

APPENDIX A

NOTICE OF PREPARATION (NOP)
INITIAL STUDY, ENVIRONMENTAL CHECKLIST,
AND RESPONSES TO NOP

Prepared for

City of Indio
100 Civic Center Mall
Indio, CA 92201

Prepared by

Terra Nova Planning & Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, Ca 92211



NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

VENTANA SPECIFIC PLAN AND ASSOCIATED APPLICATIONS

LEAD AGENCY: City of Indio
100 Civic Center Mall
Indio, CA 92201

CONTACT PERSON: Leila Namvar, Lnamvar@indio.org
Phone: (760) 541-4258

PROJECT TITLE: Ventana Specific Plan Project
Case Nos.:
General Plan Amendment 20-05-120
Specific Plan 20-05-39
Tentative Tract Map 37884
Design Review 20-05-473
Environmental Assessment 20-05-547

PROJECT LOCATION: North side of Avenue 50, between Jefferson Street and Madison Street (APN #: 602-070-004-1, 602-080-001-9 & 602-080-002-0).

PROJECT DESCRIPTION: The project site consists of 45.17 acres of land. A General Plan Amendment (GPA) is proposed concurrent with the VENTANA Specific Plan that would create a new residential land use designation that allows a residential density of up to 3 DU/AC. The GPA proposes amendments to both the General Plan text and the land use map.

The VENTANA Specific Plan establishes building and development standards for the entire 45.17-acre Project area, including building height, building setbacks, development density, landscaping and parking. The VENTANA Specific Plan proposes a low-density residential development consisting of 103 residential units, a dog park, pedestrian trails, and open space common areas.

The proposed Tentative Tract Map (TTM 37884) will subdivide the site for the 103 lots, as well as lettered lots for streets, common areas and similar ancillary uses. The TTM also provides for the widening of Avenue 50 to its ultimate General Plan half-section width, including a second travel lane, bike lane, curb, sidewalk and landscaped parkway area along the entire frontage of the Project.

The Design Review application includes detailed plans for all of the home designs within the project, as well as landscaping plans for the front yards, common areas and project parkways.

PROBABLE ENVIRONMENTAL EFFECTS: The City has reviewed and considered the proposed Project and has determined that potentially significant impacts could result from the proposed project. The potential environmental effects from the proposed project implementation may include impacts to Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation, and Utilities and Service Systems which will be discussed in the EIR.

PUBLIC REVIEW PERIOD: A 30-day public review period for the Notice of Preparation will commence on January 7, 2021, and end on February 8, 2021. Written comments on the Notice of Preparation must be received at the City within the public review period. In addition, you may email comments to the following address: Lnamvar@indio.org. Copies of the Notice of Preparation are available for review at the City of Indio, 100 Civic Center Mall, Indio, CA 92201, and on the City's website, www.indio.org.



ENVIRONMENTAL INITIAL STUDY

Project Title:	VENTANA Specific Plan and Associated Applications
Assessor's Parcel No.	602-070-004-1, 602-080-001-9 & 602-080-002-0
Lead Agency Name and Address:	City of Indio 100 Civic Center Mall Indio, CA 92201
Project Location:	North side of Avenue 50 between Jefferson Street and Madison Street in the City of Indio, Riverside County, California
Project Sponsor's Name and Address:	AVE. 50 INDIO, LLC 108 N. Riverview Drive, Suite 100 Anaheim, CA 92808-1225
General Plan Designation(s):	Existing GP: Desert Estates (up to 1 DU/AC) GP Amendment: New Designation, up to 3 DU/AC
Zoning:	Existing: Country Estates Indio Ranchos Zone(s) (CEIR-1 & CEIR-2) Proposed Specific Plan: Ventana Specific Plan
Contact Person:	Leila Namvar City of Indio 100 Civic Center Mall Indio, CA 92201
Phone Number:	(760) 541-4258
Date Prepared	December 2020

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CHAPTER 1: INTRODUCTION

Project Location

The VENTANA Specific Plan (referred to hereafter as Project) area is located on the north side of Avenue 50 between Jefferson Street and Madison Street in the City of Indio, Riverside County, California (Exhibit 1, 2 and 3).

The Project site is currently vacant, contains sparse vegetation and is surrounded by vacant land and residential development. The site consists of Assessor's Parcel Numbers (APN) 602-070-004-1, 602-080-001-9 & 602-080-002-0 and is approximately 45.17 acres.

Project Description

The Project consists of the following components:

1. A General Plan Amendment to add a new land use designation allowing 0-3 DU/AC, and a concurrent Land Use Map Amendment designating the 45.17 acres with this new land use designation.
2. A Specific Plan to govern the zoning for the property, allowing 103 single family homes on the 45.17 acres.
3. A Tentative Tract Map subdividing the 45.17 acres into 103 single family lots as well as lettered lots for open space, stormwater retention and streets.
4. A Design Review to allow the site plan, architectural design and landscaping for the Project.

Each of the Project components is described below.

The site is currently designated "Desert Estate Neighborhood" in the City's 2040 General Plan, which allows low density residential development of up to 1 DU/AC. The City's Zoning Map, which was last updated in 2009, currently designates the subject site as "Country Estates Indio Ranchos Zone(s)" (CEIR-1 & CEIR-2) and allows for low density residential developments of 1 to 2 DU/AC, respectively. A General Plan Amendment (GPA) is proposed concurrent with the VENTANA Specific Plan that would create a new residential land use designation that allows a residential density of up to 3 DU/AC. The GPA proposes amendments to both the General Plan text and the land use map.

The VENTANA Specific Plan establishes building and development standards for the entire 45.17-acre Project area, including building height, building setbacks, development density, landscaping and parking. These standards will prevail over the City of Indio Municipal Code standards for the site should the Specific Plan be approved by the City Council. In addition, the Specific Plan establishes Design Guidelines that would serve to guide the aesthetic character and visual quality of future development on the site.

The VENTANA Specific Plan proposes a low-density residential development consisting of 103 residential units, a dog park, pedestrian trails, and open space common areas (Exhibit 4). The Specific Plan divides the site into 2 Planning Areas (PA) (Exhibit 5). Planning Area 1 is the non-gated portion of the development and consists of lots 1-23. Planning Area 2 is the gated portion of the development

and consists of lots 24-103. Planning Area 2 is further divided into Planning Areas 2A and 2B to distinguish between the midsize and larger lots. Planning Area 2A contains the midsize lots, 24-75, and PA 2B contains the larger lots, 76-103. Planning Area 1 allows single- and two-story detached homes, and PA 2 will be limited to single-story detached homes.

The following table is a summary of the various development standards within the Specific Planning.

Table 1
Planning Area Development Standards
VENTANA Specific Plan

Development Standard	PA 1 (Lots 1-23)	PA 2A (Lots 24-75)	PA 2B (Lots 76-103)
Density, Avg.	2.3 DU/AC		
Min/Max Unit Size incl. Garage	1,200 SF/3,100 SF	1,200 SF/4,100 SF	1,200 SF/4,600 SF
Maximum Lot Coverage	60%	50%	50%
Maximum Height/Stories	28 ft/ 2 stories	24 ft / 1 story	24 ft / 1 story
Typical Lot Width	55 ft	80 ft	90 ft
Typical Lot Depth	130 ft	140 ft	150 ft
Minimum Lot Area	7,000 SF	11,000 SF	13,500 SF
Setback - Front	15 ft	15 ft	15 ft
Setback - Front – Garage	20 ft	20 ft	20 ft
Setback – Side	6 ft	8 ft	10 ft
Setback - Rear	20 ft	20 ft	25 ft
Private Garages	400 SF min	≤ 4 Rooms = 400 SF min > 4 Rooms = 600 SF min	≤ 4 Rooms = 400 SF min > 4 Rooms = 600 SF min

The proposed Tentative Tract Map (TTM 37884) will subdivide the site for the 103 lots, as well as lettered lots for streets, common areas and similar ancillary uses. The proposed Project will result in an overall density of 2.3 dwelling units per acre (DU/AC). The TTM also provides for the widening of Avenue 50 to its ultimate General Plan half-section width, including a second travel lane, bike lane, curb, sidewalk and landscaped parkway area along the entire frontage of the Project. The Project also includes private roadways with an entrance/exit accessible via Avenue 50. All proposed homes will include garages and curbside parking for guest use.

The Design Review application includes detailed plans for all of the home designs within the project, as well as landscaping plans for the front yards, common areas and project parkways. Elevations, floor plans and roof plans are provided for each of the model homes, which include multiple façade designs. The architectural style of the homes varies, but can be characterized as a modern interpretation of Spanish architecture.

Utilities and Service Providers

The following agencies and companies will provide service to the Project site:

1. Sanitary Sewer: Coachella Valley Water District (CVWD)
2. Domestic Water: Indio Water Authority (IWA)
3. Electricity: Imperial Irrigation District (IID)
4. Gas: Southern California Gas Company
5. Television: Spectrum

6. Telephone: Frontier Communications, AT&T and others
7. Trash disposal: Burrtec Waste and Recycling Services

Existing facilities for these utilities occur adjacent to or near the Project site. All extensions to these facilities occur in existing disturbed right-of-way. Connections will therefore not impact the native environment.

Surrounding Land Uses:

North: Vacant Lot; single-family residential

South: Avenue 50; single-family residential and golf course

East: Vacant Lot; single-family residential

West: Vacant Lot; single-family residential

Other public agencies whose approval is required.

None.

CALIFORNIA

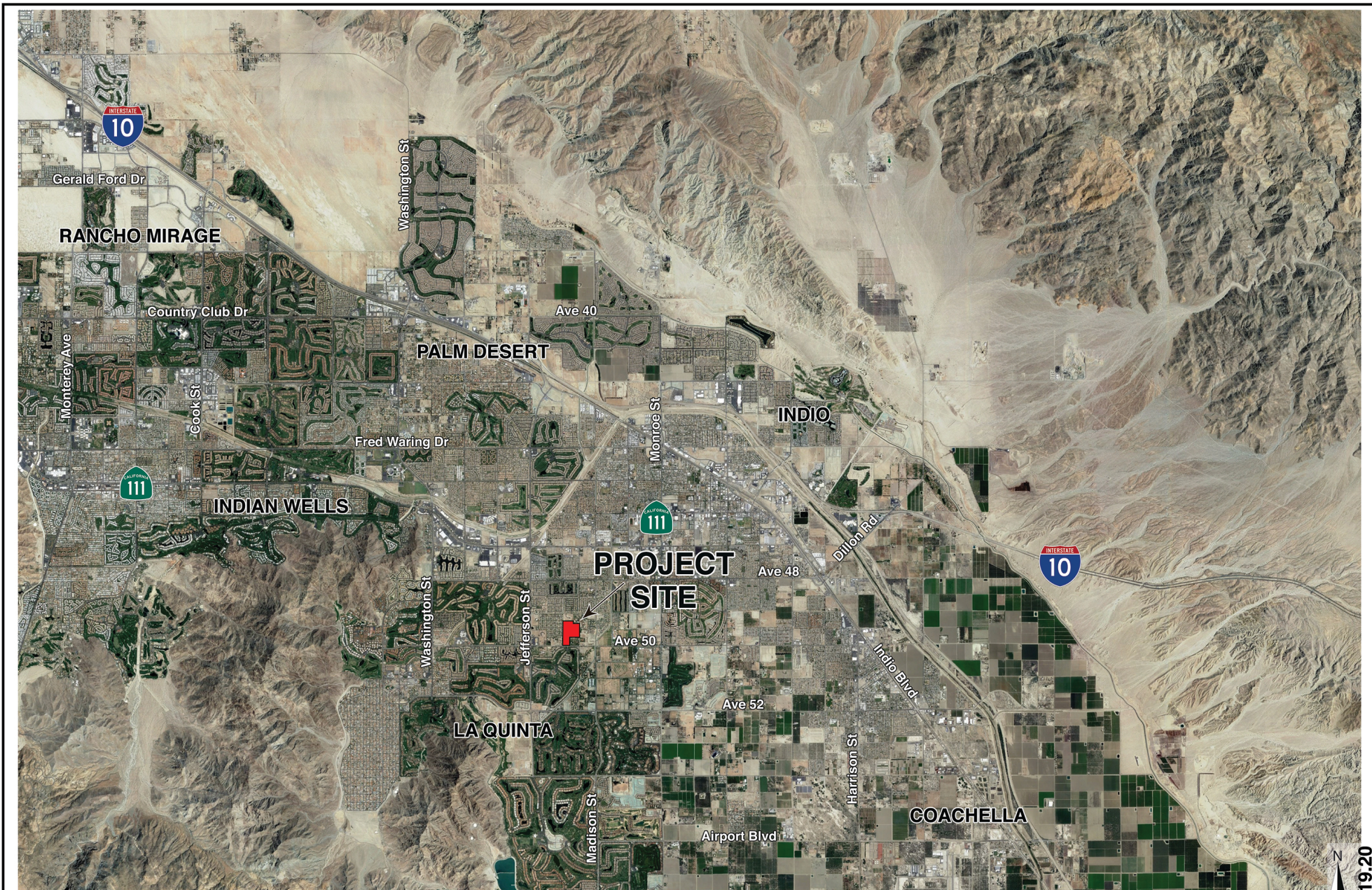
PACIFIC
OCEAN

MEXICO



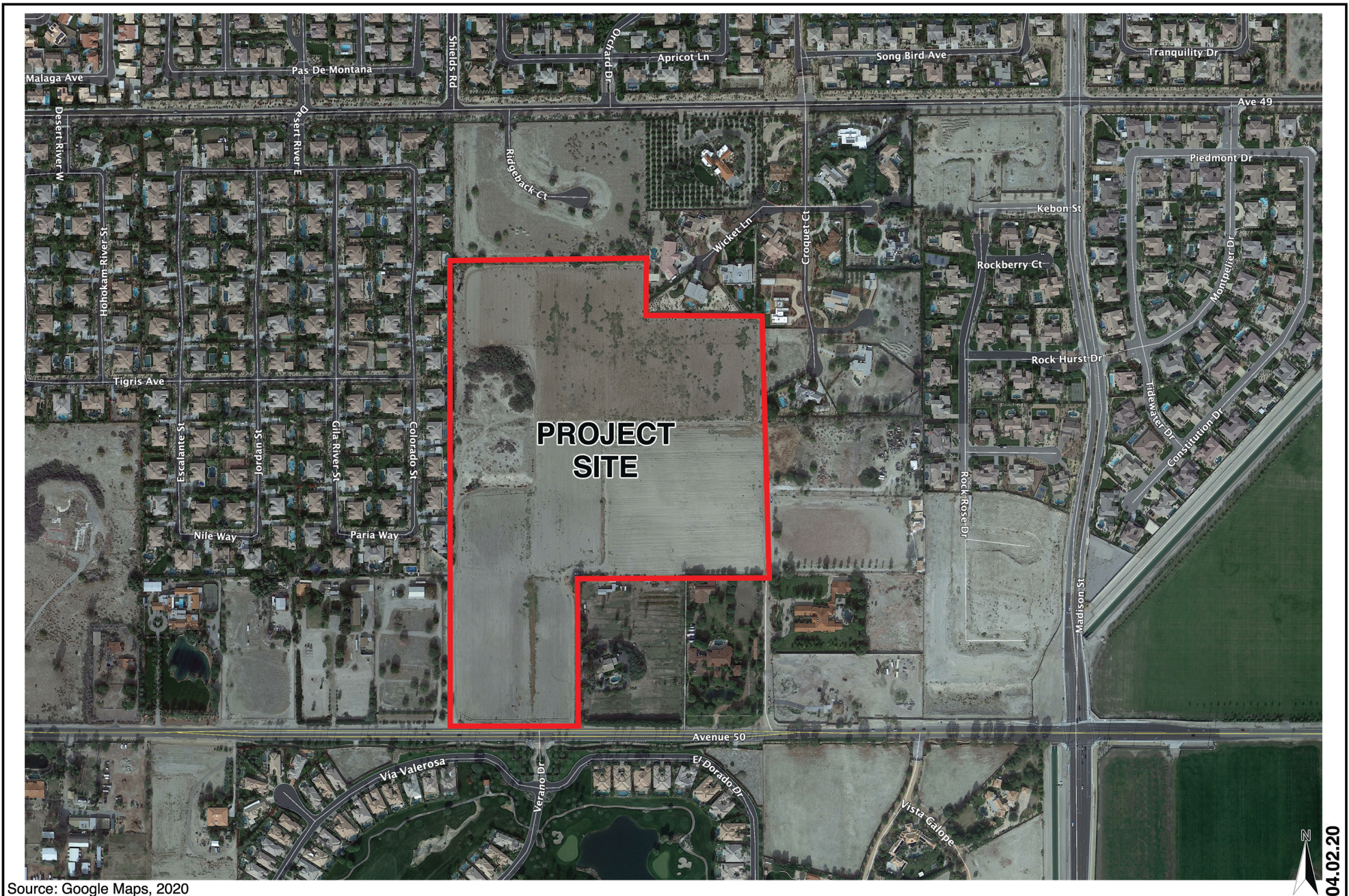
RIVERSIDE COUNTY





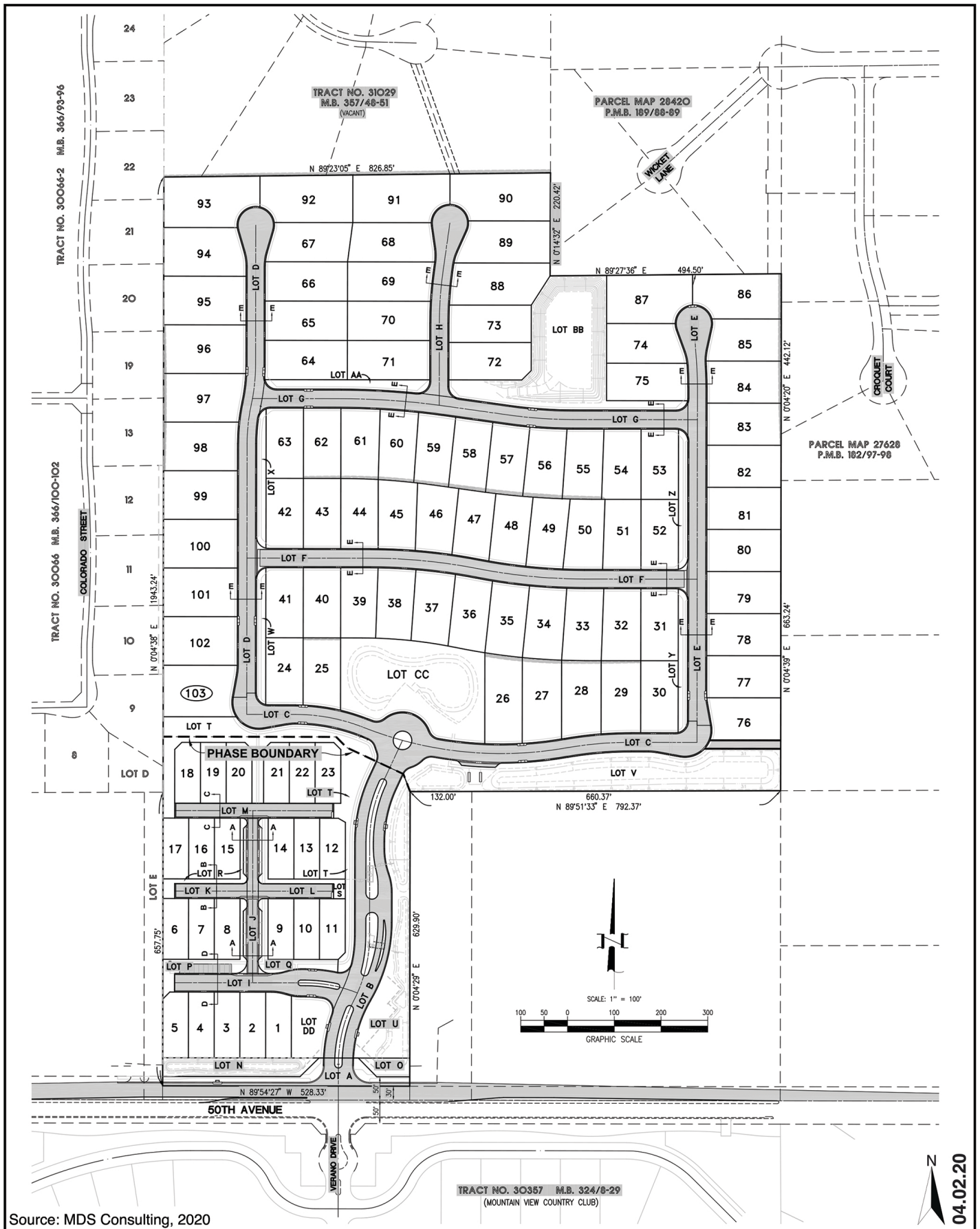
Source: Google Maps, 2019





Source: Google Maps, 2020

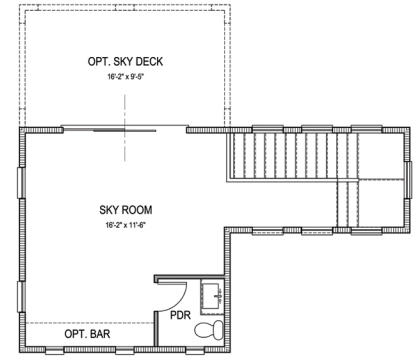
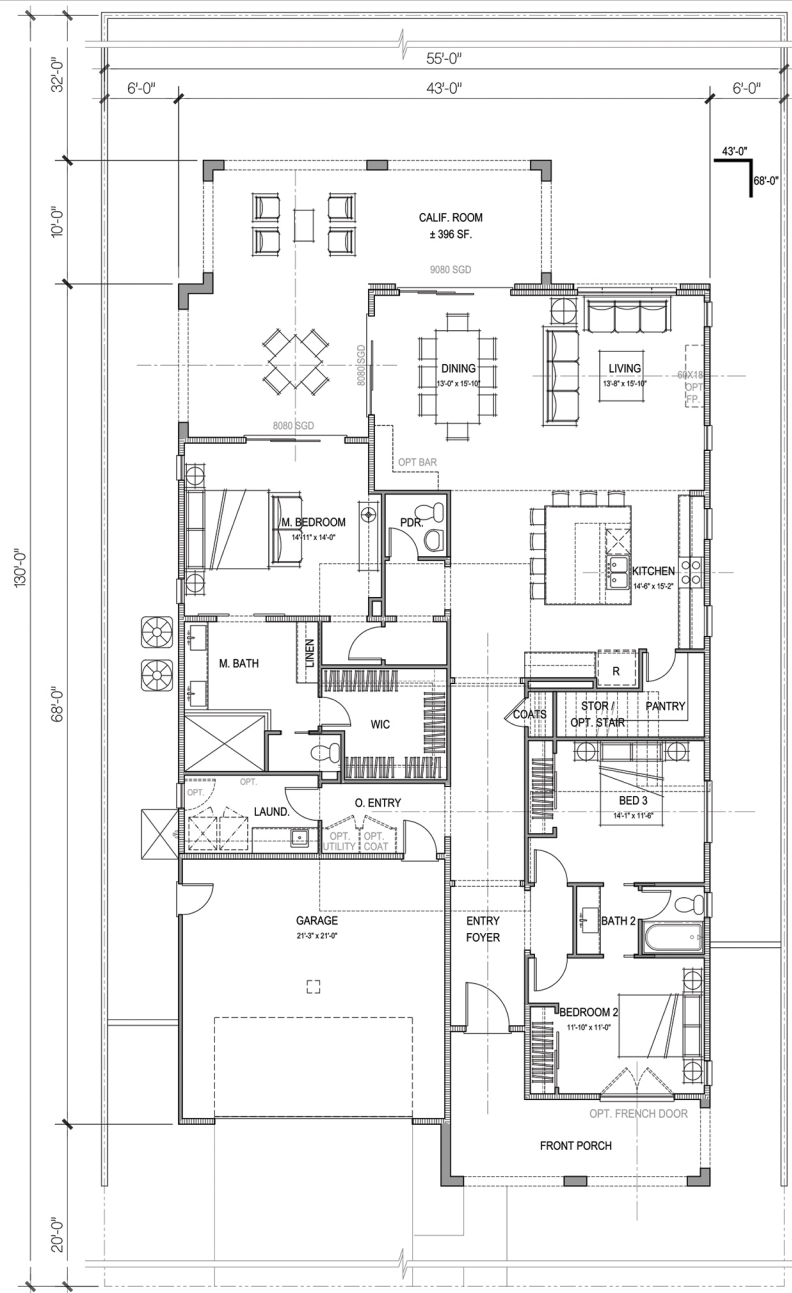




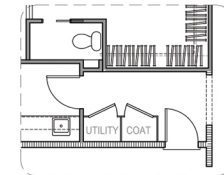
Source: MDS Consulting, Terra Nova Planning, 2020



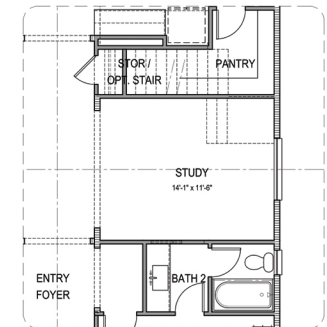
OPT. 2-STORY (346 GROSS SQ. FT.)
W/ STAIRS (432 GROSS SQ. FT.)



SKY ROOM W/ POWDER OPT. (346 GROSS SQ. FT.)
W/ STAIRS (432 GROSS SQ. FT.)



UTILITY/COATS WHEN 2-STORY OCCURS
(59 NET SQ. FT.)*

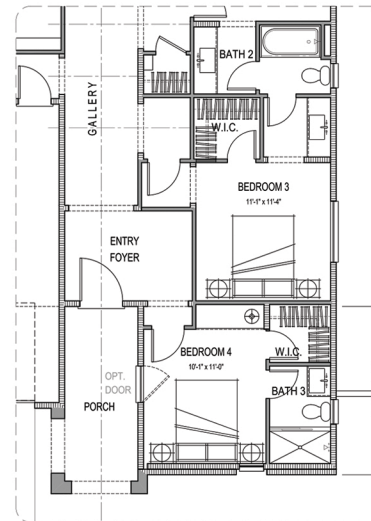
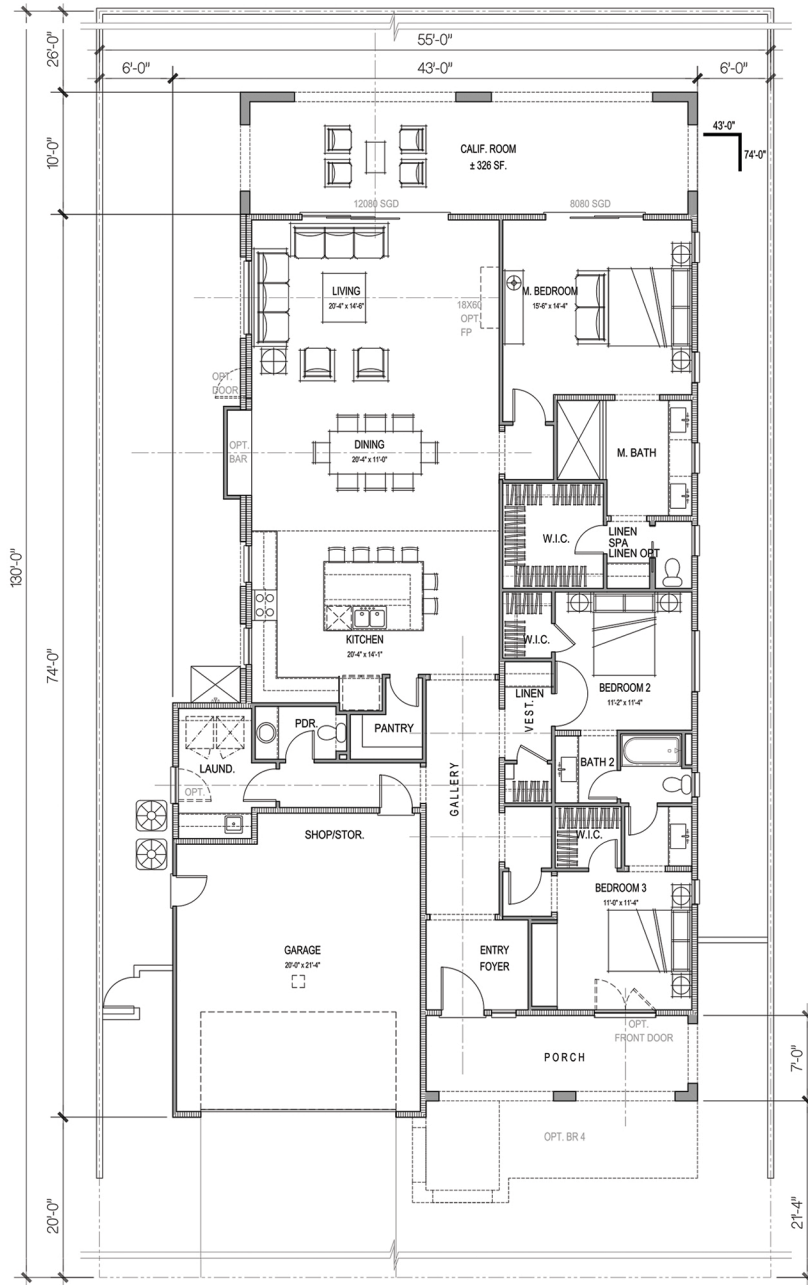


STUDY OPT. (162 NET SQ. FT.)*

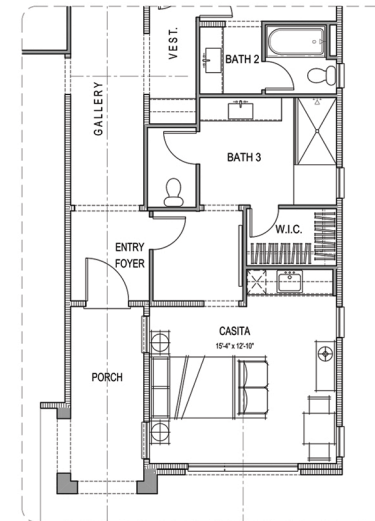
P1 - GROSS SF	
FIRST FLOOR	2180 SQ. FT.
2ND FLOOR	372 SQ. FT.
TOTAL LIVING	2551 SQ. FT.
GARAGE	462 SQ. FT.

*SF ARE NOT ADDITION TO BASE PLAN

Ventana Specific Plan PA 1 Typical Floor Plan Indio, California



OPT BR 4
(4 BEDS TOTAL - 217 GROSS SQ. FT.)

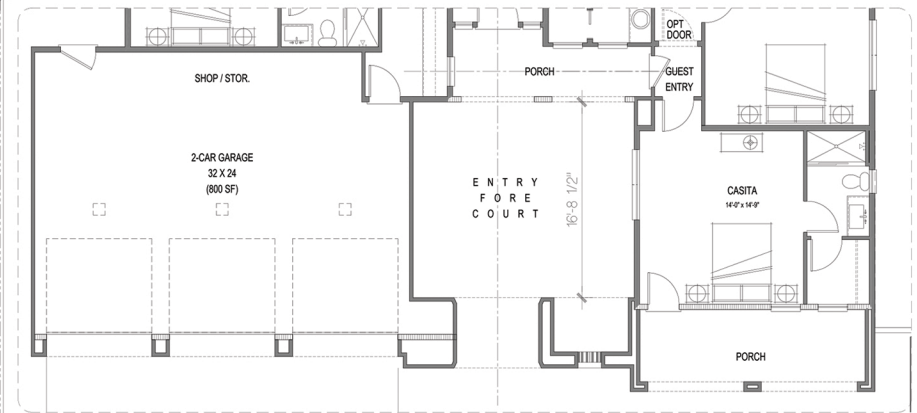
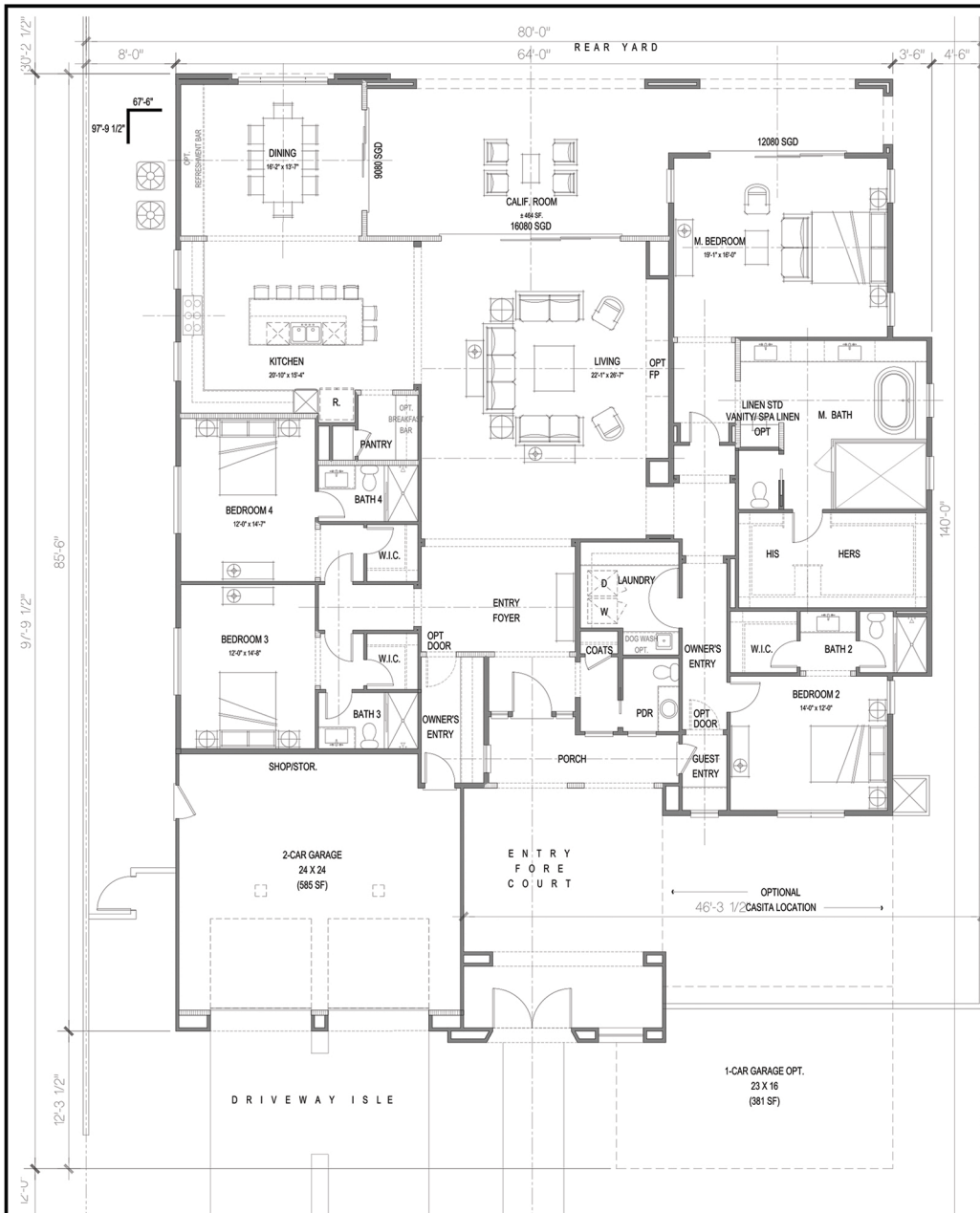


OPT GRANDE CASITA
(3 BEDS TOTAL - 240 GROSS SQ. FT.)

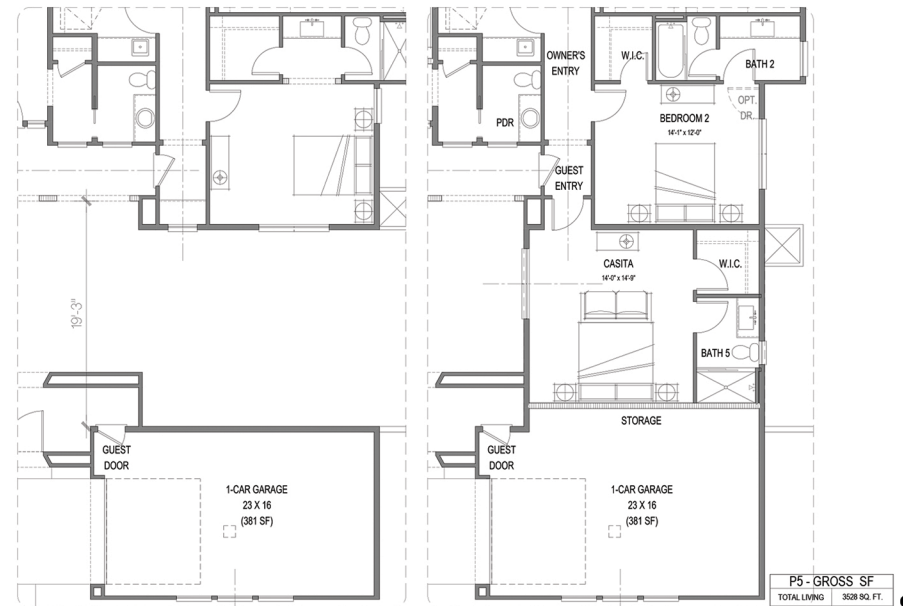
P2 - GROSS SF	
TOTAL LIVING	2289 SQ. FT.
GARAGE	484 SQ. FT.

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**Ventana Specific Plan
PA 2A Typical Floor Plan
Indio, California**



CASITA / PORCH W/ 2 OR 3-CAR GARAGE OPT.
(5 BEDS TOTAL - 313 GROSS SQ. FT.)



1-CAR TURN-IN GARAGE OPT.
(381 GROSS SQ. FT.)

CASITA OPT. W/ 3RD CAR GARAGE
(5 BEDS TOTAL - 699 GROSS SQ. FT.)

P5 - GROSS SF	
TOTAL LIVING	3628 SQ. FT.
GARAGE	933 SQ. FT.

Source: KTGy Architecture + Planning, 2020

LEGEND (SPANISH COLONIAL 'B')

- 1 Stucco, Light Sand Finish (Smooth)
- 2 Low Profile Concrete "S" Roof Tile (20% Boosted)
- 3 Gable End Faux Vent Square Recesses
- 4 Recessed Wood Trim Header
- 5 Recessed Wood Beam/Trim (Wrap as needed)
- 6 Brick Veneer Sill Trim
- 7 Stucco Recess /Reveal at Windows/Doors

- 8 Stucco Finial with Fiberglass Prefab Decorative Top Detail
- 9 Color Integral Aluminum Windows with Muntins
- 10 Color Integral Aluminum Patio Doors
- 11 Transom Windows/Clear-story Windows
- 12 Stucco Recess at Windows/Doors
- 13 Exposed Rafter Decorative Tails with 2x3 Wood Fascia Bd.

- 14 Exposed Truss Tails with Radius Ends and 2x3 Wood Fascia Bd.
- 15 2x6 Barge Board
- 16 Stucco Arched (Soffit) with Battered Detail
- 17 Low Stucco/Brick "Barranca" Top (Slope to Drain)
- 18 Decorative Entry Doors
- 19 Decorative Exterior Lights & Address Sign (Raised Pin Numbers at Large Estates/

- Frame Metal Letters at Small Estates)
- 20 Wood Sectional Garage Door
- 21 W.I. Grille Work with Decorative Scrolls at Gates/Grilles
- 22 Decorative Vert. Slatted Shutters with Faux Hardware
- 23 Stucco Battered/ Sloped Wing Wall



Source: KTGy Architecture + Planning, 2020

04.23.20

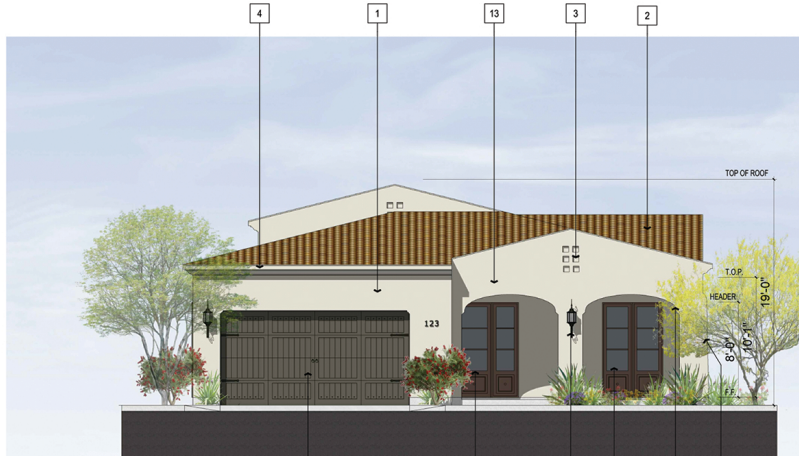
LEGEND (SANTA BARBARA 'A')

- 1 Stucco, Light Sand Finish (Smooth)
- 2 Low Profile Concrete "S" Roof Tile (20% Boosted)
- 3 Gable End Faux Vent Recesses
- 4 Stucco Over Foam Eave
- 5 Stucco Scalloped Sill Trim
- 6 Stucco Scalloped Hood with Corbels
- 7 Stucco Recess /Reveal at Windows/Doors

- 8 Stucco Finial with Recesses
- 9 Color Integral Aluminum Windows with Muntins
- 10 Color Integral Aluminum Patio Doors
- 11 Transom Windows/Clear-story Windows
- 12 Stucco over Foam Decorative Eave
- 13 Stucco Arched (Soffit) with Battered Detail
- 14 Stucco Arched (Soffit) with Stucco Corbels
- 15 Stucco Over Foam Corbels

- 16 Fiberglass Prefab 3/4 Round Doric Column
- 17 Low Stucco "Barranca" with Paver Tile Caps (Slope to Drain)
- 18 Decorative Entry Doors
- 19 Decorative Exterior Lights & Address Sign (Raised Pin Numbers at Large Estates/ Frame Metal Letters at Small Estates)
- 20 Wood Sectional Garage Door

- 21 W.I. Grille Work with Decorative Scrolls at Gates/Grilles
- 22 Decorative Shutters with Metal Calvos and Faux Hardware
- 23 Stucco Battered/ Sloped Wing Wall
- 24 Recessed Decorative Tile Niche
- 25 Recessed Stacked Decorative Paver Tile Grille



FRONT



RIGHT



REAR



LEFT

Source: KTG Architecture + Planning, 2020

LEGEND (SPANISH MODERN 'C')

- | | | |
|---|---|--|
| <ul style="list-style-type: none"> 1 Stucco, Light Sand Finish (Smooth) 2 Low Profile Concrete "S" Roof Tile (20% Boosted) 3 2" Stepped Modern Cornice at Parapets 4 Stucco Over Foam Eave 5 Color Integral Aluminum Windows 6 Color Integral Aluminum Patio Doors 7 Transom Windows/Clear-story Windows | <ul style="list-style-type: none"> 8 Stucco Recess at Windows/Doors with Tight Foam Inserts 9 Stucco Battered Openings 10 Stucco Chamfered Corner Openings 11 Stucco Built Eyebrows with Copper Top (Slope to Drain) 12 Stucco Decorative Diamond Shaped Faux Grille Work 13 Decorative Wood Gate Doors | <ul style="list-style-type: none"> 14 Decorative Entry Doors 15 Decorative Exterior Lights & Address Sign (Raised Pin Numbers at Large Estates/ Frame Metal Letters at Small Estates) 16 Wood Sectional Garage Door with Glass Panels |
|---|---|--|



FRONT



RIGHT



REAR



LEFT

Source: KTG Architecture + Planning, 2020

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agricultural and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/ Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology/ Water Quality | <input type="checkbox"/> Land Use/ Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/ Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/ Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

CHAPTER 2: ENVIRONMENTAL ANALYSIS AND DETERMINATION

DETERMINATION: The City of Indio Planning Department finds

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Leila Namvar
Senior Planner
City of Indio

12/28/2020

Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

I. AESTHETICS Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	✓			
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

The City of Indio, including the Project site, is located in Coachella Valley, which is a desert valley that extends approximately 45 miles in Riverside County, southeast from the San Bernardino Mountains to the northern shore of the Salton Sea.

The Project site occurs in an urban environment, near the City's southwestern boundary with the City of La Quinta. The current urban environment includes single family homes, a mobile home park, several fully developed and functioning neighborhoods, community and regional shopping centers, and major roadways.

The City of Indio has scenic resource elements of both the natural and the built environment such as open space, areas of native vegetation, mature trees, rural lands, and historic landmarks. The San Bernardino, San Jacinto and Santa Rosa mountain ranges provide scenic views throughout the City. The San Bernardino range extends to the north of the City, and its foothills are within the City's Sphere of Influence. The San Jacinto range is located to the northwest of the City, and the Santa Rosas occur to the south and southwest of the City.

There are no state-designated scenic highways in proximity to the Project site.

The Project site is currently vacant and undeveloped. Ultimate development of the Project site will result in a single family residential neighborhood.

Discussion of Impacts

- a) **Less Than Significant Impact.** The Project site is currently vacant and bounded by Avenue 50 and low-density residential development to the south, and a mix vacant lands and low-density residential development to the north, east and west. Structures on these properties are primarily one-story and two-story single-family homes consistent with other urban development in the area in scale and height.

The Project proposes to develop 103 single-family homes, a dog park, internal pedestrian pathways/trails, and open space common areas that double as stormwater retention. Project elevations show a maximum building height of 28 feet (including both one- and two-story homes), which are located in PA 1. Homes in PA 2A and 2B will be limited to single-story, with a maximum height of 24 feet. The development of the proposed two-story homes would be similar in height to structures in the Project vicinity and would partially block southern and western views of the Santa Rosa Mountains from viewers located north and east of the site, which are already blocked to some extent by existing residential and commercial structures.

It is unlikely that the Project will have a substantial adverse effect on the scenic vistas. Nonetheless, the potential effects of the proposed development will be further analyzed in the forthcoming EIR.

- b) **No Impact.** The proposed Project is not located along a state scenic highway and does not contain any scenic resources, including trees, rock outcroppings or historic buildings. No impact to these resources will occur and further analysis is not required in the forthcoming EIR.
- c) **Potentially Significant Impact.** The proposed Project site is currently vacant. The ultimate development of the site will result in the construction of 103 single-family detached homes, a dog park, internal pedestrian trails, and open space common areas. The site will be developed in consistence with the proposed Specific Plan zoning standards, and will not conflict with these standards. The proposed Project will increase density from that currently allowed on the site, and as such could change the visual character of the area insofar as public views would change from the currently experienced very low density residential development on the north side of Avenue 50. The potential effects of proposed development will be further analyzed in the forthcoming EIR.
- d) **Less Than Significant Impact.** The proposed Project is located in an urban environment that includes existing sources of light and glare associated with nearby land uses. Nearby sources of light include exterior lighting on commercial and residential buildings, street lighting on the adjacent Avenue 50, passing vehicle headlights, and outdoor lighting on surface parking lots and buildings. Currently, there are no existing sources of light on the Project site.

At buildout, the site can be expected to generate increased levels of light and glare from interior and exterior building lighting, safety and security lighting, landscape lighting, and vehicles accessing the site during the day and nighttime. The potential effects of proposed development will be further analyzed in the forthcoming EIR.

II. AGRICULTURAL AND FORESTRY RESOURCES				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	✓			
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019); Zoning Map for City of Indio; "Riverside County Important Farmland 2016 Map," sheet 2 of 3, California Department of Conservation, published July 2017.

Environmental Setting

The Project site is located in the City of Indio where agriculture has been an important factor in the City's history and local economy. As discussed in Section IX Hazards and Hazardous Materials, the Project site and two small adjacent parcels were active farmlands until around 2016. The nearest agricultural land in use currently is the Shields Date Garden, located on the southeast corner of Jefferson Street and Highway 111, more than a mile from the Project site. Limited hobby farming occurs to the east of the Project.

The City's General Plan does not include Forestry or Forest Production designations, nor does the City have zones for these uses. The City occurs on the Coachella Valley floor, and no forestry or forest production lands occur in the desert climate.

The Project site is currently vacant and designated as "Desert Estate" on the General Plan land use map, which allows both single-family residential and agriculture as primary uses; and Country Estates Indio Ranchos Zone(s) (CEIR-1/2) on the zoning map which allows for single-family detached dwellings. A General Plan Amendment (GPA) is proposed concurrent with the proposed Project that would create a new residential land use designation that allows a residential density of up to 3 DU/AC. The proposed Specific Plan would limit the site's residential density to an average of 2.3 DU/AC.

Discussion of Impacts

- a) **Potentially Significant Impact.** The Project site was used for agricultural activities in the past, but agricultural operations were abandoned in 2016. Currently, the site is vacant and zoned for residential development and designated as "Desert Estate" on the General Plan land use map, which allows for agricultural and residential uses.

The subject site is designated as Prime Farmland on the 2016 Riverside County Important Farmland map. The Project will result in conversion of the vacant site to non-agricultural uses. The conversion of Prime Farmland could have significant impacts on farmland in the City. The potential effects of proposed development will be further analyzed in the forthcoming EIR.

- b) **No Impact.** The Project site is not under Williamson Act contract. The proposed Project is zoned for residential development, and although the General Plan designation allows agriculture use on the site, the proposed Project will not conflict with zoning for agricultural uses, because it is designated for residential use, and is located in a rapidly urbanizing environment. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- c, d) **No Impact.** The City of Indio does not contain any forest land, timberland, or timberland zoned for Timberland production. Thus, the proposed Project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or land zoned for Timberland Production, nor will it result in the loss or conversion of forestland to non-forest use.¹ No impact is anticipated and further analysis is not required in the forthcoming EIR.

¹ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Page 7-1.

- e) **No Impact.** The parcel located at the southeast corner of Jefferson Street and Highway 111 (Shields Date Garden) is designated as Prime Farmland and is currently in operation. The development of the proposed Project will not impact this property, since the Project site is independent and separate from these lands. Hobby farming occurs on land to the east of the Project. The development of the Project, however, will have no impact on the agricultural activities occurring east of the Project, insofar as the properties are entirely independent, and no change in the ability of the land owner to the east to farm his property would occur. As discussed above, there is no forest land in the City; therefore, the proposed Project would have no indirect impact on conversion of forest land to non-forest use. Further analysis is not required in the forthcoming EIR.

III. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b) 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?	✓			
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019); “Final 2016 Air Quality Management Plan,” prepared by South Coast Air Quality Management District, March 2017; “Final Localized Significance Threshold Methodology,” prepared by the South Coast Air Quality Management District, Revised, July 2008; “2003 Coachella Valley PM₁₀ State Implementation Plan,” August 1, 2003.

Environmental Setting

The City of Indio, including the Project site, is located within the Riverside County portion of the Salton Sea Air Basin (SSAB). SSAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is one of the 35 air quality regulatory agencies in the State of California and all development within the SSAB is subject to SCAQMD’s 2016 Air Quality Management Plan (2016 AQMP) and the 2003 Coachella Valley PM₁₀ State Implementation Plan (2003 CV PM₁₀ SIP). The SCAQMD operates and maintains regional air quality monitoring stations at numerous locations throughout its jurisdiction. The Project site is located within Source Receptor Area (SRA) 30, (Coachella Valley) which includes monitoring stations in Palm Springs, Indio and Mecca.

Criteria air pollutants are contaminants for which state and federal air quality standards (i.e. California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS)) have been established. The SSAB exceeds state and federal standards for fugitive dust (PM₁₀) and ozone (O₃). Health risks associated with PM and ozone pollution include respiratory issues such as coughing, wheezing, asthma and even high blood pressure. Ambient air quality in the SSAB, including the proposed Project site, does not exceed state or federal standards for carbon monoxide, nitrogen dioxides, sulfur dioxide, lead, sulfates, hydrogen sulfide, or Vinyl Chloride.

The SSAB continues to exceed federal and state standards for ozone and PM₁₀. In order to achieve attainment in the region, the 2003 Coachella Valley PM₁₀ Management Plan was adopted, which established strict standards for dust management for development proposals. The Project will contribute to an incremental increase in regional ozone and PM₁₀ emissions.

Discussion of Impacts

- a) **Less Than Significant Impact.** Under CEQA, a significant air quality impact could occur if the project is not consistent with the applicable Air Quality Management Plan (AQMP) or would obstruct the implementation of the policies or hinder reaching the goals of that plan. The Project site is located within the SSAB and will be subject to SCAQMD's 2016 AQMP and the 2003 CV PM₁₀ SIP. The 2016 AQMP is a comprehensive plan that establishes control strategies and guidance on regional emission reductions for air pollutants. The AQMP is based, in part, on the land use plans of the jurisdictions in the region. The Project site is designated for "Desert Estate Neighborhood (1 DU/AC)" in the General Plan, and is proposed to be amended to allow a residential density of up to 3 DU/AC. Both the previous and proposed designations allow for residential and recreational development. Based on the average household size 3.41 persons², the proposed General Plan Amendment would increase the site's potential population by 310 persons³. The Specific Plan would limit the site's density to 2.3 DU/AC, which would increase the site's potential population by 198 persons.

The SCAQMD works directly with the Southern California Association of Governments (SCAG), county transportation commissions, and local governments, and cooperates actively with all State and federal government agencies. SCAG adopted the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) to comply with the metropolitan planning organization (MPO) requirements under the Sustainable Communities and Climate Protection Act. The Growth Management chapter of the RTP/SCS forms the basis of land use and transportation controls of the AQMP. Projects that are consistent with the projections of population forecasts are considered consistent with the AQMP. Although the proposed General Plan Amendment will increase the site's potential population by 310 persons, the Project remains consistent with the low-density residential designation, and is therefore consistent with the 2016 AQMP assumptions.

Although less than significant impacts are anticipated, analysis of population growth impacts as they relate to the implementation or potential obstruction applicable air quality plans will be provided in the forthcoming EIR

² E-5 California Department of Finance Report (2019).

³ Total site acreage is 45.17 AC. At 1 DU/AC, the site could develop up to 45 DU for a potential population of 154 persons. Under the proposed GPA of 3 DU/AC, the site could develop up to 136 DU for a potential population of 464 persons. Under the Specific Plan (2.3 DU/AC), the site could develop up to 103 DU for a potential population of 352 persons. The difference is 310 and 198 persons, respectively.

- b) **Potentially Significant Impact.** A project is considered to have significant impacts if there is a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. As previously stated, the SSAB is currently a non-attainment area for PM₁₀ and ozone. Therefore, if the project's construction and/or operational emissions exceed SCAQMD thresholds for PM₁₀ and ozone precursors, which include carbon monoxide (CO), nitrous oxides (NO_x), and volatile/reactive organic compounds (VOC or ROG), then impacts would be cumulatively considerable and significant.

At this time, it is not known whether the proposed project will have significant impacts on local or regional air quality either during construction or operational phases, particularly since the Project proposes an increase in density from that currently established in the General Plan. Potential air quality impacts will be further assessed in the forthcoming EIR.

Cumulative Contribution: Non-Attainment Criteria Pollutants

A significant impact could occur if the Project would make a considerable cumulative contribution to federal or State non-attainment pollutants. The Coachella Valley portion of the SSAB is classified as a "non-attainment" area for PM₁₀ and ozone. Cumulative air quality analysis is evaluated on a regional scale (rather than a neighborhood scale or city scale, for example) given the dispersing nature of pollutant emissions and aggregate impacts from surrounding jurisdictions and air management districts. Any development project or activity resulting in emissions of PM₁₀, ozone, or ozone precursors will contribute, to some degree, to regional non-attainment designations of ozone and PM₁₀.

At this time, it is not known whether the proposed Project will have significant cumulative impacts on PM₁₀ or ozone. Potential air quality impacts will be further assessed in the forthcoming EIR.

- c) **Less Than Significant Impact.** To determine if the proposed project has the potential to generate significant adverse localized air quality impacts, the appropriate Localized Significance Threshold (LST) Look-Up Table for SRA 30 (Coachella Valley) should be utilized. The nearest sensitive receptors are residents in the single-family homes immediately adjacent to the Project site on all sides. LSTs and health impacts should be evaluated in the forthcoming EIR.
- d) **Less Than Significant Impact.** The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors. The SCAQMD identifies certain land uses as sources of odors, including agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, transfer stations, and fiberglass molding. The proposed Project will be developed with residential land uses and is not expected to generate objectionable odors during any phase of construction or at Project buildout. Nonetheless, potential impacts related to objectionable odors should be evaluated in the forthcoming EIR.

IV. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d) 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?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

The Coachella Valley is located within the Sonoran Desert, a subdivision of the Colorado Desert. The Sonoran Desert hosts a wide range of biological resources that are highly specialized and endemic to the region. According to the Coachella Valley Association of Governments (CVAG), vegetation communities in the City of Indio range from active desert dunes to urban environments.⁴

The Project site is currently vacant and contains sparse vegetation and miscellaneous piles of trash/debris. The proposed Project is within the boundaries of and subject to the provisions of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).⁵ The CVMSHCP is a

⁴ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Page 4.4-1.

⁵ Recirculated Final Coachella Valley Multiple Species Habitat Conservation Plan; Figure 8-3.

comprehensive regional plan that balances growth in the Coachella Valley with the requirements of federal and State endangered species laws. The Project site is not located within or adjacent to a CVMSHCP Conservation Area.

Discussion of Impacts

- a) **Less Than Significant Impact With Mitigation Incorporated.** The site is currently vacant and undeveloped and consists of five vegetation communities, including disturbed agriculture, landscape, partially stabilized sand dunes, and various shrub species. As discussed in Section IX Hazards and Hazardous Materials, the site was in agricultural use between around 1953 and 2016. Agricultural activities have since been abandoned and the site has remained undeveloped and has partially renaturalized.

The City of Indio participates in the Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP), which is a comprehensive regional plan encompassing a planning area of approximately 1.1 million acres and conserving approximately 240,000 acres of open space. The Plan is intended to address the conservation needs of a variety of plant and animal species and natural vegetation communities that occur in the Coachella Valley region. The Plan was finalized in October 2008. It establishes a system of preserves outside of urbanized areas in the valley in order to protect lands with high conservation value. It streamlines permitting processes by implementing state and federal endangered species acts while providing for land development within its planning area.

In order to determine the impacts on biological species, particularly species of concern, a biological resource analysis will be conducted. Analysis of potential substantial adverse effects to special status species and related policies will be further discussed in the forthcoming EIR.

- b, c) **No Impact.** The site does not contain any streams, riparian habitat, marshes, protected wetlands, vernal pools or sensitive natural communities protected by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No Project-related impacts will occur and further analysis is not required in the EIR.
- d) **No Impact.** The Project site is located in an urban area and surrounded by roadways and residential development. The site is isolated from open space or native vegetation on all sides. Due to surrounding human activity for many decades, the site does not contain features that are suitable for a migratory wildlife corridor. No impact is anticipated and further analysis is not required in the EIR.
- e) **No Impact.** The proposed Project will not interfere with any City policies regarding the preservation of plants or animals. The Project occurs within the CVMSHCP and development mitigation fees will be collected prior to new ground disturbance to mitigate for potential Project impacts and to further the implementation of the CVMSHCP. The proposed Project would also adhere to the City of Indio General Plan Policy CE-7.1 by ensuring development is consistent with federal, State, and regional regulations for habitat and species protection. No impact would occur, and further analysis is not required in the EIR.

- f) **No Impact.** The proposed Project is located in the City of Indio, which is within the boundaries of the CVMSHCP, and is therefore subject to payment of the Development Mitigation Fee, which will mitigate potential impacts to covered species. The site is not within or adjacent to a CVMSHCP-designated Conservation Area, so no additional mitigation measures or provisions are required. The Project will not conflict with any policies or ordinances that protect biological species, or any habitat conservation plans or natural community conservation plans. Therefore, further analysis is not required in the EIR.

V. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?		✓		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓		
c) Disturb any human remains, including those interred outside of formal cemeteries?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

Section 15064.5 of the CEQA Guidelines generally defines a historic resource as a resource that is:

- (1) listed in, or determined to be eligible for listing in the California Register of Historical Resources (California Register);
- (2) included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code); or
- (3) identified as significant in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code).

Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register. The California Register automatically includes all properties listed in the National Register of Historic Places (National Register) and those formally determined to be eligible for listing in the National Register.

Section 15064.5(a)(3)(D) of the CEQA Guidelines generally defines archaeological resources as any resource that “has yielded, or may be likely to yield, information important in prehistory or history.” Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community.

Discussion of Impacts

- a, b) Less Than Significant Impact With Mitigation Incorporated.** The City of Indio is located in the Coachella Valley, which is the traditional home of the Cahuilla Indians. The Cahuilla had many villages throughout the Coachella Valley. The Cahuilla Indians were a Takic-speaking people consisting of hunters and gatherers who are generally divided into three

groups based on geographic setting: the Pass Cahuilla of the Beaumont/Banning area; the Mountain Cahuilla of the San Jacinto and Santa Rosa Mountains; and the Desert Cahuilla from the Coachella Valley, as far south as the Salton Sea.

The areas of highest archaeological resources in the City are known to occur within the ancient Lake Cahuilla shoreline. The Project site lies within the ancient Lake Cahuilla boundary. Although archaeological resources are much more likely to be encountered in undeveloped parcels of land, subsurface archaeological resources may be encountered in areas that have been developed or farmed but have not been subject to extensive subsurface disturbance (excavation).

A number of potential historic and prehistoric sites and structures have been recorded in the City. Established in 2008, the City of Indio Historic Resource List currently includes a total of 39 buildings that are eligible or potentially eligible as historic resources. An additional 19 properties are included on the City's list as warranting evaluation. As described elsewhere in this document, the site is currently vacant, and does not include any structures.

Analysis of potential impacts to sensitive archaeological and historical resources will be included in the forthcoming EIR, including potential mitigation measures as necessary.

- c) **No Impact.** No cemeteries or human remains are known to occur on-site. It is unlikely that human remains will be uncovered during Project development. Should human remains be uncovered during grading of the site, California law requires that all activity stop, that the coroner be notified to determine the nature of the remains and whether Native American consultation is needed. This requirement of law assures that there will be no impact to cemeteries or human remains, and further analysis is not required in the EIR.

VI. ENERGY				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

Nuclear energy, fossil fuels (oil, coal and natural gas) and renewable sources like wind, solar, geothermal and hydropower are various sources of energy. The electrical energy to the City is provided by Imperial Irrigation District (IID). IID has existing facilities aboveground in the north side of Avenue 50 and underground in the south side. Natural gas to the City is provided by the Southern California Gas Company (SoCalGas).⁶ SoCalGas has existing underground pipelines in the south side of Avenue 50.

Discussion of Impacts

a, b) Less Than Significant Impact. The proposed Project will utilize energy resources during both construction and operational activities. Construction related energy demand comes from the operation of construction equipment and the manufacturing of construction materials. Operational energy demand primarily comes from building/site lighting, HVAC systems, and use of electricity and natural gas for household activities such as kitchens and swimming pools.

The proposed project is not expected to obstruct implementation of a state or local plan for renewable energy or to achieve greater energy efficiency. Nonetheless, the forthcoming EIR shall analyze performance levels for both project construction and operations, and will also evaluate the effects of renewable systems if they are proposed.

⁶ SoCalGas, Company Profile, <https://www.socalgas.com/about-us/company-profile>, Accessed February 2020.

VII. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?			✓	
iii) Seismic related ground failure, including liquefaction?				✓
iv) Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

Geology

The Project site is located within the Colorado Desert Physiographic Province (also referred to as the Salton Trough) that is characterized as a northwest-southeast trending structural depression extending from the Gulf of California to the Banning Pass. The Salton Trough is dominated by several northwest

trending faults, most notably the San Andreas Fault system. The Salton Trough is bounded by the Santa Rosa - San Jacinto Mountains on the southwest, the San Bernardino Mountains on the north, the Little San Bernardino - Chocolate - Orocopia Mountains on the east and extends through the Imperial Valley into the Gulf of California on the south.

Soils

Episodic flooding of major regional drainages, including the Whitewater River, results in the deposition of sand and gravel on the valley floor. Strong sustained winds emanating from the San Geronio Pass cause wind erosion and transport and deposit dry, finely granulated, sandy soils on the central valley floor. Regional soils range from rocky outcrops within the mountains bordering the valley to coarse gravels of mountain canyons and recently laid fine- and medium-grained alluvial (stream deposited) and aeolian (wind deposited) sediments on the central valley floor.

Paleontological Resources

Paleontological resources are the fossilized remains of prehistoric animals and plants, created more than 12,000 years ago in the Pleistocene era. Fossils are usually buried resources, and often cannot be identified on the surface. A relatively thick sequence (20,000 feet) of sediment has been deposited in the Coachella Valley portion of the Salton Trough from the Miocene era to present times. These sediments are predominately terrestrial in nature with some lacustrine (lake) and minor marine deposits. The major contributor of these sediments has been the Colorado River. The mountains surrounding the Coachella Valley are composed primarily of Precambrian metamorphic and Mesozoic "granitic" rock.

Discussion of Impacts

- a, i) No Impact.** Fault rupture occurs when movement on a fault deep within the earth breaks through to the surface. The proposed Project is not located within or adjacent to any fault or included in any Alquist-Priolo Earthquake Fault Zone. The nearest earthquake faults are the San Andreas Fault - Coachella Section and Southern Section, which run approximately 5.41 miles northeast of the site. These faults are capable of generating earthquakes of magnitude 7.2. Fault rupture is not expected on the Project site because it does not occur on any of these faults. No impact is anticipated, and further analysis is not required in the EIR.
- a, ii) Less Than Significant Impact.** The proposed Project is located in a seismically active region where earthquakes originating on local and regional faults can produce severe ground shaking. Homes proposed for the site will be required to be constructed in accordance with the most recent edition of the California Building Code (CBC) and Indio Municipal Code Section 156.035 to provide collapse-resistant design.⁷ According to the CBC, Site Class D may be used to estimate design seismic loading for the proposed structures. Conformance with the Seismic Design Parameters under Category D will ensure that Project-related impacts associated with seismic ground shaking will be less than significant. The forthcoming EIR should consider site and building design and engineering that mitigates the ground shaking threat at this site.

⁷ Indio Municipal Code 156.035 - Standards for Design and Improvement.

- a, iii) **No Impact.** Liquefaction occurs when three conditions exist: liquefaction-susceptible soils; groundwater within 50 feet or less below ground surface; and strong seismic shaking. The proposed Project is located within a "Low to Moderate" liquefaction potential zone. The depth of the groundwater in the area is greater than 50 feet below the ground surface, as determined by the soil investigation for the proposed Project. Therefore, the risk of liquefaction is considered negligible under severe ground shaking conditions. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- a, iv) **No Impact.** The proposed Project is located on the Coachella Valley floor. It predominantly consists of sand and is surrounded by relatively flat terrain. The nearest hillsides slope of the Santa Rosa mountains are approximately 3.1 miles southwest of the subject property. Due to distance from the nearest hillside, no impact associated with landslides will occur. Further analysis is not required in the forthcoming EIR.
- b) **Less Than Significant Impact.** Development of the Project site has the potential to result in the erosion of soils during site preparation, grading, and building construction. However, the applicant will be required to adhere to erosion control measures imposed by the City of Indio through grading and building permit regulations, including adherence to SCAQMD Rule 403.1 that requires a fugitive dust control plan. All grading activities would require grading permits from the Indio Public Works Department and would be required to comply with the standards imposed by the City to limit potential erosion impacts.

At buildout, there would be a low potential for soil erosion due to the predominantly level topography and the construction of buildings, impervious roads and stabilized landscaped areas. The impacts of soil erosion will be addressed in the forthcoming EIR.

- c) **Less Than Significant Impact.** Surface soils of the proposed Project consist primarily of silty sand (SM), with some sand (SM and SP), clay (CH), and clayey silt (ML), which are not considered unstable soils or geologic units. Also, the site is not susceptible to on- or off-site landslide, lateral spreading, liquefaction, or collapse due to the distance from mountainous slopes and foothills, and depth of the groundwater.

Building and seismic code requirements assure that the potential impact associated with ground subsidence is reduced to less than significant levels through conventional site preparation techniques such as over-excavation, hydroconsolidation and compaction. The proposed Project includes new structures and other improvements. Project soils appear capable of supporting the proposed improvements. Impacts associated with soils on the site will be further analyzed in the forthcoming EIR.

- d) **No Impact.** Expansive soils typically contain large amounts of clay that expand when water is absorbed and shrink when they dry. As described in Section VII-a.iii, above, the site's underlying soils consist of primarily silty sand (SM), and are considered to have a "very low" expansion potential based on the laboratory testing of site surface soils. Therefore, no impact associated with expansive soils will occur, and further analysis is not required in the forthcoming EIR.

- e) **No Impact.** Currently, the proposed Project is vacant and located in an area served by existing sewage infrastructure. The Project's wastewater demand would be accommodated by connections to existing wastewater conveyance pipes located to the west of the Project, in Avenue 50. As such, the Project would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the Project would have no impact related to the ability of soils to support septic tanks or alternative wastewater disposal systems. Further analysis is not required in the forthcoming EIR.

- f) **Less Than Significant Impact with Mitigation Incorporated.** The Project has the potential to significantly impact paleontological resources should excavation activity disturb deeper sediments dating to the earliest parts of the Holocene or Late Pleistocene periods. An analysis of the potential for paleontological resources to occur on the site will be conducted. A summary of this analysis, and a determination of the level of impact resulting from the Project will be included in the forthcoming EIR.

VIII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	✓			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Sources: City of Indio General Plan; Draft EIR for the City of Indio 2040 General Plan Update (March 2019).

Environmental Setting

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Prominent GHGs contributing to the greenhouse effect are CO₂, methane (CH₄), nitrous oxide (N₂O), and fluorinated compounds. Sources of GHGs include both natural and anthropogenic (human-caused) processes. Anthropogenic emissions of these GHGs in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of the earth's climate, known as global climate change or global warming.

State laws such as Assembly Bill 32 (AB 32) and Senate Bill 32 (SB 32) require all cities to reduce greenhouse gas emissions to 1990 levels by the year 2020. SB 32 is the extension of AB 32 which requires the state to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030.

The City of Indio has developed a Climate Action Plan (CAP) that sets forth a series of strategies to achieve greenhouse gas reduction targets. According to the City's CAP, Indio's 2010 communitywide emissions baseline is 607,946 metric tons of CO₂e (MTCO₂e), which is equivalent to 8 MTCO₂e per capita. In order to comply with SB 32, the City's General Plan would need to achieve 10.6 MTCO₂e per capita.⁸

Discussion of Impacts

- a) **Potentially Significant Impact.** The proposed Project will generate GHG emissions during both construction and operation. Over an estimated 24-month construction period, construction activities are expected to generate carbon dioxide equivalents (CO₂e) associated with grading, building construction, paving, and architectural coating. The proposed General Plan Amendment's new land use designation of up to 3 DU/AC would increase the site's potential population, and thus the City's population, by approximately 310 persons for a total of 464 persons. Although this is not a substantial population increase, potential operational emission increases will be fully analyzed. Greenhouse gases generated from construction and project operations will be quantified and where necessary mitigated in the forthcoming EIR analysis.

⁸ Climate Action Plan, City of Indio, May 2019.

- b) **Less Than Significant Impact.** The Project includes a General Plan Amendment that would increase density on the Project site. The Project's impacts on the City's General Plan policies relating to greenhouse gas emissions, and its implementation strategies in its CAP, should be analyzed in the EIR, although it is expected that the Project will have less than significant impacts on these policies and implementation strategies.

IX. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) 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?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

The proper management of hazardous materials is a common concern for all communities including the City of Indio. Since the 1970s, governments at the federal, state, and local levels became increasingly concerned about the effects of hazardous materials on human health and the environment. Numerous laws and regulations were developed to investigate and mitigate these effects. As a result, the storage, use, generation, transport, and disposal of hazardous materials are highly regulated by federal, state, and local laws and regulations.

Historically, the City was one of the larger farming communities in the Coachella Valley. Today, agricultural areas are mostly adjacent to residential developments north of I-10 and at the southern border of the City limits (south of Avenue 50) with some smaller acreages of active farmland scattered in the center.⁹ Chemical overspray within areas of active agriculture adjacent to residential neighborhoods is a potential health hazard. Agricultural activities occurred on the Project site until around 2016. Lands used for agriculture result in a potential for soil contamination from prior use of herbicides, fertilizers and pesticides.

The City of Indio has several businesses that manufacture, transport, store, use, and dispose of hazardous materials; therefore, the City can be affected by hazardous materials and waste or a major related emergency.

Discussion of Impacts

a, b) Less Than Significant Impact. The Project site is currently vacant but was previously in agricultural use between around 1953 and 2016. Because of the agricultural history of the property, there is a potential that pesticides have been applied at some point in the past. Some pesticides, particularly arsenic-based compounds and chlorinated hydrocarbons can remain in the soil for decades after they were applied. Pesticides which are present in concentrations considered non-hazardous in an agricultural setting can sometimes exceed recommended guidelines for a residential setting. There have been no documented releases of these substances at the site s.

A Phase I Initial Site Assessment will be conducted to identify any potentially hazardous substances onsite or in the project vicinity that could impact or be impacted by the proposed project.

Construction will involve the use of heavy equipment, which uses limited amounts of oils and fuels and other potentially flammable and toxic substances. During construction, equipment would require minor maintenance and re-fueling on location, which could lead to fuel and oil spills if not properly managed. The potential impacts of these activities will be analyzed in the forthcoming EIR.

⁹ Draft EIR for the City of Indio 2040 General Plan Update (March 2019 Version) – Page 4.8-4.

- c) **No Impact.** The nearest school is the Mountain Vista Elementary School, located 0.54 miles east of the Project site. The proposed Project will result in the development of a residential community, which is not expected to emit any hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste to jeopardize schools. No impact is expected, and further analysis is not required in the forthcoming EIR.
- d) **No Impact.** The Project site is currently vacant. There are no hazardous materials or waste sites located on the site, and the site is not included on a list compiled pursuant to Government Code Section 65962.5. The proposed Project will not create a significant hazard to the public or environment. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- e) **No Impact.** The Bermuda Dunes Airport (UDD) is located approximately 3.85 miles northwest of the subject property. The proposed Project is located well outside the airport planning boundary and operational and navigational hazard area. Therefore, the proposed Project would not result in a safety hazard or excessive noise for people residing or working at the Project site. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- f) **No Impact.** The proposed Project site is located on Avenue 50 between Jefferson Street and Madison Street. Jefferson Street is designated a “Major Arterial” in the City’s Mobility Element.¹⁰ Both Avenue 50 and Madison Street in the Project vicinity are designated as “Boulevards”. The proposed Project will take access from Avenue 50. Major roadways near the Project site, would be used as regional emergency evacuation routes to and from the City. The Project access points will not alter the existing circulation pattern in the Project area or adversely impact evacuation plans.

The Fire and Police Departments will review the proposed parking and circulation plan for the Project to assure that driveways and roads are adequate for emergency vehicles. In addition, construction traffic management plans will be required to assure that the proposed Project will not interfere with an adopted emergency response plan or emergency evacuation plan while the site is being developed. No Project-related impact is expected, and further analysis is not required in the forthcoming EIR.

- h) **No Impact.** The proposed Project is located in an urban area and is not located in a wildland fire hazard zone or susceptible to wildfires (see Section XX). Therefore, the Project will not expose people or structures to significant risks associated with wildfires. No Project-related impact is expected, and further analysis is not required in the forthcoming EIR.

¹⁰ Draft EIR for the City of Indio 2040 General Plan Update (March 2019 Version) – Figure 4.15-1.

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;			✓	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			✓	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			✓	
iv) impede or redirect flood flows?			✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

Domestic Water

The Project site is located within the Indio Water Authority (IWA) service area for domestic water. IWA's primary sources of water supply are groundwater produced by local potable water supply wells. Water supplies for the City of Indio are primarily from the lower aquifer in the Lower Whitewater River Subbasin. Because the Whitewater River Basin is an un-adjudicated basin, IWA does not hold specific water rights, but rather pumps supplies from the aquifer as needed to meet demands within its service area. IWA currently has 20 operational supply wells. Pumping capacities for these wells range from 1,200 gpm to 3,500 gpm, with a total pumping capacity of 74,600 AFY.¹¹ Its average baseline water demand in 2015 was 18,208 AFY.

Surface Water Quality

The City, including the Project site, is located within the Coachella Valley where the water quality is generally good to excellent. While the extensive use of septic systems in Indio and elsewhere in the Coachella Valley historically has impacted water resources, nitrate levels in Indio meet or exceed current standards, and water quality in the City has not been impacted by septic systems.¹²

Wastewater Treatment Provider and Sewer System

The Project site is located in an area where sewer service is provided by the Coachella Valley Water District (CVWD). The Project site is located in an urban area where the main sewer lines were laid out under the main roads and streets. The Project will extend sewer lines from existing 18" sewer mains in Avenue 50, into and throughout the Project site.

CVWD treats about four percent of Indio's wastewater. CVWD owns and maintains a wastewater treatment facility (WRP-7) located at Avenue 38 and Madison Street. WRP-7 is a tertiary treatment facility with 5 mgd capacity, and the effluent produced is recycled for nonpotable uses for CVWD customers. CVWD is implementing expansions and improvement to its wastewater collection system and reclamation plants throughout the Coachella Valley.

Floodplain Management

In the City of Indio, local drainage facilities generally convey runoff from local streets and lots to regional facilities. The local storm drain system consists of gutters, engineered storm drains, and channels. There are limited existing storm drainage facilities in the City. Regional drainage is managed by the Coachella Valley Water District, which maintains the Coachella Valley Stormwater Channel and the La Quinta Evacuation Channel. The City manages local drainage and requires that new projects retain the 100 year storm on-site, and in conformance with its National Pollution Discharge Elimination System (NPDES) permit requirements.

¹¹ 2015 Urban Water Management Plan Final Report, prepared for Indio Water Authority, July 1, 2016.

¹² Ibid.

Discussion of Impacts

- a) **Less Than Significant Impact.** The proposed Project site is located in the Whitewater River watershed which drains into the Salton Sea and is part of the larger Colorado River Watershed.¹³ All water providers in the watershed are required to comply with Regional Water Quality Control Board standards for the protection of water quality, including the preparation of site-specific Water Quality Management Plans for surface waters.

The City Engineer and Regional Water Quality Control Board review should ensure that construction and operational BMPs satisfy local, state, and federal standards. In addition, the City will require preparation of a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the National Pollutant Discharge Elimination System (NPDES) prior to the issuance of grading permits. The programmatic and, as appropriate, specific measures should be further discussed in the forthcoming EIR.

- b) **Less Than Significant Impact.** The proposed Project will require water for domestic use and landscape irrigation. Domestic water for the area is supplied through the natural groundwater recharge and imported supplies of the Colorado River. Water used during construction will be minimal and temporary, while post-development water demand would increase the current demand of the site. The Project will be required to comply with the IWA's water-efficiency requirements, including the use of drought-tolerant planting materials and limited landscaping irrigation. While the proposed project is expected to have a less than significant impact on groundwater supplies and recharge, water demand and opportunities for conservation should be evaluated in the forthcoming EIR.
- c) **Less Than Significant Impact.** The proposed Project will be required to comply with the City's storm water retention requirements, including the approval of a project-specific final hydrology study and water quality management plan prior to the issuance of grading permits. Implementation of these and other applicable requirements will assure that the Project will not create or contribute water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The forthcoming EIR should evaluate this potential and provide avoidance, minimization and/or mitigation measures that ensure that these impacts are less than significant.
- d) **No Impact.** The proposed Project site is not located in the vicinity of a water body. No hazard from dam failure, tsunami or seiche is possible. The Project is located 1.5 miles southeast of both the La Quinta Evacuation Channel and the Coachella Valley Stormwater Channel, and will not be subject to inundation in the event of a significant flood. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- e) **Less Than Significant Impact.** The proposed Project will be required to comply with all applicable water quality standards and will implement a WQMP approved by the City of Indio and the Regional Water Quality Control Board for both construction activities and long-term operation of the site. The Project's impacts related to water quality will be considered in the forthcoming EIR.

¹³ City of Indio General Plan (September 2019) – Chapter 8 (Conservation Element, Page 8-9)

XI. LAND USE AND PLANNING				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019). City's Zoning Map <https://www.indio.org/civicax/filebank/blobdload.aspx?BlobID=25481>.

Environmental Setting

The Project site is governed by the policies and land use designations of the Indio General Plan and Zoning Ordinance. Currently, in the City's 2040 General Plan, the site is designated "Desert Estates," which allows the lowest intensity residential neighborhood development of up to 1 DU/AC. The City's Zoning Map currently designates the subject site as Country Estates Indio Ranchos Zone(s) (CEIR-1 & CEIR-2). Both CEIR-1 and CEIR-2 allows for residences, single family detached dwelling, and accessory structures such as swimming pools, fencing and walls, and playground equipment.

The surrounding area is comprised of residential and vacant land uses. The City of Indio participates in the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), as discussed above under Biological Resources. The Project would not impact Land Use and Planning, as discussed below.

Discussion of Impacts

- a) **No Impact.** The Project site is currently vacant and is located in an area that is predominantly developed with residential uses. Immediately adjacent land uses include single-family homes and neighborhoods. These developments are separate from and operate independently of the subject property and thus will not be physically divided by the proposed Project. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- b) **Less Than Significant Impact.** The proposed Project includes a General Plan Amendment and Specific Plan. The GPA proposes to amend both General Plan text and the land use map to include a new residential land use that would allow a density of up to 3 DU/AC. The Specific Plan includes comprehensive development standards for building height, building setbacks, development density, landscaping, and parking. These standards would prevail over City of Indio Municipal Code standards, after adoption of the Specific Plan.

Although significant impacts to land use and planning are not expected, the compatibility of the proposed GPA with General Plan policies or programs adopted to mitigate potential environmental effects will be evaluated in the forthcoming EIR.

XII. MINERAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

The City's important mineral resources include sand and gravel (known as aggregate). Sand and gravel are an important component of asphalt, concrete, road base, stucco and plaster, such that 80 percent to 100 percent of these materials can be comprised of aggregate. The City's aggregate mineral resources (sand and gravel) are an important asset for the local economy. Mining generally occurs north of the City, in its Sphere of Influence.

The majority of City lands have been classified as Mineral Zone MRZ-1 "Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources."

Discussion of Impacts

a, b) No Impact. There are no permitted mining operations in the vicinity of the Project site, nor does this area of the City lend itself to mining activities, as described in the General Plan. The Project site is located in an urbanized area designated for primarily residential development and is not zoned for mineral resource extraction. No impact is expected, and further analysis is not required in the forthcoming EIR.

XIII. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
b) Generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) For a project located within the vicinity of a private airstrip or 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?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

The main sources of noise in an urban environment include road traffic, aircraft, railroads, construction, industry, noise in buildings, and consumer products. According to the United States Environmental Protection Agency (US EPA), in any city, the main sources of traffic noise are the motors and exhaust systems of autos, trucks, buses, and motorcycles. Temporary noise sources include landscape maintenance activities, home stereo systems, and barking dogs, and are governed by the provisions of the City Noise Ordinance and Municipal Code. The City of Indio has established goals, policies, and programs to limit and reduce the effects of noise intrusion on sensitive land uses and set acceptable noise levels for varying types of land uses.

The Project site is located in an area with well-connected and developed roadways. Noise levels on Avenue 50 can be expected to range between 60 and 70 CNEL which is greater than what would be typical of local streets.¹⁴ Per the City of Indio General Plan, noise levels of up to 60 dBA CNEL are “acceptable” and levels up to 75 dBA CNEL are “conditionally acceptable” for single-family residential uses.

¹⁴ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Figure 4.12-4.

Discussion of Impacts

- a) **Less Than Significant Impact With Mitigation Incorporated.** The subject property is currently vacant and undeveloped. The main noise source in the area is vehicular traffic on adjacent roadways (Avenue 50). The surrounding area mainly consists of residential and commercial development and vacant lands. The nearest sensitive receptors are residents in the single-family homes located to the northeast, west, east and south of the Project site.

Noise monitoring and modeling for both construction and post-construction periods will be conducted at locations surrounding the project site, including in proximity to sensitive receptors. The noise study will analyze impacts associated with construction, including the operation of heavy construction equipment.

Post-construction noise levels are expected to be within acceptable levels for all existing and future sensitive receptors. The forthcoming noise study and EIR will further evaluate the potential noise impacts associated with operations at the subject property post-construction.

- b) **Less Than Significant Impact.** Groundborne vibration also produces groundborne noise, described as a rumbling sound, that can be heard and felt by adjacent uses. 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 noise impact analysis will consider the potential vibration impacts during construction, and the potential for impacts to surrounding properties.

The proposed Project consists of residential use and thus does not include any sources of operational vibration. The EIR will summarize the findings of the noise impact analysis, and determine whether mitigation measures are required.

- c) **No impact.** The nearest airport, Bermuda Dunes Airport, is located approximately 3.7 miles northwest of the subject property. The Project site falls well outside the 65 dBA noise contour and is not considered as a source that contributes to the ambient noise levels on the subject property. No impacts will occur, and further analysis is not required in the forthcoming EIR.

XIV. POPULATION AND HOUSING				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

The Project site is located in the City of Indio, with a current population of approximately 87,900 persons, which is expected to grow to 123,300 in 2040.¹⁵ Currently, the City is composed of a mix of single-family, multi-family, and mobile homes development, but the majority (71.9%) of housing units are single-family homes.¹⁶

Discussion of Impacts

- a) **Less Than Significant Impact.** Based on an average household size of 3.41 persons,¹⁷ build out of the site under the proposed land use density of 3 DU/AC could result in a population of 464, or a 310 person increase from the site's development potential under the previous land use designation.¹⁸ However, the increase will not represent substantial population growth in the area, and the proposed residential units would accommodate the new population anticipated in growth forecasts. Although less than significant impacts are anticipated, analysis of population growth impacts will be provided in the forthcoming EIR.
- b) **No Impact.** The subject property is vacant, and the proposed Project would not displace any existing housing or require replacement housing elsewhere. No impact will occur and further analysis is not required in the forthcoming EIR.

¹⁵ 2016 -2040 RTPSCS Demographics and Growth Forecast by Southern California Association of Governments.

¹⁶ Draft EIR for the City of Indio 2040 General Plan Update (March 2019) – Figure 4-13.2.

¹⁷ E-5 California Department of Finance Report (2019).

¹⁸ Total site acreage is 45.17 AC. At 1 DU/AC, the site could develop up to 45 DU for a potential population of 154 persons. Under the proposed GPA of 3 DU/AC, the site could develop up to 136 DU for a potential population of 464 persons. Under the Specific Plan (2.3 DU/AC), the site could develop up to 103 DU for a potential population of 352 persons. The difference is 310 and 198 persons, respectively.

XV. PUBLIC SERVICES				
Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			✓	
b) Police protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other public facilities?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

Fire Protection

Fire protection and emergency medical services to the City of Indio are provided by the Indio Fire Department.¹⁹ The nearest fire station is Fire Station #3, located at 46-621 Madison Street, approximately 2.6 miles northeast of the subject site. The station is staffed by eleven firefighters, who operate a fire engine and a paramedic ambulance.

Police Protection

Police protection services are provided by the Indio Police Department. The Indio Police Station is located at 46-800 Jackson Street, approximately 2.64 miles northeast of the subject site. The police department employs various strategies to address crime including a Citizens Online Police reporting system, a police K-9 program, police dispatch, community outreach, and neighborhood watch programs.

¹⁹ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Page 4.14-1.

Schools

Indio receives educational services from two K-12 school districts (Desert Sands Unified School District (DSUSD) and Coachella Valley Unified School District (CVUSD)) and one community college district. The proposed Project is located within the CVUSD boundaries.²⁰

Parks

The City owns and maintains approximately 107 acres of public parks, community centers, and a municipal golf course. The nearest Indio park to the Project site is Dr. Carreon Park located at 82200 Dr. Carreon Boulevard, approximately 1.88 miles northeast of the site. The La Quinta Park is located 2.22 miles northwest of the Project site, in the City of La Quinta.

Discussion of Impacts

- a-e) Less Than Significant Impact.** The Project could result in the development of up to 136 single-family residential units, which will marginally increase the demand for public services including fire services, police services, schools, and recreational facilities. Nonetheless, potential impacts to public services will be discussed in the forthcoming EIR.

²⁰ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Figure 4.14-2.

XVI. RECREATION				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?			✓	
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

The City owns and maintains approximately 107 acres of public parks, community centers, and a municipal golf course. The City is located in the Desert Recreation District (DRD), which covers over 1,800 square miles from Rancho Mirage east to the Salton Sea, and provides recreational services to more than 380,000 residents throughout the Coachella Valley. DRD is responsible for over 30 recreational facilities that include community and fitness centers, sports fields, swimming pools, a golf course and driving range, and various parks and open spaces.

Discussion of Impacts

- a, b) Less Than Significant Impact.** At buildout, the proposed new land use designation of 3 DU/AC could result in an estimated population of 464 residents²¹. The proposed Project will include onsite recreational amenities such as a dog park and open space common areas, as required in the Zoning Ordinance for residential projects. Residents can be expected to utilize onsite recreational amenities as well as local and regional recreational facilities. The proposed development will not induce substantial population growth that will result in significant impacts to existing neighborhood and regional parks or other recreational facilities. Nonetheless, potential impacts to recreational facilities will be analyzed in the forthcoming EIR.

²¹ 136 residential units at 3.41 persons per household per E-5 California Department of Finance Report (2019).

XVII. TRANSPORTATION				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			✓	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	✓			
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
d) Result in inadequate emergency access?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

All roadways in the City are classified into various roadway types based on number of lanes and other facilities, including bicycle lanes, sidewalks and parkways. The City's acceptable Level of Service (LOS) for both roadway segments and intersection operations in LOS D or better. All area roadways and intersections currently operate at LOS D or better.

Currently, the Project site is vacant and undeveloped. Existing roadways in the vicinity of the Project site include Jefferson Street, Avenue 50, Madison Street, Verano Drive, Avenue 49, Hjorth Street, and Monroe Street.

Discussion of Impacts

- a) **Less Than Significant Impact.** The Project site is currently vacant and generates no traffic. The Project will result in a modest intensification of residential density. The surrounding main roads include Jefferson Street, Avenue 50, Madison Street, Verano Drive, Avenue 49, Hjorth Street, and Monroe Street, which are operating at acceptable LOS. While Project traffic volumes are expected to be consistent with local street capacity, a traffic impact analysis will be prepared to further analyze the potential effects of the proposed project on local circulation plans, as well as transit and other alternative modes of travel.

- b) **Potentially Significant Impact.** CEQA Guidelines section 15064.3 sets forth guidelines for implementing Senate Bill 743 (SB 743). SB 743 requires amendments to the CEQA Guidelines (pre-2019) to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” (Public Resources Code Section 21099(b)(1).) Measurements of transportation impacts may include “vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated.”

Currently, the City of Indio has not adopted regulations or thresholds pertaining to vehicle miles traveled (VMT) and the reduction of GHG emissions. In order to assess whether the Project’s VMT impacts will be significant, a traffic impact analysis will be prepared, and further analysis will be provided in the forthcoming EIR.

- c, d) **Less Than Significant Impact.** Access to the proposed Project will be provided through Avenue 50. Regional access to the site will be provided via the Highway 111, the I-10 freeway, major arterials, secondary arterials and a variety of local roads. Prior to construction, both the Fire Department and Police Department will review the site plan to ensure safety measures are addressed, including emergency access and geometric design. No incompatible uses are proposed. While project traffic is not expected to create any significant hazards, the safety and efficacy of the proposed Project access will be evaluated in the forthcoming EIR.

XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		✓		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		✓		

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

As discussed in the Section V, Cultural Resources, Cahuilla Indians are known to have lived in the Coachella Valley for thousands of years. They were Takic-speaking and lived in various groups in the area. Today, Native Americans of Pass or Desert Cahuilla heritage are mostly affiliated with one or more of the Indian reservations in and near the Coachella Valley, including Cabazon, Augustine, Torres Martinez, Twenty-nine Palms, Agua Caliente, and Morongo.

Numerous cultural resources are found throughout the valley which are considered non-renewable resources because they provide important information about the past.

Discussion of Impacts

a, i, ii) Less Than Significant With Mitigation Incorporated. The City is conducting tribal consultation in conformance with SB 18 and AB 52 requirements and contacting the tribes in writing. Should tribes request consultation and provide input on potential impacts, they will be included in the EIR.

XIX. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
c) 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?			✓	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019); 2015 Urban Water Management Plan Final Report, prepared for Indio Water Authority, July 1, 2016.

Environmental Setting

Domestic Water

The Project site is located within the Indio Water Authority (IWA) service area for domestic water. IWA's primary sources of water supply are groundwater produced by local potable water supply wells.

Water supplies for the City of Indio are primarily from the lower aquifer in the Lower Whitewater River Subbasin. Because the Whitewater River Basin is an un-adjudicated basin, IWA does not hold specific water rights, but rather pumps supplies from the aquifer as needed to meet demands within its

service area. IWA currently has 20 operational supply wells. Pumping capacities for these wells range from 1,200 gpm to 3,500 gpm, with a total pumping capacity of 74,600 AFY.²² Its average baseline water demand in 2015 was 18,208 AFY.

Wastewater Treatment

The Project site is located in an area where sewer service is provided by the Coachella Valley Water District (CVWD). CVWD treats about four percent of Indio's wastewater. CVWD owns and maintains a wastewater treatment facility (WRP-7) located at Avenue 38 and Madison Street. WRP-7 is a tertiary treatment facility with 5 mgd capacity, and the effluent produced is recycled for nonpotable uses for CVWD customers. CVWD is implementing expansions and improvement to its wastewater collection system and reclamation plants throughout the Coachella Valley. The Project site is located in an urban area where the main sewer lines were laid out under the main roads and streets. The Project will connect to existing sewer lines in Avenue 50.

Floodplain Management

In the City of Indio, local drainage facilities generally convey runoff from local streets and lots to the regional facilities. The local storm drain system consists of gutters, engineered storm drains, and channels. There are limited existing storm drainage facilities in the City. Regional drainage is managed by the Coachella Valley Water District, which maintains the Coachella Valley Stormwater Channel and the La Quinta Evacuation Channel.

Solid Waste Management

Residential and commercial areas in the City of Indio are served by Burrtec Waste and Recycling Services. Residential garbage and recyclables are collected on a weekly basis. Trash is taken to the Indio/Coachella Valley Waste Transfer Station in Coachella. That transfer station currently has a permitted maximum tonnage of 1,100 tons per day (tpd) of solid waste and a maximum capacity of 12,685 cubic yards per day. The facility can receive agricultural, construction and demolition, green material, industrial, inert, metal, mixed municipal, and tire wastes. Once waste enters the Indio/Coachella Valley Waste Transfer Station, it enters the Riverside County waste stream, is sorted, and sent to one of the Riverside County landfills (Badlands, Blythe, Desert Center, El Sobrante, Lamb Canyon, Mecca Landfill II, and Oasis), which have a remaining combined capacity of 181,783,284 cubic yards.²³

²² 2015 Urban Water Management Plan Final Report, prepared for Indio Water Authority, July 1, 2016.

²³ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Table 4.16-5.

Discussion of Impacts

a-c) Less Than Significant Impact.

Water

The proposed Project will be connected to the existing domestic water pipelines. The City of Indio's largest water supply source is groundwater from the Whitewater River Basin. IWA works with CVWD to manage the underground water basins and to better serve the City. IWA and CVWD have access to or are working to obtain other water supply sources to meet projected water needs and help eliminate groundwater overdraft. The proposed Project is consistent with the land use designation to be assigned to it in the General Plan Amendment, and represents a minor increase in density compared to the original designation (1 DU/AC to 2.3 DU/AC under the Specific Plan Project and 3 DU/AC under the new GPA residential land use designation) on which, in part, the IWA based its future water demand analysis when preparing its planning documents, including its Urban Water Management Plan. The proposed General Plan Amendment and Project buildout will have the potential to increase the 2015 baseline water demand. The forthcoming EIR will provide further analysis and discussion of Project impacts related to water.

Wastewater Treatment

The Project site is served by CVWD for wastewater collection and treatment services. The Project site does not currently contain any wastewater infrastructure. The proposed Project will require construction of on-site sewer infrastructure to connect to the existing sewer mains located under Avenue 50 rights-of-way and along the southerly Project boundary. Sewage will be conveyed to the CVWD wastewater treatment plant (WRP-7) located at Avenue 38 and Madison Street. Project-specific. The forthcoming EIR will provide further analysis and discussion of Project impacts related to wastewater.

Drainage System

The City will require that the Project retain the 100-year storm on-site. Per the City of Indio's requirements, "The basin shall be designed to retain the runoff from the worst case of the 1hr, 3hr, 6hr or 24hr duration, 100-year storm" and "There shall be no standing water in the retention basin after 72 hours of any storm event." A Preliminary Drainage Report will be prepared and discussed in the forthcoming EIR to ensure the site is designed per standard requirements.

Electricity

The Project will provide local connections to the existing IID infrastructure in the Project area. IID has existing facilities aboveground in the north side of Avenue 50 and underground in the south side. The Project will not require the addition or expansion of electric power facilities.

Natural Gas

The Project will provide local connections to the existing SoCalGas infrastructure in the Project area. The closest gas lines are located underground in the south side of Avenue 50. The Project will not require the addition or expansion of natural gas facilities.

Telecommunications

The Project will provide local connections to the existing Frontier Communications and Spectrum infrastructure in the Project area. The Project will not require to the addition or expansion of telecommunication facilities.

- d, e) Less than Significant Impact.** As discussed above, Burrtec Waste and Recycling Services (Burrtec) provides solid waste services to the City of Indio. Solid waste generated by the city is either recycled, reused, or transformed at a waste-to-energy facility²⁴, or disposed of at one of the county's landfills. County landfills have a combined remaining capacity of 181,783,284 cubic yard, with a maximum permitted capacity of 266,159,998 cubic yard.²⁵ Buildout of the proposed project will generate a limited volume of solid waste, which will be further discussed in the forthcoming EIR.

²⁴ Riverside County Nondisposal Facility Element by Riverside County Department of Waste Resources (2015), <https://www.rcwaste.org/Portals/0/Files/Planning/CIWMP/NDFE.PDF>, accessed March 2020.

²⁵ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Table 4.16-5.

XX. WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓

Sources: City of Indio General Plan (September 2019); Final EIR for the City of Indio 2040 General Plan Update (June 2019).

Environmental Setting

Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. A wildland-urban interface is an area where urban development is located in proximity to open space or “wildland” areas. The potential for wildland fires represents a hazard where development is adjacent to open space or within close proximity to wildland fuels or designated fire severity zones.

The California Department of Forestry and Fire Protection (Cal Fire) has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP). The City of Indio is not prone to major wildfires due to its desert environment and risk is generally considered “moderate” throughout the City.²⁶

²⁶ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Page 7-2.

Discussion of Impacts

- a) **No Impact.** The primary emergency evacuation routes in the City include Interstate 10, Highway 111, Jefferson Street, Monroe Street, and Jackson Street. The Project site is located along Avenue 50, approximately 0.3 miles east of Jefferson Street, which provides access in an emergency. Development on the subject property would not substantially impair the City's adopted emergency evacuation and response plans²⁷ as the Project is not proposing to amend these routes to impede emergency evacuation. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- b, c) **No Impact.** The proposed Project is not located within a wildfire hazard severity zone nor a wildland-urban interface (WUI). The Project is located in an urban environment, and miles from an area of wildland fire potential. Urban roadways exist surrounding the Project, and no new wildfire risk infrastructure will be required. No impact is anticipated, and further analysis is not required in the forthcoming EIR.
- d) **No Impact.** The Project site is located on the valley floor where there is no potential for flooding, landslide, or post-fire slope instability. Therefore, the proposed Project would not expose people or structures to significant risks such as downslope or downstream flooding or landslides, post-fire slope instability, or drainage changes. No impact is anticipated, and further analysis is not required in the forthcoming EIR.

²⁷ Final EIR for the City of Indio 2040 General Plan Update (June 2019) – Page 4.8-23.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the project:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	✓			

- a) **Less Than Significant Impact with Mitigation Incorporated.** As discussed in the responses in Sections IV (Biological Resources) and V (Cultural Resources) the project is expected to have less than significant impacts with mitigation to biological and cultural resources. Further analysis and specific mitigation and regulatory measures will be provided in the forthcoming EIR.
- b) **Less Than Significant Impact.** A significant impact could occur if the proposed Project, in conjunction with related projects, would result in impacts that would be less than significant when viewed separately, but would be significant when viewed together. The forthcoming EIR will analyze potential cumulative effects of the proposed Project.
- c) **Potentially Significant Impact.** The Project's potential environmental effects include those that may be determined to be significant in the areas of air quality and transportation. While impacts may be less than significant with mitigation, an EIR shall be prepared to fully assess the potential impacts associated with the proposed project.

NATIVE AMERICAN HERITAGE COMMISSION

Governor's Office of Planning & Research

January 6, 2020

Jan 08 2021

STATE CLEARINGHOUSE

Leila Namvar, Senior Planner
City of Indio
100 Civic Center Mall
Indio, CA 92201

Re: 2021010037, VENTANA Specific Plan Project, Riverside County

Dear Ms. Namvar:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

February 2, 2021

Lnamvar@indio.org

Leila Namvar, Planner
City of Indio, Planning Department
100 Civic Center Mall
Indio, California 92201

Notice of Preparation of an Environmental Impact Report for the Ventana Specific Plan (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Environmental Impact Report (EIR). Please send a copy of the EIR upon its completion and public release directly to South Coast AQMD as copies of the EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan⁶, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy⁷.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS
RVC210112-05
Control Number

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

⁷ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

Subject: Re: Proposed Ventana project
Date: Thursday, February 18, 2021 at 3:10:42 PM Pacific Standard Time
From: Tom Moon <tmoon13@gmail.com>
To: Leila Namvar <lnamvar@indio.org>
Attachments: image001.jpg

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Good day Leila:

Thank you for the quick response. We would like our voices to be heard.

Best,

Tom Moon

On Thu, Feb 18, 2021 at 12:50 PM Leila Namvar <lnamvar@indio.org> wrote:

Tom,

The Applicant, has not submitted the EIR documents yet. When they submit we will make it available for 45 days for public review and comments and will send a notice to all property owners within 1,200' of the project. Please contact me again in March for update on the EIR.

Thanks,
Leila



Leila Namvar, Senior Planner
Community Development Department

City of Indio
100 Civic Center Mall
Indio, CA 92201

(760) 541-4258 (Direct)

(760) 399-7887 (Cell phone)

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EFFECTIVE MARCH 30, 2020: Indio City Hall is temporarily closed to help prevent the spread of COVID-19. City Hall will continue to offer online services and limited by appointment only services. Visit www.indio.org for more information.



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We have contacted you before, regarding our concerns about this project. I did leave you a voicemail message this week. The builder's proposal is not consistent with the citywide general plan. There are over 30 affected homeowners objecting and we don't think there should be any specific amendments to the general plan adopted by the city, just sixteen months ago.

It is our understanding the proposed Ventana site is zoned for country estates of homes, 1 to 2 per acre. The building applicant had applied for any even denser development, just six months prior to this current one.

The current proposal does not indicate a second emergency exit on 50th street, which could negate their entire plan. The increased traffic congestion on 49th would be substantial. This is a single lane road, each way, where horses are seen riding by every day.

Leila, we want to be sure we have enough time to submit our EIR findings, when the builder submits their amended one. Could you be so kind as to offer us a timeline, where ours could be considered?

Thank you.

Tom and Naomi Moon

80685 Wicket Lane

Indio, Ca. 92201

(714)925-5544

--
Tom Moon
Pacific Moon R.E. Inc.
18377 Beach Blvd. #333 HB
(714) 925-5544

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January 19, 2021

Via email (Lnamvar@indio.org)

Lela Namvar, Senior Planner
City of Indio
Community Development Services Department

RE: Ventana Project ("Project")

Comments on the Draft Initial Study/Notice of Preparation of an Environmental impact Report

Dear Ms. Namvar:

My wife and I own the real property located at 49275 Croquet Court in the City of Indio ("City") as well as the one-acre vacant lot immediately south of the Project. This is the second time that the applicant has proposed a General Plan Amendment for the Project. In 2020, the applicant proposed a General Plan Amendment that would designate the property as "Suburban Neighborhood" which allows residential density of up to eight (8) units/acre and a Specific Plan that would permit development of 103 units ("2020 Proposal"). The most recent proposal is, as far as we can tell, identical to the 2020 Proposal except that the General Plan Amendment would allow three (3) units/acre ("Current Proposal").

By letter dated July 24, 2020 we noted our objection to the 2020 Proposal and the City's Mitigated Negative Declaration. We appreciate that the City has determined, correctly, that the Current Proposal will have a significant impact on the environment and that an Environmental Impact Report ("EIR") is required. We write to continue to note our objection to the Current Proposal and to provide comment on the Initial Study/Notice of Preparation ("IS").

Continued Objection to the General Plan Amendment and Proposed Specific Plan

It is simply too soon for the City to be considering site specific amendments to the General Plan. Less than 16 months ago the City finalized a multi-year, comprehensive review of its General Plan. That effort engaged community neighborhood groups, businesses, local organizations and members of the public to develop a city-wide vision to guide future development and land use in the City. Had there been a valid public policy reason to change the General Plan to increase the planned density to allow the Project, it is reasonable to assume that the City would have made the appropriate amendments as part of the City's comprehensive General Plan update. It did not, and the City should not consider a site-specific amendment so close to the last update.

There has not been a significant change in development patterns, demographics, or circumstances since the City's last General Plan update to justify a site-specific amendment to the General Plan that is needed for the Project. The City should allow development to proceed under the existing General Plan so it can gain a better understanding of development patterns and their related impacts under the current General Plan before considering site specific amendments like the one proposed.

The applicant has developed projects in and around the City in the past and must have been aware of the City's effort to update its General Plan. If Applicant felt that higher density was needed in certain areas of the City it could have and should have made those positions known during the City-wide comprehensive update. This would have allowed debate on the propriety of the changes through the city-wide stakeholder group that the City assembled. It seems that the applicant made a calculated

decision that is stood a better chance of increasing density by sliding through site-specific amendments than it did proposing changes that would have faced greater scrutiny during the general update.

For these reasons, accepting the applicant's attempt to circumvent that City-wide General Plan update by proposing a site-specific amendment less than 16 months after the update is ill-advised, misguided, and inconsistent with the expectations of the citizens of the City. We respectfully request that the City deny application to amend the General Plan and require that development proceed as envisioned by the community of stakeholders that participated in updating the General Plan.

Comments on Initial Study and Notice of Preparation and Initial Study

We appreciate that the City decided to withdraw MND for the Project and, instead, issue a Notice of Preparation of Environmental Impact Report. The impacts of this Project are significant both individually and cumulatively. As a preliminary matter, for the reasons noted above, we believe it is poor public policy to allow site-specific amendments to the General Plan so close to the last update. If the City agrees, which it should, we believe the City should advise the applicant that it is unlikely that the City will approve its general plan amendment before the applicant embarks on a timely and costly EIR.

We noticed a disconnect in the Initial Study between the City's determination of which categories of the environment have the potential to be significantly impacted by the Project and which categories of the environment will be assessed in the EIR. For example, the City concludes (wrongfully in our view) that it is "unlikely that the Project will have a substantial adverse effect on the scenic vistas" in the area. (Initial Study at 21). Nevertheless, the IS states that the potential effects to scenic vistas will be "further analyzed in the forthcoming EIR." (Initial Study at 22). We agree that impacts to scenic vistas from the Project should be analyzed in the EIR and request that the City align its decision on the significance of the impact to correspond to its determination that the category will be assessed in the EIR. Our concern is that if the impact is not identified as "Potentially Significant Impact" that the project proponent may use that determination to try to evade review of the categories in the EIR or the imposition of mitigation measures identified in the EIR. We agree with all of the categories that the IS concludes must be studied in the EIR and request that each of these categories also be identified as having "Potentially Significant Impacts" from the Project.

In our July 24, 2020 comment letter we identified that the applicant mischaracterized the allowed density for the CEIR-1 and CEIR-2 zones. It is disappointing to see that the IS continues to mischaracterize the allowed density under the current zoning for the property. According to the City's GIS Map the property is zoned CEIR-1 and CEIR-2. The minimum lot sizes in these zones allow 1 du/ac for CEIR-1 and 0.5 du/ac for CEIR-2 (or 1 dwelling unit per two acres). Yet, the IS continues to mischaracterize the density as CEIR-1/2. (IS at 25). Likewise, the IS summarily and wrongfully concludes in a footnote that the total allowed density under current zoning is 1 DU/AC when assessing the baseline for assessment of impacts of the proposal. (IS at 28, fn. 3). A substantial portion of the property is zoned CEIR-2 which allows 0.5 DU/AC. There is no way that the 45-acre site can develop up to 45 DU under the current zoning as the IS asserts. This wrongfully overstates the actual allowed density under the current zoning which will inevitably lead to inaccurate assessment of the actual impacts from this proposal.

It is also disappointing that the applicant continues to ignore the significant risks to public safety posed by the plan to drastically increase density while only providing a single point of ingress and egress to the 45-acre project site. During the hearings on the 2020 Proposal, that applicant noted that the City

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Finally, approving this general plan amendment will create a precedent for approval of similar proposals to other areas the impacts of which must also be assessed in this EIR. The City and applicant cannot evade comprehensive environmental review of the impacts associated with similar plan amendments by conducting a piecemealed environmental review. When assessing the impacts the EIR must also assess the increase in density if other areas of the City designated Desert Estate Neighborhood are redesignated to allow 3 DU/AC.

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Sincerely,

Sam & Patti Kyle
Sam and Patti Kyle

*We also live
near this project
and agree with
the Kyles —
Mike & Marcia
Booth*

January 19, 2021

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