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



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

## **F. GEOLOGY AND SOILS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### ***Strong Seismic Ground Shaking***

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

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

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

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

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

#### ***Seismic-related Ground Failure, Including Liquefaction***

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

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

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

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

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

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

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

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

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

**2. Erosion**

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

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

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

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

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

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

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

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

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

### 3. Unstable Soils

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

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

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

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

*Lateral Spreading*



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

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

#### *Subsidence*

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

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

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

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

#### *Liquefaction or Collapse*

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

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

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

#### **4. Expansive Soils**

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

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

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

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

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

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

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

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

## **G. HAZARDS AND HAZARDOUS MATERIALS**

### **1. Hazardous Materials**

**Threshold:** Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or, create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ?

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Previous Agriculture Use on Property**

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

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

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

### **Groundwater Wells on The Property**

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

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

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



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

### **Solid Waste Disposal on The Property**

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

### **Suspect Asbestos Containing Materials on The Property**

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

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

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

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

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

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

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

## H. HYDROLOGY AND WATER QUALITY

### 1. Degradation of Water Quality

Threshold: Would the Project otherwise substantially degrade water quality?

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

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

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

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

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

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

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

As specified within the WQMP, a Maintenance and Management Program

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

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

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

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

## **I. NOISE**

### **1. Noise Standards**

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

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

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

#### *Construction Traffic*

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

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

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

#### *Construction Activities*

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

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

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

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

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

October 1st through April 30th

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

May 1st through September 30th

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

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

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

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

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

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

*On-Site Traffic Noise Impact*

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

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

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

#### **Avenue 47**

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



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

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

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

#### **Avenue 48**

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

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

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

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

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

***Street “A”***

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

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

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

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

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

#### ***Future Interior Noise***

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

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

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

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

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

## 2. **Permanent Increase in Ambient Noise**

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

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

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

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

The City Council finds that MM-NOI-2 through MM-NOI-5 are feasible, are adopted, and will further reduce impacts related to permanent noise increase. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State

CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to permanent noise increase, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to permanent noise increase. (Draft EIR, p. 4.11-37.)

### 3. Temporary Increase in Ambient Noise

Threshold: Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Finding: Less than significant with mitigation. (Draft EIR, pp. 4.11-37—4.11-38.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: As discussed above under Threshold a., construction at the Project site would temporarily increase ambient noise levels above existing levels without the Project. The high noise levels that would occur during site preparation caused by earthmoving equipment for each of the Specific Plan phases would be short term.

Other construction activities such as building erection would generate lower noise levels, and the majority of the construction activity would occur more than 100 ft. from the nearest receptors. The proposed project would comply with the time periods for construction specified in the City's Municipal Code as listed in Standard Condition SC-NOI-1, which does not allow construction at nighttime.

**Mitigation Measure MM-NOI-2** was designed to reduce the construction noise impacts. Compliance with the City's construction hours restrictions (**SC-NOI-1**) would reduce the construction noise impact to a less than significant level. Implementation of **MM-NOI-2** would further reduce the construction noise exposure for receivers adjacent to the Project site by requiring all construction equipment to be equipped with properly operating and maintained mufflers, placing all stationary equipment so that noise is directed away from noise-sensitive receptors; locating equipment staging areas to create the greatest distance between construction-related noise sources and noise-sensitive receptors; limiting the amount of heavy machinery equipment operating simultaneously and installation of temporary noise control barriers.. Therefore, the temporary increase in ambient noise levels as a result of construction is not considered substantial and would be reduced to a less than significant level with mitigation incorporated. (Draft EIR, pp. 4.11-37—4.11-38.)

The City Council finds that MM-NOI-2 is feasible, is adopted, and will further reduce impacts related to temporary noise increase. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to temporary noise increase, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to temporary noise increase. (Draft EIR, pp. 4.11-37 – 4.11-38.)

## **J. TRANSPORTATION / TRAFFIC**

### **1. Plans, Policies, and Ordinances**

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

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-24.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation:

#### Existing Plus Project Traffic Conditions

Existing Plus Project peak hour intersection turning movement volumes were obtained by combining existing traffic volumes with Project traffic volumes. Existing Plus Project AM and PM peak hour intersection turning movement volumes and average daily traffic are shown on **Figure 4.14.4-24, Existing Plus Project Traffic Volumes**.

#### Intersection Level of Service for Existing Plus Project Conditions

Intersection levels of service for the existing network with the proposed Project are shown in **Table 4.14.4-4, Intersection Analysis for Existing Plus Project Conditions**.

It should be noted that improvements for existing plus Project conditions include roadway construction and traffic control which will be part of the Project design. The analysis software used for the TIS cannot calculate LOS for uncontrolled intersections or nonexistent roads, and thus a "without mitigation" scenario is not applicable in this case.

As shown in **Table 4.14.4-4**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact. For Existing Plus Project traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours.

With implementation of intersection improvements as mitigation measures, shown in **Table 4.14.4-5, Intersection Mitigation for Existing Plus Project Conditions**, all study area intersections are projected to operate at LOS D or better in the Existing Plus Project Conditions peak hour conditions.

This is reflected in **Mitigation Measure MM-TR-1**, which requires the Project applicant (prior to the 1st occupancy) to make several specific improvements, that will reduce impacts to less than significant. Impacts are considered less than significant with mitigation incorporated. (Draft EIR, pp. 4.14-24--4.14-28.)

**MM-TR-1** For Existing Plus Project Conditions, the Project applicant is required to make the following improvements at the following intersections and roadway segments (prior to the 1st occupancy):

- Roadway Segment Improvements
  - Construct new extension of Shadow View Boulevard from Dillon Road to Avenue 48;
  - Construct new extension of Avenue 47 from Tyler Street to Shadow View Boulevard; and
  - Construct new extension of Avenue 48 from Tyler Street to Shadow View Boulevard.
- Intersection of Dillon Road and Shadow View Boulevard:
  - Install traffic signal
  - Install southbound (SB) left-turn lane.
  - Install westbound (WB) left-turn lane.
  - Install WB right-turn signal.
- Intersection of Tyler Street and Avenue 47:
  - Install all-way stop signs.
- Intersection of Tyler Street and Avenue 48:
  - Install all-way stop signs.
- Intersection of Street “A” and Vista Del Sur:
  - Install all-way stop signs.
  - Install NB left-turn lane.
  - Install EB right-turn signal.
- Intersection of Street “A” and Avenue 47:
  - Install all-way stop signs.’
  - Install northbound (NB) left-turn lane.
  - Install NB thru-turn lane.

- Install NB thru/right-turn lane.
- Install SB left-turn lane.
- Install SB thru-turn lane.
- Install SB thru/right-turn lane.
- Install eastbound (EB) left-turn lane.
- Install EB thru-turn lane.
- Install EB thru/right-turn lane.
- Install WB left-turn lane.
- Install WB thru-turn lane.
- Install WB thru/right-turn lane.
- Intersection of Street “A” and Avenue 48:
  - Install all-way stop signs.
  - Install NB left-turn lane.
  - Install NB thru-turn lane.
  - Install NB thru/right-turn lane.
  - Install SB left-turn lane.
  - Install SB thru-turn lane.
  - Install SB thru/right-turn lane.
  - Install EB left-turn lane.
  - Install EB thru-turn lane.
  - Install EB thru/right-turn lane.
  - Install WB left-turn lane.
  - Install WB thru-turn lane.
  - Install WB thru/right-turn lane.
- Intersection of Polk Street and Avenue 48:
  - Install all-way stop signs.

The City Council finds that MM-TR-1 is feasible, is adopted, and will further reduce impacts related to transportation. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to transportation, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to transportation. (Draft EIR, pp. 4.14-17 – 4.14-28; Final EIR, p. 3-6 – 3-7.)

## 2. Design Feature Hazards

Threshold: Does the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-57.) Changes or alterations have been required in, or incorporated into, the Project which



avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to Project access requirements that would result in the safe and efficient flow of traffic. In addition, the proposed Project is a Specific Plan that includes a circulation plan to guide future construction of internal roadways. The circulation plan addresses vehicular circulation, non-motorized circulation, traffic calming, drainage crossings, and public transportation. The Specific Plan contains the general alignment and street cross sections for all key roadways as well as an infrastructure implementation component. Adherence to the Specific Plan general street alignments and street cross-sections and other applicable City requirements for the construction of streets would ensure the proposed Project would not include any sharp curves, dangerous intersections, or other design hazards. Therefore, the Project would not increase hazards to a design feature and would result in a less than significant impact. No mitigation is required.

Temporary impacts associated with the construction of the proposed Project may temporarily restrict vehicular traffic or cause temporary hazards.

Construction operations would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road or lane closures. Site-specific activities, such as temporary construction activities, are finalized on a project-by-project basis by the City and are required to ensure adequate traffic flow. **Mitigation Measure MM-TR-4** shall be implemented which requires the applicant to submit a traffic control plan (TCP) prior to construction for any phase of development for approval by the City Engineering Department. Said TCP shall contain, at a minimum, standards for: lane closures, detouring, qualifications of work crews, duration of the plan and signing. With the incorporation of **MM-TR-4**, any potential impacts will be reduced to a less than significant level.

At the time of approval of any site-specific development plans required for the construction of infrastructure as a part of the Specific Plan's infrastructure implementation element or other typical conditions of approval, the Project would be required to implement Mitigation Measure **MM-TR-5**, that would maintain traffic flow and access on each Project development phase. Such measures include may include, but not be limited to: design of streets in accordance with all applicable City

requirements for street widths, corner radii, and intersection control. No operation-related roadway design hazards are anticipated.

Therefore, a less than significant impact would occur during Project construction with mitigation incorporated. (Draft EIR, pp. 4.14-57—4.14-58.)

**MM-TR-4** Prior to any construction on the Project site, the Project applicant shall submit a traffic control plan (TCP) to the City Engineering Department for review and approval. Said TCP shall be prepared for any subsequent implementing project and will contain, at a minimum, the following: lane closures, detouring, qualifications of work crews, duration of the plan and signing.

**MM-TR-5** Concurrent with subsequent development projects within the Specific Plan, Sunline Transit District shall be consulted to coordinate the potential for expanded transit/bus service and vanpools and to discuss and implement potential transit turnout locations within the Project area.

The City Council finds that MM-TR-4 and MM-TR-5 are feasible, are adopted, and will further reduce impacts related to design feature hazards. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to design feature hazards, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to design feature hazards. (Draft EIR, pp. 4.14-57 – 4.14-58.)

### 3. Emergency Access

Threshold: Does the Project result in inadequate emergency access?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-58.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Development in accordance with the Specific Plan general street alignments, street cross-sections and other applicable City requirements for the construction of streets shall ensure the proposed Project would not include any sharp curves, dangerous intersections, or other design hazards that might otherwise impede emergency response vehicles.

Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road closures. Site-specific activities such as temporary construction activities would be

required as part of the Specific Plan's infrastructure implementation element and are finalized on a project-by-project basis by the City and are required to ensure adequate emergency access. Such measures are implemented through a construction traffic management plan placed on each Project development phase. **MM-TR-4** shall be implemented which requires the applicant to submit a TCP prior to construction for any phase of development for approval by the City Engineering Department. Said TCP shall contain, at a minimum, standards for: lane closures, detouring, qualifications of work crews, duration of the plan and signing. With the incorporation of **MM-TR-4**, any potential impacts will be reduced to a less than significant level.

Based on the design and construction of roadways to City standards, it is not anticipated that an operational aspect of the Project will create any significant impacts that would result in inadequate emergency access. (Draft EIR, p. 4.140-58.)

The City Council finds that MM-TR-4 is feasible, is adopted, and will further reduce impacts related to emergency access. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to emergency access, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to emergency access. (Draft EIR, p. 4.14-58.)

#### 4. Alternative Modes

Threshold: Does the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-58.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: As shown on Figure 4.9-2, Existing Transit Facilities in the City, of the General Plan Update Final EIR (2015) (p. 4.9-5), there is no bus service provided adjacent to the Project. **Mitigation Measure TR-5** has been included which requires that concurrent with subsequent development projects within the Specific Plan, Sunline Transit District shall be consulted to coordinate the potential for expanded transit/bus service and vanpools and to discuss and implement potential transit turnout locations within the Project area.

The proposed Project incorporates a network of on- and off-street trail

system within the Project site to promote walkability and reduce vehicle miles traveled within the Project. The system provides for bicycles and pedestrians. Project trails provide connections within the Project site and to destinations off-site. As shown on **Figure 3.4.2-1**, Paseo/Trail System (Figure 5-9 of the Specific Plan), a 10' wide trail is proposed within the Project paseo, which is a minimum of 100' wide. Reference Figure 3.4.2-1, Paseo Detail (Figure 5-10 of the Specific Plan).

The Paseo runs from the Park in PA9, crosses Avenue 47/Polk Street, runs between PAs 6 and 7, crosses Street "A" and dissects PA5. The intent of this Paseo Trail is to:

- Provide an east/west pathway in the Specific Plan;
- Connect to the off-site Class I Bicycle Trail (northeasterly of the Project Site);
- Connect to the park within the Shadow View Project; and
- Provide connectivity to the local streets within the Project.

Bicycle routes are located along Avenue 48, Avenue 47, Polk Street and Street "A". Regional bicycle paths will continue off-site from the project along Avenue 48, Avenue 47 and Polk Street per the City's General Plan

With the incorporation of **MM-TR-5**, the Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Draft EIR, pp. 4.14-58—4.14-59.)

The City Council finds that MM-TR-5 is feasible, is adopted, and will further reduce impacts related to alternative modes of transportation. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to alternative modes of transportation, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to alternative modes of transportation. (Draft EIR, pp. 4.14-58 – 4.14-59.)

#### **SECTION IV**

#### **IMPACTS THAT CANNOT BE FULLY MITIGATED TO A LESS THAN SIGNIFICANT LEVEL**

The City Council hereby finds that, despite the incorporation of Mitigation Measures identified in the EIR and in these Findings, the following environmental impacts cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

**A. AESTHETICS**

**1. Visual Character**

Threshold: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

Finding: Significant and unavoidable. (Draft EIR, p. 4.2-7.) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Development of the Project site would substantially alter the existing visual character and quality of the site. The existing gently sloping desert and disturbed agricultural land that currently characterizes the Project site would be developed into a master-planned community consisting of residential, mixed-use, commercial, park/recreation, and open space uses, permanently changing the visual character of the Project site.

A majority of the Project traffic will use Avenue 48/Shadow View Drive as the main access roadway and Avenue 47 as a secondary roadway. This results in a total of approximately 11,600' of off-site street improvements. It is anticipated that the Project will be responsible for a 30' paved section of these improvements (the ultimate street section is 118' for Avenue 48 and 90' for Avenue 47), commensurate with the needs/impacts generated by the Project. There will also be a traffic signal installed at Dillon Road and Vista Del Sur.

Construction of the phases of development would include mass grading consistent with **Figure 3.4.2-10, Phasing Plan**, with subsequent grading for individual tracts within the Specific Plan as approved, followed by construction of residential, and commercial, and open space uses. The visual character of the Project would substantially change over what currently exists.

The Specific Plan includes Design Guidelines that are consistent with the visual character of development throughout the City. Design Guidelines within the Specific Plan include architectural guidelines, which specify the architectural style, roof form, materials, structural elements, windows, and ornamentation of the proposed residential buildings. In addition, the design guidelines establish design criteria for nonresidential uses related to form, height, massing, materials, and colors. Further, landscape design guidelines have been included to ensure that landscaping of public spaces is complementary to the proposed development. Subsequent Tentative Tract Maps would be required to adhere to the design guidelines in the Specific Plan. **Standard Condition SC-AES-1** would require the

applicant to provide detailed project plans for architectural review by the City's Planning Commission at the time each Tentative Tract Map and/or Site Plan is submitted. **Standard Condition SC-AES-2** would require the applicant to provide detailed Project landscape plans for review by the City's Planning Department at the time each Tentative Tract Map and/or Site Plan is submitted.

Implementation of this **Standard Conditions SC-AES-1** and **SC-AES-2** would ensure that all development on the project site would be consistent with the City's design requirements in the Specific Plan and would ensure consistency with visual character of existing development within the City.

The Project site is surrounded by existing agricultural uses and vacant land to the west, south and east. I-10 and Vista Del Sur create the northern boundary to the Project. North of I-10 is vacant land, as well as residential, agricultural, and golf course uses. The Coachella Canal is east of the Project site. The proposed development would change the character of the vacant Project site to an urbanized setting. The General Plan designates the project site as Suburban Retail District; Urban; General, and Suburban Neighborhood; and Neighborhood Center. The General Plan acknowledges that the site is slated for development at some point in the future (therefore not considered to be an aesthetic resource in its current undeveloped state), the development of the site as proposed would, nonetheless, result in a substantial change in visual character.

There are no other feasible mitigation measures that can be implemented to reduce potential impacts to changes in visual character from site development to a less than significant level. Project implementation would result in the conversion of the existing undeveloped site to a developed site. While the proposed project would incorporate specific Design Guidelines and Development Standards intended to avoid, reduce, offset, or otherwise minimize identified potential adverse impacts of the Project, development of the Project would not retain the existing visual character of the site. Therefore, Project-related visual character impacts would be significant and unavoidable. (Draft EIR, pp. 4.2-7—4.2-8.)

**SC-AES-1** **Architectural Review**. At the submittal of each Project Tentative Tract Map and/or Site Plan, the Project applicant shall submit **detailed** Project plans for architectural review and approval by the City Planning Commission. (Draft EIR, p. 4.2-11.)

**SC-AES-2** **Landscape Review**. At the submittal of each Project Tentative Tract Map and/or Site Plan, the Project applicant shall **submit** detailed Project plans **for** landscape review and approval by the City Planning Department, per Chapter 17.36.140 of the City's Municipal Code. (Draft EIR, p. 4.2-12.)

**B. AGRICULTURE AND FOREST RESOURCES**

## 1. Conversion of Farmland or Forestland

Threshold: Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Finding: Significant and unavoidable impact. (Draft EIR, pp. 4.3-8.) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Portions of the Project site have been used for agricultural purposes from at least 1952 through the present day.

The Project site is surrounded by existing agricultural uses and vacant land to the west, south, and east. I-10 and Vista Del Sur create the northern boundary to the Project. The Coachella Canal is to the east of the Project site.

The Specific Plan Project site currently has the following General Land Use Designation: Entertainment Commercial (C-E). Please reference **Figure 3.4.1-1, Existing General Plan and Zoning Classifications**.

These designations are proposed to be modified in the General Plan to the designation of Specific Plan through General Plan Amendment No. 14-01.

The Project site is zoned with the following classifications: General Commercial (C-G), Residential Single-Family (R-S), and Manufacturing Service (M-S) zoning designations. Reference **Figure 3.4.1-1, Existing General Plan and Zoning Classifications**.

Reference **Figure 3.4.1-1, General Plan and Zoning Classifications, Figure 3.4.1-2, Proposed General Plan Amendment Exhibit, and Figure 3.4.1-3, Proposed Change of Zone Exhibit**.

The proposed Change of Zone and Specific Plan will rezone the Project site to Specific Plan.

The surrounding General Plan Land Use designations and zoning classifications are as shown on **Table 4.3.4-1, Surrounding General Plan Land Use Designations and Zoning Classifications**. (Draft EIR, pp. 4.3-8—4.3-9.)

**Table 4.3.4-1** illustrates that the General Plan Land Use Designations for the properties surrounding the Project site are planned for suburban and urban forms of development. No agriculturally General Plan Land Use

designated lands are on the Project site, or to the north, south, east, or west. The zoning classifications on the current City Zoning Map do show agricultural classifications; however, it should be noted that they are not consistent with the General Plan and will require a zoning amendment when development is proposed on these parcels.

The General Plan Update Final EIR (2015) states that one of the most effective ways to address such indirect impacts is through the provision of buffers and right-to-farm policies that protect agricultural operations from urban impacts. The General Plan Update Final EIR (2015) presents numerous goals and policies that would help to minimize direct and indirect impacts to agricultural resources. Specifically, policies 10.8 and 10.9 in the Sustainability and Natural Resources Element address the issue of indirect impacts.

- 10.8 Buffers between agriculture and urban uses. Require new developments, whether they are new urban or new agricultural uses, in which urban and agriculture uses would be adjacent to maintain a protective buffer that ensures land use conflicts do not occur.
- 10.9 Right to Farm. Support the right of existing farms to continue operations.

Policy 10.8 would be a critical policy for mitigating the indirect impacts to farmland from adjacent urban uses by requiring the establishment of a buffer between urban and agricultural uses whenever development permits are issued for land projects that would create an urban-agricultural adjacency. No such buffering is proposed with the Project, because the ultimate vision for the Project site, and immediate environs, is a suburban and urban land development pattern – not agriculture. Therefore, in the Project will result in a significant and unavoidable impact as it pertains to the adjacent parcels which currently have on-going agricultural activities.

The Project is subject to Assembly Bill 2881 – Right-to-Farm Disclosure, as discussed above. If the Project is developed before the surrounding parcels, then potential impacts can occur. **Standard Condition SC-AG-1** presented below, requires disclosures as part of all home sales transaction(s) to future residents that the property is located within 1 mile of farmland as designated on the most recent Important Farmland Map.

**SC-AG-1** The Project applicant shall comply with Assembly Bill 2881. Disclosure shall be provided prior to the close of escrow on the sale of individual homes. This shall be obtained by including the following disclosures on the title report: “The property is located within 1 mile of farmland as designated on the most recent Important Farmland Map.”

With inclusion of **Standard Condition SC-AG-1**, above, any impacts will



be reduced; however, as stated above, until such time that the adjacent properties are developed with suburban and urban scale development, impacts will remain significant and unavoidable. In the long-term, impacts will be considered less than significant.

There are no forest lands on the Project site. No impacts will result in conversion of forest land to non-forest use.

## 2. Prime Farmland

Threshold: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.3-11.) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Surficial soils at the Project site are included in the Carsitas-Myoma-Carrizo and Gilman-Indio-Coachella Associations and soil types mapped on the site include Coachella fine sand (CrA), Gilman fine sandy loam (GcA), Myoma fine sand (MaB) and minor amounts of Carsitas cobbly sand (ChC), reference **Figures 4.5.2-2, Soils Map** and **4.7.2-1, Soils Map**. Except for the latter, these soil types are considered prime farmland if properly irrigated and drained.

Accordingly, the General Plan Update Final EIR (2015) (Figure 3-6: Prime Farmland and Farmland of Local Importance), and the Riverside County Land Information System, both identify the Project (on-site and off-site components) as consisting of Farmland of Local Importance, Prime Farmland, and Other Lands (not designated as farmland), reference **Figure 4.3.4-1, Farmland Types**.

The Project will convert these lands to non-agricultural use. The existing General Plan Land Use designation for the Project is Entertainment Commercial (C-E).

The Coachella General Plan Update (2015) identifies agriculture as an integral part of the City's identity and economic future; however, it also recognizes the need to diversify land uses within the City's planning area to accommodate future growth, housing needs and job creation. To efficiently plan and manage the City's growth, the land use plan (Figure 4-24 of the General Plan) divides the City into 17 distinct subareas, reference **Figure 4.3.4-2, General Plan Subareas Map**. The Project is

located in Subarea 11, Commercial Entertainment District, which is located at the junction of Interstate 10 and State Route 86S, an area with exceptional regional accessibility and visibility to motorists traveling the adjacent highways. The City envisions that this area will contain much of the new development that attracts visitors to Coachella, including destination retail, hotels and resorts, and entertainment uses.

The General Plan Update (2015) land use designations for the Project (on-site and off-site components) are Suburban Retail District, Urban, General, and Suburban Neighborhood, and Neighborhood Center, therefore; it has been anticipated by the City that urbanization is planned and will ultimately occur in the Project vicinity. Although the Project is proposing uses that are somewhat different than the current land use designations, they are still urban/suburban, not agricultural in nature, and consistent with the City's vision of development within the Project area.

Direct impacts to farmland include the removal of farmland from agricultural production through the development of non-agricultural uses on the land. The Project will result in the conversion of approximately 275 acres of farmland (including the active vineyard use) to urban uses. This impact is considered significant and unavoidable. No mitigation is feasible. (Draft EIR, pp. 4.3-10—4.3-11.)

## C. **AIR QUALITY**

### 1. **Air Quality Plans**

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

**Finding:** Significant and unavoidable impact. (Draft EIR, pp. 4.4-44, 4.4-46.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

**Explanation:** **Operational Air Quality Emissions Impact**

*Regional Operational Emissions*

Long-term air pollutant emission impacts are those associated with stationary sources and mobile sources involving any project-related changes. The stationary source emissions would come from additional natural gas consumption for on-site buildings and electricity for the lighting in the buildings and at the parking area. Based on trip generation factors included in the traffic study, long-term operational emissions associated with the proposed Project, calculated with the CalEEMod model, are shown in **Table 4.4.4-8, Regional Significance—Operational Emissions**. Area sources include architectural coatings, consumer products, and landscaping. Energy sources include natural gas consumption for heating.

**Table 4.4.4-8** shows that when the Project is fully operational, the Project would exceed SCAQMD regional thresholds for VOC, NO<sub>x</sub>, and CO. Even with the incorporation of **MM-AQ-10** through **MM-AQ-13** the Project would have a significant and unavoidable impact. (Draft EIR, pp. 4.4-44.)

#### **Air Quality Management Plan Consistency**

An AQMP describes air pollution control strategies to be taken by a city, county, or region classified as a nonattainment area. The main purpose of an AQMP is to bring the area into compliance with federal and State air quality standards. CEQA requires that certain proposed projects be analyzed for consistency with the AQMP. For a project to be consistent with the AQMP adopted by the SCAQMD, the pollutants emitted from the project should not exceed the SCAQMD daily threshold or cause a significant impact on air quality, or the project must already have been included in the AQMP projection. However, if feasible mitigation measures are implemented and shown to reduce the impact level from significant to less than significant, a project may be deemed consistent with the AQMP. The AQMP uses the assumptions and forecast projections of local planning agencies to determine control strategies for regional compliance status. Since the AQMP is based on the local General Plan Update (2015), projects that are deemed consistent with the General Plan Update (2015) are found to be consistent with the AQMP.

The Project will be required to follow the Coachella Valley PM<sub>10</sub> State Implementation Plan which outlines additional emission reduction measures associated with Rule 403.1. **SC-AQ-1** is required to remain consistent to the Coachella Valley PM<sub>10</sub> State Implementation Plan.

The proposed Project's emissions exceed the regional significance thresholds, even with mitigation measures, and would therefore be considered significant and unavoidable. (Draft EIR, p. 4.4-46.)

## **2. Criteria Pollutants**

- Threshold: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- Finding: Significant and unavoidable impact. (Draft EIR, p. 4.4-47.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)
- Explanation: Projects could contribute to an existing or projected air quality exceedance because the South Coast Air Basin (SoCAB) is currently in nonattainment for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. With regard to determining the significance of the cumulative contribution from the Project, the SCAQMD recommends that any given project's potential contribution to cumulative impacts be assessed using the same significance criteria as for project-specific impacts. Therefore, individual projects that do not generate operational or construction emissions that exceed the SCAQMD's daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the air basin is in nonattainment and therefore would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable. As previously noted, the Project will not exceed the applicable SCAQMD regional thresholds for construction (with mitigation incorporated); however, the Project will exceed the applicable SCAQMD regional thresholds for operational-source emissions. The proposed Project's emissions exceed the regional significance operational thresholds, even with mitigation measures, and would therefore be considered significant and unavoidable. (Draft EIR, p. 4.4-47.)

## **D. TRANSPORTATION / TRAFFIC**

### **1. Plans, Policies, and Ordinances**

- Threshold: Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components

of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Finding: Significant and unavoidable. (Draft EIR, p. 4.14-31.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (State CEQA Guidelines, section 15091(a)(2).)

Explanation:

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

Intersection levels of service for the existing network with background growth, and the proposed Project are shown in **Table 4.14.4-7, Intersection Analysis for Project Completion (Year 2022) With Project Conditions**. As shown in **Table 4.14.4-7**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact.

For the Project Completion (Year 2022) With Project traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours, with the exception of the following intersections that are expected to operate at an unacceptable Level of Service during peak hours without mitigation:

- Tyler Street at Avenue 47; and
- SR-86 at Avenue 50.

It should be noted that improvements for existing plus Project conditions include roadway construction and traffic control which will be part of the Project design. The analysis software used for the TIS cannot calculate LOS for uncontrolled intersections or nonexistent roads, and thus a "without mitigation" scenario is not applicable in this case.

With implementation of intersection improvements as mitigation measures, shown in **Table 4.14.4-8, Intersection Mitigation for Project Completion (Year 2022) With Project Conditions**, all study area intersections are projected to operate at LOS D or better in the Project Completion (Year 2022) With Project peak hour conditions.

This is reflected in **Mitigation Measure MM-TR-2**, which requires the Project applicant (prior to the 1st occupancy) to complete several specific intersection improvements. Although implementation of the improvements defined in **MM-TR-2** would reduce the significant impacts, the City cannot control the timing of when the intersection improvement for the location on Caltrans facilities (SR-86 and Avenue 50) is implemented. For this reason, even with implementation of **MM-TR-2**, impacts would remain significant and unavoidable at this location. (Draft EIR, pp. 4.14-31--4.14-35.)

**MM-TR-2** For Project Completion (Year 2022) With Project Conditions, the Project applicant is required to make the following improvements at the following intersections (prior to the 1st occupancy):

- Tyler Street and Avenue 47:
  - Install NB left-turn lane.
  - o Install NB thru-turn lane.
  - o Install SB left-turn lane.
  - o Install SB thru-turn lane.
  - o Install EB left-turn lane.
  - o Install EB thru-turn lane.
  - o Install WB left-turn lane.
  - o Install WB thru-turn lane.
- Intersection of SR-86 and Avenue 50:
  - o Install a traffic signal.

Project Completion (Year 2022) With Project and Cumulative Projects Traffic Volumes

Project Completion (Year 2022) With Project and Cumulative Projects traffic conditions include existing traffic volumes on surrounding roadways, Project traffic, cumulative projects traffic, and area wide growth. The AM and PM peak hour intersection turning movement volumes and average daily traffic are shown on **Figure 4.14.4-27, Project Completion (Year 2022) With Project and Cumulative Project Traffic Volumes**.

Intersection Level of Service for Project Completion (Year 2022) With Project and Cumulative Projects Conditions Intersection levels of service for the existing network with background growth, and the proposed Project are shown in **Table 4.14.4-10, Intersection Analysis for Project Completion (Year 2022) With Project and Cumulative Conditions**. As shown in **Table 4.14.4-10**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact. For the Project Completion

(Year 2022) With Project and Cumulative Projects traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours, with the exception of the following intersections that are expected to operate at an unacceptable Level of Service during peak hours without mitigation:

- Dillon Road at I-10 WB Ramps;
- Dillon Road at I-10 EB Ramps;
- Dillon Road at Shadow View Boulevard;
- Dillon Road at SR-86 NB Ramps;
- Dillon Road at SR-86 SB) Ramps;
- Dillon Road at Avenue 48;
- Tyler Street at Avenue 47;
- Tyler at Avenue 48;
- Tyler Street at Avenue 50;
- SR-86 at Avenue 50; and
- Polk Street at Avenue 50.

It should be noted that improvements for existing plus Project conditions include roadway construction and traffic control, which will be part of the Project design. The analysis software used for the TIS cannot calculate LOS for uncontrolled intersections or nonexistent roads, and thus a "without mitigation" scenario is not applicable in this case.

With payment of fair-share contribution to intersection improvements as mitigation measures, all study area intersections are projected to operate at LOS D or better in the Project Completion (Year 2022) With Project and Cumulative Projects peak hour conditions.

This is reflected in **Mitigation Measure MM-TR-3**, which requires the Project applicant (prior to the 1st occupancy) to make a fair-share contribution for several improvements, as shown on Draft EIR **Table 4.14.4-12, Project Fair-Share Intersection Contribution for Project Completion (Year 2022) With Project and Cumulative Conditions**. It should be noted that improvements required under **Mitigation Measures MM-TR-1** and **MM-TR-2** will not require a fair-share contribution in addition to the physical improvements for the following intersections listed in **Table 4.14.4-12**.

Although payment of fair-share contribution to the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, even with implementation of **MM-TR-3**, impacts would remain significant and unavoidable at these locations. (Draft EIR, p. 4.14-37--4.14-45.)

**MM-TR-3** For Project Completion (Year 2022) With Project and Cumulative Projects Conditions, the Project applicant shall make a fair-share contribution for the following improvements at the following intersections, as shown on Table 4.14.4-12 [of the Draft EIR] (prior to the 1st occupancy:

- Dillon Road and I-10 WB Ramps: 13.5%
  - Install Traffic Signal
- Dillon Road and I-10 EB Ramps: 17.94%
  - Install Traffic Signal
- Dillon Road and Shadow View Boulevard: 20.86%
  - Install Two (2) NB right-turn lanes
  - Install NB right-turn overlap phase
  - Install One (1) additional SB left-turn lane
  - Install One (1) additional WB left-turn lane
  - Install WB right-turn overlap phase
- Dillon Road and SR-86 NB Ramps 22.83%
  - Install One (1) additional NB thru lane
- Dillon Road and SR-86 SB Ramps 24.14%
  - Install One (1) additional NB thru lane
  - Install One (1) additional NB right-turn lane
- Dillon Road and Avenue 48: 23.96%
  - Install One (1) additional EB right-turn lane
  - Install One (1) additional WB right-turn lane
- • Tyler Street and Avenue 47: 48.34%
  - Install Traffic Signal
  - Install One (1) additional NB left-turn lane
- Tyler Street and Avenue 48: 32.62%
  - Install Traffic Signal
  - Install NB left-turn lane
  - Install NB thru lane
  - Install SB left-turn lane
  - Install SB thru lane
  - Install EB left-turn lane
  - Install EB thru lane
  - Install WB left-turn lane
  - Install WB thru lane
- Tyler Street at Avenue 50: 13.82%
  - Install Traffic Signal
  - Install Three (3) NB left-turn lanes
  - Install One (1) additional SB thru lane
  - Install Two (2) additional SB right-turn lanes
  - Install SB right-turn overlap phase
  - Install Two (2) EB left-turn lanes
  - Install Two (2) EB right-turn lanes
  - Install EB right-turn overlap phase
- SR-86 and Avenue 50: 13.59%



- Install One (1) additional NB thru lane
- Install Two (2) additional SB right-turn lanes
- Install Two (2) additional EB left-turn lanes
- Install One (1) additional EB thru lane
- Install One (1) EB right-turn lane
- Install One (1) WB right-turn lane
- Install One (1) additional WB thru lane
- Improve signal phasing to protected east/west
- Polk Street at Avenue 50: 3.33%
  - Install Traffic Signal
  - Install NB left-turn lane
  - Install NB thru turn lane
  - Install SB left-turn lane
  - Install SB thru turn lane
  - Install EB left-turn lane
  - Install EB thru turn lane
  - Install WB left-turn lane
  - Install WB thru turn lane

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

Intersection levels of service for the General Plan Buildout (Year 2035) With Project conditions are shown in **Table 4.14.4-16, Intersection Analysis for General Plan Buildout (Year 2035) With Project Conditions**. As shown in **Table 4.14.4-16**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact.

For the General Plan Buildout (Year 2035) With Project traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours, with the exception of the following intersections that are expected to operate at an unacceptable Level of Service during peak hours without mitigation:

1. Dillon Road at I-10 WB Ramps;
2. Dillon Road at I-10 EB Ramps;
4. Dillon Road at Shadow View Boulevard;
5. Dillon Road at SR-86 NB Ramps;
6. Dillon Road at SR-86 SB Ramps;
7. Dillon Road at Avenue 48;
10. Tyler Street at Avenue 47;
11. Tyler at Avenue 48;
12. Tyler Street at Avenue 50;
13. SR-86 at Avenue 50; and
18. Polk Street at Avenue 50.

With implementation of intersection improvements as mitigation measures, all study area intersections are projected to operate at LOS D or better in the General Plan Buildout (Year 2035) With Project peak hour conditions. These improvements are reflected in **MM-TR-3**, which requires the Project applicant (prior to the 1st occupancy) to make a fair-share contribution for the following improvements at the following intersections, as shown on **Table 4.14.4-12**.

Although implementation of the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, even with implementation of **MM-TR-3**, impacts would remain significant and unavoidable at these locations. Lastly, it should be noted that the Project fair-share contribution is lower for the General Plan Buildout (Year 2035) With Project Conditions than the Project Completion (Year 2022) With Project and Cumulative Conditions. However, the payment of fair-share contribution was made prior to the 1st occupancy. (Draft EIR, pp. 4.14-51—4.14-54.)

## 2. Congestion Management Programs

Threshold: Does the Project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Finding: Significant and unavoidable. (Draft EIR, p. 4.14-56.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (State CEQA Guidelines, section 15091(a)(2).)

Explanation: The CMP utilizes a LOS standard of LOS E, except for non-exempt locations where the standard is LOS F. The Project intersection impact analyses discussed above as part of the discussion contained under Threshold a, above, is based on the more restrictive LOS D standards from the local jurisdiction in which the intersection is located (City of Coachella). The CMP system in the City of Coachella Valley includes SR-111, SR-86, and I-10.

According to **Table 4.14.4-4, Intersection Analysis for Existing Plus Project Conditions**, shows that no impacts will occur to study area intersections on SR-111, SR-86, or I-10 that would cause these intersections to operate at less than CMP LOS E standard. No impacts are anticipated.

**Table 4.14.4-7, Intersection Analysis for Project Completion (Year 2022) With Project Conditions**, shows three study area intersections on SR-111, SR-86, or I-10 are not forecast to operate at less than the CMP LOS E standard in the Project Completion (Year 2022) With Project Conditions with the incorporation of **Mitigation Measure TR-2**.

**Table 4.14.4-10, Intersection Analysis for Project Completion (Year 2022) With Project and Cumulative Conditions**, shows two study area intersections (SR-86 and I-10) are forecast to operate at less than the CMP LOS E standard in the Project Completion (Year 2022). Because the proposed Project causes the LOS to fall below the standard or causes further degradation at these intersections, this is considered to be a Project direct significant impact and mitigation is required. Mitigation for this significant impact is provided in **MM-TR-3**. Although implementation of the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities are implemented. For this reason, even with implementation of MM-TR-3, impacts would remain significant and unavoidable at these locations. SR-111 operates at an acceptable LOS. No mitigation is required.

**Table 4.14.4-16, Intersection Analysis for General Plan Buildout (Year 2035) With Project Conditions**, shows two study area intersections (SR-86 and I-10) are forecast to operate at less than the CMP LOS E standard in the General Plan Buildout (Year 2035) With Project Conditions. Because the proposed Project causes the LOS to fall below the standard or causes further degradation at these intersections, this is considered to be a Project direct significant impact and mitigation is required. Mitigation for this significant impact is provided in **MM-TR-3**. Although implementation of the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities are implemented. For this reason, even with implementation of MM-TR-3, impacts would remain significant and unavoidable at these locations. SR-111 operates at an acceptable LOS. No mitigation is required.

Mitigation for this significant impact is provided in **Mitigation Measures MM-TR-2** and **MM-TR-3**. Although implementation of **Mitigation Measures MM-TR-2** and **MM-TR-3** would reduce the significant impacts by requiring the Project's fair share contribution in the form of DIF and TUMF fee payments towards the future intersection

improvements, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. TUMF is included as **Standard Condition SC-TR-1**. For this reason, even with implementation of **Standard Condition SC-TR-1**, and **Mitigation Measures MM-TR-2** and **MM-TR-3**, cumulative impacts would remain significant and unavoidable at these locations. (Draft EIR, pp. 4.14-56—4.14-57.)

## **SECTION V** **CUMULATIVE IMPACTS**

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

### **AESTHETICS RESOURCES**

Development of the proposed Project will contribute to the change of the general area with an intensification of development substantially greater than that which presently occurs on the site or in the surrounding vicinity. There will be an associated change in views, both to and from the Project site, and due to this Project's contribution to the change in the area pastoral landscape, this change in scenic views has been identified as cumulatively considerable and an unavoidable significant adverse impact if this Project is developed before any of the other proposed development in the area. The proposed Project modifications to the onsite landscape were not identified as being a significant adverse aesthetic/visual impact. Since the proposed Project makes a cumulatively considerable contribution to the cumulative change that will be experienced at this location, it is considered to cause/contribute to a cumulatively significant adverse impact. (Draft EIR, p. 6-4.)

### **AGRICULTURE AND FOREST RESOURCES**

The Project is consistent with the adopted General Plan Update (2015) and impacts on agricultural resources were determined to be significant and unavoidable as a result of the Project. Cumulative impacts to agricultural resources were determined to be adequately evaluated in the General Plan Update Final EIR (2015) and, therefore, pursuant to §15152(f)(1), cumulative impacts to agricultural resources are treated as significant for purposes of this EIR, consistent with the General Plan Update Final EIR (2015). (Draft EIR, p. 6-4.)

### **AIR QUALITY/GREENHOUSE GAS**

The City of Coachella's Climate Action Plan provides direction on how the City plans to achieve a 15% reduction below 2010 (per service population) emissions by 2020. Projects that do not exceed 3,000 MTCO<sub>2</sub>e per year will be consistent with the GHG Plan with the incorporation of **MM-AQ-10** through **MM-AQ-13** and the planting of approximately 2,406 new trees, the Project's emissions would be reduced to 3.27 MTCO<sub>2</sub>e/SP/yr., which meets the threshold. Therefore, operation of the proposed Project would not create a significant cumulative impact to global climate change.

## **BIOLOGICAL RESOURCES**

With the incorporation of standard conditions and mitigation, the Project will not cause adverse cumulative effects related to the reduction of sensitive vegetation communities present in Riverside County because there are no such species located within the Project area and the Project can be implemented consistent with the criteria identified in the CVMSHCP.

Because the proposed Project and the cumulative projects in the Coachella Valley would comply with the CVMSHCP, and the CVMSHCP and its associated EIR/EIS have analyzed cumulative impacts within the region of the proposed project under CEQA, NEPA, CESA, and FESA, cumulative impacts to biological resources associated with the proposed Project have been previously considered and analyzed. It was determined in the EIR/EIS that cumulative impacts to biological resources would be less than significant through the implementation of the CVMSHCP.

The proposed Project and any other future public or private projects are subject to CVMSHCP compliance including the payment of fees (see SC-BIO-1), which helps cover the cost of acquiring habitat and implementing the CVMSHCP and, therefore, any cumulative impacts on biological resources are less than significant. (Draft EIR, pp. 6-6—6-8.)

## **CULTURAL RESOURCES**

The proposed Project, in conjunction with other development in the City, has the potential to cumulatively impact archaeological and paleontological resources; however, it should be noted that each development proposal received by the City undergoes environmental review pursuant to CEQA. However, with implementation of **MM-CUL-1** through **MM-CUL-5**, the contribution of the Specific Plan to the cumulative loss of known and unknown cultural resources throughout the City would be reduced to below a level of significance. (Draft EIR, pp. 6-8—6-9.)

## **GEOLOGY AND SOILS RESOURCES**

The proposed Project would be required to implement **MM-GEO-1** through **MM-GEO-4**, and comply with applicable State and local requirements, including but not limited to the City of Coachella Building Code and the California Building Code. The proposed Project's individual impacts related to geotechnical constraints are considered less than significant after mitigation. Therefore, the Project's contribution to regional cumulative impacts regarding geotechnical constraints is considered potentially less than significant. (Draft EIR, p. 6-9.)

## **HAZARDS AND HAZARDOUS MATERIALS**

According to the analysis above, with adherence to standard conditions, and mitigation measures, Project impacts will not exceed established thresholds for hazards and hazardous materials. Since the Project is below the established thresholds, cumulative impacts will remain less than significant.

On the other hand, as the City grows, the demand for public service resources to respond

to hazards and hazardous materials grows incrementally. The Project will add to the cumulative demand for such resources.

Each future Project within the Vista Del Agua Specific Plan shall participate in the Development Impact Fee Program as adopted by the City to mitigate a portion of these impacts. This will provide funding for capital improvements such as land, equipment purchases and fire station construction. The Project will contribute incrementally to cumulative impacts related to the need to reduce cumulative effects on Fire Services.

The Project's potentially significant or cumulative considerable impacts to Fire Protection and Emergency Response Services can be reduced to less than significant and payment of fees by all cumulative projects can effectively reduce the overall cumulative impacts to such services. Therefore, cumulative impacts are considered less than significant. (Draft EIR, pp. 6-9—6-10.)

### **HYDROLOGY AND WATER QUALITY**

Each of the cumulative projects, individually and cumulatively, could potentially increase the volume of storm water runoff and contribute to pollutant loading in storm water runoff reaching both the City's storm drain system and the Whitewater River, resulting in cumulative impacts to hydrology and surface water quality. However, as with the proposed Project, each of the cumulative projects would also be subject to NPDES and MS4 Permit requirements for both construction and operation. Each project would be required to develop a SWPPP and WQMPs and would be evaluated individually to determine appropriate BMPs to minimize impacts to surface water quality and vector. These requirements are reflected in **Standard Conditions SC-HYD-1, SC-HYD-2, SC-HYD-3, and SC-HYD-4** (construction general permit, water quality management plans, BMPs, and hydrology reports, respectively), as well as **MM-HYD-1**.

In addition, the City Department of Public Works reviews all development projects on a case-by-case basis to ensure that sufficient local and regional drainage capacity is available. Thus, the Project's contribution to cumulative impacts to hydrology and water quality would be *less than significant*. (Draft EIR, p. 6-10.)

### **LAND USE AND PLANNING**

Implementation of the proposed Project, when considered in conjunction with other existing and planned developments in the Project area, would result in the development of a mostly vacant and undeveloped site. With the incorporation of the CVMSHCP Mitigation Fee (see **SC-BIO-1**), the Project will not conflict with any applicable habitat conservation plan or natural community conservation plan. Cumulative impacts are considered less than significant with incorporation of this standard condition. (Draft EIR, pp. 6-10—6-11.)

### **NOISE**

For the proposed Project, cumulative impacts are the incremental effects of the proposed Project when viewed in connection with the effects of past, current, and potential future projects within the cumulative impact area of the City of Coachella. Because Project impacts are below

established thresholds for these issue areas, when combined with other Projects in the area, it will not result in any cumulative impacts. (Draft EIR, pp. 6-11—6-12.)

## **POPULATION AND HOUSING**

The proposed Project together with other commercial and residential developments within the City will serve an existing demand for employment, while also meeting the cumulative demand of employment that will result from the City's projected future population. These increases for population, housing, and employment would be within the total projected growth forecasts for 2035 by the City. Implementation of the proposed project would not result in a cumulatively significant population or housing impact and the proposed Specific Plan land uses would not significantly induce growth in areas where growth was not previously anticipated. (Draft EIR, p. 6-11.)

## **PUBLIC SERVICES AND RECREATION RESOURCES**

The Project, in conjunction with other developments will result in the incremental increased demands on public services. However, the General Plan Update (2015) proposes multiple strategies and policies to reduce potential cumulative impacts on an individual project basis through the requirement and phasing of infrastructure necessary to support the Project and payment of Development Impact Fees. These General Plan Update (2015) policies, conditions of approval, and payment of development fees will reduce potential incremental impacts on public facilities and ensure the provision of adequate levels of service. Therefore, cumulative impacts would be less than significant.

The proposed Project would also contribute to a cumulative growth in population. However, because the proposed Project includes an amount of parkland and recreational areas that exceeds the minimum requirements of the City either through dedication or payment of in-lieu fees, implementation of the proposed Project would not have a significant cumulative contribution to increased uses and physical deterioration of existing parks and recreational facilities.

Implementation of the proposed Project in combination with cumulative projects in the area would increase use of existing parks and recreation facilities. However, as future residential development is proposed, the City would require developers to provide the appropriate amount of parkland or pay the in-lieu fees, which would contribute to future recreational facilities. Payment of these fees and/or implementation of new parks on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities, or new parks. Therefore, the Project's cumulative contribution impacts to parks and recreation resources would be less than significant. (Draft EIR, pp. 6-12—6-13.)

## **TRANSPORTATION/TRAFFIC**

The Project's contribution to the Transportation Uniform Mitigation Fee (TUMF) program as a fair share contribution is considered sufficient to address the Project's fair share toward a mitigation measure or measures designed to alleviate any potential cumulative impacts. With adherence to standard conditions and mitigation measures, established thresholds related to

transportation/traffic can be mitigated under CEQA. However, even though implementation of the mitigation measures would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, cumulative impacts would remain significant and unavoidable at these locations (Caltrans facilities SR-86, and I-10) with the Project and cumulative projects factored in.

In addition, the cumulative impacts to Dillon Road (I-10 to SR-86 and SR-86 to Highway 111) in 2035 Plus Project condition has been identified as a potentially significant and unavoidable impact because additional widening beyond the General Plan classification is likely infeasible. (Draft EIR, pp. 6-13—6-14.)

### **UTILITIES AND SERVICE SYSTEMS**

According to the Coachella Valley Water District (CVWD), there is an adequate water supply and sewer capacity, respectively, to meet the demand of the Project(s). Water and wastewater management systems are capable of meeting the cumulative demand for these systems. Thus, the Project will not cause cumulatively considerable significant adverse impacts on these systems.

Cumulative impacts to landfill capacity will be less than significant due to the Project construction debris and operational waste representing a less than substantial cumulative increment with adherence to standard conditions. Therefore, due to available capacity and implementation of the above Standard Conditions, which provide for recycling on site to reduce Project operational waste, cumulative impacts to the existing landfills resulting from waste generated by Project implementation are considered less than significant.

Since the project would constitute a small incremental increase of the current residential and commercial customer base and the Project is required to comply with California Code of Regulations Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings (see **Standard Condition SC-UTIL-6**) and be served by existing service and transmission lines within and around the Project area, this Project's cumulative energy impacts are concluded to a less than significant cumulative impact.

As previously stated, the analysis of cable, telephone and internet services is defined as the service territory for Time Warner Cable and Verizon. Both Time Warner Cable and Verizon would extend current facilities to meet project service demands. As these services are not operating above capacity, these service providers are anticipated to meet communication demands associated with past, present, and future development within the project area. Therefore, no cumulative impacts related to cable, telephone, and internet service will occur due to Project implementation. (Draft EIR, p. 6-14.)

## **SECTION VI** **FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL** **CHANGES**



Sections 15126(c) and 15126.2(c) of the CEQA Guidelines, require that an EIR address any significant irreversible environmental changes that would occur should the project be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents; or
- The proposed consumption of resources is not justified.

Development of the Project would cause an irretrievable commitment to the change of the general area with an intensification of development substantially greater than that which presently occurs on the site or in the surrounding vicinity. In particular, there will be an associated change in views, both to and from the Project site, and due to this Project's contribution to the change in the area pastoral landscape, this change in scenic views would result in significant and unavoidable impacts to aesthetics. Furthermore, the Project site and the immediate surrounding area are relatively undeveloped with little to no existing light sources, and thus the Project is anticipated to introduce a substantial amount of light and glare sources, where none previously existed, resulting in a significant adverse impact. (Draft EIR, p. 6-2.)

Conversion of the Project site from vacant land to residential, commercial and open space uses will permanently remove the potential for the land to be farmed in the future, resulting in significant unavoidable impacts to agriculture and forest resources. (Draft EIR, p. 6-2.)

Once the Project is fully operational, the Project is anticipated to exceed SCAQMD regional thresholds, even with the incorporation of mitigation measures. Thus, the Project is anticipated to have significant unavoidable impacts to air quality. (Draft EIR, pp. 6-2—6-3.)

With adherence to **Standard Condition SC-TR-1** and incorporation of **Mitigation Measures MM-TR-1** through **MM-TR-5**, established thresholds related to transportation/traffic can be mitigated under CEQA. However, even though implementation of the improvements defined in **Mitigation Measure MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, even with implementation of **MM-TR-3**, cumulative impacts would remain significant and unavoidable at these locations (Caltrans facilities (SR-86, and I-10) with the Project and cumulative projects factored in. In addition, the cumulative impacts to Dillon Road (I-10 to SR-86 and SR-86 to Highway 111) in 2035 Plus Project condition has been identified as a potentially significant and unavoidable impact because additional widening beyond the General Plan classification is likely infeasible. (Draft EIR, p. 6-3.)

## **SECTION VII** **GROWTH-INDUCING IMPACTS**

Section 15126.2(d) of the State CEQA Guidelines requires a Draft EIR to discuss the ways the Project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. In accordance with State CEQA Guidelines Section 15126.2(d), a Project would be considered to have a growth-inducing effect if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment;
- Remove obstacles to population growth (e.g., construction of an infrastructure expansion to allow for more construction in service areas);
- Tax existing community service facilities, requiring the construction of new facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

In addition, CEQA Guidelines that that growth inducement must not be assumed.

The proposed Project together with other commercial and residential developments within the City will serve an existing demand for employment, while also meeting the cumulative demand of employment that will result from the City's projected future population. These increases for population, housing, and employment would be within the total projected growth forecasts for 2035. In addition, implementation of the proposed project would be consistent with the City's vision of the Project site because the existing General Plan Update (2015) designation for the site is "Specific Plan." Implementation of the proposed Project would not result in a cumulatively significant population or housing impact and the proposed Specific Plan land uses would not significantly induce growth in areas where growth was not previously anticipated. Therefore, the Project is not considered growth inducing. (Draft EIR, p. 6-1.)

## **SECTION VIII** **ALTERNATIVES**

### **A. BACKGROUND**

The Draft EIR analyzed three alternatives to the Project as proposed and evaluated these alternatives for their ability to avoid or reduce the Project's significant environmental effects while also meeting the majority of the Project's objectives. The City finds that it has considered and rejected as infeasible the alternatives identified in the EIR and described below. This section sets forth the potential alternatives to the Project analyzed in the EIR and evaluates them in light of the Project objectives, as required by CEQA.

Where significant impacts are identified, section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

- (a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

- (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

- (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or

substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

**B. PROJECT OBJECTIVES**

The following objectives have been established for the Project (Draft EIR, p. 5-1):

1. Create a distinctive “sense of community” unifying areas through high quality design criteria and utilizing the natural surroundings;
2. High Connectivity - Implement an aesthetically pleasing and functional community concept by integrating community areas, residential areas, parks and commercial areas through connection of walkways, paseos and trails;
3. Provide community focus areas within walking distance between neighborhoods;
4. Provide a balanced mix of economically viable commercial and residential land uses that will promote local job creation;
5. Provide a transition blend of rural and suburban lifestyles; and
6. Provide a diverse mix of housing options.

**C. ALTERNATIVES CONSIDERED BUT REJECTED FROM DETAILED ANALYSIS**

Section 15126.6(c) of the State CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency’s determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following alternatives were considered but rejected as part of the environmental analysis for the Project.

1. **Desert Lakes Property (Alternative Project Site):** The 1,500 ac Desert Lakes property on the north side of I-10 between Polk Street and Lincoln Street was considered as an alternative site. This alternative site would still need infrastructure to be brought up through La Entrada to get potable water and sewer flows to the Coachella Waste Water Treatment Plant at Avenue 54 and Polk Street. However, this alternative location was dismissed from further analysis because it is not under the control of the applicant and is considerably large in

size than the proposed Project. Analysis of this alternative site is therefore not feasible. (Draft EIR, p. 5-2.)

2. **Shadow View Area (Alternative Project Site):** The 750 ac Shadow View Specific Plan property and land adjacent to that property was considered. The Shadow View area is bounded on the west by the 86-S Expressway and Dillon Road, on the north by I-10, on the east by the Coachella Canal, and on the south by Avenue 50.” However, this alternative location was also dismissed from further analysis because it is not under the control of the applicant and is considerably larger in size than the proposed Project. Analysis of an alternative site is therefore not feasible. (Draft EIR, p. 5-2.)

**Finding:** The City Council rejects both the Desert Lakes Property and the Shadow View Area Alternative Sites, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative sites do not avoid any significant and unavoidable impacts, (2) the alternative sites would likely not further reduce any of the proposed project’s significant impacts; and (3) the alternative sites are technically, financially, and legally infeasible given that the Project Applicant does not own other land that would accommodate the proposed Project. Therefore, the Desert Lakes Property and the Shadow View Area Alternative Sites are eliminated from further consideration.

#### **D. EVALUATION OF ALTERNATIVES SELECTED FOR ANALYSIS**

The alternatives selected for further detailed review within the EIR focus on alternatives that could the Project’s significant environmental impacts, while still meeting most of the basic Project objectives. Those alternatives include:

- **Alternative 1: No Project/No Build Alternative** (Draft EIR, pp. 5-3 to 5-13)
- **Alternative 2: Reduced Residential Density Alternative** (Draft EIR, pp. 5-13 to 5-17)
- **Alternative 3: Vista del Sur Access Alternative** (Draft EIR, pp. 5-18 to 5-21)

##### **1. Alternative 1: No Project/No Build Alternative**

Description: Under Alternative 1, the Project would not be constructed, and the Project site would remain in its current undeveloped condition. No new development would occur on the site, and no ground-disturbing activities would be undertaken, although it is likely the site will ultimately be developed in the future since the General Plan Update (2015) envisions change in this area. (Draft EIR, p. 5-12.)

Impacts: Alternative 1 would reduce all the significant and unavoidable impacts occurring under the Project to no impact or levels that are less than significant, including with respect to aesthetics, agriculture, operational air quality emissions, and transportation/traffic because the site would not be developed. (Draft EIR, pp. 5-3-5-13.) Alternative 1 would result in greater impacts to land use/planning than the Project

because the existing vacant Project site would remain, which is inconsistent with the General Plan Update (2015) and zoning underlying the Project site. (Draft EIR, p. 5-7.) According to the General Plan Update (2015), the Land Use Designations on the Project site include Neighborhood Center, Suburban Retail District, Urban Neighborhood, General Neighborhood and Suburban Neighborhood (General Plan Update [2015], p. 04-59). The 2013 General Plan Land Use that is used in the Draft EIR has a designation of Entertainment Commercial (Draft EIR, p. 3-12). The current Zoning Classifications are General Commercial, Residential Single-Family, and Manufacturing Service (Draft EIR, p. 3-12). Allowing the site to remain vacant would not achieve development of the land uses envisioned under both the 2013 General Plan and the 2015 General Plan Update, nor would infrastructure be developed consistent with the City's Circulation Element. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020)

Attainment of Project Objectives: Alternative 1 would not meet any of the identified objectives established for the proposed Project. For example, the No Project/No Build Alternative would not create a distinctive “sense of community” by unifying the areas through development, nor will it provide a diverse mix of housing options for the community. Nor would the community be connected or developed with a balanced mix of economically viable commercial and residential land uses. Housing options would not be provided and there would be no transition between rural and suburban lifestyles, as would be created by the Project. None of these Objectives would be met under Alternative 1. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020)

Feasibility: Allowing the site to remain vacant would not achieve development of the land uses envisioned under both the 2013 General Plan and the 2015 General Plan Update, nor would infrastructure be developed consistent with the City's Circulation Element. Alternative 1 would also not provide a reasonable development expected, and planned for, by the City. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020)

Finding: The City Council rejects Alternative 1: No Project, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the Project objectives; (2) the alternative is infeasible.

## **2. Alternative 2: Reduced Residential Density Alternative (RRDA)**

Description: A Reduced Density Residential Alternative (RRDA) was chosen to address significant unavoidable impacts associated with implementation of the Project. Unlike the Project that proposes up to 1,640 dwelling units within seven Planning Areas, the RRDA assumes that a total of 909 dwelling units will be developed overall. For purposes of analysis this alternative assumes that the all 216.48 acres of residential acreage

development will be developed at 4.2 dwelling units per acre under the RRDA. (Draft EIR, p. 5-13.)

Impacts: The RRDA will result in similar significant and unavoidable aesthetic and agricultural impacts as that of the Project because the Project development overall footprint will be assumed to remain the same, and the scale and amount of development would be comparable. (Draft EIR, pp. 5-13—5-14.) However, it would reduce the Project's significant and unavoidable air quality and transportation impacts. Impacts to land use/planning will be greater under the RRDA. On the other hand, RRDA will have reduced air quality/greenhouse gas and transportation/traffic impacts than the proposed Project. (Draft EIR, pp. 5-14, 5-16.)

Attainment of Project Objectives: The reduction of the Project size under the RRDA has a comparable negative effect on the ability of the Project to meet Project costs, i.e. development feasibility and certain Project objectives may not be attained because certain infrastructure improvements may not be feasible. In particular, the RRDA will not meet the following Project objectives:

- High Connectivity - Implement an aesthetically pleasing and functional community concept by integrating community areas, residential areas, parks and commercial areas through connection of walkways, paseos and trails;
- Provide community focus areas within walking distance between neighborhoods;
- Provide a balanced mix of economically viable commercial and residential land uses that will promote local job creation;
- Provide a transition blend of rural and suburban lifestyles; and
- Provide a diverse mix of housing options

(Draft EIR, p. 5-17; Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Furthermore, less fees and funding would be provided through the RRDA to upgrade regional transportation infrastructure, public service and utilities.

Feasibility: The RRDA is inconsistent with the land use designations set forth in the General Plan Update 2015. According to the General Plan Update (2015), the Land Use Designations on the Project site include Neighborhood Center, Suburban Retail District, Urban Neighborhood, General Neighborhood and Suburban Neighborhood (General Plan Update [2015], p. 04-59). Development of 216.48 acres of the site with a density of 4.2 dwelling units per acre does not comply with the current land use designations. Of the residential land use designations underlying the Project site, the largest is the General Neighborhood designation, which permits 7-25 dwelling units per acre with an average of 12 dwelling units per acre for new projects. The RRDA is substantially below this

average. The Urban Neighborhood designation permits 20-35 dwelling units per acre, with a 30 dwelling unit average. The RRDA's 4.2 dwelling units per acre would be inconsistent with this designation. The Suburban Neighborhood designation, making up a smaller portion of the Project site, allows 2-8 dwelling units per acre with a 5 dwelling unit per acre average for new projects. While the RRDA would comport with this designation, it is still below the average number of dwelling units for new projects.

The Project site is located within Subarea 11 – Commercial Entertainment District, as set forth in the General Plan Update 2015. The vision for this subarea provides “a range of residential densities and building types should be encouraged in this subarea, provided they are designed to integrate with the high intensity commercial uses planned for the area. The subarea must also exhibit strong, fine-grained connections to the surrounding neighborhoods of the subarea and the adjacent subareas, allowing community members easy access to shopping and entertainment.” (General Plan Update [2015], p. 04-76.) The RRDA would provide only one type of residential density, not a range of residential densities. Additionally, as set forth above, the reduced number of units in the RRDA would compromise the viability of the commercial areas, limiting future residents' access to shopping and entertainment.

The Policy Direction for Subarea 11 provides for up to 25 percent Suburban Neighborhood in the final designation mix. (General Plan Update [2015], p. 04-76.) Development of 216.48 acres of the Project area as Suburban Neighborhood under the RRDA would compromise the final designation mix set forth in the General Plan Update 2015.

The RRDA would not comply with the current zoning on site, which consists of General Commercial, Residential Single-Family, and Manufacturing Service (Draft EIR, p. 3-12). The RRDA proposes development of 4.2 dwelling units per acre in the area planned for residential uses under the Project. The majority of this acreage is currently designated General Commercial, which does not permit single-family residential uses. Thus, the RRDA is inconsistent with current zoning.

The alternative is economically infeasible because the reduced dwelling units planned under the RRDA would not support a viable mix of commercial uses. Additionally, less fees and funding would be provided through the RRDA to upgrade regional transportation infrastructure, public service and utilities. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Finding: The City Council rejects Alternative 2: Reduced Residential Density Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet most of the Project objectives; (2) the alternative fails to avoid or reduce the Project's significant and unavoidable impacts relating to aesthetics and agriculture and would result in increased impacts relating to land use planning; and (3) the alternative is infeasible.



### 3. **Alternative 3: Vista Del Sur Alternative**

Description: The Vista del Sur Alternative (VDSA) is being analyzed in the event that the westerly extension of Avenue 48/Shadow View Boulevard cannot be completed due to the need for the Project applicant to acquire the necessary right-of-way to install this roadway. Vista del Sur is a dedicated City roadway which connects to the northerly extension of Street “A.” This alternative would allow for the development of the Project as proposed but with another connection to Dillon Road to the west of the Project site. Under the VDSA scenario, approximately 5,834 linear feet of roadway (at 30’ in width) will be constructed. This is in contrast to the Project’s westerly extension of Avenue 48/Shadow View Boulevard that would involve 11,600 linear feet of roadway improvements. (Draft EIR, p. 5-18.)

Impacts: The VDSA would not involve the removal of aesthetic resources that would occur under the westerly extension of Avenue 48/Shadow View Boulevard, but all other Project impacts to aesthetic resources would remain the same. Accordingly, aesthetic resource impacts from VDSA would be less than that of the proposed Project but would not completely avoid or reduce the significant and unavoidable aesthetic impacts. (Draft EIR, p. 5-18.) With respect to agricultural resources, the VDSA would have less impacts than the Project because it would not involve the removal of agricultural resources that would otherwise occur under the westerly extension of Avenue 48/Shadow View Boulevard if the proposed Project were to proceed. (Draft EIR, p. 5-18.) However, VDSA would not eliminate or reduce the significant and unavoidable impacts on agricultural resources. Similarly, the VDSA would have reduced air quality impacts than the Project, resulting in a 50% reduction in construction emissions, and less cumulative greenhouse gas emissions, but does not eliminate or reduce the significant and unavoidable air quality/greenhouse gas impacts. (Draft EIR, p. 5-18.)

Finally, VDSA would also have significant and unavoidable transportation/traffic issues. (Draft EIR, p. 5-20.) Thus, implementation of mitigation measures would still be required. The configuration of the intersection of Vista Del Sur and Dillon Road will limit turning movements to and from this intersection, which will further impede traffic circulation and emergency vehicle access. There will be no left-turn movement from southbound Dillon Road to Vista Del Sur. A right-turn movement will be allowed from Dillon Road (northbound) onto Vista Del Sur. Vista Del Sur will only allow for a right-turn movement onto northbound Dillon Road. Under the VDSA, the intersection geometrics will only allow Vista del Sur to serve as secondary access to the Project site. This will actually serve to exacerbate traffic conditions on Dillon Road and at the intersection of Dillon Road and Vista Del Sur. Traffic impacts would be greater due to the inefficient manner in which this intersection will function and the increased number of u-turns that will be required to access the site. This will negatively affect the AM and PM peak hours of this intersection, as well as the Dillon Road segment in proximity of this intersection. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Attainment of Project Objectives: The VDSA meets all of the Project objectives. (Draft

EIR, p. 5-21.)

Feasibility: Alternative 3 does not include Shadowview Boulevard, which is set forth in the City's Circulation Element, as an arterial street (see General Plan, p. O5-7 [Figure 5-1], and p. O5-3 [Table 5-1, Street Typologies]). General Plan Figure 5-1 illustrates that Shadow View Blvd is designated as a Major Arterial with Bicycle Facility (to be developed to a 118-foot right-of-way with six travel lanes) and is planned to connect Dillon Road easterly to Avenue 48.

The intersection geometrics necessary to accommodate Alternative 3 make the alternative infeasible as they lead to an exacerbation of traffic impacts. No left turning movements will be allowed at the intersection of Dillon Road and Vista Del Sur. The increased number of u-turns and inefficient functioning of the intersection will negatively affect the AM and PM peak hours of this intersection, as well as the Dillon Road segment in proximity of this intersection.

Additionally, emergency vehicle access will also be negatively impacted. Emergency vehicles will also be restricted from accessing the Project site via a left turning movement at the intersection of Dillon Road and Vista Del Sur. This could negatively impact response times in the event of an emergency.

Restricted access could result in safety issues for motorists and pedestrians at the Dillon Road and Vista Del Sur intersection due to the increased number of u-turns. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Finding: The City Council rejects Alternative 3: Vista del Sur Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to avoid or reduce the Project significant and unavoidable impacts relating to aesthetics, agriculture, air quality and transportation; and (2) the alternative is infeasible.

#### **4. Alternative 4: Tyler Street Southerly Extension from Avenue 47 to 800' south of Avenue 49 (Primary Access) and Extension of Vista Del Sur to Dillon Road (Secondary Access) Alternative**

Description: Alternative 4 is being analyzed for Project access without the need for the development of Shadow View Boulevard (for either primary or secondary access to the Project site). Under Alternative 4, Avenue 47 will be extended westerly from Street "A" to Tyler Street and Tyler Street will be extended southerly to 800' south of Avenue 49 (which will tie into the Caltrans State Route 86/Avenue 50 New Interchange Project). This would serve as the primary access to the Project. Avenue 47 and Tyler Street are dedicated City roadways. This 4<sup>th</sup> alternative was developed in response to comments. The purpose of this Alternative was to explore an option whereby no portion of the Shadow View Specific Plan, including Shadow View Boulevard would be needed for either primary, or secondary access to the Vista Del Agua Project. Vista Del Sur would

become the secondary access. As discussed above in Alternative 3, No left turning movements will be allowed at the intersection of Dillon Road and Vista Del Sur. Vehicles will be required to drive past this intersection and make a u-turn southerly of this intersection. After the u-turn, Vista Del Sur access will be a right-hand turning movement. Traffic impacts would be greater due to the inefficient manner in which this intersection will function and the increased number of u-turns that will be required to access the site. This will negatively affect the AM and PM peak hours of this intersection, as well as the Dillon Road segment in proximity of this intersection.

Vista Del Sur is a dedicated City roadway which connects to the northerly extension of Street "A." Under the Alternative 4 scenario, approximately 13,721 linear feet of roadway (at 30' in width) will be constructed for Avenue 47, Tyler Street and Vista Del Sur (1,762 feet, 6,125 feet and 5,834 feet, respectively). This is in contrast to the Project's westerly extension of Avenue 48/Shadow View Boulevard that would involve 11,600 linear feet of roadway improvements. (Draft EIR, p. 5-18.)

Impacts: The Project, as well as Alternative 2, involves the westerly extension of Avenue 48/Shadow View Boulevard. Alternative 4 does not. Alternative 3 would not allow the westerly extension of Avenue 48/Shadow View Boulevard but would, instead, rely on Vista Del Sur for primary and secondary access. Alternative 4 would involve the removal of aesthetic resources that would occur under the westerly extension of Avenue 48/Shadow View Boulevard; however, Project impacts to aesthetic resources would remain the same along the Tyler Street extension. Accordingly, aesthetic resource impacts from Alternative 4 would be less than that of the proposed Project but would not completely avoid or reduce the significant and unavoidable aesthetic impacts. (Draft EIR, p. 5-18.) With respect to agricultural resources, Alternative 4 would have less impacts than the Project because it would not involve the removal of agricultural resources that would otherwise occur under the westerly extension of Avenue 48/Shadow View Boulevard if the proposed Project were to proceed. (Draft EIR, p. 5-18.) However, Alternative 4 would not eliminate or reduce the significant and unavoidable impacts on agricultural resources. Alternative 4 would have similar air quality impacts as the Project and does not eliminate or reduce the significant and unavoidable air quality/greenhouse gas impacts. (Draft EIR, p. 5-18.) Finally, Alternative 4 would have similar significant and unavoidable transportation/traffic issues as that of the Project. (Draft EIR, p. 5-20.) Thus, implementation of mitigation measures would still be required.

Attainment of Project Objectives: Similar to the VDSA, Alternative 4 meets all of the Project objectives. (Draft EIR, p. 5-21.)

Feasibility: Alternative 4 does not include Shadowview Boulevard, which is set forth in the City's Circulation Element, as an arterial street (see General Plan, p. O5-7 [Figure 5-1], and p. O5-3 [Table 5-1, Street Typologies]). General Plan Figure 5-1 illustrates that Shadow View Blvd is designated as a Major Arterial with Bicycle Facility (to be developed to a 118-foot right-of-way with six travel lanes) and is planned to connect Dillon Road easterly to Avenue 48. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Finding: The City Council rejects Alternative 4 as (1) failing to avoid or substantially reduce significant environmental impacts, and (2) Alternative 4 is infeasible.

**E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR.

As discussed above, the No Project/No Build Alternative would be environmentally superior to the proposed Project on the basis of the minimization or avoidance of physical environmental impacts. However, according to the CEQA Guidelines, if the environmentally superior alternative is the No Project Alternative, the EIR shall identify an environmentally superior alternative among the other alternatives (Section 15126.6(c).)

In terms of the physical effects on the environment, the environmentally superior alternative (other than the No Project/No Build Alternative) is the RRDA. While RRDA would have less impacts on air quality and transportation/traffic than the proposed Project, it would still have significant and unavoidable impacts on aesthetics and agricultural resources. Furthermore, RRDA does not meet most of the Project objectives, such as providing a balanced mix of economically viable commercial and residential land uses that will promote local job creation; provide a transition blend of rural and suburban lifestyles; and provide a diverse mix of housing options.

**SECTION IX**  
**ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS**

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits of the Project against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of the project outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the City Council has weighed the benefits of the Project against its unavoidable adverse impacts after mitigation in regards to aesthetics resources, agriculture and forestry resources, air quality – operations, and transportation/traffic. While recognizing that the unavoidable adverse impacts are significant under CEQA thresholds, the City Council nonetheless finds that the unavoidable adverse impacts that will result from the Project are acceptable and outweighed by specific social, economic and other benefits of the Project.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings,

which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The City Council therefore finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the following social, economic, and environmental benefits of the Project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

1. **Promote General Plan Land Use Principals, Policies, and Objectives:** The proposed Project will implement the development of a creatively-designed master planned community that expresses and embodies the City's vision of its future as articulated in the fundamental land use principals, policies, and objectives of the City's General Plan.
2. **Provide a Quality, Livable Community:** The proposed Project will provide a quality, livable community through the implementation of a Specific Plan that will ensure a consistent quality of design, allow for the provision and maintenance of community amenities, and create a collection of cohesive, well-defined neighborhoods that provide residents with a clear sense of place and identity within the diverse fabric of the larger community.
3. **Provide a Range of Housing Opportunities:** The proposed Project will provide a range of high-quality housing opportunities by developing a diverse range of housing types that will include both single-family (4.5 to 6.5 dwelling units per acre) and multi-family (12 to 20 dwelling units per acre) options. Such housing will be made available at a variety of price points, responsive to market demand, varying lifestyles, and the developing economic profile of the community.
4. **Promote Sustainability:** The proposed Project will promote the concept of sustainable community development by implementing green building practices in the selection of construction materials, the recycling of construction waste, and the use of energy and water efficient building practices. The Project will integrate eco-friendly design approaches that relate to site, landscape, and building design, including optimizing building orientation; implementing shade strategies; and, promoting use of photovoltaic solar arrays on building roofs or parking lot shade structures.
5. **Promote Water and Energy Efficiency:** The proposed Project will incorporate energy and water efficient design and technology into the planned residential homes, commercial buildings, and landscaping for the Vista Del Agua Specific Plan development to respect the desert environment and promote sustainable development methods.
6. **Conserve Water Resources:** The proposed Project will conserve water resources and reduce demand for potable water within the Specific Plan area by maximizing the use of recycled water where appropriate (including for landscape irrigation); implementing drought-tolerant landscaping; utilizing high-efficiency plumbing fixtures and appliances throughout the Project; and, through Project layout that will be able to accommodate an

onsite sewer/reclaimed water treatment facility, if necessary, to create non-potable water supplies and utilize canal water for irrigation purposes.

7. **Increase Employment Opportunities:** The proposed Project will increase local job opportunities during both the construction and post-construction phases over the 30-year phased buildout. Planned development of approximately 1,500,000 square feet of mixed-use commercial uses, including retail and office space, will provide economic benefits, as well as business and employment opportunities for residents of the local community and surrounding areas.
8. **Promote Ease of Navigation:** The proposed Project will create a community that is easy to navigate through careful use of landscape, signage, and entry design based on the Specific Plan's design objectives.
9. **Provide Recreational Amenities:** The proposed Project includes dedication of an approximately 14-acre parcel in proximity of the Coachella Canal for an approximate 13.8-acre neighborhood park site (PA 9), as well as an approximate 12.6-acre Paseo, which traverses Planning Areas 5 and 6. PA 9 is solely designated for a park site.

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

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

The planned recreational amenities which will serve the needs of neighborhood residents and others in the City of Coachella and surrounding communities. The proposed Project will result in construction of a mixture of private and public community and neighborhood parks, offering large-scale open areas to accommodate varying community activities, sports facilities, or other commercial activities for public use and a private recreation center for Project residents.

10. **Encourage Safe and Efficient Circulation:** The proposed Project will provide a safe and efficient roadway network, linking all internal elements of the planned community with the surrounding area.
11. **Encourage Alternative Transportation:** The proposed Project will encourage alternative transportation choices through the creation of a walkable community with well-defined pedestrian linkages between neighborhoods, recreational amenities, schools, and commercial uses; the provision of bike paths; the creation of Low Speed Vehicle/Neighborhood Electric Vehicle (LSV/NEV) linkages; and, the development of multi-purpose trails. High-density and medium-density residential uses located in

proximity to transit and mixed-use activity nodes/community cores will reduce dependency on the automobile and encourage the use of alternative transportation.

12. **Provide Improved Vehicular Circulation and Emergency Access:** The proposed Project will result in the extension of Avenues 47 and 48 and Shadow View Boulevard to provide access into the site from existing roadways to the west. The proposed Project would extend these streets to create adequate circulation and emergency access for the proposed development and adjacent properties, enhancing public safety for future residents of the area.
13. **Promote Community Security:** The proposed Project will promote community security and safety through appropriate outdoor lighting; design concepts such as residents having direct views of the streets and outdoor living spaces; privacy and/or perimeter theme walls; and, encouraging community involvement through the area's master homeowner's association.
14. **Address Drainage and Water Quality Issues:** The proposed Project will provide adequate drainage, flood control, and water quality improvements that will satisfy applicable local, State, and federal criteria, while respecting and enhancing/preserving natural onsite and offsite drainage functions and features. Drainages onsite will be maintained to provide open space connections for pedestrian and non-motorized mobility along their edges and for the continued conveyance of stormwater.
15. **Ensure Provision of Public Services:** The proposed Project will ensure the provision of adequate public services, utilities and infrastructure in a timely manner as development occurs.

## EXHIBIT B

### Mitigation Monitoring and Reporting Program Table

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?	<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.	<b>MM-AQ-1</b> <i>Prior to the issuance of a grading plan.</i>	<b>MM-AQ-1</b> <i>Public Works Department.</i>	<b>MM-AQ-1</b> <i>Plan check.</i>	



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<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-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</p>	<p><b>MM-AQ-2</b> <i>During grading.</i></p> <p><b>MM-AQ-3</b> <i>Prior to construction.</i></p>	<p><b>MM-AQ-2</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-3</b> <i>Public Works Department.</i></p>	<p><b>MM-AQ-2</b> <i>On-site inspection &amp; Separate submittal - reports, studies, plans.</i></p> <p><b>MM-AQ-3</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>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 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</p>	<p><b>MM-AQ-4</b> <i>Prior to the issuance of grading permits.</i></p> <p><b>MM-AQ-5</b> <i>Throughout the construction process.</i></p>	<p><b>MM-AQ-4</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-5</b> <i>Public Works Department.</i></p>	<p><b>MM-AQ-4</b> <i>Plan check.</i></p> <p><b>MM-AQ-5</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>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 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-6</b> <i>During construction.</i></p> <p><b>MM-AQ-7</b> <i>During construction.</i></p> <p><b>MM-AQ-8</b> <i>During construction.</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-8</b> <i>Public Works Department.</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> <p><b>MM-AQ-8</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-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-12</b> <u>Project Operations.</u> 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</p>	<p><b>MM-AQ-9</b> Prior to issuance of any construction permits.</p> <p><b>MM-AQ-10</b> Prior to issuance of a building permit.</p> <p><b>MM-AQ-11</b> During any improvement project.</p> <p><b>MM-AQ-12</b> Prior to issuance of any construction permits.</p>	<p><b>MM-AQ-9</b> Public Works Department.</p> <p><b>MM-AQ-10</b> Building Division.</p> <p><b>MM-AQ-11</b> Planning Division.</p> <p><b>MM-AQ-12</b> Public Works Department.</p>	<p><b>MM-AQ-9</b> Plan check.</p> <p><b>MM-AQ-10</b> Plan check.</p> <p><b>MM-AQ-11</b> Plan check.</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>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-sharing programs in all employee/worker parking areas.</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>• 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> </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>The Project shall require that at least 2,406 new trees are planted on-site (approximately 2 trees per residential unit and 25 trees per acre of parks).</li> <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> </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>High-efficiency plumbing fixtures and appliances that meet or exceed the most current CALGreen Code in all buildings on site;</li> <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> </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>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 increase building energy efficiency above the minimum requirements of Title 24;</li> <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</li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <p><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.</p>	<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	See <b>MM-AQ-1</b> through <b>MM-AQ-13</b> , above.				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	may have a significant impact on the environment?					
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?	<p><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.</p> <p>Where the nesting season (February 1 to September 15) cannot be avoided during construction, a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, vegetation removal, demolition activities, and grading. The survey area shall include the Project site and an appropriate buffer (consistent with the Migratory Bird Treaty Act) around the site. Any active nests identified shall have an appropriate buffer area established (consistent with Migratory Bird Treaty Act protocol at the time of disturbance) of the active nest. Construction activities shall not occur within the buffer area until the biologist determines that the young have fledged.</p>	<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><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 buffer is adequate to permit continued breeding activity.</li> <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</li> </ul>	<b>MM-BIO-2</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>ensure that equipment and other machinery does not collapse occupied burrows.</p> <ul style="list-style-type: none"> <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>				
	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?	See <b>MM-BIO-1</b> , above.				
Cultural Resources	a. Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<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	<b>MM-CUL-1</b> Prior to the issuance of a grading permit.	<b>MM-CUL-1</b> Project archaeologist.	<b>MM-CUL-1</b> Plan check.	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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 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</p>	<b>MM-CUL-2</b> Prior to commencement of any grading activity.	<b>MM-CUL-2</b> City of Coachella (City) Director of Development Services, or designee.	<b>MM-CUL-2</b> Plan check.	

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

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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. Mitigation can include but is not necessarily limited to: excavation of the deposit in accordance with a cultural</p>				



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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 completion of all monitoring/ mitigation activities, the consulting archaeologist shall submit a monitoring report to the City of Coachella Director of Development</p>				

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

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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 picking matrix; therefore, these sediments shall occasionally be spot-screened through one-eighth to one-twentieth-inch mesh screens to determine whether</li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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. 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 Riverside.</li> <li>• Preparation of a report of findings with an appended, itemized inventory of</li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		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</p>	<b>MM-CUL-4</b> <i>During site disturbance, grading, or other construction activities.</i>	<b>MM-CUL-4</b> <i>City's Director of Development Services, or designee.</i>	<b>MM-CUL-4</b> <i>On-site inspection &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)
		<p>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.</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	<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)	<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)
	Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<p>Engineer to ensure that each planning area with future development has been evaluated at an appropriate level of detail by a professional geologist. The location and scope of each final geotechnical report shall be tiered off of the two geotechnical reports previously prepared for the overall site, <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</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		current building code) and the requirements and standards contained in the applicable chapters of the City of Coachella Municipal Code, as well as appropriate local grading regulations, and the specifications of the Project geotechnical consultant, including but not limited to those related to seismic safety, as determined in the final area-specific geotechnical studies prepared in association with all future development application conditions, subject to review by the City of Coachella Development Services Director, or designee, prior to the issuance of any grading permits.				
	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.				



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	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?	<p>See <b>MM-GEO-1</b>, above.</p> <p><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. 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>	Prior to issuance of any grading permits.	City Engineer.	Plan check.	
	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><b>MM-GEO-4</b> <u>Expansive Soils</u>. 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</p>	Prior to issuance of grading permits.	City Engineer.	Plan check & Separate submittal - reports, studies, plans.	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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 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>				
Hazards and Hazardous Materials	Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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</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>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-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</p>	<b>MM-HAZ-2</b> During grading.	<b>MM-HAZ-2</b> Building Division and Department of Environmental Health or the Department of Toxic Substances Control.	<b>MM-HAZ-2</b> On-site inspection.	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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 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,</p>	<p><b>MM-HAZ-3</b> Prior to the issuance of a grading permit.</p>	<p><b>MM-HAZ-3</b> Riverside County Community Health Agency, Department of Environmental Health, Water Engineering Department.</p>	<p><b>MM-HAZ-3</b> Plan check.</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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 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</p>	<p><b>MM-HAZ-4</b> Prior to the issuance of a grading permit.</p> <p><b>MM-HAZ-5</b> Prior to grading permit final.</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 Department of Toxic Substances Control.</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)
		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.				
	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?	See <b>MM-HAZ-1</b> through <b>MM-HAZ-5</b> , above.				
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 ordinance, or applicable standards of other agencies?	<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, as feasible;</li> <li>• Locate construction staging areas as far from noise sensitive land uses as feasible;</li> <li>• Ensure all construction equipment is</li> </ul>	<b>MM-NOI-1</b> During any earth movement construction activities.	<b>MM-NOI-1</b> Building Division.	<b>MM-NOI-1</b> On-site inspection.	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>equipped with appropriate noise attenuating devices to reduce the construction equipment noise by 8 to 10 dBA;</p> <ul style="list-style-type: none"> <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 associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction</li> </ul> </li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>activity.</p> <p><b>MM-NOI-2</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 PA2, PA3 and PA8, that are adjacent to Avenue 47:</p> <ul style="list-style-type: none"> <li>• Areas Exceeding 70 dBA CNEL (within 23 feet from centerline of Avenue 47): 8 foot (combination of earthen berm and maximum 6' high wall) for ground level outdoor living areas such as backyards or patios.</li> <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-3</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, PA7 and PA10, that are adjacent to Avenue 48:</p> <ul style="list-style-type: none"> <li>• Areas Exceeding 70 dBA CNEL (within 23 feet from centerline of Avenue 47): 8</li> </ul>	<p><b>MM-NOI-2</b> Prior to the approval of an implementing project</p> <p><b>MM-NOI-3</b> Prior to the approval of an implementing project.</p>	<p><b>MM-NOI-2</b> Building Division.</p> <p><b>MM-NOI-3</b> Building Division.</p>	<p><b>MM-NOI-2</b> Plan check.</p> <p><b>MM-NOI-3</b> Plan check.</p>	



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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)
		<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).	<b>MM-NOI-5</b> Prior to the approval of an implementing project.	<b>MM-NOI-5</b> Building Division.	<b>MM-NOI-5</b> Plan check & Separate submittal - reports, studies, plans.	
	b. Would the Project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	See <b>MM-NOI-2</b> through <b>MM-NOI-5</b> , above.				
	c. Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	See <b>MM-NOI-2</b> , above.				
Transportation/Traffic	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	<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): <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</li> </ul> </li> </ul>	<b>MM-TR-1</b> prior to the 1 <sup>st</sup> occupancy.	<b>MM-TR-1</b> Public Works Department.	<b>MM-TR-1</b> Plan check.	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<ul style="list-style-type: none"> <li>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> <li>• Roadway Segment Improvements</li> <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> <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> <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> </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 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 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> <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</p>	<b>MM-TR-2</b> prior to the 1 <sup>st</sup> occupancy.	<b>MM-TR-2</b> Public Works Department.	<b>MM-TR-2</b> Plan check.	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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> <li>○ Install WB thru-turn lane.</li> </ul> </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> </ul> </li> </ul>	<b>MM-TR-3</b> prior to the 1 <sup>st</sup> occupancy.	<b>MM-TR-3</b> Public Works Department.	<b>MM-TR-3</b> Plan check.	

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 left-turn lane</li> <li>○ Install WB right-turn overlap phase</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-turn lane</li> <li>○ Install One (1) additional WB right-turn lane</li> </ul> </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> </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 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> <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> <li>○ Install One (1) additional WB thru lane</li> <li>○ Improve signal phasing to protected east/west</li> </ul> </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>				
	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	See <b>MM-TR-2</b> and <b>MM-TR-3</b> , above.				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	by the county congestion management agency for designated roads or highways?					
	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><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 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.</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 development projects within the Specific Plan.</p>	<p><b>MM-TR-4</b> City Engineering Department.</p> <p><b>MM-TR-5</b> City Engineering Department and Sunline Transit District.</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>	
	Would the Project result in inadequate emergency access?	See <b>MM-TR-4</b> , above.				
	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?	See <b>MM-TR-5</b> , above.				



**RESOLUTION NO. 2020-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING GENERAL PLAN AMENDMENT 14-01 ON APPROXIMATELY 275 ACRES (VISTA DEL AGUA SPECIFIC PLAN) GENERALLY LOCATED ON THE SOUTH SIDE OF INTERSTATE 10 AND VISTA DEL SUR, NORTH OF AVENUE 48; EAST OF TYLER STREET AND WEST OF POLK STREET. APPLICANT: CVC PALM SPRINGS, LLC**

**WHEREAS**, the Applicant has filed an application for General Plan Amendment 14-01 for a land use designation amendment, along with Specific Plan 14-01, Change of Zone 14-01(map amendment), TPM 36872 (large lot financing map), (collectively the "Project Approvals"), to allow for the future development of a residential and commercial project including open space on approximately 275 acres of vacant land on the south side of Interstate 10 and Vista Del Sur, north of Avenue 48; east of Tyler street and west of Polk street, as well as approximately 29 acres of off-site infrastructure improvements. (the "Vista Del Agua Project" or the "Project"); and

**WHEREAS**, the 275-acre project site is currently designated General Neighborhood, Urban Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center on the Coachella General Plan, 2035; and

**WHEREAS**, the purpose of the land use designation amendment is to provide for a Specific Plan Land Use designation within the Land Use Element of the City's General Plan; and

**WHEREAS**, the City has processed the Project Approvals including the General Plan Amendment pursuant to the Coachella Municipal Code and the State Government Code, and the California Environmental Quality Act as amended, under which Draft Environmental Impact Report 14-04 (SCH # 2015031003) was prepared (DEIR); and

**WHEREAS**, the DEIR was circulated as required by law and, together with all comments and responses to those comments, was provided to the City Council as the Final EIR (FEIR) for the project; and

**WHEREAS**, as required by Govt. Code Sections 65351 and 65352.3, the Native American Heritage Commission was notified as part of the DEIR Notice of Preparation on March 4, 2015, to determine the tribes to contact for potential consultation, and thereafter transmitted to such tribes, and one tribe requested consultation and submitted comments on the DEIR pursuant to 65351 and 65352.3; and

**WHEREAS**, notice was provided to public agencies as required by Govt. Code Section 65352 as part of the Draft Environmental Impact Report noticing; and

**WHEREAS**, on February 10, 2020 the City gave public notice as required by mailing notices to property owners within at least 300 feet of the Project and on February 16, 2020 published a public notice in the Desert Sun of the holding of a public hearing at which the Vista Del Agua Project and the General Plan Amendment would be considered; and

**WHEREAS**, on June 19, 2019 the Planning Commission of the City of Coachella held a duly noticed Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the General Plan Amendment and at which the Planning Commission considered the General Plan Amendment as presented by the applicant, together with the recommendations of the Development Services Director; and

**WHEREAS**, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of General Plan Amendment 14-01 the City Council of the City of Coachella adopted Resolution 2020-02 certifying the final Environmental Impact Report, adopting CEQA findings and Statement of Overriding Considerations for the Vista Del Agua Project Approvals; and

**WHEREAS**, the City Council in light of the whole record before it, including but not limited to the recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other evidence within the record or provided at the public hearing of this matter, hereby finds that the General Plan Amendment is within the scope of that EIR; and

**WHEREAS**, the evidence before the City Council supports the conclusion that General Plan Amendment 14-01 be approved as does the record consisting of the staff report, case file, exhibits on display and public hearing testimony; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council, in light of the whole record before it, including but not limited to the recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other written or oral evidence within the record or provided at the public hearing of this matter, hereby approves General Plan Amendment 14-01 based upon the following findings:

1. The proposed General Plan Amendment will protect and promote the general safety and welfare of the public; the proposed General Plan Amendment will allow for residential housing supporting the housing needs for the future anticipated growth of the City; Additionally, the residential housing types adds to the City's diverse mix of housing types that will be maintained to a high standard that will preserve the real estate values and quality of life for future residents consistent with the City's General Plan goals;

2. The proposed General Plan Amendment is consistent with the Land Use and Community Character Element and the other adopted elements of the Coachella General Plan and will contribute to the achievement of the goals of the General Plan as outlined on Pages 04-02 and 04-03 of the General Plan and the staff report along with the record of the hearing; The Project includes a mixture of single family and multi-family dwelling units at various densities that will provide housing opportunities for future residents; the Specific Plan will create a walkable and interconnected neighborhoods through the project's design along with creating useable areas of active and passive open space areas along with two commercial planning areas that will provide neighborhood and suburban commercial uses to future residents of Vista Del Agua and the surrounding areas that are planned for urban densities and uses by the General Plan;

3. The proposed General Plan Amendment is consistent with the goals, policies, standards and maps of the Zoning Code, as amended, the Development Code and all applicable codes and ordinances adopted by the City of Coachella; the project proposes to utilize the provisions of the Specific Plan Zone that mirrors the development standards and design guidelines contained within the specific plan.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-03 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA APPROVING CHANGE OF ZONE NO. 14-01. THE CHANGE OF ZONE WILL CHANGE THE CURRENT CITY ZONING DESIGNATIONS ON THE PROJECT SITE WHICH INCLUDE: GENERAL COMMERCIAL (C-G), RESIDENTIAL SINGLE FAMILY (R-S) AND MANUFACTURING SERVICE (M-S) TO A SPECIFIC PLAN ZONE TO BE DEVELOPED IN ACCORDANCE WITH THE VISTA DEL AGUA SPECIFIC PLAN; CVC PALM SPRINGS, APPLICANT; (*FIRST READING*)**

**WHEREAS**, the Applicant has filed an application for General Plan Amendment 14-01 for a land use designation amendment respectively along with Specific Plan 14-01, Change of Zone 14-01 (map amendment), Tentative Parcel Map (TPM) 36872 (finance and conveyance map), (collectively the “Project Approvals”), to allow for the future development of a mixed use residential and commercial project with various public facilities and open space on approximately 275 acres of vacant land located south of and adjacent to the I-10 freeway and Vista Del Sur, north of Avenue 48 and east of Tyler Street, as well as approximately 29 acres of off-site infrastructure improvements (the “Vista Del Agua Project” or the “Project”); and

**WHEREAS**, the 275-acre project area are currently zoned General Commercial (C-G), Residential Single Family (R-S), Manufacturing –Service (M-S); and

**WHEREAS**, the City has processed the Project Approvals pursuant to the Coachella Municipal Code and the State Government Code, and the California Environmental Quality Act as amended under which a Draft EIR was prepared (DEIR); and

**WHEREAS**, the DEIR was circulated as required by law and, together with all comments and responses to those comments, was provided to the City Council as the Final EIR (FEIR) for the Project; and

**WHEREAS**, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of this Change of Zone, the Planning Commission of the City of Coachella adopted Resolution PC 2019-54 recommending that the City Council certify the final Environmental Impact Report for the Vista Del Agua Project Approvals (SCH # 2015031003) which include the Change of Zone; and

**WHEREAS**, on June 19 , 2019 the Planning Commission of the City of Coachella held a duly noticed and Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Change of Zone and at which the Planning Commission considered the Change of Zone as presented by the Applicant, together with the recommendations of the Development Services Director; and

**WHEREAS**, on February 10, 2020 the City gave public notice as required under Government Code section 66451.3 by mailing notices to property owners within at least 300 feet of the Project and on February 16, 2020 published a public notice in the Desert Sun of the holding of a public hearing at which the Project would be considered, and

**WHEREAS**, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of Change of Zone 14-01 the City Council of the City of Coachella adopted Resolution 2020-02 certifying the final Environmental Impact Report, adopting CEQA findings and Statement of Overriding Considerations for the Vista Del Agua Project Approvals; and 21.

**WHEREAS**, on February 26, 2020 the City Council of the City of Coachella held a duly noticed and published Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Change of Zone and at which the City Council considered the Change of Zone and appeal as presented by the Applicant, together with the recommendations of the Development Services Director and the Planning Commission; and

**WHEREAS**, the City Council, considering the entire record before it, including but not limited to recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other written or oral evidence within the record or provided at the public hearing of this matter, hereby finds that Change of Zone 14-01 is within the scope of EIR 14-01; and

**WHEREAS**, the evidence before the City Council supports the conclusion that Change of Zone 14-01 be approved as does the record consisting of the staff report, case file, exhibits on display and public hearing testimony; and

**WHEREAS**, all other prerequisites to the adoption of this Ordinance have occurred; and

**WHEREAS**, the City Council, considering the entire record before it, including but not limited to the recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other written or oral evidence within the record or provided at the public hearing of this matter, makes the following findings:

1. The proposed Change of Zone will serve the public necessity, convenience, general welfare, and will provide good zoning practice for the vicinity of the site so that is consistent with the overall vision of the Specific Plan, as amended. the Specific Plan provides a balance of land uses including residential and commercial lands uses and will provide a diverse mix of housing opportunities at varying densities for current and future residents. The Specific Plan proposes active and passive open space consistent with the City's General Plan.
2. The proposed Change of Zone is consistent with the intent and purpose of the General Plan, as amended by General Plan Amendment 14-01, in that the proposed Specific Plan zone allows commercial uses, single family and multifamily residential development that is in keeping with the goals and policies of the General Plan, as amended. The General Plan seeks to define and raise the profile and image of the City, to obtain needed infrastructure and thus to improve the quality of life. The Project would not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern as the project site currently has general plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood

Center. The development standards in the Specific Plan will result in an enhanced development design for the subject property rather than using standard zoning and development regulations. Any development within the Project will be developed in accordance with the Vista Del Agua Specific Plan including the design guidelines.

3. The proposed Project will extend access and infrastructure from Dillon Road via Shadow View Blvd, Vista Del Sur, Avenue 47 and Avenue 48 into this area of the City. It also will provide for associated commercial and residential development. The Project would not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern as the project site currently has general plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center. The development standards in the Specific Plan will result in an enhanced development design for the subject property rather than using standard zoning and development regulations. Any development within the Project will be developed in accordance with the Vista Del Agua Specific Plan including the design guidelines.
4. This Project is consistent with the goals and policies of the City of Coachella General Plan Housing Element because it provides a range and diversity of housing types and densities including single family and multi-family housing at various densities.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. Adoption.** The City Council does hereby adopt Zone Change 14-01 for the 275-acre project site pursuant to the facts and reasons stated herein and in the Planning Commission Resolution PC 2019-20, a copy of which is on file in the office of the City Clerk and incorporated herein by reference.

**SECTION 2. Effective Date.** This Ordinance shall take effect thirty (30) days after its second reading by the City Council.

**SECTION 3. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

**SECTION 4. Certification.** The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the

same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose. 21.

**SECTION 5. CEQA.** The City Council finds that this Change of Zone is subject to the California Environmental Quality Act (CEQA). Change of Zone 14-01 is within the scope of EIR 14-04 and the City Council has adopted Resolution No. 2020-02, certifying Final Environmental Impact Report 14-04: an Environmental Impact Report that has been prepared for the Vista Del Agua Project Approvals in accordance with the California Environmental Quality Act (CEQA) along with specific findings and a statement of overriding considerations.

**ORDINANCE PASSED, APPROVED AND ADOPTED** on this 26<sup>th</sup> day of February 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Steven A Hernandez, Mayor  
City of Coachella

**ATTEST:**

---

Angela M. Zepeda, City Clerk,  
City of Coachella

**APPROVED AS TO FORM**

---

Carlos Campos, City Attorney  
City of Coachella



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, APPROVING THE VISTA DEL AGUA SPECIFIC PLAN (14-01) THAT PROPOSES RESIDENTIAL, COMMERCIAL, OPEN SPACE AND PARK LAND USES ALONG WITH DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR THE DEVELOPMENT OF APPROXIMATELY 275 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF INTERSTATE 10 AND VISTA DEL SUR, NORTH OF AVENUE 48; EAST OF TYLER STREET AND WEST OF POLK STREET. APPLICANT: CVC PALM SPRINGS, LLC (*FIRST READING*)**

**WHEREAS**, the Applicant has filed an application for General Plan Amendment 14-01 for a general plan land use designation amendment along with Specific Plan 14-01, Change of Zone 14-01 (map amendment), Tentative Parcel Map (TPM) 36872 (large lot financing map), and Development Agreement (collectively the "Project Approvals"), to allow for the future development of a residential and commercial project with various public facilities and open space on approximately 275 acres of vacant land located on the south side of Interstate 10 and Vista Del Sur, north of Avenue 48; east of Tyler street and west of Polk street. Access to the site will be provided by the easterly extension of Shadow View Blvd from Dillon Road to the project site, Vista Del Sur, Avenue 47 and Tyler Street. Applicant: CVC Palm Springs, LLC; and

**WHEREAS**, the 275 acre project site is currently designated General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center on the Coachella General Plan, 2035; and

**WHEREAS**, the City has processed the Project Approvals including this Specific Plan pursuant to the Coachella Municipal Code and the State Government Code, and the California Environmental Quality Act as amended, under which a Draft Environmental Impact Report 14-04 (SCH # 2015031003) was prepared (DEIR); and

**WHEREAS**, the DEIR was circulated as required by law and, together with all comments and responses to those comments, was provided to the City Council as the Final Environmental Impact Report 14-04 (FEIR) for the project; and

**WHEREAS**, the Native American Heritage Commission was notified as part of the DEIR Notice of Preparation in March 2015 to determine the tribes to contact for potential consultation, and thereafter transmitted to such tribes, and one tribe requested consultation and submitted comments on the DEIR pursuant to 65351 and 65352.3; and

**WHEREAS**, Chapter 17.36 of the City of Coachella Municipal Code prescribes the process to process a Specific Plan, the substance of a Specific Plan and the review and adoption of a Specific Plan; and

**WHEREAS**, on February 10, 2020 the City gave public notice as required by mailing notices to property owners within at least 300 feet of the Project and on February 16, 2020 published a public notice in the Desert Sun of the holding of a public hearing at which time the Vista Del Agua Project including this Specific Plan would be considered;

**WHEREAS**, on June 19, 2019 the Planning Commission of the City of Coachella held a duly noticed Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Specific Plan and at which the Planning Commission considered the Specific Plan as presented by the applicant, together with the recommendations of the Development Services Director and recommended that the City Council hold a public hearing and approve the Vista Del Agua Project; and

**WHEREAS**, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to approving this Specific Plan, the City Council of the City of Coachella adopted Resolution 2020-02 certifying the Final Environmental Impact Report, and adopting CEQA findings and Statement of Overriding Considerations for the Vista Del Agua Project Approvals; and

**WHEREAS**, the City Council, in light of the whole record before it, including but not limited to recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other evidence within the record or provided at the public hearing of this matter, hereby finds that Specific Plan 14-01 is within the scope of that EIR; and

**WHEREAS**, the evidence before the City Council supports the conclusion that Specific Plan 14-01 be approved as does the record consisting of the staff report, case file, exhibits on display and public hearing testimony, and.

**WHEREAS**, all other prerequisites to the adoption of this Ordinance have occurred.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council, in light of the whole record before it, including but not limited to the recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other written or oral evidence within the record or provided at the public hearing of this matter, hereby finds as follows:

1. Specific Plan No. 14-01 is consistent with the City of Coachella General Plan as authorized by General Plan Amendment 14-01; the Specific Plan provides a balance of land uses including residential and commercial lands uses and will provide a diverse mix of housing opportunities at varying densities for current and future residents. The Specific Plan proposes active and passive open space consistent with the City's General Plan.
2. Specific Plan 14-01 is compatible with anticipated development in the Specific Plan area, provides adequate circulation in the area, and the proposed uses are compatible with the zoning of adjacent properties as set forth in Chapter 17.36 of the City of Coachella Municipal Code; The Project would not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern as the project site currently has general plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center. The development standards in the Specific Plan will result in an enhanced development design for the subject property

rather than using standard zoning and development regulations. Any development within the Project will be developed in accordance with the Vista Del Agua Specific Plan including the design guidelines.

3. Specific Plan 14-01 is suitable and appropriate for the subject property as set forth in Chapter 17.36 of the City of Coachella Municipal Code; The project site currently has general plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center. Implementation of the Specific Plan will result in a superior development than if the property was developed without the specific plan.
4. The Vista Del Agua Specific Plan Mitigation Measures and Conditions of Approval dated June 19, 2019 and the Mitigation and Monitoring Program (MMRP) for the Vista Del Agua Specific Plan are adequate to avoid the creation of any conditions that would be materially detrimental to the public health, safety and welfare and reduce the impacts of the development of the Specific Plan area to a level of non-significance except as otherwise set out in the Statement of Overriding Considerations.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Adoption.** The City Council does hereby adopt Specific Plan 14-01 for the Vista Del Agua Project within the City of Coachella pursuant to the facts and reasons stated herein and in the Planning Commission Resolution 2019-19, a copy of which is on file in the office of the City Clerk and incorporated herein by reference.

**SECTION 2. Effective Date.** This Ordinance shall take effect thirty (30) days after its adoption.

**SECTION 3. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

**SECTION 4. Certification.** The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

**SECTION 5. CEQA.** The City Council finds that this Specific Plan is subject to the California Environmental Quality Act (CEQA) and that the specific plan is within the scope of EIR 14-01 and the City Council has adopted Resolution No. 2020-02, certifying Final Environmental Impact Report 14-04: an Environmental Impact Report that has been prepared for the Vista Del Agua Project Approvals in accordance with the California Environmental Quality Act (CEQA)

along with specific findings and a statement of overriding considerations.

21.

**ORDINANCE PASSED, APPROVED AND ADOPTED** on this 26<sup>th</sup> day of February 2020, by the following vote:

ROLL CALL:       Ayes:  
                      Noes:  
                      Absent:  
                      Abstaining:

\_\_\_\_\_  
—Steven A. Hernandez, Mayor  
City of Coachella

**ATTEST:**

\_\_\_\_\_  
Angela M. Zepeda, City Clerk  
City of Coachella

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carlos Campos  
City Attorney

## RESOLUTION NO. 2020-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA APPROVING TENTATIVE PARCEL MAP NO. 36872 FOR THE SUBDIVISION OF APPROXIMATELY 275 ACRES OF VACANT LAND INTO 6 NUMBERED AND 1 LETTERED LOT FOR FINANCE AND CONVEYANCE PURPOSES ONLY. THE SUBJECT SITE IS LOCATED SOUTH OF I-10 AND VISTA DEL SUR, EAST OF TYLER STREET, SOUTH OF AVENUE 47 AND NORTH OF AVENUE 48. CVC PALM SPRINGS, LLC, APPLICANT.**

**WHEREAS**, CVC Palm Springs, LLC, has filed an application for Tentative Parcel Map No. 36872 to allow the subdivision of 275 acres of land into 6 numbered and 1 lettered lot for financing and conveyance purposes only on property located south of I-10 and Vista Del Sur, east of Tyler Street, south of Avenue 47 and north of Avenue 48; APN No's (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, 603-150-012, 603-122-005); and,

**WHEREAS**, the City has processed said application pursuant to the City Subdivision Ordinance, the Subdivision Map Act (commencing with Section 66400 of the Government Code) and the California Environmental Quality Act of 1970 as amended; and,

**WHEREAS**, on June 19, 2019, the Planning Commission of the City of Coachella held a duly noticed and published Public Hearing and considered the Tentative Parcel Map as presented by the applicant, adopting the findings, conditions, and staff recommendations; and,

**WHEREAS**, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of Tentative Parcel Map 36872 the City Council of the City of Coachella has adopted Resolution 2020-02 certifying the Environmental Impact Report for the Vista Del Agua Project which includes the subject Tentative Parcel Map, and,

**WHEREAS**, on February 10, 2020 the City gave public notice as required under Government Code Section 66451.3 by mailing notices to property owners within at least 300 feet of the project and on February 16, 2020 published a public notice in the Desert Sun of the holding of a public hearing at which the project would be considered; and,

**WHEREAS**, the City Council has previously certified Environmental Impact Report 14-04 (SCH # 2015031003) for compliance with the California Environmental Quality Act; and,

**WHEREAS**, Tentative Parcel Map No. 36872 is in conformance with the Coachella Municipal Code, the land use pattern and development standards of the Subdivision Ordinance when viewed in conjunction with the conditions that are imposed; and,

**WHEREAS**, the City Council of the City of Coachella finds that this subdivision is consistent with the goals, objectives, policies and implementation measures of the Coachella

General Plan 2035 and meets the findings required by the Municipal Code;

**WHEREAS**, on February 26, 2020 the City Council of the City of Coachella held a duly noticed and published Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Tentative Parcel Map and at which time the City Council considered the Tentative Parcel Map as presented by the applicant, together with the recommendations of the Planning Commission and Development Services Director;

**NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council of the City of Coachella does hereby approve Tentative Parcel Map 36872 subject to the findings listed below, and subject to the conditions of approval attached herein as Exhibit “A”.

**SECTION 2.** The Chairman shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

**Findings for Approval of Tentative Parcel Map No. 36872**

1. The proposed parcel map is consistent with the goals, objectives, policies and implementation measures of the Coachella General Plan 2035 as amended and the Vista Del Agua Specific Plan which is the zoning for the affected property. The Parcel Map as prepared and conditioned is consistent with the General Plan objectives and City Zoning Ordinance. The Project will not have an adverse impact on public health, safety, and welfare because the Project is for financing and conveyance purposes only and no grading or construction is permitted. Lastly, the parcel map is consistent with the Subdivision Map Act.

2. Tentative Parcel Map 36872 is consistent with the objectives, policies, general land uses and programs specified in the Vista Del Agua Specific Plan. The parcel map is for financing and conveyance purposes only and the above-mentioned plans will not be modified, affected or implemented through the approval and recordation of this map. The map configuration has no applicability in terms of development. Subsequent Subdivision Maps for development purposes must be approved prior to the physical development of the property.

3. The site is physically suitable for the type of development proposed under Tentative Parcel Map 36872 in that the acreages and exterior boundaries of the proposed map are consistent with the site acreage and boundaries, and no densities or development is proposed or entitled through the approval of this map.

4. The design of the subdivision is not likely to cause substantial environmental damage nor substantially and avoidable injure fish or wildlife or their habitat in that the map is for financing and conveyance purposes only. No development can occur and no development entitlements are approved in conjunction with this map.

5. The design of the subdivision is not likely to cause serious health problems in that the map is for financing and conveyance purposes only. No development can occur and no development entitlements are approved in conjunction with this map.

6. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision in that the map is for financing and conveyance purposes only. No development can occur and no development entitlements are approved in conjunction with this map. In addition, access easements are provided on the map replacing easements to be vacated prior to or in conjunction with recordation of a final map.

7. Sufficient water supply will be available to serve the proposed subdivision, in that the map is for financing and conveyance purposes only. No development can occur, and no development entitlements are approved in conjunction with this map.

8. The City Council in light of the whole record before it, including but not limited to recommendation of the Development Services Director as provided in the Staff Report dated February 26, 2020 and documents incorporated therein by reference and any other evidence within the record or provided at the public hearing of this matter, hereby finds that Tentative Parcel Map 36872 is within the scope of the project analyzed in the Vista Del Agua Final Environmental Impact Report 14-04 (FEIR) and CEQA findings and Statements of Overriding Considerations (Resolution 2020-02).

9. The evidence before the City Council supports the conclusion that Tentative Parcel Map No. 36872 be approved as does the record consisting of the staff report, case file, exhibits on display and public hearing. The proposed tentative map is for finance and conveyance purposes only. No grading and/or building permits will be issued for the parcel map, consistent with the General Plan and the City of Coachella Official Zoning Map.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney



STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF COACHELLA                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-04 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk

## Exhibit "A"

### Conditions of Approval for Tentative Parcel Map 36872

1. The applicant shall defend, indemnify and hold harmless the City of Coachella, its officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its officials, officers, employees or agents to attack, set aside, void or annul any project approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval or mitigation measure imposed by the City Council or Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officials, officers, employees and agents in the defense of the matter. The applicant shall execute an indemnification agreement, in a form acceptable to the City Attorney, within five days of the effective date of this approval.
2. This map is for financing and conveyance purposes only. No development entitlements are associated with Tentative Parcel Map No. 36872.
3. The following statement must be clearly printed on the face of Tentative Parcel Map No. 36872:

**FOR FINANCE AND CONVEYANCE PURPOSES ONLY. THIS MAP DOES NOT CREATE ANY LEGAL BUILDING SITES. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY.**

4. Tentative Parcel Map No. 36872 is approved for 24 months from the final date of City Council approval unless a one-year time extension is requested by the applicant and approved by the Planning Commission unless these timeframes are superseded by the terms of the Vista Del Agua Development Agreement.
5. Tentative Parcel Map No. 36872 must be consistent with Vista Del Agua Specific Plan.
6. No development or improvement of any portion of this map shall be permitted until a subsequent Builder's Tentative Map or Commercial Map is recorded in accordance with the applicable provisions of the Vista Del Agua Specific Plan Conditions of Approval, Subdivision Map Act, and the City of Coachella Subdivision Ordinance for the subdivision described in this map.
7. The Final Parcel Map shall comply with the Subdivision Map Act and City of Coachella Subdivision Ordinance.
8. In accordance and compliance with Condition No. 31 of the Conditions of Approval for SP 14-01 (Vista Del Agua) , developer's facilities obligations may be financed through

the use of one or more Financing Districts including, without limitation, a Community Facilities Financing District for improvements, public services, including without limitation police and fire services, fees or maintenance costs. Any Vista Del Agua specific Financing District must include a component for police and fire services. In the event that a Vista Del Agua-specific Financing District is not formed, prior to recordation of the Final Map, the applicant or successor in interest shall annex the subject property into the City's Community Facilities District (CFD 2005-01) for City Police, Fire and Paramedic services. The applicant shall cooperate with the City to include the subject property in CFD 2005-01.

9. Approval of Tentative Parcel Map No. 36872 is contingent upon City Council certification of EIR 14-04 and City Council approval of General Plan Amendment 14-01, Specific Plan No.14-01 and Change of Zone 14-01.



# 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 (ALLUC) (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): 0' 0" N / 0' 0" 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	<b>X 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.</u>
			<u>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

**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.

Removed: \_\_\_\_\_ By: \_\_\_\_\_ Deputy  
  
 Revised 2010

**Reviewing Agencies Checklist**

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

<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 checked="" 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 checked="" type="checkbox"/> 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	
<input checked="" type="checkbox"/> Health Services, Department of	Other: _____
<input type="checkbox"/> Housing & Community Development	Other: _____
<input checked="" type="checkbox"/> 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

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

Revised 2010

### 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>275.38</b>	<b>1,640</b>	<b>7.6</b>	<b>281,397</b>

\* May be developed as 41 Single Family Units.

Revised 2010

**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](http://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 AguaLead Agency: City of CoachellaContact Person: Luis Lopez, Dev. Svcs. DirectorMailing Address: 1315 6th StreetPhone: 760.398.3102City: CoachellaZip: 92236County: RiversideProject Location: County: RiversideCity/Nearest Community: CoachellaCross Streets: Avenue 48 and Polk StreetZip Code: 92236Longitude/Latitude (degrees, minutes and seconds): 33° 11' N 116° 50' W Total Acres: 275Assessor'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, 603-150-011, 603-150-102, and 603-112-004 Section: 28 Twp.: 4S Range: 8E Base: SBBMWithin 2 Miles: State Hwy #: 1-10 Waterways: Coachella Storm Water Channel and the All. Airports: N/A Railways: Southern PacificSchools: N/A

Document Type:

CHQA:

NOP

Early Cons

Neg Dec

Mit Neg Dec

X Draft EIR

Supplement/Subsequent EIR

(Prior SCH No.)

Other:

NEPA:

NOI

EA

Draft EIS

Other:

Joint Document

Final Document

Other:

State Office of Planning &amp; Research

Local Action Type:

General Plan Update X

General Plan Amendment

General Plan Element

Community Plan

Specific Plan X

Master Plan

Planned Unit Development

Site Plan

Rezone X

Prezone X

Use Permit

Land Division (Subdivision, etc.) X

Annexation

Development

Coastal Permit

Other: Comm.

Facilities Dist.

Development Type:

Residential: Units 1,640 Acres 275Office: Sq. ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_Commercial: Sq. ft. TBD Acres 26 Employees TBDIndustrial: Sq. ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_

Project Issues Discussed in Document:

Aesthetic/Visual X

Agricultural Land X

Air Quality X

Archaeological/Historical X

Biological Resources X

Coastal Zone

Drainage/Absorption X

Economic/Job

Fiscal X

Flood Plain/Flooding X

Forest Land/Fire Hazard X

Geologic/Seismic X

Minerals X

Noise X

Population/Housing Balance X

Public Services/Facilities X

Recreation/Parks X

Schools/Universities X

Sewer Systems

Sewer Capacity X

Soil

Erosion/Compaction/Grading X

Solid Waste X

Toxic/Hazardous X

Traffic/Incubation X

Vegetation X

Water Quality X

Water Supply/Groundwater X

Wetland/Riparian

Growth Inducement X

Land Use X

Cumulative Effects X

Other:

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: 608  
(916) 445-0613

State Review Began: 6-7 - 2018

SCH COMPLIANCE 7-23 - 2018

**Project Sent to the following State Agencies**

X Resources

Boating &amp; Waterways

Central Valley Flood Prot.

Coastal Comm

Colorado Rvr Bd

Conservation

X CDFW # 4

X Cal Fire

Historic Preservation

X Parks &amp; Rec

Bay Cons &amp; Dev Comm.

DWR

Cal EPA

ARB: Airport &amp; Freight

ARB: Transportation Projects

ARB: Major Industrial/Energy

Resources, Recycl &amp; Recovery

SWRCB: Div. of Drinking Water

SWRCB: Div. Drinking Wtr #

SWRCB: Div. Financial Assist.

SWRCB: Wtr Quality

SWRCB: Wtr Rights

X Reg. WQCB # 7

Toxic Sub. Ctl-CTC

Yth/Adlt Corrections

Corrections

Independent Comm

Delta Protection Comm

Delta Stewardship Council

Energy Commission

X NAHC

Public Utilities Comm

X Santa Monica Bay Restoration

State Lands Comm

Tahoe Rgl Plan Agency

Conservancy

Other:

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

SCH#: 2015031003

Please forward late comments directly to the Lead Agency

AQMD/APCD 33

(Resources: 4 / 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:**

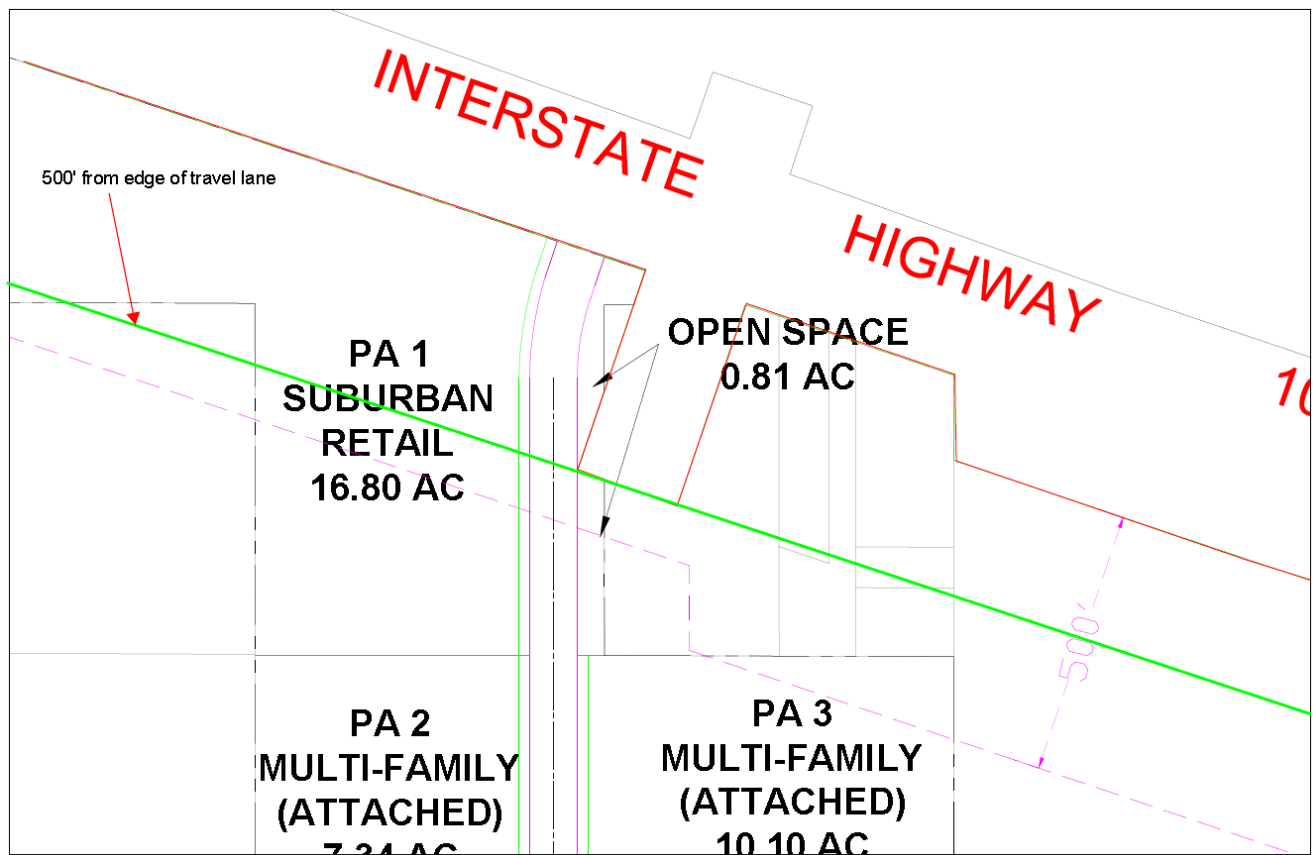
*11.3 "Sensitive receptors. Prohibit the siting of land uses that adversely impact existing sensitive receptors, including schools, childcare centers, senior housing, and subsidized affordable housing. The minimum distance separating these uses should be 500 feet."*

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, CARBs 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.



## South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

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

Luis Lopez

City of Coachella – Planning Division

1515 6<sup>th</sup> Street

Coachella, CA 92236

June 14, 2018

### 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>.

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>.

2a

<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](http://www.lozeaudrury.com)  
[richard@lozeaudrury.com](mailto: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  
[wpattison@coachella.org](mailto:wpattison@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.

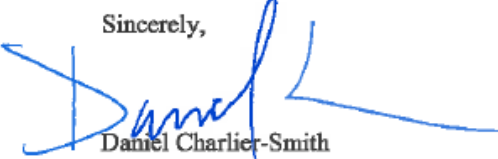
Please send notice by electronic mail, if possible or U.S. Mail to:

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](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

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 Millick
		<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



## 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

2300 Market Street, Ste 150, Riverside, CA 92501 - (951) 955-4777 ~ Fax: (951) 955-4886

**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.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 8

IGR/COMMUNITY &amp; 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.

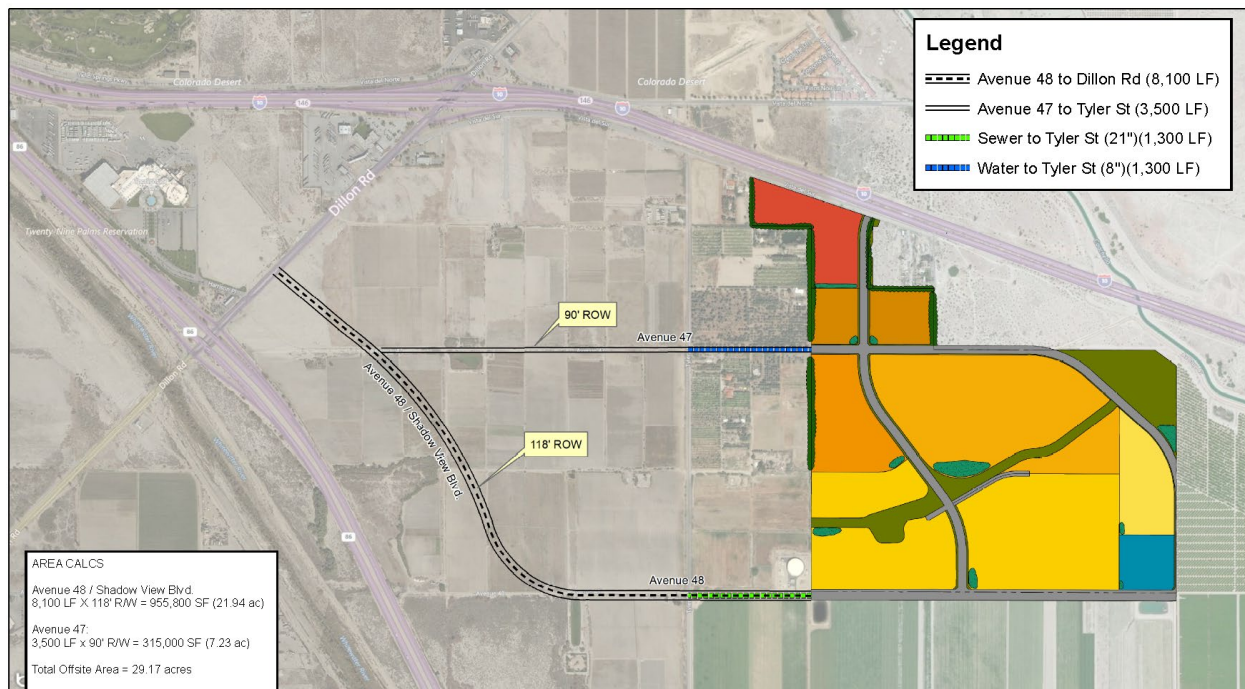
As stated in Response 7b, the Shadow View Property owners were contacted by the Project applicant subsequent to receiving this comment letter.

- 7l 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 47 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;
- 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.

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 Jensen  
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



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." The 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. The 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:

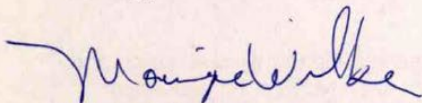
9f

<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 Earl Grundy, Associate Environmental Planner at (916) 324-7347 or via email at [Earl.Grundy@conservation.ca.gov](mailto:Earl.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://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."*

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 Millick
		<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. 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 10c

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

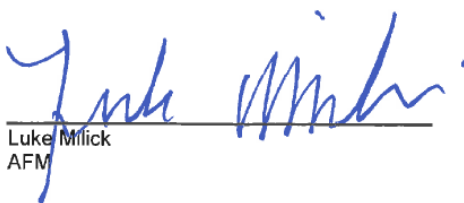
Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required.

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

2300 Market Street, Ste 150, Riverside, CA 92501 - (951) 955-4777 ~ Fax: (951) 955-4886

**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,

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:
- 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>). 12l

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 Alegria – 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 Wink 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, contained 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

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 • 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.

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 Allegrezza – 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

**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](mailto: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](mailto: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.)

R4d

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.

119/030958-0001  
12513692.2 a07/20/18



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.

119/030958-0001  
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.

119/030958-0001  
12513692.2 a07/20/18



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?

R4d

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.

Very truly yours,

RUTAN & TUCKER, LLP

A handwritten signature in black ink, appearing to read "M. Katherine Jenson".

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 hoppedscotch 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.

PCh

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



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?

PCs

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.)

PCt

#### 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.

PCu

(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?

PCv

What changes and improvements would be necessary for Tyler Street to accommodate this alternative?

PCw



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

A handwritten signature in black ink, appearing to read "M. Katherine Jenson".

M. Katherine Jenson

MKJ:lr

cc: Carlos L. Campos, City Attorney (via e-mail)  
Clients (via e-mail)

119/024519-0001  
13519089.1 a03/18/19

### 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:

b. Would the Project <u>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>	Mitigation not required	Not applicable	Not applicable	Mitigation not required
b. Would the Project <u>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>	Mitigation not required	Not applicable	Not applicable	Mitigation not required

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 recycled content (50 percent or greater); locally



- sourced materials (within the South Coast Air Basin);
- Utilization of sustainable harvesting practices; and
- Materials with low or no volatile organic compounds (VOCs) off-gassing.

#### Operational Mitigation Measures (Transportation)

- Provide one electric car charging station for every 10 high-density residences and provisions for electric car charging stations in the garages of all ~~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.

b. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	See <b>MM-CUL-2</b> , above.  <b>MM-CUL-3</b> Archaeological Monitoring Plan and Accidental Discovery. Prior to commencement of any grading activity...	<b>MM-CUL-3</b> Prior to commencement of any grading activity	<b>MM-CUL-3</b> City of Coachella Director of Development Services	Less than significant
--	---	---	--	-----------------------

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~~ 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>	<b>MM-AQ-12</b> Prior to issuance of any construction permits.	<b>MM-AQ-12</b> Public Works Department.	<b>MM-AQ-12</b> Plan check.	

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>	<b>MM-BIO-2</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>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)
	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?	See <b>MM-BIO-1</b> , above.				
Cultural Resources	a. Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<p><b>MM-CUL-1</b> RIV-7835 Avoidance (<u>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)
		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.				
	b. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<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;</p> <p>(2) A description of how the monitoring</p>	<b>MM-CUL-3</b> Prior to commencement of any grading activity.	<b>MM-CUL-3</b> City of Coachella Director of Development Services.	<b>MM-CUL-3</b> Plan check.	

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)
		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.				
	c. Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<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>	<b>MM-CUL-5</b> Prior to commencement of any grading activity.	<b>MM-CUL-5</b> City's Director of Development Services, or designee.	<b>MM-CUL-5</b> Plan check & Separate submittal - reports, studies, plans.	

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)
		<p>Riverside.</p> <ul style="list-style-type: none"> <li>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.</li> </ul>				
	d. Would the Project disturb any human remains, including those interred outside of formal cemeteries?	<p><b>MM-CUL-4</b> 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.</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>	<b>MM-CUL-4</b> <i>During site disturbance, grading, or other construction activities.</i>	<b>MM-CUL-4</b> <i>City's Director of Development Services, or designee.</i>	<b>MM-CUL-4</b> <i>On-site inspection &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)
		<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)
		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.				
	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><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>	<i>Prior to issuance of grading permits.</i>	<i>City Engineer.</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)
		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.				
Hazards and Hazardous Materials	Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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.	<b>MM-HAZ-1</b> <i>During grading, and/or during construction.</i>	<b>MM-HAZ-1</b> <i>Building Division and Department of Environmental Health or the Department of Toxic Substances Control.</i>	<b>MM-HAZ-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><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)
	ordinance, or applicable standards of other agencies?	<p>as feasible;</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>associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.</p> <p><b>MM-NOI-2</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 PA2, PA3 and PA8, that are adjacent to Avenue 47:</p> <ul style="list-style-type: none"> <li>• Areas Exceeding 70 dBA CNEL (within 23 feet from centerline of Avenue 47): 8 foot (combination of earthen berm and maximum 6' high wall) for ground level outdoor living areas such as backyards or patios.</li> <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-3</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, PA7 and PA10, that are adjacent to Avenue 48:</p> <ul style="list-style-type: none"> <li>• Areas Exceeding 70 dBA CNEL (within</li> </ul>	<p><b>MM-NOI-2</b> Prior to the approval of an implementing project</p> <p><b>MM-NOI-3</b> Prior to the approval of an implementing project.</p>	<p><b>MM-NOI-2</b> Building Division.</p> <p><b>MM-NOI-3</b> Building Division.</p>	<p><b>MM-NOI-2</b> Plan check.</p> <p><b>MM-NOI-3</b> Plan check.</p>	

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>	<b>MM-NOI-4</b> Prior to the approval of an implementing project.	<b>MM-NOI-4</b> Building Division.	<b>MM-NOI-4</b> Plan check	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<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).	<b>MM-NOI-5</b> Prior to the approval of an implementing project.	<b>MM-NOI-5</b> Building Division.	<b>MM-NOI-5</b> Plan check & Separate submittal - reports, studies, plans.	
	b. Would the Project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	See <b>MM-NOI-2</b> through <b>MM-NOI-5</b> , above.				
	c. Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	See <b>MM-NOI-2</b> , above.				
Transportation/Traffic	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?	<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): <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>	<b>MM-TR-1</b> prior to the 1 <sup>st</sup> occupancy.	<b>MM-TR-1</b> Public Works Department.	<b>MM-TR-1</b> Plan check.	

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)
		<ul style="list-style-type: none"> <li>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> <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>	<b>MM-TR-2</b> prior to the 1 <sup>st</sup> occupancy.	<b>MM-TR-2</b> Public Works Department.	<b>MM-TR-2</b> Plan check.	



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>	<b>MM-TR-3</b> prior to the 1 <sup>st</sup> occupancy.	<b>MM-TR-3</b> Public Works Department.	<b>MM-TR-3</b> Plan check.	

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               <ul style="list-style-type: none"> <li>○ Install One (1) additional WB right-turn lane</li> </ul> </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>				
	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?	See <b>MM-TR-2</b> and <b>MM-TR-3</b> , above.				
	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><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 Geronio 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

21.



## 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):603150007,603150011,603150012,603150010,603150009,603150005,603150004,603150008,603130003,603130004,603130009,603122005✓  
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

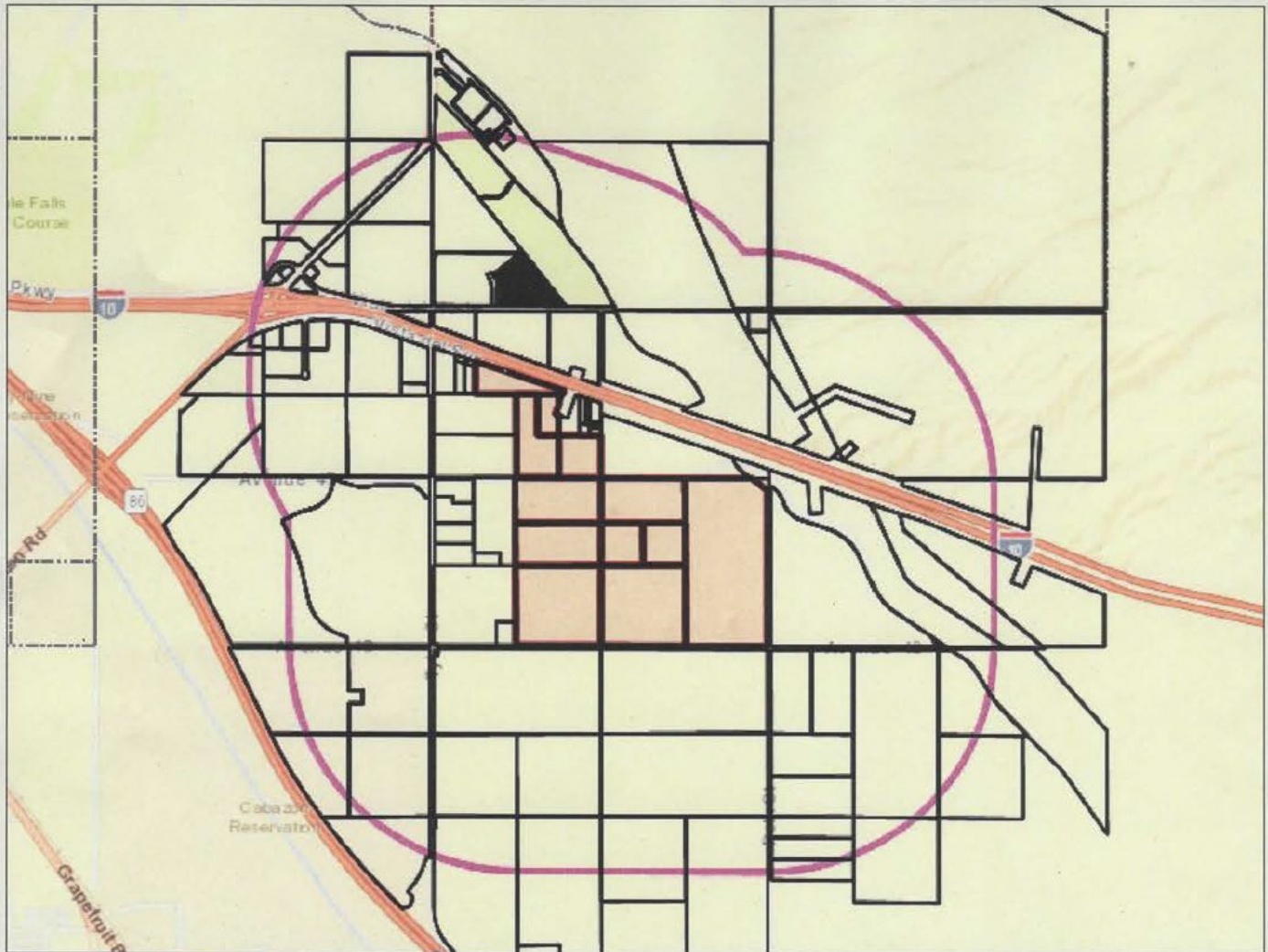
ADDRESS: 4080 Lemon Street 9<sup>TH</sup> Floor

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 RUSSER  
 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  
 NA 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

21.

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

**Conditions of Approval For Specific Plan No. 14-01:**  
**Vista Del Agua**

**General Conditions**

1. The applicant shall defend, indemnify and hold harmless the City of Coachella, its officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its officials, officers, employees or agents to attack, set aside, void or annul any project approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval or mitigation measure imposed by the City Council or Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officials, officers, employees and agents in the defense of the matter. The applicant shall execute an indemnification agreement, in a form acceptable to the City Attorney, within five days of the effective date of this approval.
2. The words identified in the following list appear in capitals in the attached Conditions of Approval for Specific Plan No. 14-01: Vista Del Agua Project ("City Approvals") and shall be henceforth defined as follows:

SPECIFIC PLAN: Specific Plan No. 14-01: Vista Del Agua

CHANGE OF ZONE: Change of Zone No.14-01

GPA: General Plan Amendment No. 14-01

DEVELOPMENT AGREEMENT: Development Agreement

EIR: Environmental Impact Report No. 14-04

TPM: Tentative Parcel Map No. 36872

BUILDER'S TENTATIVE MAP: A Builder's Tentative Map created for the purpose of designing individual residential lots or multi-family units for sale to end-user homeowners.

BUILDING PERMITS: The number of dwelling units constructed within an implementing project Any condition of approval that uses the term "Building Permit" to trigger an event or to cause another action to take place shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

COMMERCIAL MAP: A Commercial Map is the division of a lot or parcel of land

into two or more lots for the purpose of creating a development for commercial or business related purposes. This definition includes, but is not limited to, retail commercial and office commercial uses.

**IMPLEMENTING PROJECT:** An implementing Project is a subsequent project, located in the Specific Plan area, pursuant to either a Builder's Tentative Map or Commercial Map.

**MASTER SUBDIVISION MAP:** A Master Subdivision Map is a map that subdivides large tracts of land into smaller parcels for the purpose of later selling or otherwise transferring the parcels for further subdivision together with planning and construction of infrastructure elements, but not for the purpose of creating individual commercial parcels or individual residential lots for sale to end-user homeowners. The purpose and intent of the Master Subdivision Map process is to allow subdivision of land to correspond to Specific Plan Planning Areas, open space, and infrastructure elements without allowing the creation of individual commercial or residential lots. For nonresidential property, while the Master Subdivision Map process may create parcels which may or may not be subdivided further, no building may be undertaken on any master parcel unless and until all other required discretionary entitlements have been lawfully obtained, as required by applicable land use and development regulations of the Specific Plan. The boundary lines on any Master Subdivision Map shall correspond to applicable Planning Area plan land use designations and infrastructure elements.

**SPECIFIC PLAN NO. 14-01:** The Vista Del Agua Specific Plan dated January 2019 including the following:

- a. The Specific Plan Document shall include the following:
  1. City Council General Plan Amendment 14-01 resolution;
  2. City Council Specific Plan 14-01 ordinance including the Conditions of Approval;
  3. Specific Plan Zoning Ordinance; and
  4. Specific Plan text, land use map and supporting exhibits.
- b. Final Environmental Impact Report No.14-04 includes the following:
  1. Draft Environmental Impact Report
  2. Comments received on DEIR either verbatim or in summary;
  3. A list of persons, organizations and public agencies commenting on the DEIR;
  4. Responses of the City to significant environmental points raised in the review and consultation process;
  5. Errata;
  6. Technical Appendices on CD;
  7. Mitigation Monitoring and Reporting Program

TOTAL DWELLING UNIT TRACKING MATRIX- A chart for tracking the total build out of the Specific Plan maintained by the City, Development Services Department. The matrix shall differentiate between individual Building Permits and the total number of dwelling units that are represented by the Building Permits that have been issued for the entire Specific Plan.

All other terms not specifically defined herein shall have the same meaning set forth in the Specific Plan.

3. In the event of an inconsistency between these Conditions of Approval and the Specific Plan or Development Agreement, the terms and conditions of the Specific Plan and Development Agreement, as applicable, shall prevail. All implementing actions associated with the City Approvals shall be consistent with the Specific Plan and the Development Agreement.
4. The development of the property shall be in accordance with the mandatory requirements of all City of Coachella ordinances and state laws and shall conform substantially to the adopted Specific Plan and Environmental Impact Report as approved by the City of Coachella.
5. All Planning Area numbers shall be retained throughout the life of the Specific Plan, in accordance with Section 4 of the Specific Plan.
6. Density transfers between Planning Areas are permitted in accordance with Section 8E of the Specific Plan.
7. Prior to the approval of any Implementing Project, the applicant shall provide a Total Dwelling Unit Tracking Matrix. The Matrix Table will track Planning Area entitled units, Tentative Tract Map units, Final Map recorded units, and units actually built within every planning area in the Specific Plan. The purpose of this tracking sheet is to enable the Development Services Department to ensure compliance with the established Planning Area development ranges as outlined in Land Use Table 4-A of the Specific Plan.
8. Mitigation measures included in the project Mitigation Monitoring and Reporting Program are hereby incorporated by reference as project conditions of approval.
9. The Development Services Director or his/her designee may allow minor modifications or adjustments to these Conditions of Approval through an administrative review process, so long as those minor modifications and adjustments are consistent with the City Approvals and the Specific Plan.
10. The applicant has ninety (90) days from the date of the approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or exactions imposed on this project as a result of the approval or conditional approval of this project.

**Prior to the issuance of a Grading Permit**

The following conditions shall be included as conditions of all subsequent Tentative Tract Maps:

11. All grading shall be performed in accordance with the applicable provisions of the California Building Code, project's Mitigation Monitoring and Reporting Program, the Specific Plan and the City General Plan, as amended.
12. Prior to the issuance of a grading permits(s), all certifications affecting grading shall have written clearances, including, but not limited to additional environmental assessments, erosion control plans and geotechnical/soils reports.
13. Grading of the site will be done in substantial conformance with a mass grading plan submitted at the time of the first Master Tentative Tract Map.
14. Per the requirements of CVWD, prior to the issuance of grading permits, the developer shall provide the following for those drainage facilities impacted by the proposed grading:
  - a. Provide flood control plans that incorporate the required mitigation measures to protect existing CVWD facilities, and satisfy all applicable regulations and standards.
  - b. Obtain a Conditional Letter of Map Revision (CLOMR) through the Federal Emergency Management Agency (FEMA).
  - c. Execute an agreement with CVWD, which shall include provisions outlined in CVWD Ordinance No. 1234.1.
  - d. Submit to CVWD a Flood Control Facility Operations and Maintenance Manual for review and approval.
  - e. Grant flooding easements over the flood control facilities in a form and content reasonably acceptable to CVWD.
  - f. Submit final construction plans for the proposed flood control facilities and a detailed hydrologic and hydraulic design report for review and approval.

**Prior to or concurrent with the submittal of a Master Tentative Map**

15. The first Master Tentative Map must provide for all requisite on-site and off-site easements, rights-of-way and alignments for vehicular access and extension of utility infrastructure, including reclaimed water facilities, to the project site.
16. The Shadow View Blvd. access shall be designed as approved by the City Engineer and the Fire Department. Timing of the ultimate improvement shall be in accordance with the requirements of the Specific Plan and EIR.

17. Plans including, without limitation, financing details, preliminary design plans and a construction-phasing schedule for the project's landscaping in accordance with Exhibits 7-1 thru 7-9 (Landscape Master Plan) of the Specific Plan shall be part of the first Master Tentative Map.
18. Ultimate parkway and median landscaping for all backbone streets including Shadow View Blvd, Avenue 47, Avenue 48, Polk Street, Vista del Sur and "A" Street shall be installed in conjunction with development of the planning area immediately adjacent to the road segment.
19. A recreation and open space concept plan that includes trails, parks, the paseo and the drainage trail connections and provides detail on layout, grading, utilities, plant palette and lighting is required for each phase of the project. The plan shall be submitted and approved by the City's Development Services Director or his/her designee concurrently with the first Tract Map for the particular phase of development.
20. A transit plan, illustrating the location and spacing of transit facilities, shall be submitted to SunLine Transit Agency in conjunction with the first Master Tentative Map.
21. In accordance with Section 7 of the Specific Plan, a Master Signage Program shall be prepared and approved by the City's Development Services Director or his/her designee to provide for design continuity within the Vista Del Agua Community.
22. In accordance with Figures 7-6 and 7-7 of the Specific Plan, a Master Wall and encing Plan shall be prepared and approved by the City's Development Services Director or his/her designee to provide for design continuity within the Vista Del Agua Community.
23. All improvement plans for landscaped elements including, without limitation, parkways, medians, paseos and trails shall conform to the standards contained in Figures 7-1 thru 7-9 of the Specific Plan.
24. All parks shall be constructed in accordance with Figure 8-1 (Phasing Plan) of the Specific Plan.

**Prior to or concurrent with submittal of a Builder's Tentative Map or Commercial Map**

25. Prior to or concurrent with approval of a Builder's Tentative Map or Commercial Map, traffic related improvements shall be constructed in accordance with Mitigation Measures TR1, TR2, TR 3, TR 4 and TR 5.



26. In accordance with Section 7D, Development Guidelines of the Specific Plan, a detailed Sign Plan in conformance with the Master Signage Program shall be prepared and approved by the City's Development Services Director or his/her designee as part of the design review process.
27. In accordance with Section 7D, Development Guidelines of the Specific Plan, a detailed Wall and Fencing Plan in conformance with the Master Wall and Fencing Plan shall be prepared and approved by the City's Development Director or his/her designee as part of the design review process.
28. All improvement plans for landscaped elements including, without limitation, parkways, medians, paseos and trails shall conform to the standards contained in Section 7D of the Specific Plan.
29. Commercial and residential builders shall design all structures in accordance with the guidelines set forth in the City's Climate Action Plan (CAP), US Green Building Council LEED and GreenPoint Rated standards. LEED certification is not required. All commercial and residential builders shall comply with or exceed the most current Title 24 energy efficiency and CALGreen building standards.
30. All Final maps may be phased. The number of phased final maps that may be filed shall be determined by the Developer and Development Services Director or his/her designee at the time of the approval or conditional approval of the tentative map.

**Prior to Recordation of a Builder's or Commercial Final Map**

31. Developer's facilities obligations may be financed through the use of one or more Financing Districts including, without limitation, a Community Facilities Financing District for improvements, public services, including without limitation police and fire services, fees or maintenance costs. Any Vista Del Agua specific Financing District must include a component for police and fire services. In the event that a Vista Del Agua-specific Financing District is not formed, prior to recordation of the first Final Map, the applicant or successor in interest shall annex the subject property into the City's Community Facilities District (CFD 2005-01) for City Police, Fire and Paramedic services.
32. Prior to Map recordation, a permanent master maintenance organization shall be established for the Specific Plan area to assume ownership and maintenance responsibility for all common recreation, open space, circulation systems and landscaped areas. The organization may be public or private.
  - a. If the organization is a private organization, then a neighborhood associations shall be established for each residential development where required and such associations may assume ownership and maintenance responsibility for neighborhood common areas.

- b. Common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision is recorded.
- c. The maintenance organization shall be established prior to or concurrent with recordation of the first land division.
- d. Covenants, Conditions and Restrictions (CC&Rs) shall be prepared by the applicant, reviewed and approved by the City Attorney.
  - 1. The CC&Rs shall be consistent with the Community Design Guidelines (Section 4) of the adopted Specific Plan.
  - 2. The CC&Rs shall include a disclosure to residential owners in substantially the same form as: "The Vista Del Agua property is located, partially or wholly, adjacent to land zoned for agricultural purposes by the City of Coachella. No agricultural activity, operation, or facility or appurtenances thereof, conducted or maintained for commercial purposes in the City of Coachella and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality shall be or become a nuisance, private or public, due to any changed condition in or after the locality, after the same has been in operation for more than three years, if it was not a nuisance at the time it began."
  - 3. The CC&Rs shall include a disclosure to residential owners in substantially the same form as; "The easterly portion of the Vista Del Agua project is within an earthquake fault zone that has been designated by the California State Geologist as the San Andreas fault zone under a California law called the Alquist-Priolo Earthquake Fault Zoning Act (California Public Resources Code Sections 2621 through 2630). This Act prohibits the construction of structures for human occupancy over the trace of an active fault line. An active fault trace is the location of an earthquake fault that has broken the ground surface in about the last 11,000 years."
  - 4. The CC&Rs shall include a disclosure and provide information to future residential owners and business owners on the benefits of installing and utilizing energy conservation measures and renewable energy resources as a means of reducing dependence on non-renewable energy sources.

### **Prior to Occupancy Permits of a Builder's Map or Commercial Map**

- 33. Per the requirements of CVWD, prior to the issuance of occupancy permits, the developer shall:
  - a. Obtain a Letter of Map Revision (LOMR) through FEMA.
  - b. At the completion of the construction of the flood control facilities, submit "as built" topography, construction drawings, and engineering analysis for CVWD review to verify that the design capacity is adequate.



**Conditions of Approval for  
Tentative Parcel Map 36872**

1. The applicant shall defend, indemnify and hold harmless the City of Coachella, its officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its officials, officers, employees or agents to attack, set aside, void or annul any project approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval or mitigation measure imposed by the City Council or Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officials, officers, employees and agents in the defense of the matter. The applicant shall execute an indemnification agreement, in a form acceptable to the City Attorney, within five days of the effective date of this approval.
2. This map is for financing and conveyance purposes only. No development entitlements are associated with Tentative Parcel Map No. 36872.
3. The following statement must be clearly printed on the face of Tentative Parcel Map No. 36872:

**FOR FINANCE AND CONVEYANCE PURPOSES ONLY. THIS MAP DOES NOT CREATE ANY LEGAL BUILDING SITES. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY.**

4. Tentative Parcel Map No. 36872 is approved for 24 months from the final date of City Council approval unless a one-year time extension is requested by the applicant and approved by the Planning Commission unless these timeframes are superseded by the terms of the Vista Del Agua Development Agreement.
5. Tentative Parcel Map No. 36872 must be consistent with Vista Del Agua Specific Plan.
6. No development or improvement of any portion of this map shall be permitted until a subsequent Builder's Tentative Map or Commercial Map is recorded in accordance with the applicable provisions of the Vista Del Agua Specific Plan Conditions of Approval, Subdivision Map Act, and the City of Coachella Subdivision Ordinance for the subdivision described in this map.
7. The Final Parcel Map shall comply with the Subdivision Map Act and City of Coachella Subdivision Ordinance.
8. In accordance and compliance with Condition No. 35 of the Conditions of Approval for SP 14-01, developer's facilities obligations may be financed through the use of one or more Financing Districts including, without limitation, a Community Facilities Financing District for improvements, public services, including without limitation police and fire services, fees or maintenance costs. Any Vista Del Agua specific Financing District must include a component

for police and fire services. In the event that a Vista Del Agua-specific Financing District is not formed, prior to recordation of the Final Map, the applicant or successor in interest shall annex the subject property into the City's Community Facilities District (CFD 2005-01) for City Police, Fire and Paramedic services. The applicant shall cooperate with the City to include the subject property in CFD 2005-01.

21.

9. Approval of Tentative Parcel Map No. 36872 is contingent upon City Council certification of EIR 14-04 and City Council approval of General Plan Amendment 14-01, Specific Plan No.14-01 and Change of Zone 14-01.

**ATTACHMENT 7**  
**VISTA DEL AGUA SPECIFIC PLAN**

The Vista Del Agua Specific Plan is available to download in four parts at the Weblinks Below:

Vista Del Agua SP - Part I <https://www.coachella.org/home/showdocument?id=7845>

Vista Del Agua SP - Part II <https://www.coachella.org/home/showdocument?id=7847>

Vista Del Agua SP - Part III <https://www.coachella.org/home/showdocument?id=7849>

Vista Del Agua SP - Part IV <https://www.coachella.org/home/showdocument?id=7851>

# **Vista Del Agua Water Supply Assessment FINAL**



## **City of Coachella**

**Prepared By:**



2305 Chicago Avenue  
Riverside, CA 92507  
(951) 680-0440

**December 2017**

## TABLE OF CONTENTS

<b><u>Section</u></b>	<b><u>Page</u></b>
<b>Acronyms and Abbreviations</b> .....	AA-1
<b>1 Introduction</b>	
1.1 Introduction.....	1-1
1.2 Water Supplier.....	1-2
1.3 Purpose of Document.....	1-3
1.4 Existing Water Management Plans.....	1-3
1.4.1 City of Coachella 2015 Urban Water Management Plan.....	1-3
1.4.2 CVWD 2015 Urban Water Management Plan.....	1-6
1.4.3 2010 Coachella Valley Water Management Plan.....	1-7
1.4.4 2011 Coachella Valley Water Management Plan Subsequent Program Environmental Impact Report and 2012 Final Subsequent Program Environmental Impact Report.....	1-10
<b>2 Vista Del Agua Development</b>	
2.1 Project Description.....	2-1
2.2 Project Land Use Summary.....	2-1
2.3 Project Water Demand.....	2-4
2.4 Project-Specific Water Conservation and Groundwater Reduction Measures.....	2-5
<b>3 Water Demands</b>	
3.1 General.....	3-1
3.1.1 Service Area Description.....	3-1
3.1.2 Facilities.....	3-1
3.1.3 Climate.....	3-2
3.1.4 Service Area Population.....	3-4
3.2 Water Demands.....	3-4
3.2.1 City Past and Current Water Use.....	3-4
3.2.2 City Water Demand Projections.....	3-5
3.3 Water Use Reduction Plan.....	3-9
3.4 Statewide Drought Conditions.....	3-10
3.4.1 State Board Emergency Water Conservation Regulations.....	3-4
<b>4 Water Supply Assessment</b>	
4.1 Existing Water Supplies.....	4-1
4.2 Groundwater.....	4-2
4.2.1 Basin Description.....	4-2
4.2.2 Public Water System Use Rights.....	4-2
4.2.3 Status of Groundwater Basin.....	4-3
4.2.4 Groundwater Management and Mitigation Efforts.....	4-4
4.2.5 Historical Use of the Basin.....	4-4
4.2.6 Projected Groundwater Use.....	4-6
4.2.7 Sufficiency of the Groundwater Basin.....	4-6



4.2.8	Other Factors Related to the Groundwater Basin .....	4-7
4.3	Colorado River Water .....	4-12
4.3.1	Quantification Settlement Agreement .....	4-14
4.3.2	Factors Affecting Colorado River Supplies .....	4-16
4.3.2.1	Drought Conditions and Interim Guidelines .....	4-16
4.3.2.2	Protected Species and Other Environmental Issues .....	4-17
4.3.2.3	Potential Climate Change Impacts .....	4-18
4.3.2.4	QSA Litigation .....	4-19
4.3.2.5	Colorado River Basin Study .....	4-20
4.4	Surface Water .....	4-21
4.5	Storm Water .....	4-21
4.6	Transfer and Exchange Opportunities .....	4-21
4.6.1	City .....	4-21
4.6.2	CVWD .....	4-21
4.7	Desalinated Water Opportunities .....	4-22
4.7.1	City .....	4-22
4.7.2	CVWD .....	4-22
4.8	Recycled Water Opportunities .....	4-23
4.8.1	City .....	4-23
4.8.2	CVWD .....	4-23
4.9	Future Water Projects .....	4-24
4.9.1	City .....	4-24
4.9.2	CVWD .....	4-24
4.10	Analysis of Water Supply and Demand .....	4-24
4.11	Conclusions .....	4-27

## APPENDICES

Appendix A Water Supply Planning Documents

Appendix B 2009 City of Coachella and Coachella Valley Water District  
Memorandum of Understanding

Appendix C 2013 City of Coachella and Coachella Valley Water District  
Memorandum of Understanding

**FIGURES**

Figure 2-1	Vista Del Agua Location Map.....	2-2
Figure 2-2	Vista Del Agua Land Use Plan.....	2-3
Figure 3-1	City of Coachella Water Service Area.....	3-3
Figure 4-1	Groundwater Subbasins.....	4-5

**TABLES**

2-1	Proposed Vista Del Agua Land Use Summary.....	2-1
2-2	Vista Del Agua Average Water Demands.....	2-5
3-1	City of Coachella Area Climate.....	3-2
3-2	City of Coachella Population Projections.....	3-4
3-3	Past and Current Water Use.....	3-5
3-4	Future per Capita Water Use.....	3-6
3-5	Projected 2020, 2025, 2030, and 2035 Water Demands.....	3-7
4-1	Groundwater Volume Pumped.....	4-4
4-2	Retail Groundwater Volume Pumped.....	4-6
4-3	Priorities and Water Delivery Contracts, California Seven Party Agreement of 1931.....	4-13
4-4	CVWD Deliveries under the QSA.....	4-15
4-5	Supply and Demand Comparison Normal Water Years 2010-2035.....	4-26
4-6	Supply and Demand Comparison Single Dry Water Years 2010-2035.....	4-26
4-7	Supply and Demand Comparison Multiple Dry Water Years 2010-2035.....	4-27

## ACRONYMS AND ABBREVIATIONS

---

AB	Assembly Bill
ACF	Annual Consumption Factor
AF	Acre Feet
AFY	Acre Feet per Year
APA	Administrative Procedure Act
BDCP	Bay Delta Conservation Plan
BIOps	Biological Opinions
BOR	Bureau of Reclamation
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CIP	Capital Improvement Plan
CR	Colorado River
CRA	Colorado River Aqueduct
CUWCC	California Urban Water Conservation Council
CVAG	Coachella Valley Association of Governments
CVP	Central Valley Project
CVRWVG	Coachella Valley Regional Water Management Group
CVSC	Coachella Valley Stormwater Channel
CVWD	Coachella Valley Water District
CVWMP	Coachella Valley Water Management Plan
CWA	Coachella Water Authority
CWC	California Water Code
DFW	Department of Fish and Wildlife
DMM	Demand Management Measures
DWR	Department of Water Resources
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FWS	Fish and Wildlife Service
GPCD	Gallons per Capita per Day
GPD	Gallons per Day
GPM	Gallons per Minute
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
HDR	High Density Residential
ID	Improvement District
IID	Imperial Irrigation District
IRWMP	Integrated Regional Water Management Plan
IWA	Indio Water Authority
LAFCO	Local Agency Formation Commission
LDR	Low Density Residential
MCL	Maximum Contaminant Limit
MDR	Medium Density Residential
MG	Million Gallons
MGD	Million Gallons per Day

MOU	Memorandum of Understanding
MU	Mixed Use
MVP	Mid-Valley Pipeline
MWD	Metropolitan Water District
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
PEIR	Programmatic Environmental Impact Report
PPR	Present Perfected Rights
PVID	Palo Verde Irrigation District
PWS	Public Water System
QSA	Quantification Settlement Agreement
RAC	Replenishment Assessment Charge
RCTLMA	Riverside County Transportation and Land Management Agency
RO	Reverse Osmosis
RPA	Reasonable and Prudent Alternative
RUWMP	Regional Urban Water Management Plan
RV	Recreational Vehicle
SB	Senate Bill
SCADA	Supervisory Control and Data Acquisition
SCAG	Southern California Association of Governments
SCH	State Clearinghouse
SDCWA	San Diego County Water Authority
SGMA	Sustainable Groundwater Management Act
SOI	Sphere of Influence
SPEIR	Subsequent Programmatic Environment Impact Report
SWP	State Water Project
SWRCB	State Water Resources Control Board
UWMP	Urban Water Management Plan
VLDR	Very Low Density Residential
VSD	Valley Sanitary District
WRP	Water Reclamation Plant
WSA	Water Supply Assessment
YCWA	Yuba County Water Agency

## SECTION 1 INTRODUCTION

---

### 1.1 Introduction

In 2002, California Water Code (CWC) Sections 10910 through 10915 were amended by the enactment of Senate Bill 610 (SB 610) to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 provides that when a city or county determines that a “project” as defined in CWC Section 10912 is subject to review under the California Environmental Quality Act (CEQA), the city or county must identify the water supply agency that will provide retail water service to the project and request that water supplier to prepare a Water Supply Assessment (WSA).<sup>1</sup> The proposed Vista Del Agua development project (referred to herein as the “Project” or “Vista Del Agua”) includes 1,640 dwelling units (mixture of single and multi-family residential units), 16.8 acres of mixed-use development with up to 281,400 square feet of retail/commercial floor area, 8.3 acres of neighborhood commercial, 13.8 acres of park land, and 9.5 acres of open trails; and thus qualifies as a “project” under SB 610. Generally, a WSA must evaluate whether the total projected water supplies available to the water supplier during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the water supplier’s existing and planned future uses, including agricultural and manufacturing uses.

This WSA has been prepared in accordance with the requirements of SB 610. Accordingly, the information, analyses, and conclusions contained herein utilize and rely upon, in part, the information, analyses and conclusions set forth in other water supply planning documents that have been prepared and duly adopted by agencies such as the City of Coachella (City), the Coachella Valley Water District (CVWD), and the California Department of Water Resources (DWR). Those documents include, without limitation, the City’s 2015 Urban Water Management Plan (City 2015 UWMP), CVWD’s 2015 Urban Water Management Plan (CVWD 2015 UWMP), CVWD’s 2010 Coachella Valley Water Management Plan Update (2010 CVWMP), the 2011 Subsequent Programmatic Environmental Impact Report for the 2010 CVWMP (2011 SPEIR), the 2014 Water Management Plan Status Report for

---

<sup>1</sup>For purposes of CWC Section 10912(a), a “project” includes any of the following: (1) a proposed residential development of more than 500 dwelling units; (2) a proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space; (3) a proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space; (4) a proposed hotel or motel, or both, having more than 500 rooms; (5) a proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area (provided; however, that until January 1, 2017, a photovoltaic or wind energy generation facility is not a “project” that requires a WSA if the facility would demand no more than 75 acre-feet of water annually); (6) a mixed-use project that includes one or more of the above-specified projects; or (7) a project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

the 2010 CVWMP (2014 Status Report), and the 2014 Coachella Valley Integrated Regional Water Management Plan (2014 IRWMP). Moreover, in relation to the exchange agreements (see **Section 4** below), the ability of the Metropolitan Water District of Southern California (MWD) to carry out its role is supported by MWD's water supply planning documents, including its 2015 Regional Urban Water Management Plan (MWD 2015 RUWMP) and 2015 Integrated Resources Plan.<sup>2</sup> The environmental review document being prepared pursuant to CEQA for the Vista Del Agua Project is a Programmatic Environmental Impact Report. The water supply analysis provided in this document pursuant to the WSA statute is intended to support that CEQA review.

## 1.2 Water Supplier

The City of Coachella Water Authority (CWA) was established in 1957 and is administered and managed by the Utilities General Manager under direct supervision of the City Manager. The City is responsible for providing water service to its residents, and will be the water supplier for the Vista Del Agua Project.

As a public water supplier in the Coachella Valley, the City and CWA maintain a close and cooperative relationship with CVWD. CVWD was formed in 1918 to protect and conserve local water sources. Since then, the district has grown into a multi-faceted agency that delivers irrigation and domestic water (including drinking water), collects and recycles wastewater, provides regional storm water protection, replenishes the groundwater basin, and promotes water conservation. CVWD is a special district established by the state legislature and governed by a five-member Board of Directors. While a large part of CVWD's history is in agricultural irrigation, today it meets the water-related needs of more than 107,000 homes and businesses across 1,000 square miles in various areas of service, including: domestic water; groundwater replenishment and imported water; wastewater treatment; recycled water; stormwater protection and flood control; agricultural irrigation and drainage, and water conservation. (Additional information regarding CVWD is provided in **Sections 1.4.2** through **1.4.4** below.)

In September 2009, CVWD and the City signed a Memorandum of Understanding (2009 MOU) to assist in ensuring a sufficient and reliable water supply for development projects within the City and its sphere of influence (SOI) in a manner consistent with CVWD's CVWMP as amended from time to time.<sup>3</sup> Under the terms of the 2009 MOU, various means are identified by which the City can provide for the supply of supplemental water to offset the demands associated with development projects approved by the City. For instance, under the 2009 MOU the City can participate in funding CVWD's acquisition of supplemental water supplies to offset demands associated with newly approved projects within the City's SOI.<sup>4</sup> In February 2013, CVWD and the City signed a Memorandum of Understanding (2013

<sup>2</sup>Copies of these documents are made part of the record in support of this WSA and are incorporated and included herein as Appendix A.

<sup>3</sup>A copy of the 2009 MOU between the City and CVWD is incorporated and included herein as Appendix B.

<sup>4</sup> See, e.g., CVWD 2010 CVWMP, p. 3-3.

MOU) regarding implementation of the 2009 MOU.<sup>5</sup> Among other things, the 2013 MOU further specifies the mechanism by which the City can finance and acquire supplemental water supplies from CVWD to meet the projected demands of new development projects, and establishes a process for preparing and adopting Water Supply Assessments and Written Verifications for such projects. As further set forth below, the 2013 MOU applies to the Vista Del Agua Project, and the supplemental water supplies referred to in the 2013 MOU have been considered by CVWD as part of the 2010 CVWMP Update and related 2011 SPEIR.

### **1.3 Purpose of Document**

As mentioned above, this WSA is required under SB 610 because, among other features, the Project includes more than 500 residential dwelling units. Moreover, in accordance with SB 610 and applicable provisions of CEQA, the WSA will be included as part of the CEQA documentation being prepared for the Project. In the following sections, this WSA will evaluate whether the total projected water supplies available to the City during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with Vista Del Agua, in addition to the City's existing and planned future uses, including agricultural and manufacturing uses. Notably, the water demands associated with the Vista Del Agua Project have been accounted for and are part of the projected growth analyzed by CVWD in its recent 2015 UWMP and 2011 SPEIR analyses, which are further discussed below.

### **1.4 Existing Water Management Plans**

In accordance with Water Code Section 19010(c)(1), the City has reviewed whether the projected water demand associated with the Project was included as part of the City's most recently adopted 2015 Urban Water Management Plan. The City's 2015 UWMP did not specifically reflect the demands associated with Vista Del Agua; however, the demand projections do account for growth for new development projects such as Vista Del Agua. In addition, the demands associated with the Project have been accounted for as part of CVWD's regional water supply planning efforts, which specifically include population projections within the City and the City's SOI through the year 2045 in accordance with the Riverside County Center for Demographic Research RCP 06 planning process.<sup>6</sup> Therefore, and as set forth herein, the projected water demands of Vista Del Agua have already been considered in preparing and adopting the City's 2015 UWMP and CVWD's 2010 CVWMP and 2011 SPEIR. These and other documents are described in more detail in the following sections.

#### **1.4.1 City of Coachella 2015 Urban Water Management Plan**

As indicated above, the City has completed its 2015 UWMP and the City's next UWMP is scheduled for mid-2021. Water Code Section 10910(c)(2) provides that if

<sup>5</sup>A copy of the 2013 MOU between the City and CVWD is incorporated and included herein as Appendix C.

<sup>6</sup> See 2010 CVWMP, pp. 3-4 to 3-5

demand associated with a proposed project is accounted for in the most recently adopted UWMP, the water supplier may incorporate information from the UWMP in preparing certain elements of a WSA for the project. The City's 2015 UWMP did not specifically reflect the demands associated with Vista Del Agua; however, the demand projections do account for growth for new development projects such as Vista Del Agua.

The two primary calculations required by SBx7-7 are (1) the Base Daily Per Capita Water Use Calculation (average gpcd used in past years), and (2) Compliance Water Use Targets (targets for gpcd in 2015 and 2020). The Base Daily Per Capita Water Use Calculation is based on gross water use by an agency in each year and can be based on a ten-year average ending no earlier than 2004 and no later than 2010, or a 15-year average if ten percent of 2008 demand was met by recycled water. An urban retail water supplier must then set a 2020 water use target and a 2015 interim water use target in terms of gpcd. SBx7-7 establishes four alternative methods for water agencies to use in calculating their Compliance Water Use Targets, as follows: (1) 80% of Base Daily Per Capita Use; (2) adherence to specified performance standards; (3) 95% of the applicable state hydrologic region target as set forth in the State's 20x2020 Water Conservation Plan; or (4) the provisional target method and procedures developed by DWR pursuant to SBx7-7.

In accordance with SBx7-7, the City will strictly manage its per capita water use throughout the year 2020 and beyond, and those management activities will substantially enhance the City's ability to ensure sufficient and reliable water supplies and accommodate long-term growth. As set forth in Section 3 below, the City's base daily per capita water use for purposes of SBx7-7 was calculated as 210 gpcd, and its 2015 and 2020 targets were established as 204 gpcd and 200 gpcd respectively. In addition to SBx7-7, the 2009 Comprehensive Water Package also included new laws that require increased monitoring of groundwater basins, the development of agricultural water management plans, and a stricter reporting regime for water diversions and uses in the Delta.

The City's 2015 actual per capita water use was 142 gallons per capita per day (GPCD), which exceeds both the 2015 Interim Water Use Target of 204 GPCD and the 2020 Water Use Target of 200 GPCD, as established in its 2010 UWMP. As such, the City has met the CWC requirements to be eligible for DWR administered water grants or loans.

The City's 2015 UWMP includes various water supply planning data, future projects, and basin management activities that are geared toward meeting the per capita water consumption reductions under SBx7-7. For example, the City is participating in a recycled water feasibility study spearheaded by the CVRWGM as part of the Coachella Valley IRWM Plan in plans to develop a recycled water system in the future. In addition, the City continues to evaluate the use of Canal Water as a source of substitution for drinking water supplies obtained from groundwater. Per CVWD Ordinance No. 1428, the City has the opportunity to receive canal water for additional potable water supply when available. The City also participates in groundwater recharge activities with CVWD through replenishment assessments,



and has implemented a variety of water use efficiency programs, including demand management measures and a Water Shortage Contingency Plan that can be executed by the City Council during water shortages. The purpose of the Plan is to provide procedures with voluntary and mandatory provisions to minimize the effect of a water shortage to the City's service area. The four stage approach to reducing demand ranges from a voluntary 10 percent reduction in water use to a mandatory 50 percent reduction.

The City of Coachella universally acknowledges and embraces the importance of water issues, and as such is managing 12 cost-effective demand management measures (DMMs). These DMMs include technologies and methodologies that have been sufficiently documented in multiple demonstration projects and result in more efficient water use and conservation (e.g., residential plumbing retrofits, system water audits, leak detection, and repair, large landscape conservation programs and incentives, and public information and school education programs).

The City of Coachella adopted a landscape ordinance for single family and multi-family residences and large landscape areas. The new ordinance encourages limited use of turn areas and reduces landscape irrigation consumption by mandating high efficiency irrigation systems and low water use landscaping. The City conducts plan checking for compliance with the landscape ordinance prior to the construction of new and/or rehabilitation landscaped sites. Further, the City continues its adoption and implementation of the Regional Landscape Water Conservation Ordinance as a response to the Water Conservation in Landscaping Act of 2006. The Regional Landscape Water Conservation Ordinance not only meets the state requirements, but also is tailored specifically to the unique climate and water conservation needs of the Coachella Valley, including the City of Coachella. Additionally, the CWA offers three water conservation programs to its residents. These include the Turf Removal Rebate Program, the Smart Controller Rebate Program, and the Toilet Rebate Program.

As further discussed below, the City and CWA have recently implemented additional requirements to achieve extraordinary water conservation in response to (1) the Governor's Executive Order concerning statewide drought conditions and (2) the emergency water conservation regulations promulgated by the State Water Resources Control Board.

Further, the City understands the need to investigate future water projects to meet demands associated with projected growth. As indicated above and as further discussed in this analysis, the City is evaluating and will continue to evaluate various source substitution projects to reduce overall demands on native groundwater supplies, such as the use of treated canal water for municipal purposes. The City's Water Master Plan and Capital Improvement Program (CIP) will continue to be updated to identify and implement future projects as they become needed to serve new demands within the City.

### **1.4.2 Coachella Valley Water District 2015 Urban Water Management Plan**

CVWD has also completed its 2015 UWMP in accordance with the UWMP Act. CVWD's next UWMP is scheduled for mid-2021. The 2015 UWMP shows that CVWD has instituted various planning efforts regarding water supply and infrastructure opportunities. As discussed throughout this analysis, a key component of CVWD's water management strategy is the acquisition of additional imported water supplies to augment existing resources. As further set forth in CVWD's 2015 CVWMP Update, CVWD may seek to acquire up to 50,000 acre-feet per year (AFY) of additional water supplies through either long-term leases or entitlement purchases from willing parties. CVWD may also pursue water transfers and exchanges, and has identified possible ways to develop new sources of water. CVWD also anticipates the future use of local desalinated water as part of its water supply portfolio, whereby CVWD could use treated agricultural drainage water for irrigation purposes. Such projects would either make additional potable supplies available for municipal purposes or help offset groundwater pumping in the basin.<sup>7</sup>

CVWD's 2015 UWMP identifies recycled water as another significant local resource that can be used to supplement the water supply of the Coachella Valley. Wastewater that is highly treated and disinfected can be reused for a variety of landscape irrigation and other purposes. Recycled water has been used for irrigation of golf courses and municipal landscaping in the Coachella Valley since 1968. It is expected that golf course irrigation will remain the largest use of recycled water in the future. Current and projected future uses of recycled water include irrigation of urban landscape and golf course lands. Recycled water use is limited by the lack of urban development in the east valley. As urbanization occurs in the future, a recycled water distribution system will be developed to serve recycled water for urban golf course irrigation and municipal irrigation.<sup>8</sup>

Further, CVWD and DWA operate groundwater recharge programs in the upper Whitewater River and Mission Creek subbasins. As part of the CVWMP, CVWD intends to significantly expand its groundwater recharge program in the Whitewater River subbasin. CVWD completed construction the Thomas E. Levy (Levy) Groundwater Replenishment Facility in the East Whitewater River Subbasin with a capacity to 40,000 AFY. CVWD is also conducting pilot recharge tests in the East Whitewater River subbasin at the Martinez Canyon Pilot Recharge Facility. CVWD is presently recharging approximately 32,500 AFY at this facility. CVWD completed construction of a pilot recharge facility and several monitoring wells in the Martinez Canyon alluvial fan in March 2005. This facility is designed to recharge approximately 3,000 AFY. According to the 2010 CVWMP (see further discussion below), CVWD plans to construct a full-scale facility at Martinez Canyon to recharge 20,000 AFY by 2025.<sup>9</sup>

As set forth throughout CVWD's planning documents, water demands in the Coachella Valley will continue to be met in a sustainable manner by using the

<sup>7</sup> CVWD 2015 UWMP, p.6-27.

<sup>8</sup> CVWD 2015 UWMP, p.6-26.

<sup>9</sup> CVWD 2015 UWMP, p. 3-4.

groundwater basin as a conjunctive use resource. In practice, that involves the use of groundwater wells to produce amounts that are continually supplemented and recharged with Colorado River, State Water Project, and local water supplies. As an overall water supply system, CVWD's service area (including the City and the Vista Del Agua Project) is uniquely insulated from drought conditions and is capable of ensuring sufficient and reliable water supplies to meet demand because of the large storage volume of the basin (about 25 million AF). As noted herein, CVWD is also planning ways to deliver treated Colorado River water directly to the urban distribution system, and untreated Colorado River water directly for landscape irrigation and other non-potable uses, both of which will further reduce the need to rely on the groundwater basin.<sup>10</sup>

As with the City, CVWD's water conservation efforts are a critical component of its water management strategy. CVWD has had a water conservation program since the 1960s and recognizes the importance of conserving water to reduce demand on the groundwater supply and decrease reliance on imported supplies. With the enactment of SBx7-7, CVWD's demand management measures (DMMs) have become even more comprehensive. As noted above, SBx7-7 establishes the goal of achieving a 20 percent reduction in statewide urban per capita water use by the year 2020. The interim goal of achieving a 10 percent reduction by 2015 has already been met. As a retail water supplier, CVWD complies with SBx7-7 by establishing and implementing per capita water use reduction targets, and by identifying present and future measures, programs, and policies to help achieve the water use reductions required by SBx7-7. Among various other actions, CVWD carries out the following DMMs:

- Water survey program for single-family and multi-family residential customers;
- Metering with commodity rates for all new connections and retrofit of existing connections program;
- Large landscape conservation programs and incentives program
- Public information program;
- School education program;
- Conservation pricing program;
- Water conservation program coordination and staffing support;
- Rebate programs such as landscape conversion, ultra-low-toilet replacement and high-efficiency washing machine rebate programs

While the City of Coachella and the Vista Del Agua Project are not within CVWD's retail service area, the foregoing discussion of CVWD's 2015 UWMP and the information below regarding the 2015 CVWMP are provided to illustrate the extraordinary water supply planning and demand management efforts that are undertaken by CVWD in its role as an urban water supplier.

#### ***1.4.3 2010 Coachella Valley Water Management Plan***

<sup>10</sup> CVWD 2015 UWMP, p.6-1.

The 2010 CVWMP serves as a 35-year blueprint for wise water management and the basis for all CVWD's efforts to preserve the valley's groundwater resources. The basic goal of the CVWMP remains similar to that of previous WMPs: "to reliably meet current and future water demands in a cost-effective and sustainable manner." New factors facing water resources managers throughout California have led to refined objectives. The programs and projects identified in the 2010 CVWMP Update are based on the following objectives:

- Meet current and future water demands with a 10 percent supply buffer;
- Eliminate long-term groundwater overdraft;
- Manage water quality;
- Comply with state and federal regulations;
- Manage future costs; and
- Minimize potential adverse environmental impacts.

The 2010 CVWMP calls for a multifaceted approach to water management and water conservation, including:

- Increased water conservation by all types of water users;
- Increased imported water supply from the Coachella Canal and State Water Project;
- Increased use of the imported supply and recycled water, instead of groundwater, for irrigation; and
- Expanded groundwater replenishment efforts, especially in the East Valley.

The 2010 CVWMP Update identifies several water conservation measures with the goal to reduce overall water consumption by 20 percent by 2020, and the goal to maintain this level of reduction through 2045. These measures include water efficient landscaping and irrigation controls, water efficient plumbing, tiered or seasonal water pricing, public information and education programs, alternative water supplies, water restrictive municipal development policies, appointing a CVWD conservation coordinator, and refining the maximum water allowance budgets for landscaped and recreational areas. The 2010 CVWMP Update shows reduced reliance on groundwater sources over the long term by utilizing more Colorado River water, SWP water and recycled water, by expanding source substitution, and through increased water conservation.<sup>11</sup>

The 2010 CVWMP Update emphasizes cooperation with municipalities, local water agencies, and tribes in regional planning and implementation. The following are among some of the recommended activities outlined in the update for the board of directors to consider over the next 35 years:<sup>12</sup>

<sup>11</sup>2010 CVWMP, pp. 6-3 to 6-13.

<sup>12</sup>Coachella Valley Water District, *2010 Coachella Valley Water Management Plan Update* (January 2012).

- Provide incentives and support to agricultural customers to conserve water, such as through converting from flood/sprinkler irrigation to more efficient micro-sprinkler/drip systems;
- Encourage existing golf courses to convert landscaping to meet the 2007 Landscape Ordinance, requiring no more than 4 acres of grass per hole and 10 acres of grass per practice area;
- Expand landscape conversion rebates for domestic customers to encourage less grass and more desert appropriate landscaping;
- Complete construction on subsequent phases of the Mid-Valley Pipeline system to provide a blend of recycled and Colorado River water to up to 50 golf courses in lieu of groundwater;
- Turn the pilot Martinez Canyon replenishment facility into a full-scale facility with a capacity of up to 40,000 acre-feet of replenishment annually;
- Implement East Valley source substitution projects such as expansion of the Canal water distribution system in the Oasis area to serve agricultural operations that are not currently served with Canal water, this system is expected to deliver about 27,000 AFY of Canal water to offset groundwater pumping.

The 2010 CVWMP Update shows that CVWD has many current and future programs that are designed to maximize the water resources available to the region, such as recharge of its Colorado River and SWP supplies, expanded use of recycled water, desalinated agricultural drain water, conversion of groundwater uses to Canal water and water conservation measures, including tiered water rates, landscaping ordinance, outreach and education. The 2010 CVWMP Update and CVWD's Replenishment Assessment Programs establish a comprehensive and managed effort to eliminate overuse of local groundwater while ensuring a sufficient and sustainable water supply to meet projected demands. These programs allow CVWD to maintain the groundwater basin as its primary urban water supply and to recharge the groundwater basin as its other supplies are available.

The 2010 CVWMP Update presented a number of recommended programs and features to enhance water supply development and reduce groundwater overdraft. The continuation and expansion of existing projects and programs is summarized below.<sup>13</sup>

- An agricultural conservation program including elements such as: training, system upgrades and retrofits, economic incentives, and regulatory programs that can achieve up to a 14 percent reduction in consumptive use by 2020.
- An urban conservation program including elements such as: installing automated meters, extending landscape ordinances, implementing water budget-based tiered water rates, and various rebate programs, all of which are aimed at achieving the State's requirement for a 20 percent reduction in per capita use by 2020.

<sup>13</sup>2010 CVWMP Section 8.

- Continue and expand the golf course conservation program that is expected to achieve a savings of 11,600 AFY by 2045.
- Additional water supply development programs such as: acquisition of additional imported supplies, increased recycled water use, and development of desalinated drain water. Groundwater recharge will increase over time at the existing Whitewater and Thomas E. Levy Groundwater Replenishment Facilities, and the construction of the proposed Martinez Canyon Recharge Facility.
- Source substitution will continue to be an important element for offsetting groundwater use. Examples of new projects and programs include: using canal water for urban irrigation, implementing groundwater recharge in the Indio area, investigating groundwater storage opportunities with IID, pursuing additional groundwater treatment for arsenic, developing a salt/nutrient management plan, improved brine disposal, mitigation of canal water losses, maintaining and developing improved drainage control, increasing stormwater capture and recharge, and developing local groundwater supplies for non-potable use.

As further set forth below, the 2010 CVWMP serves as a blueprint for ensuring a sufficient and sustainable water supply to meet the needs of projected growth throughout the Coachella Valley, including the City and the City's sphere of influence, for the next 30 years and beyond.

In 2014, CVWD performed a review of the 2010 CVWMP to evaluate changes in the planning environment that impact water demand projections, review the effectiveness of the 2010 CVWMP Update, and evaluate implementation progress of the 2010 CVWMP Update programs and recommend new implementation targets. The 2014 Water Management Plan Status Report (2014 Status Report) concluded that the 2010 CVWMP Update is working and with continued implementation, overdraft will be eliminated by 2021 with increased groundwater levels in the Palm Springs area and the East Valley. In addition, the 2014 Status Report found that population increase is lower than the projections used in the 2010 CVWMP. Therefore, new population projections, through 2045, were used and reflect an 18 percent reduction in overall growth. This also resulted in a reduction of 2045 total water demand by 14 percent. Of note, this is not an elimination of demand, but a deferral of demand to later years.

#### ***1.4.4 2011 Coachella Valley Water Management Plan Subsequent Program Environmental Impact Report and 2012 Final Subsequent Program Environmental Impact Report***

As noted above, CVWD first adopted the Coachella Valley Water Management Plan and the related Program Environmental Impact Report (PEIR) in September 2002. The CVWMP is a multi-faceted plan to allow CVWD to meet its responsibilities for securing and protecting Coachella Valley water supplies into the future. The CVWD Board of Directors recognizes the need to update the Plan periodically to respond to changing external and internal conditions. The 2010 CVWMP Update has been prepared to meet that need. The 2010 CVWMP defines how the project goals will be



met given changing conditions and new factors affecting water supply reliability, water demands and evolving federal and state regulations. The planning time horizon for the 2010 CVWMP Update is 35 years, from 2010 to 2045. As with the 2002 CVWMP, CVWD analyzed the potential environmental impacts associated with implementing the 2010 CVWMP pursuant to the California Environmental Quality Act (CEQA). That document is the 2011 Subsequent Program EIR (2011 SPEIR) (State Clearinghouse (SCH) No. 1999041032, SCH No. 2000031027).<sup>14</sup>

As shown in Table 1-2 of the 2011 SPEIR, it has been determined that, overall, the 2010 CVWMP will have less than significant environmental impacts, and in certain key respects will have beneficial effects. For example, in addressing regional groundwater overdraft issues, the 2010 CVWMP will result in decreasing annual overdraft conditions in the West and East Valley areas, and water levels will change at a slower rate than under current condition and will increase in some areas.<sup>15</sup>

The goal of the 2010 CVWMP is to allow CVWD and other water agencies in the Valley to reliably meet current and future water demands within their service areas in a cost effective and sustainable manner for the period 2010 to 2045. As noted above, the programs and projects identified in the 2010 CVWMP fulfill this goal by meeting the following objectives: meet current and future water demands with a 10 percent supply buffer; reduce/eliminate long-term groundwater overdraft; manage and protect water quality; comply with state and federal laws and regulations; manage future costs; and minimize adverse environmental impacts. The 2010 CVWMP differs from the 2002 CVWMP in that a 10 percent supply buffer is applied to the projected water demands while eliminating overdraft. This buffer compensates for potential uncertainties such as demands higher than forecast or supplies that cannot be implemented or do not deliver as much water as planned. The supply buffer would be established through a combination of additional supplies and water conservation measures.<sup>16</sup>

The 2011 SPEIR identifies various external factors that have affected or may affect water supplies available to the Coachella Valley. Key factors include: annual fluctuation in imported State Water Project (SWP) supplies due to drought and environmental needs in the Sacramento-San Joaquin Delta (Delta); recent environmental rulings to protect sensitive fish species in the Delta that restrict the State's ability to move water through the Delta to the SWP; preparation of the Bay-Delta Conservation Plan, which is intended to restore the Delta's ecosystem and improve water supply reliability; the Quantification Settlement Agreement (QSA), signed in 2003 to allocate California's allotment of Colorado River water and meet its contractual limitation; litigation concerning the QSA; and effects of climate change on the long term availability and reliability of SWP and Colorado River water supplies.<sup>17</sup> These factors are fully addressed in the 2011 SPEIR and are further described in this WSA.

<sup>14</sup>2011 SPEIR, pp. 1-1 and 2-1.

<sup>15</sup>2011 SPEIR, p. 1-25.

<sup>16</sup>2011 SPEIR, pp. 1-2 and 2-12.

<sup>17</sup>2011 SPEIR, p. 1-2.

The 2010 CVWMP Update identifies approaches for meeting future water needs in the study area in light of changing environmental conditions and other water supply factors. To meet revised future needs, the CVWMP includes new features in the areas of water conservation, source substitution, new supplies and groundwater recharge.<sup>18</sup> The 2010 CVWMP incorporates both a “bookends” approach and “building block” approach to deal with potential uncertainties in future demands and supplies. The Plan also incorporates enhanced cooperation and implementation among cities, local water agencies, and tribes in the Coachella Valley.<sup>19</sup> For example, the 2010 CVWMP Update includes an aggressive program of water conservation for urban, golf course and agricultural water users. However, there are limits in terms of cost, effectiveness and acceptability of water conservation activities. As those limits are reached, other Plan elements for meeting future needs also can be adjusted. One source of supply is desalination of drain water, the most expensive alternative for providing new supplies. This approach only will be implemented as other sources of supplies reach practical limits. Therefore, the Plan includes a range of 55,000 to 80,000 acre-feet per year (AFY) for desalination of drain water. The actual amount of water from this source will depend upon how much can be obtained first from other, lower cost sources.<sup>20</sup>

The 2010 CVWMP Update has the same five major elements as the 2002 CVWMP, but with a building block approach of implementing elements to better respond to changes in the planning environment. As indicated above, a key element is water conservation (urban, agricultural and golf, but at higher rates than in the 2002 Plan). Urban measures are water efficient plumbing and landscape water use audit programs. For golf, measures are scientific irrigation scheduling, water audits and monitoring of maximum water allowance compliance, turf limitations for new course as well as water audits. Agricultural water conservation methods include scientific irrigation scheduling, salinity management, salinity field mapping, conversion to micro-irrigation, distribution uniformity evaluations, grower training and engineering evaluations of irrigation efficiency. Another element is additional water sources, including increasing surface supplies for the Valley from outside sources (Colorado River and SWP transfers and leases), exchanges, dry-year purchases, water development projects, stormwater capture, and desalination. A third element is source substitution of surface water supplies for groundwater. This may involve providing recycled water or Canal water or other sources to additional urban, golf and agricultural users to reduce groundwater pumping. Source substitution can also involve additional use of the Mid-Valley Pipeline Project, Phase I of which was completed in 2009. The fourth element is groundwater recharge, including: constructing and operating recharge basins to augment stored groundwater; continued and increased recharge at the Whitewater Recharge Facility; construction and operation of a new facility at Martinez Canyon; increased recharge at the Levy facility; and a possible new City of Indio recharge facility at Posse Park. The fifth element is monitoring and data management, which includes monitoring and

---

<sup>18</sup>2011 SPEIR, p. 1-7.

<sup>19</sup>2011 SPEIR, p. 1-7.

<sup>20</sup>2011 SPEIR, p. 1-8.



evaluation of subsidence and groundwater levels and quality to provide the information needed to manage the Valley's groundwater resources.<sup>21</sup>

In developing the 2010 CVWMP, CVWD utilized the latest population projections developed by Riverside County and adopted by the Southern California Association of Governments (SCAG) in 2008. CVWD does not develop population growth projections for use in water management planning. The 2008 SCAG projections could not have taken into account the recent recession, which had slowed growth and continued to have negative effects on growth in the near term. Over the long term, growth will continue; however, population projections will need to be adjusted in terms of the timing of growth. These realities necessitate adjustment of Plan implementation to meet actual near term needs and continued updates of the CVWMP in the future to reflect revised population projections.<sup>22</sup>

Riverside County embarked on major revisions to the County's General Plan and General Plan EIR (Riverside County, 2009). In the absence of these completed documents, CVWD has been required to make assumptions in the 2010 CVWMP Update regarding the effects of projected growth on land use, particularly the conversion of agricultural land to urban use in the East Valley. Consequently, the 2010 CVWMP Update projects a reduction in agricultural water demand combined with a significant increase in urban water demand. Increased urbanization also increases domestic wastewater generation in the East Valley. Expansion of the CVWMP planning area to include land annexed or within the spheres of influence of the cities of Coachella and Indio also adds to the potential for growth in the Valley. Although the 2007 Riverside County/CVAG growth forecasts did not anticipate significant growth in this area, the potential for development could result in additional population growth and water demand during the 2010 CVWMP Update planning period. While there had been an economic slowdown in the late 2000's and early 2010's, these projected population and land use changes are anticipated to be fulfilled in the long term, but at a slower pace.<sup>23</sup>

Agricultural water demands are projected to decrease, while urban demands will increase in response to anticipated population growth. Factoring potential variations in future land use and growth forecasts into these demand projections, water demands in 2045 could range from 793,600 acre-feet per year (AFY) to 971,500 AFY with a mid-range planning value of 885,400 AFY. These projections incorporate reduced outdoor water use for new development as required by the CVWD-CVAG water efficient Landscape Ordinance. In the absence of this ordinance and other on-going conservation measures, water demands in the Valley would be nearly 1,040,000 AFY by 2045.<sup>24</sup>

Implementation of the 2010 CVWMP Update has been divided into near-term elements and long-term elements. Even with the recent recession and lack of

<sup>21</sup>2011 SPEIR, p. 1-8.

<sup>22</sup>2011 SPEIR, pp. 1-8 to 1-9; see also Table 1-1, Summary of the 2010 Water Management Plan Update and Implementation Plan, pp. 1-9 to 1-13.

<sup>23</sup>2011 SPEIR, p. 3-2.

<sup>24</sup>2011 SPEIR, pp. 3-3 to 3-4.

growth, continuation of existing elements and some new elements are needed to reduce overdraft and its adverse effects. Ongoing elements that will continue are: recharge at Whitewater Recharge Facility with SWP Exchange water and SWP purchases; implementation of the QSA; levy facility recharge at current levels of 32,000 AFY; Martinez Canyon recharge at current Pilot Facility Level of 3,000 AFY; water conservation programs at current levels, including implementation of the Landscape Ordinance; effluent recycling in the West Valley; increased use of Canal water by golf courses with existing Canal water connections to reduce groundwater pumping; conversion of East Valley agriculture to Canal water, as opportunities arise, to reduce groundwater pumping; groundwater level/quality monitoring; and subsidence monitoring.<sup>25</sup>

Assuming that the Coachella Valley study area growth rate remains relatively low, during the next five years CVWD will focus on three new or expanded activities to preserve and protect groundwater resources, such as: increased use of the Mid-Valley Pipeline project to reduce overdraft in the West Valley by connecting golf courses and reducing groundwater pumping by those courses; implementation of additional water conservation measures, including the Landscape Ordinance, to meet the State's requirement of 20 percent conservation by 2020; and preparation of a salt/nutrient management plan for the Valley by 2014 to meet SWRCB Recycled Water Policy requirements to improve implementation of wastewater effluent recycling. Of these three elements, only the increased use of the Mid-Valley Pipeline would have a second tier CEQA document. Implementation of Proposed Project elements, such as a desalination plant or additional water transfers, which would trigger second tier CEQA documents, are anticipated after 2015.<sup>26</sup>

Due to potential variability associated with imported water supplies from the Colorado River and the SWP, which are further discussed below in this WSA, the 2010 CVWMP Update evaluates an array of water supply scenarios to determine a likely range of future supply needs. These scenarios assume different combinations of a Delta conveyance solution and QSA validity to determine the future amount of imported water available to the Valley.<sup>27</sup> Based upon the scenarios, additional water supplies and conservation would be required to meet projected demands in 2045 while providing 10 percent supply buffer, eliminating groundwater overdraft and improving the salt balance of the basin.<sup>28</sup> The 2010 CVWMP Update evaluates a wide range of water conservation and supply options based on potential yield, reliability, cost, water quality and other feasibility factors. Based on this evaluation, a range of water supply mixes was established for each planning scenario. Each scenario maximizes the use of local sources and recycled water. Water conservation and drain water desalination are variable, based on the availability of existing and future imported water supplies including potential water transfers and acquisitions.<sup>29</sup>

<sup>25</sup>2011 SPEIR, p. 1-14.

<sup>26</sup>2011 SPEIR, p. 1-14.

<sup>27</sup>2011 SPEIR, p. 3-7.

<sup>28</sup>2011 SPEIR, p. 3-7.

<sup>29</sup>2011 SPEIR, pp. 3-8 to 3-9.

Water conservation is a major component of water management in the Coachella Valley. As a desert community heavily reliant upon imported water supplies, the Coachella Valley must use its water resources as efficiently as possible to meet California Water Code requirements and State legislation such as “20x2020” (requiring 20 percent per capita water use reduction by the year 2020), as well as to maintain eligibility for State funding opportunities through compliance with Assembly Bill (AB) 1420 demand management measures (DMMs) required in Urban Water Management Plans.<sup>30</sup> According to the 2010 CVWMP, agricultural water conservation remains the most cost-effective approach for extending the existing water supplies of the Valley. Under the 2010 CVWMP, an agricultural conservation program will be implemented that achieves up to a 14 percent reduction in consumptive use by 2020. The savings would be achieved using a staged approach. Initially, low cost, voluntary programs would be initiated followed by increasingly more expensive and mandatory programs.<sup>31</sup>

The following building blocks have been identified for implementation: grower education and training (grower meetings and training programs combined with confidential grower audits funded by the District); District-provided services (including scientific irrigation scheduling, scientific salinity management, moisture monitoring and farm water distribution evaluations funded by the District); irrigation system upgrades/retrofits (partial or full funding and/or financial support of growers that convert from flood/sprinkler to micro-sprinkler/drip irrigation systems); economic incentives (such as tiered pricing, water budget pricing, or seasonal pricing); and regulatory programs (regulations that support and provide for agriculture conservation, including farm management plans, mandatory drip/micro-spray systems for new permanent crops, and conversion of existing crops over time).<sup>32</sup>

These program features will be incrementally expanded until the target reduction is achieved. To achieve the maximum return on investment from conservation activities, initial emphasis will be placed on those agricultural operations with the lowest irrigation efficiency. The agricultural conservation program is anticipated to save about 39,500 AFY of water by 2020. The savings are projected to decrease to approximately 23,300 AFY by 2045 as agricultural land transitions to urban uses. CVWD is developing methods for tracking the effectiveness of agricultural water conservation. These methods will include determining average water use per acre of farmed land and average irrigation efficiency. The methods will reflect variations in annual/seasonal evapotranspiration and cropping patterns. Progress toward meeting agricultural conservation goals will be evaluated and reported annually.<sup>33</sup>

Urban conservation is also critical. Under the 2010 CVWMP, the urban water conservation program will be expanded and enhanced to meet the State’s requirement of a 20 percent reduction in per capita use by 2020 (SBx7-7). The baseline for this reduction is the 10-year average per capita usage for the period of

<sup>30</sup>2011 SPEIR, p. 3-9.

<sup>31</sup>2011 SPEIR, pp. 3-9 to 3-10.

<sup>32</sup>2011 SPEIR, pp. 3-9 to 3-10.

<sup>33</sup>2011 SPEIR, p. 3-10.

1995 through 2004. This will be accomplished by: continued public education and outreach programs promoting water conservation; improved landscape irrigation scheduling and efficiency; implementation of irrigation system retrofit rebates; implementation of appropriate water rate structures that provide the economic incentives needed to encourage efficient water use; coordinated regional water conservation programs involving Valley water purveyors, cities and Riverside County; continued implementation of the CVWD Valley-wide Landscape Ordinance (Ordinance 1302-1; revised Ordinance 1374); installation of automated or “smart” water meters; extension of the Landscape Ordinance to include all landscaping regardless of size (current limit is 5,000 square feet or larger for homeowner furnished landscaping); further decreases in the water allocations for landscape irrigation consistent with good irrigation practices and desert landscaping; landscape retrofit rebates (i.e., economic incentives for replacing high water use landscaping, also known as “cash for grass”); restrictions on the total amount of turf allowed; audits of new development to assure continued compliance with the Landscape Ordinance; plumbing retrofits for existing properties including mandatory retrofit (ultra low flush toilets, showerhead replacement, etc.) prior to sale of property; conservation rebates for high-efficiency clothes washers; compliance with California Green Building Code Standards (California Code of Regulations Title 24, Part 11, 2010); and water distribution system audits and loss reduction programs.<sup>34</sup>

Once the conservation targets are achieved, continued implementation of those measures will result in even greater savings per capita as new growth occurs. Projections indicate that continued implementation of these measures in conjunction with the State’s 2010 CALGREEN Building Code requirements will result in per capita water use reduction of nearly 40 percent compared to the baseline per capita use defined in SBx7-7. This could potentially result in additional water savings of 55,000 AFY by 2045 if growth occurs as projected. To provide the water supply buffer, this target is increased to 73,500 AFY by 2045. Additional water conservation beyond this amount will be implemented if needed to offset unanticipated reductions in other water supplies during the planning period. Pursuant to SBx7-7, Valley water agencies will track the effectiveness of urban water conservation. Progress toward achieving the urban water conservation goals will be evaluated annually and reported in UWMPs prepared on five-year intervals. If progress shows that additional conservation is being achieved, then the water supply needs will be reassessed.<sup>35</sup>

The 2011 SPEIR identifies golf course conservation as another key component of the management plan. Under the 2010 CVWMP, Valley water agencies are expected to do the following: implement a water conservation program to achieve a 10 percent reduction in water use by existing golf courses (built prior to 2007) by 2020 (this would be accomplished through golf course irrigation system audits and soil moisture monitoring services); encourage existing golf courses to reduce water use by reducing their acreage of turf; implement the 2009 CVWD/CVAG Landscape

<sup>34</sup>2011 SPEIR, p. 3-10 to 3-11.

<sup>35</sup>2011 SPEIR, p. 3-11.

Ordinance objectives for all new golf courses (built in 2007 and later); conduct landscaping and irrigation system plan checks to verify compliance; and develop and implement methods to evaluate the effectiveness of golf course water conservation such as measuring water use per irrigated acre. These measures are expected to achieve a savings of 11,600 AFY by 2045. Conservation by future courses has been incorporated into the water demand projections. Progress toward meeting golf course conservation goals will be evaluated and reported annually.<sup>36</sup>

The 2010 CVWMP Update strategy for water supply development consists of a balanced portfolio that retains flexibility to adapt to future changes in supply reliability. Sufficient water supplies are planned to provide a 10 percent buffer on an average basis to meet unanticipated reductions in existing supplies or difficulties in developing new supplies. The additional supplies needed to provide the buffer would be implemented when required based on an on-going analysis of projected demands and supplies.<sup>37</sup> A summary of the water supply development efforts of the 2010 CVWMP is set forth below.

### ***Acquisition of Additional Imported Supplies***

Additional imported water supplies will be used to replenish and manage the groundwater basins and meet the future demands of the Valley. The 2002 CVWMP established an average water supply target of 140,000 AFY from the SWP, of which about 103,000 AFY would be used for recharge at Whitewater and 35,000 AFY would supply the Mid-Valley Pipeline (MVP) project. CVWD and DWA have made significant progress since 2002 toward achieving these targets with the acquisition of SWP Table A entitlement water from Metropolitan (100,000 AFY), Tulare Lake Basin Water Storage District (16,900 AFY) and Berrenda Mesa Water District (16,000 AFY).

This has increased the Valley's SWP Table A Amounts from 61,200 AFY to 194,100 AFY. In addition, periodic one-time purchases of water totaling 50,200 AF have been made after 2002. As described in the 2011 SPEIR, given recent factors affecting the California water supply picture, the average amount of additional imported supply required is in the range of 45,000 to 80,000 AFY. The higher value assumes successful implementation of the BDCP and Delta conveyance facilities while the lower value is based on reduced future SWP reliability (to 50 percent).<sup>38</sup>

Additional supplies will be obtained through the following actions: acquire additional imported water supplies through long-term lease or purchase where cost effective; continue to purchase SWP Turnback Pool and SWP Article 21 (Interruptible) waters; continue to purchase supplemental SWP water under the Yuba River Accord Dry Year Water Purchase Program as available; work with Metropolitan to define the frequency and magnitude for SWP Table A call-back under the 2003 Water Transfer Agreement, and continue to play an active role with U.S. Bureau of Reclamation

<sup>36</sup>2011 SPEIR, pp. 3-11 to 3-12.

<sup>37</sup>2011 SPEIR, p. 3-12.

<sup>38</sup>2011 SPEIR, p. 3-12.

(Reclamation), DWR, the State Water Contractors and other agencies in developing the BDCP and Delta Habitat Conservation and Conveyance Program.<sup>39</sup>

### ***Increased Recycled Water Use***

The 2002 CVWMP had a recycled water use target of 30,000 AFY for the West Valley and 8,000AFY for the East Valley in 2035. Essentially all available recycled water in the West Valley is currently being put to beneficial use either through direct non-potable uses like urban and golf course irrigation or through percolation. As urban growth occurs, the following activities will be implemented under the 2010 CVWMP Update: in the West Valley, implement a joint agency goal to increase recycling of all generated wastewater for non-potable irrigation from 60 percent to at least 90 percent where feasible; in the East Valley, maximize the use of recycled water generated by future growth for irrigation as development occurs and customers become available by constructing tertiary treatment and distribution facilities at the CVWD Water Reclamation Plant No. 4 (WRP-4), City of Coachella and Valley Sanitary District (VSD) facilities; evaluate the feasibility of delivering recycled water in the existing Coachella Canal water distribution system while avoiding potential conflicts with future urban water treatment and use of Canal water; determine the minimum amount of recycled and other water flow that must be maintained in the CVSC to support riparian and wetland habitat; and fully utilize all wastewater generated by development east of the San Andreas Fault for irrigation uses to meet demands in that area and reduce the need for additional imported water supplies.<sup>40</sup>

Based on these recommendations, up to 34,500 AFY of recycled water would be used in the West Valley, up to 33,000 AFY of recycled water would be used in the East Valley and up to 10,800 AFY of recycled water would be used in the area east of the San Andreas fault for direct non potable uses by 2045, for a total of 78,300 AFY.<sup>41</sup>

### ***Develop Desalinated Drain Water***

The 2002 CVWMP had a planning target of 11,000 AFY of desalinated drain water usage by 2035. Measures will include: developing a program to recover, treat and distribute desalinated drain water and shallow (semi-perched) groundwater for non-potable and potable uses in the East Valley; developing a disposal system to dispose of brine generated by the desalination process; and constructing a demonstration facility to gain operational experience in drain water desalination and brine disposal. Under the 2010 CVWMP Update, the amount of water recovered through drain water desalination may range from 55,000 to 85,000 AFY by 2045, depending on the effectiveness of water conservation measures and the availability of other supplies. The lower end of the range reflects the successful implementation of the BDCP and Delta conveyance facilities. The high end of the range is close to the maximum amount of drain water expected to be generated in the Valley and

<sup>39</sup>2011 SPEIR, p. 3-13.

<sup>40</sup>2011 SPEIR, p. 3-13.

<sup>41</sup>2011 SPEIR, p. 3-14.



would be implemented if SWP Exchange water reliability remains low. The desalination program will be phased so that it can be expanded in response to future water supply conditions and needs of the Valley.<sup>42</sup>

### ***Groundwater Recharge Programs***

The 2002 CVWMP had a planning target of 103,000 AFY of SWP water at the Whitewater Recharge Facility and 80,000 AFY of Canal water recharge at East Valley recharge facilities by 2035. Whitewater recharge varies annually, but the SWP Exchange supply can currently provide about 77,700 for recharge. Canal water recharge is currently 32,000 AFY at the Levy Facility and 3,000 AFY at the Martinez Canyon Pilot facility. Groundwater recharge continues to be a significant component of water management in the Coachella Valley. Existing and proposed recharge activities identified in the 2002 CVWMP will continue with the modifications identified below.<sup>43</sup>

### ***Whitewater Recharge Facility***

The Whitewater Recharge Facility is a series of earthen recharge basins and distribution channels fed by the Whitewater River, into which CVWD and DWA recharge SWP Exchange water (see discussion below). The 2010 CVWMP Update includes the following elements regarding the Whitewater Recharge Facility: continued operation of the Whitewater Recharge Facility to recharge SWP Exchange water, at least 100,000 AFY over a long-term (20-year) average; transfer and exchange any unused desalinated drain water and SWP water obtained through the QSA for CRA water delivered to Whitewater for recharge; and use of additional acquired water transfers or leases to supplement the existing SWP Exchange water.<sup>44</sup>

### ***Thomas E. Levy Groundwater Replenishment Facility***

CVWD operated a pilot recharge facility at Dike 4 near Avenue 62 and Madison in the City of La Quinta beginning in 1997. Construction of the 180-acre, full scale Levy facility was completed in mid-2009 and has an estimated average recharge capacity of 40,000 AFY. Currently the capacity is limited by hydraulic and water delivery constraints within the Canal water distribution system to a long-term average of about 32,000 AFY. Consequently, construction of an additional pipeline and pumping station from Lake Cahuilla may be required in the future. The 2010 CVWMP Update includes the following elements regarding the Levy Replenishment Facility: continued operation of the Levy Facility and recharge 40,000 AFY on a long-term basis as system conveyance capacity allows; monitoring groundwater levels in shallow and deep aquifers for signs of rising shallow groundwater; develop operating criteria to minimize chances for shallow groundwater mounding; and if the existing conveyance system is not capable of sustaining 40,000 AFY of

<sup>42</sup>2011 SPEIR, p. 3-14.

<sup>43</sup>2011 SPEIR, p. 3-14.

<sup>44</sup>2011 SPEIR, p. 3-15.

deliveries for recharge at the Levy facility, constructing a second pumping station and pipeline from Lake Cahuilla to provide a supplemental supply.<sup>45</sup>

### ***Martinez Canyon Recharge***

The Martinez Canyon recharge facility is a pilot project underway since 2005. Upon completion of a full-scale facility, estimated to be 240 acres in area, this project is expected to recharge 20,000 to 40,000 AFY on average. The recharge facility would be located adjacent to the pilot facility west of the community of Valerie Jean in the East Valley, at the Martinez Canyon alluvial fan between Avenues 74 and 76.<sup>46</sup>

The 2010 CVWMP Update includes the following elements regarding the Martinez Canyon Recharge Facility: conducting sitting and environmental studies, land acquisition and design for the full-scale Martinez Canyon facility with a design capacity of up to 40,000 AFY; completing construction of the Martinez Canyon facilities in phases such that the facility can be initially operated at 20,000 AFY, with potential future expansion to as much as 40,000 AFY based on groundwater overdraft conditions and implementation of East Valley source substitution projects; and coordinating pipeline and pumping station construction with expansion of the Canal distribution system in the Oasis area.<sup>47</sup>

### ***Source Substitution Programs***

Source substitution also continues to be an important means to reducing groundwater overdraft. Due to the expected changes in water use patterns in the Valley as a result of continued development, source substitution will receive increased emphasis in the future. The following source substitution actions are proposed in the 2010 CVWMP Update.<sup>48</sup>

### ***Mid-Valley Pipeline***

The MVP is a pipeline distribution system to deliver Canal water to the Mid-Valley area for use with CVWD's recycled water for golf courses and open space irrigation in lieu of groundwater pumping for these uses. Construction of the first phase of the MVP from the Coachella Canal in Indio to WRP-10 (6.6 miles in length) was completed in 2009. MVP Canal water is blended with WRP-10 recycled water for golf course irrigation. Implementation of later phases will expand the MVP to serve approximately 50 golf courses in the Rancho Mirage/Palm Desert/Indian Wells area that currently use groundwater as their primary source of supply with a mixture of Colorado River water and recycled water as anticipated in the 2002 CVWMP.<sup>49</sup>

The 2010 CVWMP Update continues to include the MVP project, which will serve about 37,000 AFY of imported water and 15,000 AFY of WRP-10 recycled water on

<sup>45</sup>2011 SPEIR, p. 3-15.

<sup>46</sup>2011 SPEIR, p. 3-15.

<sup>47</sup>2011 SPEIR, p. 3-16.

<sup>48</sup>2011 SPEIR, p. 3-16.

<sup>49</sup>2011 SPEIR, p. 3-16.



average by 2045. The MVP will meet approximately 72 percent of the West Valley golf course demand by 2045. Under the 2010 CVWMP Update, it is proposed to: prepare a MVP system master plan to lay out the future pipeline systems; implement near-term (next five years) project expansions to connect 14 golf courses along the MVP alignment and extensions of the existing non-potable distribution system; and complete the construction of the remaining phases of the MVP system to provide up to 37,000 AFY of Canal water and 15,000 AFY of WRP-10 recycled water on average to West Valley golf courses.<sup>50</sup>

### ***Conversion of Agricultural and Golf Course Uses to Canal Water***

The 2010 CVWMP Update includes the following elements regarding conversion of agricultural and golf course uses to Canal water: working with existing East Valley golf courses to increase Canal water use to 90 percent of demand; connecting new East and West Valley golf courses having access to Canal water and meet 80 to 90 percent of demand; working with large agricultural groundwater pumpers to provide access to Canal water and encourage them to reduce their groundwater pumping; revising and update the Oasis distribution system feasibility study, considering possible future conversion to urban use; and upon completion of cost-effectiveness feasibility analyses, designing and constructing the Oasis distribution system to deliver up to 27,000 AFY of Canal and desalinated drain water by 2020. These projects will deliver up to 71,000 AFY of additional Canal water to reduce groundwater pumping.<sup>51</sup>

### ***Treatment of Colorado River Water for Urban Use***

The Plan includes treatment of Canal water for urban uses: CVWD, the City of Coachella and Indio Water Authority (IWA) will develop coordinated plans to treat Canal water for urban use in the East Valley; conduct a feasibility study to determine the economic tradeoffs between large-scale centralized treatment facilities and small scale satellite treatment facilities including potential delivery from the MVP system; evaluate opportunities for regional water treatment projects among CVWD, the City of Coachella and IWA to capture economies of scale, and determine the amount of Canal water desalination needed to minimize taste, odor and corrosion. These projects will deliver up to 90,000 AFY of treated Canal water for urban use by 2045 to reduce existing and future groundwater pumping.<sup>52</sup>

### ***New Projects and Programs***

In addition to those programs identified in the 2002 CVWMP that will continue or be expanded, the following projects and programs are elements of the 2010 CVWMP: Canal water use for urban irrigation; groundwater recharge in the Indio area; investigation of groundwater storage opportunities with IID; additional groundwater treatment for arsenic; development of a salt/nutrient management plan; desalination brine disposal; evaluation of Canal water loss reduction; drainage

<sup>50</sup>2011 SPEIR, pp. 3-16 to 3-17.

<sup>51</sup>2011 SPEIR, p. 3-17.

<sup>52</sup>2011 SPEIR, pp. 3-17 to 3-18.

control; evaluation of stormwater capture feasibility; and development of local groundwater supplies for non-potable use.<sup>53</sup>

### ***Canal Water Use for Urban Irrigation***

As development proceeds in the East Valley, CVWD and the other Valley water purveyors will require new development to install dual piping systems for distribution of non-potable water (Canal or recycled water) for landscape irrigation. This program will offset the reduced Canal water use by agriculture as land use transitions to urban development. It will also reduce groundwater pumping for urban use. From at least two-thirds to as much as 80 percent of the landscape demand of new development will be connected to non-potable water delivery systems. This will result in the utilization of 91,000 to 108,000 AFY of non-potable water by 2045. This program is essential to continued full use of the Valley's Colorado River water supplies as agricultural land use declines.<sup>54</sup>

### ***Groundwater Recharge in the Indio Area***

The City of Indio is evaluating the feasibility of constructing a groundwater recharge project within its service area. Pursuant to the Indio-CVWD settlement agreement (2009), CVWD will work with the City of Indio to evaluate the feasibility of developing a groundwater recharge project that reduces groundwater overdraft in the Indio area. Indio has no water rights, so the supply will be Canal water, either purchased from CVWD or purchased from another rights holder and exchanged for Canal water. The 2010 CVWMP Update assumes that an Indio area groundwater recharge project could offset pumping by 10,000 AFY. The actual amount will depend on the feasibility study results.<sup>55</sup>

### ***Investigation of Groundwater Storage Opportunities with IID***

As part of the QSA, CVWD and IID signed an agreement that allows IID to store surplus Colorado River water in the Coachella Valley groundwater basin. Under the agreement, CVWD will store water for IID, subject to available storage space, delivery and recharge capacity and the prior storage rights of CVWD, DWA and Metropolitan. Stored water would incur a 5 percent recharge loss and a 5 percent per year storage loss. IID may also request CVWD to investigate and construct additional locations for direct or in-lieu recharge facilities and possible water extraction facilities. IID is currently investigating several sites in the East Valley near the Coachella Canal. Because of the uncertain nature of the facilities, the potential impacts of this water storage program are not evaluated in the 2010 CVWMP and SPEIR but would be considered in a separate, project-level document if a storage program is determined to be feasible.<sup>56</sup>

### ***Additional Groundwater Treatment for Arsenic***

<sup>53</sup>2011 SPEIR, p. 3-18.

<sup>54</sup>2011 SPEIR, p. 3-18.

<sup>55</sup>2011 SPEIR, pp. 3-18 to 3-19.

<sup>56</sup>2011 SPEIR, p. 3-19.

The quality of Coachella Valley groundwater generally is high and most of the groundwater delivered to urban customers receives only disinfection. Currently, the only other groundwater treatment is for arsenic removal in a portion of the East Valley. Naturally-occurring arsenic is found in the eastern Coachella Valley groundwater from Mecca to Oasis and appears to be associated with local faults and geothermal activity. CVWD identified six of its domestic water wells with arsenic levels above the revised federal maximum contaminant limit (MCL) of 0.01 mg/L. In early 2006, CVWD completed construction of three groundwater treatment facilities that use an ion-exchange process with a brine minimization and treatment process to remove arsenic. The facilities can be expanded to treat additional wells in the future. In response to elevated arsenic levels in private wells (chiefly serving mobile home and recreational vehicle (RV) parks and certain tribal wells), CVWD is pursuing federal grants to fund a portion of the cost to extend the potable water system to serve these affected communities. CVWD is also assisting the communities in connecting to the potable water system to the extent feasible. CVWD is evaluating the feasibility of treating Colorado River water (Coachella Canal water) for delivery to urban water users. To the extent Canal water is used for urban indoor use, additional arsenic removal will not be needed for those areas. However, as required to meet future demands and provide adequate redundancy, CVWD may need to expand its existing arsenic treatment facilities or construct new facilities to treat water from additional wells.<sup>57</sup>

### ***Development of Salt/Nutrient Management Plan***

The State Water Resources Control Board (SWRCB) Recycled Water Policy (adopted February 11, 2009) requires every region in the State to develop a salt/nutrient management plan by 2014. The goal of the plans is to responsibly increase the use of recycled water. The salt/nutrient management plans are intended for management of all sources contributing salt/nutrients on a basin-wide basis to ensure that ground and surface water quality objectives are achieved. The Coachella Valley plan will assess the salt contributions of imported water, including that used for groundwater recharge and evaluate the feasibility of reducing salt in recharge water. The Coachella Valley Regional Water Management Group (CVRWMG), of which the City of Coachella and CVWD are a member, will take the lead in developing a salt/nutrient management plan with participation from interested Tribes and other parties that meets the SWRCB requirements to increase cost-effective recycling of municipal wastewater in the Valley.<sup>58</sup> However, CVWD, Coachella Water Authority (CWA), Desert Water Agency, and Indio Water Authority are working collaboratively on completion of a salt/nutrient management plan for the Coachella Valley via a transparent stakeholder process separate from the CVRWMG.

### ***Brine Disposal***

<sup>57</sup>2011 SPEIR, p. 3-19.

<sup>58</sup>2011 SPEIR, pp. 3-19 to 3-20.

The 2010 CVWMP Update proposes desalination of agricultural drain water from the CVSC for use in the East Valley. Desalination of Canal water may also be required for East Valley potable water delivery. Treatment to potable levels would produce large volumes of brine, which would need to be disposed of in a cost-effective and environmentally sound manner and in compliance with State and Federal regulations. At the same time, groundwater treatment for arsenic and for nitrate removal, if pursued, requires a salt brine to regenerate the treatment resins, a potential use for the desalination brine. In addition, creation of salt or brackish water wetlands near the Salton Sea may also use the brine on a pass-through basis. Consequently, a brine disposal system is required to safely convey salts to an acceptable point of disposal. Concepts for brine conveyance and disposal and their feasibility will be evaluated in conjunction with the salt/nutrient management plan described above.<sup>59</sup>

### ***Canal Water Loss Reduction***

Allocated losses and unaccounted-for water in the All-American Canal, the Coachella Canal and the distribution system are due to seepage, leakage and evaporation and may be as high as 31,000AFY. Under the 2010 CVWMP Update, to increase the amount of water delivered to the Coachella Valley, CVWD will conduct a study to determine the amount of water lost to leakage in the first 49 miles of the Coachella Canal and evaluate the feasibility of corrective actions to capture the lost water. This may require the installation of additional flow metering locations along the Canal. If feasible, CVWD will implement the recommendations of this study and work with IID to develop a transparent system for allocating losses along the All-American Canal.<sup>60</sup>

### ***Drainage Control***

Both basin management (shallow groundwater level control and salt export) and the prevention of adverse impacts to shallow groundwater require that CVWD's existing agricultural drainage system be maintained in some form or replaced as urban development proceeds to prevent water logging of clayey soils. Funding will be needed to replace, expand, enhance and maintain the drainage system for urban development in the future. CVWD is evaluating alternative methods for funding the drainage system and will undertake a study of the improvements needed to continue system operation in the future.<sup>61</sup>

### ***Stormwater Capture***

Stormwater capture has been identified in the 2010 CVWMP Update as a viable method for increasing the amount of local water available for either groundwater recharge or direct use. The amount of additional stormwater that could be captured and used has not been documented. Based on this, CVWD will undertake the

<sup>59</sup>2011 SPEIR, p. 3-20.

<sup>60</sup>2011 SPEIR, p. 3-20.

<sup>61</sup>2011 SPEIR, p. 3-20.

following measures: conduct a feasibility study to investigate the potential for additional stormwater capture in the East Valley; and if cost effective, implement stormwater capture projects in conjunction with flood control facilities as development occurs in the East Valley.

Proposals to capture stormwater will only be considered to offset groundwater pumping or provide replenishment if they can clearly demonstrate that the water captured is “new water” that otherwise would have been lost to the Salton Sea or evapotranspiration, rather than water already considered in the Valley water balance.<sup>62</sup>

### ***Development of Local Groundwater Supplies for Non-Potable Use***

An investigation of groundwater development in the Fargo Canyon Subarea of the Desert Hot Springs Subbasin will be conducted to determine the available supply and suitability for use in meeting non-potable demands of future development east of the San Andreas Fault. CVWD will propose that a study be performed jointly with the cities of Coachella and Indio. Preliminary estimates prepared for the 2010 CVWMP Update indicate that up to 10,000 AFY of local groundwater supply, which includes returns (excess) from irrigation use, might be developed, depending upon the ultimate level of development in this area.<sup>63</sup>

### ***Potential Future CVWMP Elements***

Several programs and projects have been identified for possible inclusion in future updates to the CVWMP, pending the results of feasibility studies and environmental compliance documents. These include: SWP Extension (Construction of a pipeline to convey SWP water directly to the Coachella Valley); Desalination of Recharge Water (Construction of desalination facilities to reduce the salt load of imported water used for groundwater recharge); Nitrate Treatment (Pumping and treatment of high nitrate groundwater to reduce the potential for basin contamination); and Seawater Desalination (Participation in a future coastal seawater desalination project and delivery of water to the Coachella Valley through water exchanges or transfers.) Although feasibility studies of some of these projects are underway, none of the projects have advanced sufficiently through the implementation process to be included in the 2010 CVWMP Update. Consequently, they were not specifically evaluated in the SPEIR.<sup>64</sup>

### ***Other Programs***

Other water management programs in the Coachella Valley are monitoring and data management activities, well management programs, and stakeholder input. These are presented in CVWD’s 2010 CVWMP for information purposes, but were not subject to CEQA review.<sup>65</sup>

<sup>62</sup>2011 SPEIR, pp. 3-20 to 3-21.

<sup>63</sup>2011 SPEIR, p. 3-21.

<sup>64</sup>2011 SPEIR, p. 3-21.

<sup>65</sup>2011 SPEIR, p. 3-22.

## ***Monitoring and Data Management***

According to the 2010 CVWMP, the following new programs/projects should be implemented to improve monitoring and data management in the Valley: develop water resources database to facilitate data sharing among participating agencies and Tribes; construct additional monitoring wells in conjunction with new recharge facilities; develop a water quality assessment that identifies on-going monitoring activities in the basin; update and recalibrate Coachella Valley groundwater model based on current data and conduct a peer review of updated model; develop a new planning interface and database that can be linked with land use plans and agricultural activities to better distribute pumping and return flows to the model; develop and calibrate a water quality model capable of simulating the changes in salinity and possibly other conservative water quality parameters in conjunction with the salt/nutrient management plan; and develop a coordinated approach among the water purveyors and CVAG for calculating urban per capita water usage.<sup>66</sup>

## ***Implementation Plan***

The implementation strategy for the 2010 CVWMP is a function of water needs and the feasibility of specific programs. CVWD, in conjunction with the Tribes and the other Valley water districts as appropriate, will implement new Plan elements on an established schedule.<sup>67</sup>

In developing the 2010 CVWMP, CVWD relies on the latest population projections developed by Riverside County. The 2008 SCAG projections, generated in 2007, did not account for the recent and/or current recession, which had slowed growth and continued to have downward effects on growth in the near term. Over the long term, growth will continue; however, population projections will need to be adjusted in terms of the timing of growth. These factors will require adjustment of Plan implementation to reflect revised population projections.<sup>68</sup>

## ***Near Term Projects to Meet Water Management Needs***

Even with recessionary forces and slowed growth, existing and planned CVWMP projects will continue to be implemented. Ongoing actions that will continue include: Whitewater recharge with SWP Exchange water and SWP purchases; implementation of the QSA; Levy Facility recharge at current levels of 32,000 AFY; Martinez Canyon recharge at current pilot level of 3,000 AFY; water conservation programs at current levels, including implementation of the adopted Landscape Ordinance and recycling in the West Valley; increased use of Canal water by golf courses with Canal water connections; conversion of East Valley agriculture to

<sup>66</sup>2011 SPEIR, pp. 3-22 to 3-23.

<sup>67</sup>2011 SPEIR, p. 3-23.

<sup>68</sup>2011 SPEIR, p. 3-23.

Canal water as opportunities arise; groundwater level/quality monitoring; and subsidence monitoring.<sup>69</sup>

---

<sup>69</sup>2011 SPEIR, p. 3-23.



## SECTION 2

### VISTA DEL AGUA DEVELOPMENT

#### 2.1 Project Description

The proposed Vista Del Agua Project includes 1,640 dwelling units on approximately 275 acres of vacant land located within the northern section of the City of Coachella, adjacent to the Interstate 10 and west of Tyler Street. The Project is located within the City limits and sphere of influence. The CWA, which is part of the City's Utilities Department, will serve as the public water system for the Project. **Figure 2-1** shows the general Project location within the Coachella Valley region.

#### 2.2 Project Land Use Summary

The Project includes a mixture of single family residential uses (with densities ranging from 4.5 to 6.5 units per acre), multi-family residential uses (with densities of 12.0 and 20.0 units per acre), commercial uses, parks, open space, and backbone streets (right-of-way). **Table 2-1** outlines the land uses proposed for the Project. Additionally, **Figure 2-2** illustrates the land uses proposed for the Project. Of note, once the Project is fully entitled and project features (e.g. local roads, open space, trails, etc.) are incorporated into each Plan Area, the density will be slightly lower than those presented herein, and thus are anticipated to have a lower water use.

**Table 2-1**  
**Proposed Vista Del Agua Land Use Summary<sup>[1]</sup>**

Plan Area	Land Use	Area (Acres)	Units
6	Single Family Residential (6.5 DU/ac)	71.65	466
5 / 7	Single Family Residential (5.5 DU/ac)	89.84	494
8	Single Family Residential (4.5 DU/ac)	14.78	67
2 / 3	Multi-Family Residential (20 DU/ac)	17.44	349
4	Multi-Family Residential (12 DU/ac)	22.05	265
1	General Commercial	16.80	-
10	Neighborhood Commercial <sup>[2]</sup>	8.27	-
-	Schools/Institutional	-	-
-	Industrial	-	-
9	Landscape Irrigation (Parks)	13.82	-
1	Open Space	0.81	-
-	Backbone Streets <sup>[3]</sup>	19.92	-
<b>Total:</b>		<b>275.38</b>	<b>1,640</b>

<sup>[1]</sup> Based on the Vista Del Agua Specific Plan, January 2017.

<sup>[2]</sup> Certificate of Occupancy the developer will have the option to exercise the residential overlay and develop Planning Area 10 under the same guidelines that regulate Planning Area 8.

<sup>[3]</sup> Right of Way dedications for Avenue 48, Avenue 47, Street A and Polk Street.



## Vista Del Agua

## City of Coachella & Project Site

Figure 1-3



Vista Del Agua - Specific Plan  
September 2014

Introduction 1-6

**Figure 2-1 Vista Del Agua Location Map**

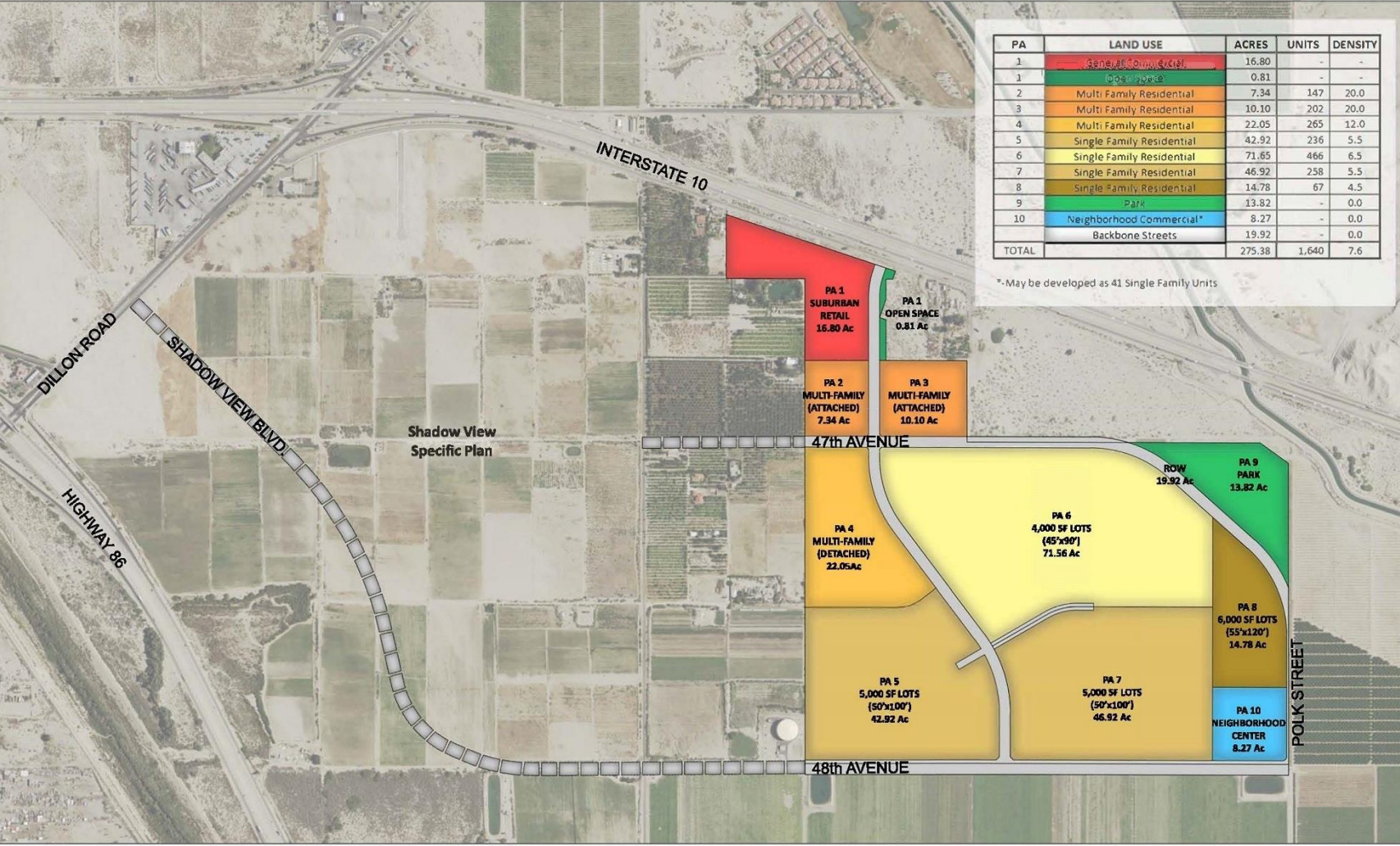


Figure 2-2 Vista Del Agua Land Use Plan

## 2.3 Project Water Demand

As indicated in **Table 2-1** above, the Vista Del Agua Project includes a mixture of single family residential uses, multi-family residential uses, commercial uses, parks, open space, and backbone streets (right-of-way). With the enactment of SBx7-7 and the requirements of that law to achieve a statewide reduction in per capita water use of 20 percent by the year 2020, the City's overall water use had declined approximately 28 percent over the last 5 years. As such, the City's existing water use factors, developed prior to these water conservation efforts, were outdated. Additionally, the 2009 and 2013 MOUs between the City and CVWD illustrate that projects relying on CVWD's Supplemental Water Supply program, such as this one, must strive to achieve consistency with the conservation programs identified in CVWD's 2010 CVWMP and the water use factors developed by CVWD for the use of supplemental water. In response, the City recently completed a Supplemental Water Supply Program and Fee Study (SWS Study).

The SWS Study provides an analysis and update to the City's annual water consumption factors (ACF), by land use. The ACFs were calculated using actual historical consumption by customers in each land use classification. After which, the most representative customers for future growth were selected for each land use classification. These selections considered future land use densities and water conservation measures (e.g. limited use of turf areas, desert-friendly landscaping, high efficiency irrigation system, water efficient household fixtures, etc.). Further, the ACFs developed in the SWS Study are consistent with the per capita water use reduction goals of SBx7-7, ongoing conservation efforts, and water use factors developed by CVWD for the use of supplemental water.<sup>70</sup> These ACF's are used to estimate total water demands for a project according to its land uses and size (in acres). **Table 2-2** below summarizes anticipated the total water demands of the Project based on these ACF's. The following ACF's were applied to this project:

- Single Family Residential ACF of 2.85 acre-feet per acre per year
- Multi-Family Residential ACF of 2.69 acre-feet per acre per year
- Commercial ACF of 1.78 acre-feet per acre per year
- Landscape Irrigation ACF of 1.80 acre-feet per acre per year

The Vista Del Agua Specific Plan states that the design and layout of the land plan, infrastructure, development standards, and design guidelines will emphasize the integration of the City's Vision Plan with complementary land uses; and it was prepared in accordance with the City's General Plan. Therefore, the City has determined that these ACF's can be applied to the Project. Furthermore, and as further illustrated in **Section 2.4** below, the project applicant has committed to ensuring that buildout of the Vista Del Agua Project will occur in a manner consistent with CVWD's efficient landscape ordinance.

<sup>70</sup> See City of Coachella Supplemental Water Supply Program and Fee Study, November 2016

**Table 2-2  
Vista Del Agua Average Water Demands**

<b>Land Use</b>	<b>Units</b>	<b>Area (Acres)</b>	<b>City Consumption Factor (ac-ft/ac/yr)</b>	<b>Demand w/ City Factors (gpd)</b>	<b>Demand w/ City Factors (AFY)</b>
Single Family Residential (6.5 DU/ac)	466	71.65	2.85	182,288	204.2
Single Family Residential (5.5 DU/ac)	494	89.84	2.85	228,566	256.0
Single Family Residential (4.5 DU/ac)	67	14.78	2.85	37,602	42.1
Multi-Family Residential (20 DU/ac)	349	17.44	2.69	41,879	46.9
Multi-Family Residential (12 DU/ac)	265	22.05	2.69	52,949	59.3
General Commercial	-	16.80	1.78	26,695	29.9
Neighborhood Commercial	-	8.27	1.78	13,141	14.7
Schools/Institutional	-	-	1.32	-	-
Industrial	-	-	0.96	-	-
Landscape Irrigation (Parks)	-	13.82	1.80	22,206	24.9
Open Space	-	0.81	0.00	-	-
Backbone Streets	-	19.92	0.00	-	-
<b>Total:</b>	<b>1,640</b>	<b>275.38</b>	<b>-</b>	<b>605,326</b>	<b>678.1</b>

As shown in **Tables 2-2**, the anticipated water demand for the Project is 678 AFY, which is dependent on conservation measures implemented by the project, as discussed in the following section. Additionally, as described, once the Project is fully entitled and project features are incorporated into each Plan Area, the land use density will be slightly lower and are anticipated to have a lower water use.

#### **2.4 Project-Specific Water Conservation and Groundwater Reduction Measures**

As a general matter, new development projects within the City are required to implement water conservation measures to ensure the efficient use of water resources and to meet and maintain the goals of the 2010 CVWMP. The Project applicant has committed to ensuring that buildout of the Vista Del Agua Project will occur in a manner consistent with the following efficient landscape ordinance:

1. To the greatest extent practicable, native plant materials and other drought-tolerant plants will be used in all non-turf areas of Project landscaping. Large expanses of lawn and other water-intensive landscaped areas shall be kept to the minimum necessary and consistent with the functional and aesthetic needs of the Project, while providing soil stability to resist erosion;



2. Potential use of the Coachella Canal for construction water and Project landscaping may further reduce Project demand for potable water. This will be reviewed for feasibility and subject to agreements between the City and CVWD since the Project lies outside of the ID-1 boundary;
3. In the event recycled water becomes available to the Project, the potential use of tertiary treated water will be reviewed to determine feasibility of its use for on-site landscaped areas to reduce the use of groundwater for irrigation;
4. The installation and maintenance of efficient on-site irrigation systems will minimize runoff and evaporation, and maximize effective watering of plant roots. Drip irrigation and moisture detectors will be used to the greatest extent practicable to increase irrigation efficiency;
5. The use of low-flush toilets and water-conserving showerheads and faucets shall be required in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Code of Regulations Section 1601(b), and applicable sections of Title 24 of the State Code.

Consistent with these general requirements, the Project applicant has demonstrated its commitment to meeting and maintaining the water conservation goals of the 2010 CVWMP, as further provided below and in the Vista Del Agua Specific Plan.

The Vista Del Agua Specific Plan proposes an all-around approach to water efficiency. The proposed land use plan identifies trail corridors (paseos) that are intended to accommodate stormwater conveyance facilities that link to water quality treatment facilities designed to improve water quality on-site and limit downstream water quality impairments from the proposed development. Additionally, the Vista Del Agua Specific Plan proposes the efficient use of potable water through mandated building and site design requirements. Vista Del Agua design strategies for water efficiency include:

- Reduce potable water demand through landscaping, non-potable reclaimed, well or canal water for irrigation purposes (when available), and high efficiency plumbing fixtures and appliances;
- Utilize high efficiency plumbing and fixtures;
- Utilize efficient irrigation controls to reduce water;
- Reduce the amount of irrigated turf in parks;
- Minimum of 75% of all front yard landscaping shall be limited to desert-scape or xeriscape materials;
- Implement an integrated stormwater collection and conveyance system designed to treat and convey development-related runoff; provide 100-year flood protection to flood prone areas; increase groundwater recharge (where practical) through on-site retention basins, and improve water quality on-site and downstream through on-site water quality basins;
- Support the development of reclaimed water supplies in the City of Coachella and the Vista Del Agua Specific Plan.

Landscaping within Vista Del Agua Specific Plan will complement the existing desert setting as well as provide parks and paseos for outdoor enjoyment and activity. The

plant palette proposed in the Specific Plan contains drought tolerant plants approved for use by the City of Coachella. This palette serves as a guide and varieties may be substituted within each species if they are more appropriate for the Coachella Valley climate and/or Project design. Vista Del Agua landscape design strategies include:

- Utilize native plant choices to the greatest extent possible;
- Develop a plant palette that focuses on shading of pedestrian activity areas will promote use of non-motorized transportation and reduce the urban heat island effect;
- Promote the development of tree-lined streets to encourage walking, biking, and transit use, and reduce urban heat island effects;
- Minimum of 75% of all front yard landscaping shall be limited to desert-scape or xeriscape materials.
- Incorporate natural site elements (significant rock outcroppings, drainage corridors, bio-swales) as design features;
- Use Low Impact Development (LID) techniques to control stormwater flows on-site;
- Incorporate stormwater and/or water quality facilities close to the source within each planning area, protecting site and regional water quality by reducing sediment and nutrient loads to water bodies on-site and downstream; and
- Mimic the predevelopment site hydrology by using site design techniques that store, infiltrate, evaporate, and retain runoff to reduce off-site runoff and facilitate groundwater recharge.

The following guiding principles set the general direction for design of the landscaped places if the Vista Del Agua community:

- Implementation of landscape concepts that use drought tolerant plant palettes that are low-water use and well adapted to the desert climates;
- Incorporate eco-friendly designs, such as optimizing building orientation, reducing potable water use for irrigation and implementing shade strategies;
- Alley-loaded design concepts, which maximize streetscapes with emphasis on pedestrians by providing shade, amenities and connectivity throughout the project site;
- Incorporate the latest design principles of environmental sensitivity, conservation, and sustainability into the landscape planning and design;
- Promote design concepts that create lots fronting to open space areas, creating community-gathering places for local residents;
- Provide structures, pedestrian friendly streets, bicycle lanes, sidewalks and public gathering places that facilitate local, non-vehicular transportation;
- Planting areas and medians will be irrigated with high efficiency automatic irrigation system;
- Collection and treatment of urban runoff using multiple water quality basins throughout the project;
- Utilize high-efficiency plumbing fixtures that meet or exceed the CALGREEN code.



## SECTION 3 WATER DEMANDS

---

### 3.1 General

The City of Coachella is a desert community of approximately 44,000 people located at the eastern end of the Coachella Valley, in Riverside County, California. The City is located southeast of the San Geronio Pass, east of the San Jacinto and Santa Rosa Mountains, north of the Salton Sea 68 feet below sea level.<sup>71</sup> The current City limits encompass over 20,000 acres and the sphere of influence encompasses approximately 13,000 additional acres around the City. The City's regional setting and water service area are described in detail below.

#### 3.1.1 Service Area Description

The City, incorporated in 1946, encompasses approximately 30 square miles in Riverside County. The area is known as the East Coachella Valley. Existing land uses within the City consists primarily of single and multi-family homes. There is a commercial/light industrial zone along the freeway corridor, agricultural zone east of Highway 86/111, and a heavier industrial zone in the southern part of the City. The population of the small, stable community has a young median age. Full build-out of the City's sphere of influence (SOI), for a total service area of approximately 53 square miles, is not anticipated until sometime after 2050. The City's water supply service area is shown in **Figure 3-1**, which includes the service area outside the City limits, but within the SOI.

#### 3.1.2 Facilities

Water is currently supplied for the City of Coachella entirely by the Coachella Valley Groundwater Basin, Indio Subbasin; Basin Number 7-21.01 (also referred to as the Whitewater River Subbasin). As discussed throughout this WSA, the Basin includes native supplies, and recycled water and imported supplies that are recharged to the Basin to replenish native supplies. The Basin is not adjudicated. The City supplies 100 percent of its potable water from City owned and operated wells. The City presently operates six (6) active groundwater wells, Well Nos. 11, 12, 16, 17, 18, and 19, with a total production capacity of approximately 11,400 gallons per minute (gpm) or 16.5 million gallons per day (MDG). In 2015, annual production was approximately 2,128 million gallons or 6,530 acre-feet. Water provided by these wells is of excellent quality and requires no treatment, other than chlorination, to maintain quality requirements of the California Department of Public Health.

The City is intersected by the Coachella Branch of the All-American Canal (Coachella Canal) and the Colorado River Aqueduct. The Coachella Canal is owned by the United States Bureau of Reclamation and is operated and maintained by the Coachella Valley Water District (CVWD). The Colorado River Aqueduct is owned,

---

<sup>71</sup> Coachella General Plan Update, 2015, p. 01-3



operated and maintained by the Metropolitan Water District of Southern California (MWD). The Coachella Canal bisects the City starting in the south and moving in a northwesterly direction. The Colorado River Aqueduct passes through the northeastern portion of the City's service area through a closed conduit to prevent losses during conveyance. These waters are used for irrigation and groundwater recharge, respectively.

The City operates a secondary-treatment wastewater facility with a 4.5 MGD capacity and currently processes approximately 2.7 MGD of wastewater. Wastewater effluent is conveyed to the Salton Sea via the storm water channel. The existing treatment plant can be upgraded to a tertiary treatment plant in the future which would permit recycled water to be used for non-potable purposes, further discussed in **Section 4.8** below.

### 3.1.3 Climate

The City is located in the Coachella Valley. The climate is arid with the majority of precipitation occurring as rainfall in the winter months between November and March. The average rainfall for the Coachella area is approximately 4 inches per year. The only known measurable snowfall occurred on January 31, 1979.

Winter temperatures are generally between the low 40's and the mid 70's. Summer temperatures are generally between mid 70's and the low 100's. **Table 3-1** shows the average monthly ETo, rainfall, and temperature for the City of Coachella area.

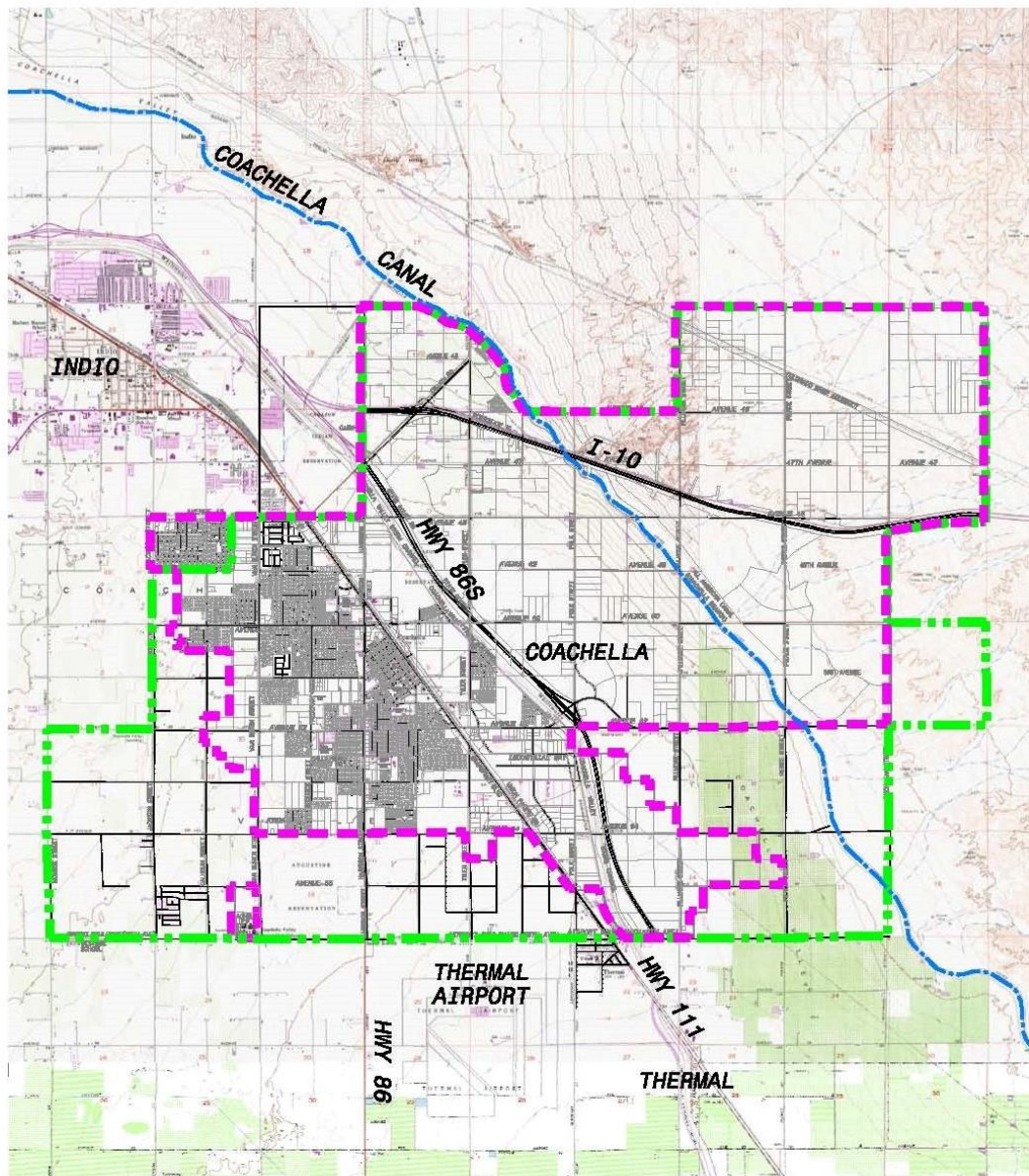
**Table 3-1**  
**City of Coachella Area Climate**

Month	Monthly Average ETo <sup>[a]</sup> (inches)	Average Temperature <sup>(b)</sup> (degrees F)		Average Rainfall <sup>[b]</sup> (inches)
		Max	Min	
January	2.98	70.6	39.2	0.64
February	3.53	74.9	44.3	0.51
March	6.28	80.0	50.4	0.31
April	8.39	87.0	57.4	0.11
May	10.55	93.7	64.4	0.05
June	10.95	102.3	71.9	0.01
July	10.78	106.9	77.8	0.012
August	9.66	105.7	76.9	0.25
September	8.25	101.5	70.3	0.31
October	5.85	91.9	59.4	0.20
November	3.63	80.2	46.7	0.26
December	2.62	71.7	39.4	0.54
<b>Average:</b>	<b>6.96</b>	<b>88.9</b>	<b>58.2</b>	<b>0.27</b>

**NOTES:**

<sup>[a]</sup> California Irrigation Management Information System, Department of Water Resources, Office of Water Use Efficiency, Monthly Average ETo Report for Station 200, Indio 2, Imperial/Coachella Valley – all other nearby stations are inactive or too new; [on-line] <http://www.cimis.water.ca.gov/UserControls/Reports/MonthlyEtoReportViewer.aspx>

<sup>[b]</sup> Western Regional Climate Center (WRCC), Desert Research Institute, Reno, Nevada [on-line] <http://www.wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca4259> (WRCC program administered by the National Oceanic and Atmospheric Administration (NOAA); data extracted from monitoring Station 044259 at Palm Springs, CA, Average 3/01/1894 through 06/10/16)



**LEGEND:**

- CITY LIMIT BOUNDARY
- CITY SPHERE BOUNDARY



**Figure 3-1 City of Coachella Water Service Area**

### 3.1.4 Service Area Population

The population of the small, stable community has a young median age. While development carried a rapid pace in the Coachella Valley in the early to mid-2000s, it has slowed significantly since the beginning of the economic recession. Total water demand had increased by over 50 percent up to 2007, but has since generally been on the decline. The City has several planned development projects; however, those are expected to stay in the planning stages until local economies begin to show recovery.

The City's water service area population is expected to increase substantially in the future. Currently, the WSA lies within the City's boundaries, serving the more densely populated areas to the west and commercial/resort areas to the north. The water service area covers approximately 32 percent of the City Limits with a total of area of 6,057 acres or 9.5 square miles. In order to calculate the current water service area population, the DWR population tool was used by uploading electronic maps that reflected the boundaries for the 2010 census year, the total number of past and current service connections, and SBx7-7 baseline information. With this information, the DWR population tool calculated the 2015 water service area population as 40,208.

To calculate the projected water service area population, the percent changes across given time periods from the City's 2015 General Plan Update were used. According to the City's 2015 General Plan Update, the 2010 population was 40,704 and is expected to grow to an estimated 70,200 by 2020 and 128,700 by 2035. Using these projected population estimates, the percent change was calculated as 7.25 percent between 2010 and 2020 and 5.56 percent between 2020 and 2035. These percent changes in growth were then applied to project future populations up to 2035, see **Table 3-2** below.

**Table 3-2**  
**City of Coachella Population Projections**

	2015	2020	2025	2030	2035
<b>Service Area Population</b>	40,947	55,783	71,278	91,078	116,377

## 3.2 Water Demands

### 3.2.1 City Past and Current Water Use

The City tracks the following water use sectors: single family, multi-family, commercial/institutional, industrial, and landscape irrigation. As previously stated, the City of Coachella service area population growth was trending upward. However, between 2010 and 2015, the increase was only 1.8 percent, likely a result of the recent economic downturn.

The City's historic water uses by sector, are shown in **Table 3-3**. Overall, water use has declined from 7,105 AFY in 2005 to 6,531 AFY in 2015 or by 8.1 percent. A more significant reduction in water use occurred from 2010 to 2015, decreasing water use by 21 percent overall; attributable to continued implementation of Demand Management Measures (DMMs) and State water reduction mandates. In 2015, single family water use accounts for 57.3 percent of total water use and commercial/institutional water use accounts for 13.9 percent of total water use.

**Table 3-3**  
**Past and Current Water Use**

<b>Use Type</b>	<b>2005</b>	<b>2010</b>	<b>% Change from 2005 to 2010</b>	<b>2015</b>	<b>% Change from 2010 to 2015</b>	<b>% Change from 2005 to 2015</b>
Single family	2,904	4,375	50.7%	3,744	-14.4%	29.0%
Multi-family	681	943	38.4%	640	-32.1%	-5.9%
Commercial/Institutional	549	1,155	110.4%	907	-21.5%	65.2%
Industrial	421	133	-68.3%	10	-92.6%	-97.7%
Landscape Irrigation	426	957	124.4%	546	-42.9%	28.1%
Other	0	0	-	63	-	-
Losses	2,124	697	-67.2%	620	-11.0%	-70.8%
<b>Total:</b>	<b>7,105</b>	<b>8,260</b>	<b>16.3%</b>	<b>6,531</b>	<b>-20.9%</b>	<b>-8.1%</b>

NOTES: Units are Acre-Feet per Year (AFY)

### **3.2.2 City Water Demand Projections**

The projected (next 20 years) water use for the City of Coachella is generally expected to increase at a similar rate to that of the projected population increase within the City and its SOI; provided, however, that per capita water use reductions achieved pursuant to SBx7-7 (see Chapter 1 above) may be expected to affect the relationship between increased population and increases in total water use. The City Development Services Department show active processing for several proposed and recently approved development projects, ranging in size from 10 residential units to mixed-use developments with over 7,800 residential units. The total number of proposed residential units associated with these entitlement applications is approximately 20,000, including Vista Del Agua. These units are included in the City's SOI, which is not anticipated for full build out until after 2050. Thus, many of these development projects are either in the preliminary planning stages or may have been put on hold by applicants for various reasons. Projected water use for



2015 through 2035 in five-year increments is provided in **Table 3-4**. These demand projections are based on projected population and per capita water use, as shown in **Table 3-5**. The population projections are based on CGPU data as presented in the previous section. Per capita water use was calculated in the City's 2010 UWMP. As presented in the City's 2010 UWMP, the water use is currently 210 gallons per capita per day (gpcd), with a reduction to 205 gpcd by 2015 and 200 gpcd by 2020 and beyond.

**Table 3-4**  
**Future per Capita Water Use**

<b>Year</b>	<b>Total Service Area Population</b>	<b>Per Capita Water Use (GPCD)<sup>[a]</sup></b>	<b>Total Water Use per Day (MGD)</b>	<b>Total Annual Water Use (AFY)</b>	<b>% Increase</b>
2010 <sup>[b]</sup>	40,208	210	8.55	9,575	-
2015 <sup>[b]</sup>	40,947	205	8.39	9,403	-2%
2020	55,783	200	11.16	12,498	33%
2025	71,278	200	14.26	15,969	28%
2030	91,078	200	18.22	20,405	28%
2035	116,377	200	23.28	26,074	28%

NOTES:

<sup>[a]</sup> As presented in the City's 2010 UWMP, Table 3.2-3, and in Sections 5-6 and 5-7 herein, the base daily per capita water use 5-year average is 210 gpcd.

<sup>[b]</sup> Note that both 2010 and 2015 Total Annual Water Use are planning number based on a 5-year average per capita water use baselines and targets and vary from actual metered sales presented in Table 4-1B, providing a more conservative outlook.

As indicated above, Riverside County was hit particularly hard by the recent economic downturn. The County experienced some of the highest rates of foreclosures and unemployment in the country. Due to this economic downturn, growth in the County had significantly decreased for several years around the late 2000's. The slowdown in the housing market was one of the primary components of the recession. The timing and extent of this reduced growth rate cannot be accurately predicted. Because the planning period for the City's 2015 UWMP is through 2035, it is expected that the effect of the recent recession on growth in the Valley will attenuate over the long term. Additionally, as shown in **Table 3-4**, actual water demand has declined significantly since 2010 and the City's current GPCD water use is 40.8 percent lower than the SBx7-7 2015 interim target (2015 Interim Target = 204 GPCD v. 2015 Actual Water Use = 142 GPCD). These factors result in a particularly conservative analysis in the City's 2015 UWMP because the actual growth and the actual increases in water demand associated with growth are

likely to be much lower than the forecasts that have been used for long term water supply planning purposes.

**Table 3-5**  
**Projected 2020, 2025, 2030, and 2035 Water Demands**

Use Type	Projected Water Use			
	2020	2025	2030	2035
Single Family	7,166	9,156	11,700	14,949
Multi-Family	1,226	1,566	2,001	2,557
Commercial	1,735	2,217	2,833	3,620
Industrial	19	24	31	39
Landscape	1,046	1,336	1,707	2,181
Other	121	155	198	253
Losses	1,185	1,515	1,935	2,473
<b>Total:</b>	<b>12,498</b>	<b>15,969</b>	<b>20,405</b>	<b>26,074</b>

NOTES: Units are Acre-Feet per Year (AFY)

Certain other aspects of the water demand projections above and water supply reliability discussion in **Section 4** below are noteworthy for purposes of this WSA. First, the City's 2015 UWMP, CVWD's 2015 UWMP, and CVWD's 2010 CVWMP demonstrate that the total projected water supplies available to CVWD and the City are sufficient to meet the water demands of Vista Del Agua and other demands throughout the City and CVWD service areas during normal, single-dry and multiple-dry periods throughout the year 2035 and beyond. More importantly, those conclusions are made in the context of water demands associated with *projected population growth* in the City and CVWD service areas for the next 20 years – the standard established under the UWMP Act. Yet the UWMP Act standard is much more inclusive than the standards set forth by SB 610 and CEQA. Indeed, the water supply sufficiency standard established under SB 610 and CEQA is whether the total projected water supplies available to the City and CVWD over the next 20-year period is sufficient to meet the projected demand associated with the Project in addition to existing and planned future uses.<sup>72</sup> Future water demands associated with the Project and "planned future uses" within the City and CVWD are considerably less than future water demands associated with projected population growth within the City and CVWD, and neither SB 610 nor CEQA requires a WSA to determine water supply sufficiency in the context of projected population growth. Accordingly, this WSA provides an ultra-conservative approach to water supply sufficiency.

Several sources of authority are instructive in this regard. Under the UWMP Act, an UWMP must quantify historic, existing, and projected demand of various water users over 5-year increments for the ensuing 20-year period or as far as data is

<sup>72</sup> Water Code §§ 10910(c)(3); 10911(c); Pub. Res. Code § 21151.9; 14 Cal. Code Regs. § 15155.

available.<sup>73</sup> Notably, the Act expressly requires such water demand forecasts associated with projected population increases to be based upon data produced by state, regional, or local service agency population projections.<sup>74</sup> The Act further instructs that demand should account for particular land use sectors, including but not limited to, single-family residential, multifamily, commercial, industrial, institutional and government, landscape, sales to other agencies, conjunctive use, groundwater recharge, seawater intrusion barriers, and agriculture.<sup>75</sup>

The standard for assessing demand under SB 610, however, is conspicuously different. Again, the general standard for evaluating demand in a WSA is expressed as “the projected water demand associated with the proposed project, in addition to the public water system’s existing and planned future uses, including agricultural and manufacturing uses.”<sup>76</sup> The DWR Guidebook supports the idea that demand calculations for purposes of preparing a WSA are much more tailored and limited than the demand analyzed in an UWMP. The DWR Guidebook states: “Planned future uses – the lead agency, as the land-use agency, has information on planned development. Regular communication between the water supplier and lead agency will be essential to ensuring an accurate determination of sufficiency of water supply for future demand. Planned future uses may include: projects that are expected to be completed during the same time frame as the proposed project. These include all new demands ranging from all individual single-family homes to large-scale developments. Proposed developments that have a reserved (or entitlement to) future water supply and are considered to be moving towards construction. Proposed projects that are included in a general or specific plan need not be included if the agency determines that they are not likely to begin construction during the period under consideration. ... [I]t would be a reasonable interpretation that planned future uses are those that would be undertaken within the same time frame as the project under consideration.”<sup>77</sup>

Thus, a WSA arguably should not be required to consider water demands associated with all development that might conceivably occur over the 20-year planning horizon, such as development or projected water demands associated with forecasted population increases in a general plan or UWMP. Rather, a WSA should only be required to contemplate development that is planned and reasonably likely to occur. This approach is consistent with project review conducted under CEQA. In general, CEQA requires some degree of forecasting of future events. For instance, CEQA Guidelines section 15144 provides: “While forecasting the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.”<sup>78</sup> In this regard, even a cumulative impacts analysis under CEQA is only required to encompass “past, present, and reasonably anticipated future projects.”<sup>79</sup>

<sup>73</sup> Water Code § 10631(a), (e)(1).

<sup>74</sup> Water Code § 10631(a).

<sup>75</sup> Water Code § 10631(e).

<sup>76</sup> See Water Code §§ 10910(c); 10911(c).

<sup>77</sup> DWR Guidebook, p. 23.

<sup>78</sup> Cal. Code Regs, tit. 14, § 15144.

<sup>79</sup> Pub. Res. Code § 21083(b); Cal. Code Regs, tit. 14, § 15130(b)(1)(A).

In *Laurel Heights Improvement Association of San Francisco v. The Regents of the University of California* (1988) 47 Cal. 3d 376, the California Supreme Court endorsed this view, explaining that “an EIR must address the impacts of ‘reasonably foreseeable’ future activities related to the proposed project.” (*Id.* at 398-399; see also *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 428.) In *Laurel Heights*, the lead agency had detailed information about potential future uses for a property (details that had been published in a newsletter, for example), but did not address those future uses in its EIR because they had not yet been officially proposed. Though the Court did not require detailed analysis of every possible future use, it found that at least a general analysis of probable future uses was required. In explaining what may fall within the scope of such probable future uses, the Court held that an EIR does not require discussion of possible future action “that is merely contemplated or a gleam in a planner’s eye.”<sup>80</sup> Pursuant to this CEQA standard, it is reasonable for a WSA’s evaluation of projected water demand associated with the “planned future uses” in the water provider’s service area to be tied to the more limited set of projects that are “reasonably foreseeable probable future projects.”

Not only is this approach reasonable and consistent with CEQA, in most cases it would produce a lower total forecasted water demand figure which a WSA then compares to total projected supplies. In the case of Vista Del Agua, for instance, “planned future uses” within the City and CVWD over the next 20-year period have decreased due to economic slowdown and related market factors. Thus, the water demand associated with those uses is much less than the forecasted demand associated with projected population increases as set forth in CGPU, CVWD’s 2010 planning documents, and in regional and county forecasts. Nevertheless, this WSA provides the most conservative analysis of water supply sufficiency by comparing the City and CVWD’s total projected water supplies to possible water demands associated with State and SCAG-based growth projections. The result of this conservative analysis is that the WSA has evaluated potential water supply impacts of the Project against a greater long-term water demand than is required by SB 610 and CEQA. Yet even according to this extra-conservative approach, the record evidence and analyses herein demonstrate that the total projected water supplies available to the City and CVWD over the next 20-year period (and beyond) during normal, single-dry and multiple-dry year periods are sufficient to serve the projected water demand associated with Vista Del Agua in addition to existing and future demands, and that the potential impacts of supplying water to the Project are less than significant on both a project-level and cumulative basis.

### 3.3 Water Use Reduction Plan

The City and CVWD recognize that water is a limited resource and that water conservation and water use efficiency should be actively pursued throughout the Coachella Valley. Both the City and CVWD have implemented and will continue to expand and implement water conservation programs to achieve the goal of realizing

<sup>80</sup>*Laurel Heights, supra*, 47 Cal.3d at 398.



a 20 percent reduction in per capita water use by the year 2020. The interim goal of realizing a 10 percent per capita reduction by 2015, pursuant to SBx7-7, has already been met.

The California Urban Water Conservation Council (CUWCC) Memorandum of Understanding (MOU) regarding Urban Water Conservation in California sets guidelines to achieve a baseline level of water conservation in given water service areas (CUWCC, 2004). Signers of the MOU agree to set goals to meet the standards outlined in the MOU. On November 2, 2000, the City of Coachella became a signatory to the MOU, and the City has remained committed to demand management throughout its service area. For example, the City applies a tiered water rate schedule that is conducive to voluntary conservation, water conservation rebate programs such as the turf removal rebate program, and the City adopting the latest version of the Uniform Building Code (UBC), which requires the installation of water efficient fixtures. The City has also adopted a model landscape irrigation policy as part of the City's "Landscape Guidelines" that address all landscaping for public parkways, median islands, and common area landscaping improvements for residential and commercial developments in the City. The City worked with the Coachella Valley Association of Governments and adopted the Coachella Valley "Model Landscape Ordinance" as a policy document. The guidelines used by the City encourage minimal turf areas, use of native plant materials reminiscent of the "desert wash" plant palette which are used in all of the newer residential common areas including retention basins, parkways and perimeter landscaped planters.

Additionally, the City has implemented a model of sustainability in landscaping its largest public parks with smart irrigation systems and permeable pavers. The recently constructed Rancho Las Flores Park, the expanded Bagdouma Park, and the re-designed De Oro Park all incorporate a blend of native and drought-tolerant plants, trees and ground covers into an attractive, low-maintenance, water-saving resource for the community. Further, the CWA offers three water conservation programs to its residents. These include the Turf Removal Rebate Program, the Indoor/Outdoor Water Fixture Kits, and the Toilet Rebate Program. The City also promotes water conservation and other resources in coordination with CVWD, Imperial Irrigation District (IID), and other energy utilities. The City distributes public information through bill inserts, brochures, and community events.<sup>81</sup> CVWD is not a signatory to the MOU; however, as presented in **Section 1**, CVWD participates in a number of demand management programs similar to those provided by the CUWCC.

### **3.4 Statewide Drought Conditions**

On April 1, 2015, Governor Brown issued Executive Order B-29-15 calling for a 25 percent reduction in consumer water use in response to the historically dry conditions throughout California. The Executive Order also included mandatory actions aimed at reducing water demands, with a particular focus on outdoor water

<sup>81</sup> Coachella Valley Integrated Regional Water Management Plan, December 2010

use. In addition to requiring urban water use reductions, the Executive Order called for the following:

- remove and replace turf with drought tolerant landscape options,
- support rebate program for water efficient devices,
- restrict water use on commercial, industrial, and institutional properties in order to achieve 25 percent reduction in potable water use,
- prohibit irrigation of ornamental turf on street medians with potable water supplies,
- prohibit irrigation of new construction with potable water unless drip or micro spray systems are used, and
- direct water supplies to develop rate structures and pricing mechanisms to maximize water conservation consistent with statewide restrictions.

### ***3.4.1 State Board Emergency Water Conservation Regulations***

In May 2015, pursuant to the Governor's Executive Order, the State Water Resources Control Board adopted emergency regulations designed to achieve an overall 25 percent reduction in potable urban water use across the state. The regulations were in response to the four-year drought and marked the first time in the State's history for such action. Under the regulations, the State's urban water suppliers (i.e., those serving more than 3,000 customers or delivering more than 3,000 AF of water per year, but not including suppliers functioning solely in a wholesale capacity) were required to achieve assigned water-saving targets that collectively would result in a 25 percent reduction in potable urban water production across the state. The original and extended regulations were effective through May 2016. During that time, the City reduced water use by 24 percent compared to 2013 water use.

On May 9, 2016, Governor Brown issued Executive Order B-37-16 calling on the State Board to adjust emergency water conservation regulations through the end of January 2017 in recognition of differing water supply conditions across the state. On May 18, 2016, the State Board adopted a new emergency conservation regulation to allow urban water providers to calculate an alternative water conservation standard based on a "stress test" approach that assumes three additional dry years. These standards require local water agencies to ensure a three-year supply assuming three more dry years like the ones the state experienced from 2012 to 2015. Water agencies that would face shortages under three additional dry years are required to meet a conservation standard equal to the amount of shortage. As directed by Governor Brown in Executive Order B-37-16, the Board will separately take action to make some of the requirements of the regulation permanent. Of note, the emergency regulations do not impede the City's ability to grow and approve new developments. Rather, it guides water use in a conservative direction while eliminating gross water waste, as shown in the City's water use activity restrictions.

On April 7, 2017, Governor Brown ended the drought emergency in most of California through Executive Order B-40-17, while maintaining water reporting

requirements and prohibitions against wasteful practices such as watering during or right after rainfall. The Order also rescinded two emergency proclamations from January and April 2014 and four drought-related Executive Orders issued in 2014 and 2015. Executive Order B-40-17 builds on actions taken in Executive Order B-37-16, which remains in effect, to continue making water conservation a way of life in California. The Board will separately take action to make reporting and wasteful water practices permanent.

The City reports its monthly water use and progress in meeting the mandated water use reduction to the State through its online monthly monitoring report system. Additionally, the City and CWA will continue to work with the Department of Water Resources and the State Board to develop a long-term framework to "Make Water Conservation a California Way of Life." This framework will help to improve the resiliency of California supplies in times of drought.

## **SECTION 4**

### **WATER SUPPLY ASSESSMENT**

---

#### **4.1 Existing Water Supplies**

As explained herein, CWA produces all of its water supplies from the Coachella Valley Groundwater Basin, specifically, the East Whitewater River Subbasin, which is continuously replenished at the local and regional level pursuant to a variety of water supply projects and programs.

The Coachella Valley relies on a combination of local groundwater, Colorado River (CR) water, surface water, and recycled water to meet demand. As explained throughout this WSA, the City produces all of its water supplies from the Coachella Valley Groundwater Basin, specifically, the East Whitewater River Subbasin, which is continuously replenished at the local and regional level pursuant to a variety of water supply projects and programs. The East Whitewater River Subbasin is regionally managed by CVWD, CWA, and IWA. CVWD has statutory authority to replenish local groundwater supplies and collect assessments necessary to support a groundwater replenishment program as provided in the County Water District Law. As indicated in CVWD's 2015 UWMP and various other Coachella Valley water supply planning documents (e.g. CVWD 2010 Coachella Valley WMP and CVWD 2011 Subsequent Program Environmental Impact Report (SPEIR)), the Coachella Valley groundwater basin area serves as an expansive conjunctive use resource that is capable of ensuring a sufficient and sustainable water supply to serve existing uses and projected growth during normal, single-dry and multiple-dry years over an extended planning horizon, currently established as the year 2045. Not only does the basin contain vast reserves of local groundwater (approximately 30 million AF at 1,000 foot depth), it has substantial available storage space that has been utilized and will continue to be utilized to store millions of acre-feet of supplemental supplies that become available during normal and above-normal years. Those surplus supplies are recharged to the basin for later use during dry periods.

In 2002, CVWD prepared a Water Management Plan to provide a road map for meeting future water demands throughout the Lower Coachella Valley, including the City. It includes recommendations for water conservation, additional imported supplies, source substitution, and groundwater recharge elements. CVWD successfully implemented an urban water conservation program, acquired additional SWP supplies, constructed the initial phase of the Mid-Valley Pipeline, and constructed the Thomas E. Levy Groundwater Replenishment Facility. CVWD updated the Plan in 2010. The new 2010 CVWMP recommends greater conservation (agricultural conservation, additional urban conservation, and golf course conservation), supply development (acquisition of additional imported water supplies, recycled water use, and desalinated drain water), groundwater recharge program enhancements, and source substitution programs. A number of new projects and programs are recommended and presented in Section 8 of the 2010

CVWMP.<sup>82</sup> (See **Section 1** above for an overview discussion of the 2010 CVWMP and related 2011 SPEIR that has been adopted and certified pursuant to CEQA.)

## 4.2 Groundwater

Groundwater<sup>83</sup> is the principal source of municipal water supply in the Coachella Valley. The main groundwater source for the entire valley is the Coachella Valley Groundwater Basin, Indio Subbasin, Basin Number 7-21-01, also known as the Whitewater River Subbasin, as shown in **Figure 4-1**. The east portion of the Whitewater River Subbasin is shared by CVWD, Indio Water Authority, Coachella Water Authority (City), and numerous private groundwater producers.

Water Code Section 10910(f) requires additional information when a groundwater basin is included as a source of water supply for a proposed project. The additional information includes a description of the basin, the rights of the public water system (PWS) to use the basin, the overdraft status of the basin, any past or planned overdraft mitigation efforts, historical use of the basin by the PWS, projected use of the basin by the project, and a sufficiency analysis of the basin that is to be utilized to supply the project. In addition to the information and analyses provided in other sections of this WSA, each of the statutory elements of Section 10910(f) are discussed in the following paragraphs.

### 4.2.1 Basin Description

The Whitewater River Subbasin underlies a major portion of the valley floor and encompasses approximately 400 square miles. Beginning approximately one mile west of the junction of State Highway 111 and Interstate 10, the Subbasin extends southeast approximately 70 miles to the Salton Sea. It is bordered on the southwest by the Santa Rosa and San Jacinto Mountains and is separated from other basins by the Garnet Hill and San Andreas faults. The 2010 CVWMP provides a more comprehensive description and discussion of the Subbasin, which is incorporated herein.<sup>84</sup>

### 4.2.2 Public Water System Use Rights

As noted by DWR Bulletin 118, the basin is not adjudicated. As such, there are no specifically established limitations on the rights of the City to withdraw water. DWR Bulletin 118 notes that groundwater management in the basin is a local responsibility, and therefore decisions regarding basin conditions and controlled overdraft and groundwater management are the responsibility of local agencies. With specific regard to the Whitewater River Subbasin and surrounding areas, CVWD, one of the region's SWP contractors, developed the 2002 CVWMP and 2010 CVWMP Update for the long-term management of groundwater resources. As

<sup>82</sup>See also: CVWD 2010 CVWMP, Section 4, Existing Water Supplies.

<sup>83</sup>As indicated throughout this WSA, the term groundwater refers to local groundwater and imported, recycled and other supplies that are continuously recharged to the basin and extracted from groundwater wells.

<sup>84</sup>See 2010 CVWMP, Section 4.1.1, Whitewater River Subbasin.

detailed in those Plans and discussed in this WSA, CVWD has determined that the total projected water supplies available to the basin area, including the City and its SOI, during normal, single-dry and multiple-dry periods throughout the year 2045 are sufficient to meet the needs of existing uses and projected growth.<sup>85</sup> Moreover, the potential environmental effects of implementing the projects and programs contained in the 2010 CVWMP have been analyzed in accordance with CEQA, and the determination has been made that implementation of the 2010 CVWMP will have a beneficial effect on groundwater resources.<sup>86</sup> CVWD, with assistance from other water agencies including the City's Coachella Water Authority, have been implementing water supply projects, programs and related management actions of the CVWMPs since 2002. A notable requirement under the CVWMP is that the City (and other agency producers) must pay a replenishment assessment charge (RAC) for each acre-foot of groundwater produced. The FY 2015 RAC was \$52 per acre-foot (AF) of groundwater pumped, the FY 2016 RAC was \$59 per AF, and beginning July 1, 2016 the FY 2017 RAS is \$66/AF.<sup>87</sup> In 2015, CWA produced approximately 2,128 MG, or 6,531 AF, of groundwater and paid approximately \$339,612 in RAC. In addition to the CVWMP process, in December 2010 the Coachella Valley Integrated Regional Water Management Plan (IRWMP) was developed to promote a regional approach for addressing water management issues and to enhance the region's eligibility for state funding opportunities for water resource projects. The IRWMP was created by the Coachella Valley Regional Water Management Group (CVRWMG), which is a partnership of CWA, CVWD, DWA, Indio Water Agency, and the Mission Springs Water District.

#### **4.2.3 Status of Groundwater Basin**

As noted above, the 2010 CVWMP Update and 2011 SPEIR conclude that the total projected water supplies available to the basin area, including the City and its SOI, during normal, single-dry and multiple-dry periods throughout the year 2045 are sufficient to meet the needs of existing uses and projected growth.<sup>88</sup> Along with those conclusions, the 2010 CVWMP states that the demand for groundwater in the Basin has annually exceeded the natural recharge of the groundwater basin and that condition has caused groundwater levels to decrease in portions of the East Valley and has raised concerns about water quality degradation and land subsidence. If left unaddressed and unmanaged, such groundwater conditions could result in increased groundwater pumping costs, continued decline of groundwater levels, and water quality degradation in the Basin. Because of the difficult nature of quantifying overdraft, CVWD has based its assessment of the issue on the change in freshwater storage in the Basin. For 2015, the latest report available, the annual water balance in storage was a gain of 26,900 AF, which is a positive change in the

<sup>85</sup> See, e.g., 2010 CVWMP, pp. 7-2 to 7-12; 2011 SPEIR, pp. 3-4 to 3-9.

<sup>86</sup> See, e.g., 2010 CVWMP, pp. 7-18 to 7-31; 2011 SPEIR, pp. 3-23 to 3-33.

<sup>87</sup> CVWD Engineer's Report on Water Supply and Replenishment Assessment 2016-2017 Mission Creek, West Whitewater River, and East Whitewater River Subbasin Areas of Benefit, Table VII-4, Appendix A.

<sup>88</sup> See, e.g., 2010 CVWMP, pp. 7-18 to 7-31; 2011 SPEIR, pp. 3-23 to 3-33.



loss trends of previous years.<sup>89</sup>Importantly, and as noted throughout this WSA and the water supply planning and CEQA documents that support its analysis, Basin conditions have been and will continue to be fully addressed and comprehensively managed. Consistent with the conclusions of CVWD's 2010 CVWMP Update and 2011 SPEIR, it is expected that continued implementation of CVWMP recommendations will improve overdraft conditions and have a beneficial effect on the groundwater basin.

#### **4.2.4 Groundwater Management and Mitigation Efforts**

As presented in **Section 1**, CVWD is successfully implementing an urban water conservation program, has acquired additional SWP supplies, and has constructed the Thomas E. Levy Groundwater Replenishment Facility, among a host of other water management programs and actions. The 2010 CVWMP Update recommends greater conservation (agricultural conservation, additional urban conservation, and golf course conservation), supply development (acquisition of additional imported water supplies, recycled water use, and desalinated drain water), groundwater recharge program enhancements, and source substitution programs as means of improving basin conditions while ensuring a sufficient and sustainable source of water supply for existing and projected uses throughout the region. In addition to the information and analyses presented in this WSA, other descriptions of the projects and programs within the City and CVWD service areas are set forth in the City 2015 UWMP, CVWD 2015 UWMP, CVWD 2010 CVWMP and 2011 SPEIR, which discussions are incorporated herein by reference.<sup>90</sup>

#### **4.2.5 Historical Use of the Basin**

The City of Coachella currently operates six (6) groundwater wells. In 2016, the City produced approximately 2,096 MG (6,434 AF) of groundwater. The operating conditions and controls for the wells vary, with some wells operating year-round and some turned on only seasonally. The system is controlled by a Supervisory Control and Data Acquisition (SCADA) system to ensure maximum efficiency of groundwater resources. The City presently uses approximately five percent of the total volume of water withdrawn from the East Whitewater River Subbasin each year. **Table 4-1** shows the City's annual groundwater production in the Subbasin over the past 5 years. **Table 4-2** shows Coachella Valley Water District's total groundwater production both the Whitewater River and the Mission Creek Subbasins over the past 5 years.

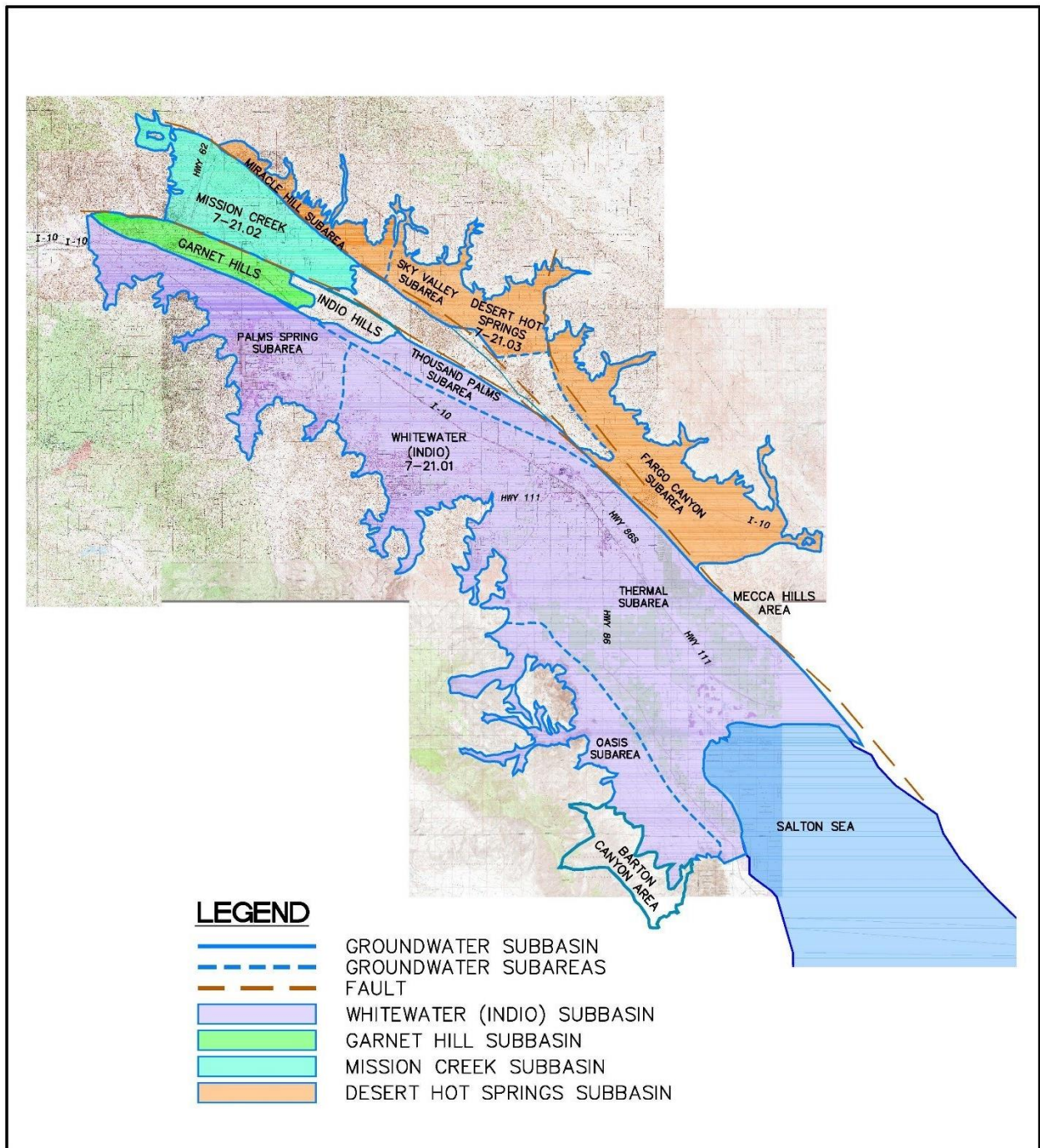
**Table 4-1**  
**Groundwater Volume Pumped**

Groundwater Type	Location or Basin Name	2012	2013	2014	2015	2016
------------------	------------------------	------	------	------	------	------

<sup>89</sup>CVWD Engineer's Report on Water Supply and Replenishment Assessment 2016-2017 Mission Creek, West Whitewater River, and East Whitewater River Subbasin Areas of Benefit, Table VII-3, Appendix A.

<sup>90</sup>See Chapter 1 above regarding management efforts to ensure water supply sufficiency and improved groundwater conditions.

Alluvial Basin	East Whitewater River Subbasin	7,993	7,939	7,716	6,531	6,434
<b>Total:</b>		<b>7,993</b>	<b>7,393</b>	<b>7,716</b>	<b>6,531</b>	<b>6,434</b>
NOTES: Units are in Acre-Feet (AF)						





***Figure 4-1 Groundwater Subbasins***

**Table 4-2**  
**Retail Groundwater Volume Pumped**

Groundwater Type	Location or Basin Name	Volume Pumped (AF)				
		2012	2013	2014	2015	2016
Alluvial Basin	West Whitewater River Subbasin	141,379	143,108	136,027	115,588	115,706
Alluvial Basin	East Whitewater River Subbasin	120,064	119,194	123,465	113,706	111,925
Alluvial Basin	Mission Creek Subbasin	4,582	4,415	4,154	4,090	4,175
<b>Total:</b>		<b>266,025</b>	<b>266,717</b>	<b>263,646</b>	<b>233,384</b>	<b>231,806</b>

As indicated herein, substantial regional efforts are ongoing, led by CVWD, to recharge the Whitewater River Subbasin with imported water and other supplies. Those efforts are made possible in large part because CVWD is a SWP contractor. Notably, however, the Coachella Valley does not have a direct physical connection to the SWP system. Therefore, CVWD has entered an agreement with the Metropolitan Water District of Southern California (MWD), whereby MWD delivers Colorado River supplies to CVWD in exchange for like amounts of CVWD's SWP supplies. The Colorado River deliveries are made through MWD's Colorado River Aqueduct, which crosses the Coachella Valley near Whitewater. Among other things, the exchange agreement allows for advanced delivery and storage of Colorado River water in the Coachella Basin, thereby providing flexible and efficient water management opportunities. The large storage capacity of the Basin and the large volume of water in storage allow CVWD and other local water providers, such as the City, to pump needed supplies from the Basin during dry years, where large amounts of water can be recharged in normal and above normal years.

#### **4.2.6 Projected Groundwater Use**

As presented in **Section 2** above, total projected water demand for the Vista Del Agua Project is estimated at approximately 678 acre-feet per year (AFY), using the City's recently developed demand factors. For additional information regarding estimated water use for the Project, please refer to **Section 3** above. A detailed description and analysis of the amount and location of groundwater and recharged groundwater that is projected to be produced by the City from the East Whitewater Subbasin of the Coachella Groundwater Basin are provided in **Sections 1, 3.2, 4.1** and **4.2** above. For purposes of this analysis, the facilities to be used by the City are described in **Section 3.1.2**.

#### **4.2.7 Sufficiency of the Groundwater Basin**

As detailed and analyzed throughout this WSA and in the City's 2015 UWMP, CVWD's 2015 CVWMP Update and CVWD's 2011 SPEIR, substantial evidence demonstrates that the groundwater and recharged groundwater supplies of the

Coachella Valley Groundwater Basin are and will continue to be sufficient during normal, single-dry and multiple dry years over the 20-year projection and beyond to meet the projected demand associated with the Vista Del Agua Project, in addition to other existing and planned future uses within the City and CVWD service areas.

#### **4.2.8 Other Factors Related to the Groundwater Basin**

On or about May 14, 2013, the Agua Caliente Band of Cahuilla Indians filed a federal court lawsuit against CVWD and DWA, requesting the court to “judicially recognize, declare, quantify and decree” the Tribe’s right to sufficient water underlying the Coachella Valley as necessary to fulfill the purposes of the Tribe. The lawsuit contends that the development of groundwater by CVWD and DWA has adversely affected the quantity and quality of groundwater supplies underlying the Coachella Valley and the Agua Caliente Reservation, and thus has injured and infringes upon the rights of the Tribe and its members. Among other things, the lawsuit seeks the following: an injunction to prevent CVWD and DWA from withdrawing groundwater from the Upper Whitewater and Garnet Hill subbasins of the Coachella Valley Groundwater Basin underlying the Agua Caliente Reservation; an injunction to prevent CVWD and DWA from overdrafting the Upper Whitewater and Garnet Hill subbasins; an injunction to prevent CVWD and DWA from recharging the Upper Whitewater and Garnet Hill subbasins with imported water of lesser quality than pre-existing groundwater without first treating the imported water; and an injunction preventing CVWD and DWA from infringing on the Tribe’s “ownership interest” in the storage space underlying the Reservation that is used to store the Tribe’s water rights.

The potential for the Agua Caliente lawsuit to affect the water supplies available to the City of Coachella to serve the Vista Del Agua Project cannot be determined at this time and are too speculative to evaluate in relation to the Project and for purposes of this WSA. However, several factors suggest that the lawsuit will not affect the availability, reliability or overall sufficiency of water supplies available to the City to serve the Project. For example, the rights that the Tribe alleges to hold have not been quantified, defined, substantiated or proven from an engineering or legal standpoint, and thus the potential impacts to CVWD and DWA operations are very speculative at this preliminary stage of the lawsuit. Second, as noted above, the City is not a party to the lawsuit and no injunctions are sought against the City’s water production or any other water related activities conducted by the City. Third, the lawsuit concerns groundwater production and storage activities in the Upper Whitewater and Garnet Hill subbasins, whereas the City and the Vista Del Agua Project are located in the East Whitewater subbasin, which is far south of the Agua Caliente Reservation and separate from the Upper Whitewater and Garnet Hill subbasins.<sup>91</sup> Fourth, assuming only for the sake of argument that the lawsuit was successful, it does not seek to prohibit the recharge of imported and supplemental water in the West Whitewater and Garnet subbasins (which, again, the Project does not utilize). Rather, the lawsuit demands that imported water of “inferior quality” be

<sup>91</sup> See Figure 4-1 above.

treated before it is recharged to the West Whitewater or Garnet Hill subbasins. For these and other reasons, it does not appear likely that the Agua Caliente lawsuit has the potential to affect the availability, reliability or overall sufficiency of water supplies available to the City of Coachella to serve the Project as set forth in this WSA.

On September 16, 2014, the Sustainable Groundwater Management Act (SGMA) was signed into law. SGMA declares that groundwater is a critical natural resource for the state and must be sustainably managed. SGMA defines "sustainable groundwater management" as the management and use of groundwater in a manner that can be maintained during a 50-year planning and implementation horizon without causing "undesirable results," such as "significant and unreasonable" lowering of water levels, reduction in storage capacity, seawater intrusion, degraded water quality, land subsidence, or depletions of interconnected surface water. SGMA also states that sustainable management best occurs at the local level, but provides authority for state management when local agencies are unwilling or unable to implement the new requirements. For purposes of SGMA, groundwater does not include subsurface water that flows in known and definite channels, which in large part is already subject to the permitting jurisdiction of the State Board.

SGMA required DWR to categorize each groundwater basin in the state, as identified and defined in DWR's Bulletin 118, as high, medium, low, or very low priority by January 31, 2015. All basins designated as high or medium priority and also designated in Bulletin 118 as being subject to critical conditions of overdraft must be managed under a groundwater sustainability plan (GSP) or plans (GSPs) in accordance with SGMA by January 31, 2020. All basins designated as high or medium priority but not also designated in Bulletin 118 as being subject to critical conditions of overdraft must be managed under SGMA by January 31, 2022. SGMA also permits alternative plans in lieu of GSPs if approved by DWR. Basins designated by DWR as low and very low priority are not subject to the requirements of SGMA, but are "encouraged" to be managed under GSPs.

Certain adjudicated areas, and local agencies that conform to the requirements of those adjudications, are expressly exempt from SGMA, subject to ongoing reporting requirements. To the extent authorized under federal or tribal law, SGMA applies to Indian tribes and the federal government, but SGMA provides that federally reserved water rights to groundwater "shall be respected in full." SGMA authorizes a groundwater sustainability agency (GSA) to regulate, limit or suspend groundwater extractions from individual wells, but it does not authorize such agencies to make a binding determination of the water rights of any person or entity. SGMA authorizes any local agency or a combination of local agencies overlying a basin to become a GSA for that basin. A local agency is defined as a public agency having water supply, water management or land use responsibilities within the basin. Where a combination of local agencies seeks to form a single GSA, it must be done pursuant to a joint powers agreement or other legal agreement. For some areas of the state, specific agencies that already have been created by statute to manage groundwater are deemed by SGMA to be the exclusive

groundwater sustainability agencies within their respective boundaries, although such agencies may opt out of that role by providing notice to DWR. In that case, any other local agency or agencies may notify DWR of an election to be the GSA in accordance with required procedures.

Any local agency or agencies electing to be a GSA must first hold a noticed public hearing in the county or counties overlying the basin, and must submit a notice of intent to DWR describing the proposed boundaries of the basin (or portion thereof) that the agency or combination of agencies intends to manage. Within 30 days of electing to be or forming a GSA, the agency must notify DWR, and provide a list of “interested persons” and an explanation of how their interests will be considered in the development and implementation of the agency’s sustainability plan. Under SGMA, interested persons include: agricultural water users; domestic well owners; municipal well owners; public water systems; local land use planning agencies; environmental users of groundwater; users of surface water with a hydrologic connection to groundwater; federal agencies; affected California Native American Tribes; disadvantaged communities; and entities monitoring and reporting groundwater elevations under the CASGEM program.

SGMA expresses clear legislative intent that the entirety of each high and medium priority groundwater basin must be covered by one or more GSPs. In other words, there can be no unmanaged areas. In this regard, SGMA provides that a basin plan may be: (1) a single plan covering the entire basin developed and implemented by one GSA; (2) a single plan covering the entire basin developed and implemented by multiple groundwater sustainability agencies; or (3) multiple plans implemented by multiple groundwater sustainability agencies and coordinated pursuant to a single coordination agreement that covers the entire basin. If multiple coordinated plans are prepared to cover a basin, the groundwater sustainability agencies must ensure that the plans utilize the same data and methodologies for developing assumptions regarding groundwater elevations, groundwater extractions, surface water supplies, total water use, changes in groundwater storage, water budget, and sustainable yield.

SGMA mandates that by June 30, 2017, every portion of a high or medium priority basin must be covered by the boundaries of at least one GSA. If an area within a basin is not within the management area of a GSA, the county within which the unmanaged area lies is presumed to be the sustainability agency for that area, unless the county opts out of that role by notifying DWR. If an entire basin is not covered by one or more groundwater sustainable agencies by the June 30, 2017 deadline, groundwater extractions in that area become subject to specific reporting requirements, and the State Board may designate the basin as a “probationary basin” and step in to adopt an interim plan for the basin. GSPs must include the following components:

- The physical setting and characteristics of the aquifer system underlying the basin;

- Measurable objectives, and interim milestones in five-year increments to achieve the sustainability goal in the basin within 20 years of implementation;
- A planning and implementation horizon, defined by SGMA as a 50-year time period over which a GSA determines that plans and measures will be implemented in a basin to ensure it is operated within its sustainable yield;
- Components relating to the monitoring and management of groundwater levels; groundwater quality, inelastic land surface subsidence, and changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater extraction in the basin; mitigation of overdraft; how recharge areas contribute to basin replenishment; and surface water supplies used or available for groundwater recharge or in lieu use;
- A summary of monitoring sites, type of measurements, and frequency of monitoring various factors;
- Monitoring protocols designed to detect changes in groundwater levels, groundwater quality, inelastic surface subsidence, and flow and quality of surface waters that directly affect groundwater levels or quality or are caused by groundwater extractions in the basin; and
- A description of how applicable county and city general plans have been considered and a description of the various adopted water resource-related plans and programs within the basin and an assessment of how the GSP may affect such other plans and programs.

In addition, GSPs must include basin-specific measures where appropriate, such as:

- Control of saline water intrusion;
- Wellhead protection and recharge areas;
- Migration of contaminated groundwater;
- Well construction, abandonment and destruction programs and policies;
- Activities and opportunities for conjunctive use;
- Measures addressing cleanup of groundwater contamination, groundwater recharge, diversions to storage, conservation, water recycling, conveyance, and extraction projects;
- Efficient water management practices;
- Efforts to develop relationships with state and federal regulatory agencies;
- Processes to review land use plans and efforts to coordinate with land use planning agencies to assess activities that potentially create risks to groundwater quality or quantity; and
- Impacts to groundwater dependent ecosystems.

Prior to initiating the development of a GSP, the sustainability agency or agencies must notify the public, DWR, and any city or county located within the area to be covered by the plan about how interested parties may participate in the plan's development and implementation. The sustainability agency must also encourage the active involvement of diverse social, cultural, and economic communities within the groundwater basin prior to and during the development and implementation of the plan. A GSP plan may only be adopted after a public hearing held at least 90

days after notice was provided to any city or county within the area affected by a GSP. Upon adoption of a plan, the GSA must submit the plan to DWR for review. DWR must post the plan on its website and provide a 60-day public comment period. In addition, DWR must evaluate and issue an assessment of the plan within two years of submission and may include corrective actions to any perceived deficiencies in the plan. SGMA also allows an adopting agency to file a validation action on its plan 180 days after the plan is adopted.

Groundwater sustainability agencies that adopt sustainability plans will have broad new powers under SGMA, includes the authority to:

- Adopt rules, regulations, ordinances, and resolutions;
- Conduct investigations to determine the need for groundwater management, including investigations of surface waters, groundwater, and surface and groundwater rights, and inspections of property or facilities by consent or through an inspection warrant;
- Propose, update, and impose fees, and levy groundwater charges;
- Require registration of and impose requirements on wells and other groundwater extraction facilities;
- Require water measuring devices (i.e., meters) on all groundwater wells within the agency's boundaries;
- Acquire, use, and dispose of real and personal property, such as land, rights-of-way, water rights, structures and infrastructure;
- Import surface and/or groundwater into the agency, conserve and store water within or outside the agency, and purchase, transfer, deliver or exchange water or water rights of any type with any person to carry out any purposes of SGMA;
- Transport, reclaim, purify, desalinate, treat, or otherwise manage and control polluted water, wastewater, or other waters for subsequent use;
- Control groundwater extractions by regulating, limiting, or suspending extractions from individual groundwater wells or wells in the aggregate;
- Authorize temporary and permanent transfers of groundwater extraction allocations within the agency boundaries; and
- Enforce violations of SGMA or agency rules, regulations, ordinances or resolutions, including the ability to impose civil penalties and bring legal actions.

SGMA also provides groundwater sustainability agencies with broad financial powers. For example, sustainable agencies will be authorized to impose a wide variety of fees covering matters such as: permitting; groundwater extractions; preparation, adoption, and amendment of GSPs; investigations; inspections; compliance; enforcement; program administration; reserves; acquisition of lands or other property, facilities or services; and water supply, production, treatment or distribution. While SGMA clearly acknowledges that sustainable groundwater management occurs best at the local level, if local agencies are either unwilling or unable to implement the new requirements of SGMA, the state may step in. To this end, SGMA provides the State Board with broad discretion to determine that a high or medium priority basin should be designated as a "probationary basin" and



thereby trigger State Board management authority. When state action is required, SGMA provides various mechanisms to return local control whenever feasible.

In mid-2016, CVWD, CWA, DWA, and IWA entered into a memorandum of understanding (MOU) to develop a common understanding regarding the governance structures applicable to implementation of SGMA for the Indio (Whitewater River) Subbasin. The MOU memorialized the intent of the four agencies to coordinate and cooperate regarding SGMA implementation within their respective jurisdictions to ensure that the sustainability goals of SGMA are met within the Indio Subbasin. Additionally, the MOU acknowledged that existing and approved water management plans (WMP) managing the Indio Sub-Basin have been prepared and adopted. The MOU set forth the parties' intent to submit the WMP as a potential alternative plan in lieu of a GSP or to prepare a new alternative GSP. In December 2016, CVWD, CWA, DWA, and IWA prepared the SGMA Alternative Groundwater Sustainability Plan Bridge Document for the Indio Subbasin (Bridge Document). The Bridge Document is intended to demonstrate that the 2010 CVWMP is functionally equivalent to the requirements for a GSP and to describes how the 2010 CVWMP meets the requirements of SGMA in lieu of adopting a GSP. The Bridge Document is included in Appendix A.

As of June 30, 2017, CVWD, CWA, DWA, Imperial County, IWA, and Mission Springs Water District (MSWD) have filed Notices of Election to form GSAs within their respective boundaries in the Indio Subbasin.

### **4.3 Colorado River Water**

Colorado River supplies are important to the Coachella Valley for two primary reasons. First, and as further discussed below, a substantial portion of California's share of Colorado River water is allocated directly to CVWD. Second, much of the replenishment supplies used in the Valley come from MWD's allocation of Colorado River water, via the exchange agreement for SWP supplies as discussed above.

Colorado River water has been a major source of supply for the Coachella Valley since 1949 with the completion of the Coachella Canal.<sup>92</sup> The Colorado River is managed and operated in accordance with the *Law of the River*, the collection of interstate compacts, federal and state legislation, various agreements and contracts, an international treaty, a U.S. Supreme Court decree, and federal administrative actions that govern the rights to use of Colorado River water within the seven Colorado River Basin states. The *Colorado River Compact*, signed in 1922, apportioned the waters of the Colorado River Basin between the Upper Colorado River Basin (Colorado, Wyoming, Utah, and New Mexico) and the Lower Basin (Nevada, Arizona, and California). The Colorado River Compact allocates 15 million AFY of Colorado River water: 7.5 million AFY to the Upper Basin and 7.5 million AFY to the Lower Basin, plus up to 1 million AFY of surplus supplies. The Lower Basin's water was further apportioned among the three Lower Basin states by the *Boulder Canyon Project Act* in 1928 and the 1964 U.S. Supreme Court

---

<sup>92</sup> 2010 CVWMP, p. 4-13.



decree in *Arizona v. California*. Arizona's basic annual apportionment is 2.8 million AFY, California's is 4.4 million AFY, and Nevada's is 0.3 million AFY. California has been diverting up to 5.3 million AFY in recent years, using the unused portions of the Arizona and Nevada entitlements. Mexico is entitled to 1.5 million AFY of the Colorado River under the *1944 United States-Mexico Treaty for Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande*. However, this treaty did not specify a required quality for water entering Mexico. In 1973, the United States and Mexico signed Minute No. 242 of the International Boundary and Water Commission requiring certain water quality standards for water entering Mexico.<sup>93</sup>

California's apportionment of Colorado River water is allocated by the 1931 *Seven Party Agreement* among Palo Verde Irrigation District (PVID), Imperial Irrigation District (IID), CVWD and Metropolitan. The three remaining parties, the City and the County of San Diego and the City of Los Angeles, are now part of Metropolitan. The allocations defined in the *Seven Party Agreement* are shown in **Table 4-3** below. In its 1979 supplemental decree in the *Arizona v. California* case, the United States Supreme Court also assigned "present perfected rights" to the use of river water to a number of individuals, water districts, towns and Indian tribes along the river. These rights, which total approximately 2,875,000 AFY, are charged against California's 4.4 million AFY allocation and must be satisfied first in times of shortage. Under the 1970 *Criteria for Coordinated Long-Range Operation of the Colorado River Reservoirs* (Operating Criteria), the Secretary of the Interior determines how much water is to be allocated for use in Arizona, California and Nevada and whether a surplus, normal or shortage condition exists. The Secretary may allocate additional water if surplus conditions exist on the River (see additional discussion below).<sup>94</sup>

**Table 4-3**  
**Priorities and Water Delivery Contracts**  
**California Seven Party Agreement of 1931**

Priority	Description	Acre-ft/year
1	Palo Verde Irrigation District gross area of 104,500 acres of Coachella Valley lands	3,850,000
2	Yuma Project (Reservation Division) not exceeding a gross area of 25,000 acres within California	
3(a)	IID, CVWD and lands in Imperial and Coachella Valley's to be served by the All American Canal	
3(b)	Palo Verde Irrigation District – 16,000 acres of mesa lands	
4	Metropolitan Water District of Southern California for use on coastal plain	550,000
	Subtotal – California Basic Apportionment	4,400,000
5(a)	Metropolitan Water District of Southern California for use on coastal plain	550,000
5(b)	Metropolitan Water District of Southern California	112,000

<sup>93</sup>2010 CVWMP, p. 4-13.

<sup>94</sup>2010 CVWMP, p. 4-13.

	for use on coastal plain	
6(a)	IID and lands in the Imperial and Coachella Valley's to be served by the All American Canal	300,000
6(b)	Palo Verde Irrigation District – 16,000 acres of mesa lands	
<b>Total</b>		<b>5,362,000</b>

Sources: United States Bureau of Reclamation, <http://www.usbr.gov>; Coachella Valley Water Management Plan Update, January 2012, p. 4-14, Table 4-2.

California's Colorado River supply is protected by the 1968 Colorado River Basin Project Act, which provides that in years of insufficient supply on the main stream of the Colorado River, supplies to the Central Arizona Project shall be reduced to zero before California will be reduced below 4.4 million AF in any year. This assures full supplies to the Coachella Valley except in periods of extreme drought. As further described below, delivery analyses performed for the Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lakes Powell and Mead indicated that that California would only experience shortages if the total shortage in the Lower Basin exceeds 1.7 million AFY.<sup>95</sup>

The Coachella Canal (Canal) is a branch of the All-American Canal that brings Colorado River water into the Imperial and Coachella Valleys. Historically, CVWD received approximately 330,000 AFY of Priority 3A Colorado River water delivered via the Coachella Canal. The Canal originates at Drop 1 on the All-American Canal and extends approximately 122 miles, terminating in CVWD's Lake Cahuilla. The service area for Colorado River water delivery under CVWD's contract with Reclamation is defined as Improvement District No. 1 (ID-1) which encompasses most of the East Valley and a portion of the West Valley north of Interstate 10. Under the 1931 California Seven Party Agreement, CVWD has water rights to Colorado River water as part of the first 3.85 million AFY allocated to California. CVWD is in the third priority position along with IID.<sup>96</sup>

#### **4.3.1 Quantification Settlement Agreement**

Although the rights and relative priorities to Colorado River supplies as discussed above remain established under the *Law of the River*, an additional framework applies in California. In 2003, CVWD, IID and Metropolitan successfully completed negotiation of the Quantification Settlement Agreement (QSA). The QSA quantifies the Colorado River water allocations of California's agricultural water contractors for the next 75 years and provides for the transfer of water between agencies.

Specific programs under the QSA include lining portions of the All-American and Coachella Canals, which conserve approximately 96,000 acre-feet annually. As a result, about 80,000 acre-feet of conserved water is delivered to the San Diego County Water Authority ("SDCWA") by exchange with Metropolitan. Metropolitan also takes delivery of 16,000 acre-feet annually that will be made available for the benefit of the La Jolla, Pala, Pauma, Rincon and San Pasqual Bands of Mission

<sup>95</sup> 2010 CVWMP, p. 4-14.

<sup>96</sup> 2010 CVWMP, p. 4-14.

Indians, the San Luis Rey River Indian Water Authority, the City of Escondido and the Vista Irrigation District, upon completion of a water rights settlement, expected in 2013. An amendment to the 1988 Conservation Agreement between Metropolitan and IID and an associated 1989 Approval Agreement among Metropolitan, IID, CVWD and PVID, extended the term of the 1988 Conservation Agreement and limited the single year amount of water used by CVWD to 20,000 acre-feet. Also included under the QSA is the Delivery and Exchange Agreement between Metropolitan and CVWD that provides for Metropolitan to deliver annually up to 35,000 acre-feet of Metropolitan's State Water Project contractual water to CVWD by exchange with Metropolitan's available Colorado River supplies. In calendar year 2011, under a supplemental agreement with CVWD, Metropolitan delivered 105,000 acre-feet, which consisted of the full 35,000 acre-feet for 2011 plus advance delivery of the full contractual amounts for 2012 and 2013.<sup>97</sup>

Under the QSA, CVWD has a base allotment of 330,000 AFY. In accordance with the QSA, CVWD has entered into water transfer agreements with Metropolitan and IID that increase CVWD supplies by an additional 129,000 AFY as shown in **Table 4-4** below.<sup>98</sup>

**Table 4-4**  
**CVWD Deliveries under the QSA**

<b>Component</b>	<b>2010 Amount (AFY)</b>	<b>2045 Amount (AFY)</b>
Base Allotment	330,000	330,000
1988 MWD/IID Approval Agreement	20,000	20,000
Coachella Canal Lining (to SDCWA)	-26,000	-26,000
To Miscellaneous/Indian PPRs	-3,000	-3,000
IID/CVWD First Transfer	12,000	50,000
IID/CVWD Second Transfer	0	53,000
MWD/SWP Transfer	35,000	35,000
<b>Total Diversion at Imperial Dam</b>	<b>368,000</b>	<b>459,000</b>
Less Conveyance Losses <sup>[1]</sup>	-31,000	-31,000
<b>Total Deliveries to CVWD</b>	<b>337,000</b>	<b>428,000</b>

<sup>[1]</sup> Assumed losses after completion of canal lining projects.

Source: Coachella Valley Water Management Plan Update, January 2012, p. 4-15, Table 4-3

As of 2010, CVWD receives 368,000 AFY of Colorado River water deliveries under the QSA (See **Table 4-6** above). This includes the base entitlement of 330,000 AFY, Metropolitan/IID Approval of 20,000 AFY, 12,000 AFY of IID/CVWD First transfer, and 35,000 AFY of Metropolitan/SWP transfer. It also includes the 26,000 AFY transferred to San Diego County Water Authority (SDCWA) as part of the Coachella Canal lining project and the 3,000 AFY transfer to Indian Present

<sup>97</sup> MWDSC 2013 Preliminary Official Statement, Water Revenue Refunding Bonds, Appendix A, p. A-16.

<sup>98</sup> 2010 CVWMP, p. 4-15.

Perfected Rights (PPRs). CVWD's allocation will increase to 459,000 ac-ft/yr of Colorado River water by 2026 and remain at that level for the 75 year term of the QSA. After deducting conveyance and distribution losses, approximately 428,000 AFY will be available for CVWD use.<sup>99</sup> As further discussed below, legal challenges were filed against the QSA in 2003.

### **4.3.2 Factors Affecting Colorado River Supplies**

Several important factors have the potential to affect the long-term availability and reliability of Colorado River supplies in the Coachella Valley. Among those factors are drought conditions in the Colorado River Basin; water requirements for endangered species and habitat protection; climate change; and lawsuits challenging the validity of the QSA. A detailed discussion of these factors is presented below.

#### **4.3.2.1 Drought Conditions and Interim Guidelines**

Drought conditions in the Colorado River Basin are well documented. The period from 2000 through 2007 was the driest eight-year period in the 100-year historical record of the Colorado River. This drought in the Colorado River Basin reduced Colorado River system storage, while demands for Colorado River water supplies continued to increase. From October 1, 1999 through September 30, 2007, storage in Colorado River reservoirs decreased from 55.8 million AF (approximately 94 percent of capacity) to 32.1 million AF (approximately 54 percent of capacity), and was as low as 29.7 million AF (approximately 52 percent of capacity) in 2004. In November 2010, Lake Powell and Lake Mead were at 62 percent and 38 percent of their storage capacities, respectively (Reclamation, 2010b). Although slightly above normal snowpack conditions existed in the Colorado River basin in 2008, the years 2009 and 2010 saw a return of below normal runoff conditions. Drought conditions continued from 2011 to 2015 but began to reverse course in early 2016 with an increase in northern pacific storms arriving into the northern and central part of the State. As of September 2017, Lake Powell and Lake Mead were at 60 percent and 39 percent of their respective storage capacities, with total system storage reported at 55 percent capacity.<sup>100</sup>

In January 2001, the Secretary of the Interior adopted guidelines (the "Interim Surplus Guidelines") for use through 2016 in determining if there is surplus Colorado River water available for use in California, Arizona and Nevada. The Interim Surplus Guidelines were amended in 2007, with the new Guidelines extending through 2026. The Interim Surplus Guidelines contain a series of benchmarks for reductions in agricultural use of Colorado River water within

<sup>99</sup>2010 CVWMP, p. 4-15.

<sup>100</sup> Lower Colorado Region Available Reservoir Elevations and Contents. Available at: <http://www.usbr.gov/lc/region/g4000/hourly/rivops.html>  
<http://www.usbr.gov/lc/region/g4000/hourly/rivops.html>

California by set dates.<sup>101</sup> At the conclusion of the effective period of the interim guidelines, the operating criteria for Lake Powell and Lake Mead are assumed to revert to the operating criteria used to model baseline conditions in the Final Environmental Impact Statement for the Interim Surplus Guidelines dated December 2000 (i.e., modeling assumptions are based upon a Quantified Surplus Strategy for the period commencing January 1, 2026 (for preparation of the 2027 Annual Operating Plan for the Colorado System Reservoirs)).

The purposes of the Guidelines are to: (1) improve Reclamation's management of the Colorado River by considering trade-offs between the frequency and magnitude of reductions of water deliveries, and considering the effects on water storage in Lake Powell and Lake Mead, where Reclamation will also consider the effects on water supply, power production, recreation, and other environmental resources; (2) provide mainstream United States users of Colorado River water, particularly those in the Lower Division states, a greater degree of predictability with respect to the amount of annual water deliveries in future years, particularly under drought and low reservoir conditions; and (3) provide additional mechanisms for the storage and delivery of water supplies in Lake Mead to increase the flexibility of meeting water use needs from Lake Mead, particularly under drought and low reservoir conditions.<sup>102</sup>

As a result of the interim guidelines, recipients of Colorado River water, including CVWD, will receive deliveries with a higher degree of reliability. Information presented in the Bureau of Reclamation's (BOR) 2007 Final Environmental Impact Statement ("EIS") for the Interim Guidelines indicates that California would only experience shortages if the total shortage in the Lower Basin exceeds 1.7 million AF. Due to California's Colorado River priority system, all delivery shortages would be borne by MWD, which has a lower priority than CVWD. Consequently, no reduction in CVWD's Colorado River supplies is projected at this time. (2010 CVWMP, p. 4-26.). This is further supported with 2017 being the wettest year on record experienced for the State and coupled with a significant snowpack level received in the Rocky Mountains. Therefore, planned reductions in CVWD's Colorado River supply are not anticipated at any time in the near future.<sup>103</sup>

#### **4.3.2.2 Protected Species and Other Environmental Issues**

Federal and state environmental laws protecting fish species and other wildlife species have the potential to affect Colorado River operations. A number of species that are on either "endangered" or "threatened" lists under the ESAs are present in the area of the Lower Colorado River, including among others, the bonytail chub, razorback sucker, southwestern willow flycatcher and Yuma clapper rail. To address this issue, a broad-based state/federal/tribal/private regional partnership that includes water, hydroelectric power and wildlife management agencies in Arizona, California and Nevada have developed a multi-species conservation program for the main stem of the Lower Colorado River (the Lower Colorado River

<sup>101</sup> 2010 CVWMP, p. 4-28.

<sup>102</sup> 2010 CVWMP, p. 4-28.

<sup>103</sup> 2010 CVWMP, p. 4-28.

Multi-Species Conservation Program or “MSCP”). The MSCP allows Metropolitan to obtain federal and state permits for any incidental take of protected species resulting from current and future water and power operations of its Colorado River facilities and to minimize any uncertainty from additional listings of endangered species. The MSCP also covers operations of federal dams and power plants on the river that deliver water and hydroelectric power for use by Metropolitan and other agencies. The MSCP covers 27 species and habitat in the Lower Colorado River from Lake Mead to the Mexican border for a term of 50 years. Over the 50 year term of the program, the total cost to Metropolitan will be about \$88.5 million (in 2003 dollars), and annual costs will range between \$0.8 million and \$4.7 million (in 2003 dollars).<sup>104</sup>

#### **4.3.2.3 Potential Climate Change Impacts**

Climate change has the potential to affect imported water supplies. Potential effects of global warming could also increase water demand within the Coachella Valley. Although precise estimates of potential future impacts of climate change on runoff throughout the Colorado River basin cannot be predicted with certainty, reports and data have been developed that address changes in climate and hydrology within that region. These impacts may include decrease in annual flow and increased variability, including more frequent and more severe droughts. Furthermore, even without precise knowledge of the effects, increasing temperatures alone would likely increase losses due to evaporation and sublimation, resulting in reduced runoff.<sup>105</sup> More specifically, the Bureau of Reclamation’s 2011 SECURE Water Act Report identifies the following climate challenges in the Colorado River basin: (1) on average, Colorado River Basin temperature is projected to increase by 5 to 6 degrees Fahrenheit during the 21st century, with slightly larger increases projected in the upper Colorado Basin; (2) precipitation is projected to increase by 2.1 percent in the upper Basin while declining by 1.6 percent in the lower Basin by 2050; (3) mean annual runoff is projected to decrease by 8.5 percent by 2050; and (4) warmer conditions will likely transition snowfall to rainfall, producing more December through March runoff and less April through July runoff.<sup>106</sup>

The 2011 SECURE Water Act Report also discussed potential future impacts for water and environmental resources in the Colorado River Basin. The Report notes that spring and early summer runoff reductions could translate into a drop in water supply for meeting irrigation demands and adversely impacting hydropower operations at smaller reservoirs; increased winter runoff may require infrastructure modifications or flood control rule changes to preserve flood protection, which could further reduce warm season water supplies; warmer conditions might result in increased stress on fisheries, shifts in geographic ranges, increased water demands for instream ecosystems and thermoelectric power production, increased power demands for municipal uses, including cooling, and increased likelihood of invasive

<sup>104</sup> MWDSC 2015 Official Statement, Special Variable Rate Water Revenue Refunding Bonds, Appendix A, pp. A-23 to A-24.

<sup>105</sup> 2010 CVWMP, pp. 5-15 to 5-16.

<sup>106</sup> See, U.S. Department of the Interior, Bureau of Reclamation, Basin Report, Colorado River (<http://www.usbr.gov/climate/SECURE/docs/coloradobasinfactsheet.pdf>).



species infiltrations, where endangered species issues might also be exacerbated; and warming could also lead to significant reservoir evaporation, increased agricultural water demands and losses during water conveyance and irrigation. (Id.)

In response to climate change issues, Reclamation is taking a lead role in assessing risks to Western U.S. water resources and is dedicated to mitigating risks to ensure long-term water resource sustainability. Where opportunities exist, Reclamation has begun adaptation actions in response to climate stresses as well as land use, population growth, invasive species and others. These activities include extending water supplies, water conservation, hydropower production, planning for future operations and supporting rural water development. For example, a 2010-2011 Pilot Run of the Yuma Desalting Plant increased water supplies in the lower Basin through conservation by an estimated 29,000 acre-feet, enough to supply as many as 150,000 people for one year. At Hoover Dam, new wide head range turbines are being installed that will allow more efficient power generation over a wider range of lake levels than existing turbines. Furthermore, the Department of the Interior High Priority Goal for Climate includes activities of the Landscape Conservation Cooperatives and Climate Science Centers, assessing vulnerabilities to the natural and cultural resources management by the Department and activities to adapt to the stresses of climate change. (Id.)<sup>107</sup>

According to DWR, increased air temperature will result in earlier snow melt runoff and a greater proportion of runoff due to rainfall. Because reservoir storage in the Colorado River basin is so large in comparison to annual basin runoff (roughly four times average runoff), a change in the timing of annual runoff would not be expected to significantly affect basin yield.<sup>108</sup>

Potential climate change impacts also were evaluated in the Environmental Impact Study (EIS) on the BOR interim surplus guidelines discussed above. The guidelines extend through 2026, providing the opportunity to gain valuable operating experience through the management of Lake Powell and Lake Mead, particularly for low flow reservoir conditions, and to improve the bases for making additional future operational decisions during the interim period and thereafter. The shortage sharing guidelines are crafted to include operational elements that would respond if potential impacts of climate change and increased hydrologic variability occur. The guidelines include coordinated operational elements that allow for adjustment of Lake Powell releases to respond to low average storage conditions in Lake Powell or Lake Mead. In addition, the guidelines enhance conservation opportunities in lower basin and retention of water in Lake Mead.<sup>109</sup>

While impacts from climate change cannot be quantified at this time, Coachella Valley water supplies are uniquely protected from potential impacts of climate change and corresponding shortages by (1) California's first priority for Colorado

<sup>107</sup>See also, United States Geological Survey, Effects of Climate Change and Land Use on Water Resources in the Upper Colorado Basin, Fact Sheet 2010-3123, January 2011.

<sup>108</sup> Progress on Incorporating Climate Change into Management of California's Water Resources, Technical Memorandum Report, California Department of Water Resources, October 2006.

<sup>109</sup> 2010 CVWMP, pp. 5-15 to 5-16.

River water supplies in the lower Colorado River basin, and (2) Coachella's high priority for Colorado River supplies among California users of Colorado River water.<sup>110</sup>

#### **4.3.2.4 QSA Litigation**

Shortly after the QSA was executed, a number of Imperial Valley parties including IID filed litigation related to the QSA, including a lawsuit to determine the validity of the agreements. In December 2011, California's Third District Court of Appeal reversed a lower court ruling that had invalidated the San Diego Water (SDCWA) Authority and IID water transfer and a number of other components of the QSA. The appeals court remanded several issues to the trial court, including questions about whether the QSA was properly processed under the California Environmental Quality Act (CEQA). In July 2013, a Sacramento Superior Court judge entered a final judgment validating the QSA and rejecting all of the remaining legal challenges. The judge affirmed all of the contested actions, including the adequacy of the environmental documents prepared by IID. In May 2015, the State Court of Appeal issued a ruling that dismissed all remaining appeals. Therefore, the QSA requires IID and Palo Verde Irrigation District (PVID) to provide deliveries to CVWD, MWD, and SDCWA.

#### **4.3.2.5 Colorado River Basin Study**

In December 2012, the Bureau of Reclamation (BOR) issued its Colorado River Basin Water Supply and Demand Study (2012 Study). According to BOR, the 2012 Study was prepared against the backdrop of challenges and complexities of ensuring a sustainable water supply and meeting future demand in the Colorado River system. Notably, the 2012 Study recognizes that because of the Colorado River system's ability to store approximately 60 million acre-feet of water (or nearly four years of average natural flow of the River), all requested deliveries have been met in the Lower Basin, despite recently experiencing the worst 11-year drought in the last century.<sup>111</sup> The 2012 Study concludes that, without additional future water management actions among the Upper and Lower Basin states, a wide range of future imbalances is plausible, primarily due to uncertainties inherent in future water supply.<sup>112</sup> Comparing the median long-term water supply projections against the median long-term water demand projections, and factoring in the myriad factors having the potential to affect the availability and reliability of River supplies and demands (such as climate change, species and other environmental issues, social trends, economic and legal forces, and technical capabilities), the 2012 Study shows that a long-term projected imbalance of 3.2 million acre-feet or more could occur by the year 2060. To address such potential long-term imbalances, the 2012 Study identifies and discusses a broad range of potential options to resolve the differences between water supply and demand. During the study period, over 150 options were received and organized into four groups: (1) those that increase Basin water supplies; (2) those that reduce Basin water demands; (3) those that focus on

<sup>110</sup> 2010 CVWMP, p. 5-16.

<sup>111</sup> 2012 Study, Executive Summary, p. ES-1.

<sup>112</sup> 2012 Study, Executive Summary, p. ES-6.



modifying operations; and (4) those that focus primarily on Basin governance.<sup>113</sup> Moreover, recognizing that no single option is likely sufficient to resolve potential water supply and demand imbalances, the 2012 Study developed groups and portfolios of options to reflect different adaptive strategies.<sup>114</sup> Importantly, the 2012 Study recognizes that *complete* elimination of Basin vulnerability is not likely obtainable, yet concludes that implementation of various adaptive management options results in a significant reduction in vulnerability (e.g., the percentage of future scenarios resulting in Lake Mead elevations being less than 1,000 feet msl is reduced from 19 percent to only 3 percent).<sup>115</sup> Indeed the 2012 Study states that implementation of management portfolios are projected to be successful in significantly improving the resiliency of Basin resources to vulnerable hydrologic conditions. Similar to the extraordinary conservation and management efforts being undertaking throughout the Coachella Valley, the 2012 Study concludes that supply augmentation, water reuse and conservation will be critical tools in managing potential supply and demand imbalances.

#### **4.4 Surface Water**

CWA does not use self-supplied surface water as part of its water supply. However, that could change in the future and will be further evaluated at that time.

#### **4.5 Storm Water**

CWA does not use, or plan to use, local stormwater runoff as part of its water supply. However, that could change in the future and will be further evaluated at that time.

#### **4.6 Transfer and Exchange Opportunities**

Water transfers involve the temporary or permanent sale or lease of a water right or contractual water supply between willing parties. Water can be made available for transfer from other parties through a variety of mechanisms.

##### **4.6.1 City**

The City is exploring opportunities to exchange non-potable groundwater for water from the Coachella Canal. Certain groundwater in the East Coachella Valley has higher levels of dissolved solids and fluoride, and thus is not suitable for potable purposes. However, that supply may be suitable for irrigation and other non-potable uses. In turn, Canal water that is currently used only for irrigation purposes could be treated or left untreated and used for potable or non-potable urban uses.<sup>116</sup>

##### **4.6.2 CVWD**

<sup>113</sup> 2012 Study, Executive Summary, p. ES-7.

<sup>114</sup> 2012 Study, Executive Summary, p. ES-11.

<sup>115</sup> 2012 Study, Executive Summary, p. ES-14.

<sup>116</sup> City 2010 UWMP, pp. 4-12 to 4-13.

CVWD, DWA and the City of Indio are considering the acquisition of additional imported water supplies to augment existing supplies. Under the 2010 CVWMP, CVWD plans to acquire up to 50,000 AFY of additional water supplies through either long-term leases or entitlement purchases from willing parties. Potential sources might include the Delta Wetlands Project which would store surplus water at two Delta islands for later delivery, Sacramento Valley irrigation water transfers, or purchase(s) of additional Table A water from other SWP contractors. Notably, developments within CVWD's retail service area are required to pay a supplemental water supply charge. These amounts can be used to acquire additional water supplies to serve the needs of specific development projects. Supplemental supplies can be transferred to the Coachella Valley and delivered via the SWP, Metropolitan's Colorado River Aqueduct or the Coachella Canal. Further analysis of transfer and exchange opportunities is provided in the 2010 CVWMP and CVWD 2010 UWMP.<sup>117</sup>

## **4.7 Desalinated Water Opportunities**

As described in the Coachella Valley IRWMP, desalination processes are being developed for reuse of agricultural drainage flows in the Coachella Valley. The Valley has a large network of drains and open channels that transport irrigation drainage flows and stormwater. In East Valley areas of agriculture, a high groundwater table and concentration of salts in irrigated soils makes this system a requirement. Desalinated agricultural drain flows can be applied to any number of irrigation and domestic purposes, and thus can serve as an important component of the Valley's water supply portfolio.

### **4.7.1 City**

The City of Coachella does not anticipate the future use of desalinated water within its service area, as the backbone facilities and infrastructure needed for desalination are not economically feasible. However, the City believes that desalinated water makes sense at the regional level. With a regional approach, desalination of local agricultural drain water could become a viable and economical alternative to potable water and Coachella Canal water.<sup>118</sup>

### **4.7.2 CVWD**

CVWD plans to use treated agricultural drainage and other brackish water for irrigation purposes. A brackish water treatment pilot study and feasibility study was completed in 2008. A variety of treatment technologies, brine management approaches and source water supply combinations were compared and assessed over a range of treatment capacities. The treatment alternatives compared reverse osmosis (RO) with dew evaporation, and RO was the chosen technology. Source water supply options consist of the collection of agricultural drainage water at select outfall locations and the installation of a well field to extract groundwater in the

<sup>117</sup> 2010 CVWMP, pp. 8-4 to 8-7; CVWD 2010 UWMP, pp. 4-19 to 4-21.

<sup>118</sup> City 2010 UWMP, p. 4-14.

upper part of the aquifer influencing the agricultural runoff water. The amount of drain water that would be treated and recycled depends on supply availability (the amount of drain flow occurring), the overall supply mix (the amount of additional water needed), and the cost of treatment and brine disposal. CVWD's CVWMP considers up to 10,000 AFY of desalinated drain water by the year 2035 for urban use. Further analysis is provided in the 2010 CVWMP and CVWD 2015 UWMP.

In addition to drain water, the CVWMP also analyzes desalinated ocean water. Coastal communities in southern California are conducting feasibility studies and developing plans to desalinate ocean water as a water supply source. However, desalinating ocean water has relatively high costs due to the energy required to operate reverse osmosis facilities and potential environmental impacts associated with seawater intakes supplying the plant and disposal of brine. Since the Coachella Valley is located a significant distance from the ocean, desalinated ocean water would need to be exchanged with an imported water source (SWP or Colorado River water) for delivery to the Valley. The amount of water that could be developed through ocean water desalination and exchange is likely to be limited by economics of the physical capacity to deliver desalinated ocean water into the coastal water delivery systems and water quality. Further analysis is provided in the 2010 CVWMP and CVWD 2015 UWMP.<sup>119</sup>

## **4.8 Recycled Water Opportunities**

Recycled water is a significant resource that can be used to help expand the local and regional water supply portfolio. Wastewater that has been highly treated and disinfected can be reused for landscape irrigation, certain agricultural applications, and a variety of other purposes. Recycled water has historically been used for irrigation of golf courses and urban landscaping in the Coachella Valley. City and CVWD recycled water opportunities are described below.

### **4.8.1 City**

Currently, the City does not have infrastructure in place to recycle water. However, the City, along with Mission Springs Water District, Indio Water Agency, and Valley Sanitation District, are seeking grant funding through the Integrated Regional Water Management Round 2 for the preparation of a Coachella Valley Recycled Water Development Plan that would determine the feasibility on implementing recycled water throughout the Coachella Valley. If the planning study produces a favorable result and tertiary treatment is added to the City's wastewater treatment facility, potential uses of recycled water could be implemented, including non-potable water systems for larger developments, such as Vista Del Agua. In addition, the City has begun negotiations with Valley Sanitation District to acquire wastewater effluent from its treatment plant located north and uphill of the City. The investigation includes determining treatment plant improvements required to meet applicable recycled water quality standards.

<sup>119</sup> 2010 CVWMP, pp. 8-6 to 8-13; CVWD 2010 UWMP, pp. 4-21 to 4-23.

#### **4.8.2 CVWD**

Urban growth is expected to increase the amount of wastewater generated, and thus will make additional recycled water available for reuse, primarily in the East Valley. As discussed in the 2010 CVWMP, with water conservation measures, recycled water supplies in the East Valley are projected to total about 67,000 AFY by 2045.

In addition, growth is expected to occur in areas that are not currently served by wastewater treatment facilities. It is expected that the wastewater agency serving these areas will extend their wastewater collection systems as development occurs. For the areas within the cities of Coachella and Indio and their respective spheres of influence that are northeast of the San Andreas fault, it is expected that one or more satellite treatment facilities will be constructed to treat wastewater generated in these areas. That recycled water can be reused for outdoor use within those developments to reduce the need for additional local potable and imported water supplies. Based on estimates of water demands and wastewater flows, recycled water could meet as much as 12,000 AFY of non-potable demand in this area by 2045. Further analysis is provided in the 2010 CVWMP and CVWD 2015 UWMP.<sup>120</sup>

### **4.9 Future Water Projects**

The City and CVWD continue efforts to meet water demand through development of future water projects. Each are discussed in the following paragraphs.

#### **4.9.1 City**

The City understands the need to develop additional sources of supply to meet demands associated with projected growth. The City will continue to evaluate the use of Canal water as a source substitution for drinking water supplies obtained from groundwater. Upon completion of necessary agreements, treatment facilities, and infrastructure, the City estimates that it could derive approximately 15 percent of its drinking water from the Canal. Per CVWD Ordinance No. 1428, the City has opportunity to receive canal water for additional potable water supply when available. As the water becomes available, the City will pursue those opportunities to supplement its water portfolio. As part of its water master plan process, the City will continue to design water system improvements to enhance conservation, identify additional water supplies and potential source substitutions, and enhance local groundwater recharge.

#### **4.9.2 CVWD**

CVWD will continue to implement recommendations provided in the 2010 CVWMP. As outlined in **Section 1** above, and as described throughout this WSA, CVWD water supply projects and programs include greater conservation (agricultural

<sup>120</sup> 2010 CVWMP, pp. 8-5 to 8-10; CVWD 2010 UWMP, pp. 4-23 to 4-31.

conservation, additional urban conservation, and golf course conservation), supply development (acquisition of additional imported water supplies, recycled water use, and desalinated drain water), groundwater recharge program enhancements, and source substitution programs. In addition to the information provided in this WSA, Section 8 of the 2010 CVWMP Update provides a detailed discussion of the many new projects and programs that are recommended for implementation.<sup>121</sup>

#### **4.10 Analysis of Water Supply and Demand**

As noted herein, the supply and demand analyses for the Vista Del Agua Project are based in large part on the City's 2015 UWMP, CVWD's 2015 UWMP and CVWD's 2010 CVWMP Update and 2011 SPEIR. The UWMPs were prepared in accordance with the Urban Water Management Planning Act, as most recently amended by SBx7-7. Among other analyses, the UWMPs and the CVWMP Update and 2011 SPEIR identify total projected water demands, and demonstrate that total projected water supplies will be sufficient to meet those demands through 2035 and beyond. Also discussed above, through the 2009 and 2013 MOUs the City and CVWD have identified ways to ensure that sufficient water supplies will be available to serve growth throughout the City's service area, including its sphere of influence. Indeed, the 2013 MOU applies to the Vista Del Agua project.

Although substantial growth has been forecasted for the Coachella Valley, the rate of growth had slowed in recent years due to widespread economic downturn. As the economy recovers and as development returns, other changes may occur in the region. For example, the area may continue to experience a transition from agricultural to urban land uses. As agricultural land converts to urban uses, the characteristics of water demands and infrastructure will also change. The 2010 CVWMP Update specifically accounts for these changes and the different ways that water will be used. The analyses show that as urban development occurs, Canal water that is currently used for irrigation could be used for groundwater replenishment to serve urban uses, could be treated for direct indoor use, or left untreated for urban non-potable use.

As outlined in the Sections above, water conservation is a major component of future water management in the Valley. As presented above, both the City and CVWD are committed to reducing their per capita urban water demand in accordance with SBx7-7. Agricultural conservation will also be a focus within CVWD. The 2010 CVWMP Update increases the water conservation requirement during the next 35 years. A 14 percent reduction in agricultural water use is targeted by the year 2020. CVWD's 2009 landscape ordinance will govern the irrigation demands of new golf courses within CVWD's service area, and reduce demands of existing golf courses by 10 percent.

Other than Canal water, recycled water and desalinated agricultural drain water, all water delivered to end users is obtained from the groundwater basin, which is continuously recharged with supplemental imported supplies as discussed above.

<sup>121</sup> 2010 CVWMP, pp. 8-13 to 8-15; CVWD 2010 UWMP, pp. 4-31 to 4-34.

Also noted above, the groundwater basin has a capacity of approximately 28.8 million acre-feet and currently contains about 25 million acre-feet and acts as a very large conjunctive use reservoir. As provided throughout this WSA, and in the 2010 CVWMP and 2011 SPEIR, the managed basin is capable of ensuring a sufficient and sustainable water supply to meet existing water demands and the demands associated with projected growth throughout the region (specifically including the City and the proposed Vista Del Agua Project) during normal, single-dry and multiple-dry periods throughout the 20-year projection and beyond. Moreover, it has been determined in accordance with CEQA that implementation of the 2010 CVWMP will have a beneficial effect on groundwater resources. CVWD has many programs to maximize the water resources available to it including recharge of its Colorado River and SWP supplies, recycled water, desalinated agricultural drain water, conversion of groundwater uses to Canal water and various conservation measures, such as tiered water rates, a landscaping ordinance, outreach and education. The 2010 CVWMP Update and CVWD replenishment assessment programs, in which the City fully participates, establish a comprehensive and managed effort to eliminate the overuse of local groundwater supplies.

The analysis herein evaluates whether the total projected water supplies available to the City, by virtue of its membership and participation in the regional efforts of the CVWD 2010 CVWMP, are sufficient to meet the water demands of the Vista Del Agua Project in addition to other existing and planned future uses within the City's service area. The supply and demand assessment includes three scenarios over the 20-year projection as required by SB 610: normal water years, single-dry years, and multiple-dry years. As presented in **Section 3**, the City's water demands are projected to grow from 6,531 AFY (2,128 MG) in 2015 to 26,074 AFY (8,496 MG) in 2035. As shown in **Section 2**, the estimated Project demands are 678 AFY, representing approximately 4 percent of the City's projected growth. **Tables 4-5, 4-6, and 4-7** outline the water supply and demand scenarios for normal, single-dry and multiple-dry years respectively.

**Table 4-5**  
**Normal Water Years 2015-2035 (AFY)**

	2015	2020	2025	2030	2035
<b>Supply Totals</b>	6,531	12,498	15,969	20,405	26,074
<b>Demand Totals</b>	6,531	12,498	15,969	20,405	26,074
<b>Difference</b>	0	0	0	0	0
Difference as % of Supply	0.0%	0.0%	0.0%	0.0%	0.0%
Difference as % of Demand	0.0%	0.0%	0.0%	0.0%	0.0%

**Table 4-6**  
**Single-Dry Water Years 2015-2035 (AFY)**

	2015	2020	2025	2030	2035
--	------	------	------	------	------

<b>Supply Totals</b>	6,531	12,498	15,969	20,405	26,074
<b>Demand Totals</b>	6,531	12,498	15,969	20,405	26,074
<b>Difference</b>	0	0	0	0	0
Difference as % of Supply	0.0%	0.0%	0.0%	0.0%	0.0%
Difference as % of Demand	0.0%	0.0%	0.0%	0.0%	0.0%



**Table 4-7**  
**Multiple-Dry Water Years 2015-2035 (AFY)**

		<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
<b>Multiple-Dry Year First Year Supply<sup>[1]</sup></b>	<b>Supply totals</b>	6,531	12,498	15,969	20,405	26,074
	<b>Demand totals</b>	6,531	12,498	15,969	20,405	26,074
	<b>Difference</b>	0	0	0	0	0
	Difference as % of Supply	0.0%	0.0%	0.0%	0.0%	0.0%
	Difference as % of Demand	0.0%	0.0%	0.0%	0.0%	0.0%
<b>Multiple-Dry Year Second Year Supply<sup>[2]</sup></b>	<b>Supply totals</b>	6,204	11,873	15,171	19,385	24,770
	<b>Demand totals</b>	6,204	11,873	15,171	19,385	24,770
	<b>Difference</b>	0	0	0	0	0
	Difference as % of Supply	0.0%	0.0%	0.0%	0.0%	0.0%
	Difference as % of Demand	0.0%	0.0%	0.0%	0.0%	0.0%
<b>Multiple-Dry Year Third Year Supply<sup>[3]</sup></b>	<b>Supply totals</b>	5,551	10,623	13,574	17,345	22,163
	<b>Demand totals</b>	5,551	10,623	13,574	17,345	22,163
	<b>Difference</b>	0	0	0	0	0
	Difference as % of Supply	0.0%	0.0%	0.0%	0.0%	0.0%
	Difference as % of Demand	0.0%	0.0%	0.0%	0.0%	0.0%

<sup>[1]</sup> No demand reductions are expected during a single dry year. Typically, there are no demand reduction measures during single dry years. It isn't until back to back dry years are recognized that demand reduction measures are implemented.

<sup>[2]</sup> Based on an assumed 5% reduction in demand based on Stage I Water Alert.

<sup>[3]</sup> Based on an assumed 15% reduction in demand based on Stage II Water Alert.

## 4.11 Conclusions

The water supply for the proposed Vista Del Agua Project will be the East Whitewater River Subbasin in the Coachella Valley with supplies that are recharged to the Basin on an ongoing basis. Groundwater storage will be used in dry years to support potential differences between demands and supply. The groundwater basin has a capacity of approximately 28.8 million acre-feet and currently contains about 25 million acre-feet, simulating the benefits of a very large conjunctive use reservoir. It is capable of meeting the water demands of the Coachella Valley for extended periods during normal, single-dry and multiple-dry year conditions, and the determination has been made in accordance with CEQA that the City's utilization of groundwater supplies in a manner that is consistent with the implementation of the CVWD 2010 CVWMP will not have significant environmental impacts on the groundwater basin, and instead will have a beneficial effect on groundwater resources.<sup>122</sup>

<sup>122</sup> See CVWD 2011 SPEIR.



As discussed in the 2010 CVWMP Update, the 2011 SPEIR, CVWD's 2015 UWMP, City's 2015 UWMP, and this WSA, the City and CVWD have many programs to maximize the water resources available to the City and CVWD, including but not limited to recharge of the basin using Colorado River and SWP supplies, direct use and recharge of recycled water, desalinated agricultural drain water, conversion of groundwater uses to Canal water and comprehensive water conservation practices such as tiered water rates, landscaping ordinances, outreach and education. The CVWD groundwater replenishment programs establish a comprehensive and managed effort to reduce and eliminate overuse of local groundwater resources. These programs allow CVWD to maintain the groundwater basin as its primary water supply and to recharge the groundwater basin as its other supplies are available and needed to meet existing and projected demands within its overall service area, including the City and the City's sphere of influence.

Based on the information, analysis, and conclusions documented in this WSA, substantial evidence exists to support a determination that the total projected water supplies available to the City during normal, single dry, and multiple dry water years during a 20-year projection are sufficient to meet the projected water demand associated with the proposed Vista Del Agua Project, in addition to the City's existing and planned future uses, including agricultural and manufacturing uses. This conclusion is based on, among other things, the volume of water available in the regional aquifer, the City's current and planned local water management programs and projects, and CVWD's current and planned local and regional management programs and water supply projects to supplement and sustain regional groundwater supplies. The analyses and conclusions set forth in this WSA are further supported by the City's 2009 MOU and 2013 MOU with CVWD regarding water supply for new developments (including Vista Del Agua), and the contractual availability of State Water Project and Colorado River supplies to the Coachella Valley. Additionally, the City and CVWD have committed sufficient resources to further implement the primary elements of the City's 2015 UWMP, the CVWD 2015 UWMP and the CVWD 2010 CVWMP, including source substitution, water conservation, and purchases of additional water supplies. Furthermore, as set forth in this WSA and the Vista Del Agua Specific Plan, the Project will incorporate various water conservation elements adopted by the City and/or CVWD in accordance with SBx7-7. These include conservation elements for indoor and outdoor uses throughout the Project. These efforts may further reduce the ultimate water demands of the Project.

As provided by Water Code section 10914, nothing in this WSA is intended to create a right or entitlement to water service or any specific level of water service, and nothing herein is intended to impose, expand or limit any duty concerning the City's obligation to provide certain levels of service to existing or future potential customers.<sup>123</sup> The City retains the right, in its sole discretion, to evaluate from time to time whether the projected demands associated with the Project continue to fall within the City's forecasted demand or planned future uses.

<sup>123</sup> Water Code § 10914(a)-(b).



## **APPENDIX A**

### **Water Supply Planning Documents (See Attached CD-ROM)**

## **APPENDIX B**

### **2009 City of Coachella and Coachella Valley Water District Memorandum of Understanding**

## **APPENDIX C**

### **2013 City of Coachella and Coachella Valley Water District Memorandum of Understanding**