

ATTACHMENT #7

**CEQA FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE INDIAN WELLS GENERAL PLAN UPDATE
ENVIRONMENTAL IMPACT REPORT
STATE CLEARINGHOUSE NO. 2024071208**

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Exhibit B

I. SUMMARY OF FINDINGS

The City Council hereby finds that it has been presented with the Environmental Impact Report (EIR), which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City Council finds that the EIR reflects the independent judgment and analysis of the City. The City Council declares that no evidence of new significant impacts or any new information of “substantial importance,” as defined by State CEQA Guidelines Section 15088.5, has been received by the City after circulation of the Draft EIR that would require recirculation. Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.

II. PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City published a Draft EIR on November 7, 2024. A Final EIR was prepared in January of 2025 in compliance with CEQA requirements. The Final EIR has been prepared in accordance with CEQA and the CEQA Guidelines, as amended. As authorized in State CEQA Guidelines Section 15084(d)(2), the City retained a consultant to assist with the preparation of the environmental documents. City staff from multiple departments, representing the Lead Agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The Final EIR reflects the City’s independent analysis and judgement. The key milestones associated with the preparation of the EIR are summarized below. As presented below, an extensive public involvement and agency notification effort was conducted to solicit input on the scope and content of the EIR and to solicit comments on the results of the environmental analysis presented in the Draft EIR.

A. PUBLIC NOTIFICATION AND OUTREACH

In conformance with CEQA, the State CEQA Guidelines, and the City of Indian Wells CEQA Guidelines, the City of Indian Wells conducted an extensive environmental review of the Proposed Project.

- Completion of a Notice of Preparation (NOP) for a Draft EIR (DEIR) on July 31, 2024. The public review period extended from July 31, 2024, to August 29, 2024. The NOP was published in the *Desert Sun* on July 31, 2024. The NOP was posted at the Riverside County Clerk’s office on July 31, 2024. Copies of the NOP were made available for public review at the City of Indian Wells City Hall and the City’s website.
- Completion of the scoping process where the public was invited by the City to participate in a scoping meeting for the Draft EIR was held on Thursday, September 12, 2024, at 1:00 pm at the Indian Wells City Hall Executive Conference Room and via Zoom. The notice of a public scoping meeting was sent out to interested parties and via an email blast on August 29, 2024.

- Preparation of a Draft EIR, which was made available for a 45-day public review period beginning November 7, 2024, and ending December 23, 2024. The scope of the Draft EIR was determined based on the CEQA Guidelines Appendix G Checklist, comments received in response to the NOP, and comments received in response to the scoping meetings conducted by the City of Indian Wells. Chapter 4, *Environmental Analysis*, of the Draft EIR describes the issues identified for analysis in the Draft EIR. The Notice of Availability (NOA) for the Draft EIR was sent to interested persons and organizations, uploaded to the Office of Planning and Research (OPR) website, posted by the Riverside County Clerk, published in the *Desert Sun*, posted at the City of Indian Wells, and the City website on November 6, 2024 and November 7, 2024. Additionally, copies of the Draft EIR were made available for review at the City Hall and on the City's website.
- Preparation of a Final EIR, including the responses to comments to the Draft EIR. The Final EIR was released for a 10-day agency review period prior to certification of the Final EIR.
- Public hearings on the Proposed Project, including a Planning Commission hearing and a City Council hearing.

In summary, the City conducted all required noticing and scoping for the Proposed Project in accordance with Section 15083 of the CEQA Guidelines, and conducted the public review for the EIR, which exceeded the requirements of Section 15087 of the CEQA Guidelines.

B. FINAL ENVIRONMENTAL IMPACT REPORT AND CITY COUNCIL PROCEEDINGS

The City prepared a Final EIR, including Responses to Comments to the Draft EIR. The Final EIR/Response to Comments contains comments on the Draft EIR, responses to those comments, revisions to the Draft EIR, and appended documents. A total of four comment letters were received. All of the comment letters were from public agencies. The public will have another opportunity to comment on the proposed project during the public hearing period during the scheduled Planning Commission and City Council meetings.

The Final EIR found that prior to the implementation of the proposed General Plan Update (GPU) policies and actions, implementation of the GPU would result in potentially significant impacts to Aesthetics, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, and Noise. However, the GPU's proposed policies and actions avoid or reduce all of these impacts to levels considered less than significant. The proposed policies and actions also continue to support less than significant findings related to Aesthetics (scenic resources with state scenic highway, degrade visual character or conflict with applicable zoning governing scenic quality), Air Quality, Biological Resources (movement of native resident or migratory fish or wildlife species or wildlife corridor, local policies or ordinances protecting biological resources, or a habitat conservation plan, or other approved plan), Energy Resources, Greenhouse Gas Emissions, Hazards, Hydrology and Water Quality, Land Use and Planning, Population and Housing, Public Services, Transportation, and Utilities.

The Final EIR determined that the proposed GPU would result in no impacts to Agricultural Resources (Williamson Act contract, rezoning of forest land or timberland, result in loss of forest land or timberland), Geology and Soils (rupture of a known fault and septic tanks), Hazards (located near

an airport), Land Use and Planning (physically divide an established community), Noise (excessive noise due to proximity to an airport), Mineral Resources, and Wildfires.

However, the Final EIR found that despite the implementation of the General Plan Update policies and actions, impacts to Agricultural Resources (loss of Prime, Unique or Statewide Farmland, and converting agricultural use to non-agricultural use) and Transportation (vehicle miles traveled) were determined to be significant and unavoidable. A Statement of Overriding Considerations was prepared for the Council's consideration.

Members of the public can view searchable agendas for scheduled City Council meetings and access agenda-related City information and services directly on the following website:

<https://www.cityofindianwells.org/city-hall/current-future-agendas>

The Final EIR document will be posted on the City's website for viewing and download with the previously posted Draft EIR prior to the City's consideration of the Final EIR and project recommendations.

A date for consideration of the Final EIR and project recommendations at the City Council was set for the Proposed Project, and notice of the meeting was provided consistent with the Brown Act (Government Code Sections 54950 et seq.). The City Council will take testimony on the Proposed Project and may continue on its calendar to a subsequent meeting date in its discretion.

C. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Proposed Project consists of the following documents and other evidence, at a minimum:

- The NOPs, NOA, and all other public notices issued by the City in conjunction with the Proposed Project.
- The Draft EIR and Final EIR for the Proposed Project.
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- All written and verbal public testimony presented during a noticed public hearing for the Proposed Project.
- The Mitigation Monitoring and Reporting Program.
- The Statement of Overriding Considerations.
- The reports and technical studies included or referenced in the Final EIR.

- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR.
- The Resolutions adopted by the City in connection with the Proposed Project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

D. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City’s actions related to the Proposed Project are at the City of Indian Wells’s City Hall at 44-950 El Dorado Drive, Indian Wells, CA 92210. The City Planning Department is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are, and at all relevant times have been and will be, available upon request at City Hall. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

E. PROJECT DESCRIPTION

The City of Indian Wells is preparing a comprehensive update to the General Plan, which was adopted and updated at various times between 1988 and 2024. General plans are required by State law to guide land use and development, typically within a 20-year horizon. General plans must be periodically updated to respond to new State laws, changing conditions, and emerging issues and opportunities. The General Plan Update (GPU) will address all State-required topics (land use, circulation, housing, open space, noise, safety, and conservation) and other topics of local importance, including community design, sustainability, economic development, and public facilities. The General Plan Planning Area comprehensively covers the entire City boundary and provide additional guidance for potential future development. The City’s GPU will include goals, policies, and actions that set the long-term plan (blueprint) for potential future development in the City. The proposed project will build off the current General Plan and provide a framework for land use decisions, and direct future growth within Indian Wells through the year 2040.

The GPU includes an update to the City’s Land Use Map. The project proposes to change the current land use designation at two locations: (1) from Golf and Recreation to Resort Commercial, and (2) Community Commercial to Resort Commercial. These areas where the proposed land use change would occur is located north of Highway 111 and east and west of Miles Avenue. This is indicated in the table below.

Table 1 Updates to the Land Use Plan

Location	APN	Existing Use	Current Land Use Designation	Proposed Land Use Designation (GPU)
1	633-150-077 & 633-150-071	Golf Course	Golf and Recreation	Resort Commercial
2	633-310-035 & 633-410-051	Vacant	Community Commercial	Resort Commercial

In addition, changes to the Whitewater River Channel are proposed as part of the proposed project consistent with ongoing efforts to improve the Channel. Approximately 6.82 acres of the Whitewater River Channel will be removed from the storm channel and added to developable acreage for resort commercial uses.

Buildout of the proposed General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan).

F. PROJECT OBJECTIVES

Objectives for the Project will aid decision-makers in their review of the project and associated environmental impacts:

1. Maintain the City's residential-resort lifestyle.
2. Accommodate a range of land uses (commercial, residential, open space, and public uses).
3. Maintain adequate sites to accommodate the City's Regional Housing Needs Allocation (RHNA).
4. Develop a diverse set of land uses including employment-generating land uses that create new jobs and ensure long-term economic benefits and stability for the City of Indian Wells.
5. Promote the development of a connected community that is enhanced by sidewalks, shade from trees, pedestrian benches, safe pedestrian crossings, and landscaping along streets, and providing buffers between surrounding uses.
6. Encourage the development of a multimodal circulation network that provides a safe and efficient level of connectivity for vehicles, bicyclists, pedestrians, and transit users.
7. Provide adequate infrastructure, services, and utilities to meet the needs of the community by requiring new developments to pay their fair share for required improvements.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

A. INTRODUCTION

CEQA requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code.

This document provides the findings required by CEQA. The potential environmental effects of the Indian Wells General Plan Update (Proposed Project) have been analyzed in a Draft EIR (State Clearinghouse [SCH] 2024071208) dated November 2024. A Final EIR (Final EIR) has also been prepared that incorporates the Draft EIR and contains comments received on the Draft EIR, responses to the individual comments, revisions to the Draft EIR including any clarifications based on the comments and the responses to the comments, and the Mitigation Monitoring and Reporting Program (MMRP) for the Proposed Project. This document provides the findings required by CEQA for approval of the Proposed Project.

Statutory Requirements for Findings

The CEQA (Pub. Res. Code Section 21000 et seq.) and the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs Section 15000 et seq.) promulgated thereunder require that the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen

significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

As indicated above, Public Resources Code Section 21002 requires an agency to “avoid or substantially lessen” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 [“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 [“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Resources Code Section 21002.1(c) [if “economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency”]; see also State CEQA Guidelines, Section 15126.6(a) [an “EIR is not required to consider alternatives which are infeasible.”]) CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental,

social, and technological factors” (Pub. Resources Code, Section 21061.1). The State CEQA Guidelines add “legal” considerations as another indicium of feasibility. (State CEQA Guidelines, Section 15364.) Project objectives also inform the determination of “feasibility.” (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoia Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]” (*Cal. Native Plant Soc’y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000; see also Pub. Resources Code, Section 21081(a)(3) [“economic, legal, social, technological, or other considerations” may justify rejecting mitigation and alternatives as infeasible.])

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

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

Findings

Having received, reviewed, and considered the EIR for the No. 2024071208, as well as other information in the record of proceedings on this matter, the City of Indian Wells Council adopts the following Findings in its capacity as the legislative body for the City of Indian Wells (City), which is the CEQA Lead Agency. The Findings set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Proposed Project.

In addition, the City of Indian Wells City Council (City Council) hereby makes findings pursuant to and in accordance with Section 21081 of the California Public Resources Code and State CEQA Guidelines Sections 15090 and 15091 and hereby certifies that:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Project Environmental Report and Discretionary Actions

The Final EIR addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the Proposed Project. The Final EIR provides the environmental information necessary for the City to make a final decision on the requested discretionary actions for all phases of this project. The Final EIR was also intended to support discretionary reviews and decisions by other responsible agencies.

Discretionary actions to be considered by the City may include, but are not limited to, the following:

- Approve the Proposed Project; adopt the MMRP, finding that the MMRP is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that the significant adverse effects of the project either have been reduced to an acceptable level, or are outweighed by the specific overriding considerations of the project as outlined in the CEQA Findings of Fact, as set forth herein.
- Approve the Proposed Project and related discretionary actions.

Format

Section 15091 of the CEQA Guidelines requires that a Lead Agency make a finding for each significant effect for the project. This section summarizes the significant environmental impacts of the project, describes how these impacts are to be mitigated, and discusses various alternatives to the Proposed Project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

The remainder of this section is divided into the following subsections:

Section III B, Findings Regarding No Environmental Impacts and Not Requiring Mitigation, presents topical areas in the Draft EIR that would result in no impact, and no GPU policies, actions or mitigation measures are necessary.

Section III C, Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant, presents topical areas in the Draft EIR that would continue to result in less than significant impacts with the implementation of GPU policies and actions.

Section III D, Findings on Significant Environmental Impacts That Can Be Reduced to Less Than Significant, presents significant impacts of the Proposed Project that were identified in the Final EIR, the mitigation measures identified in the MMRP, and the rationales for the findings.

Section III E, Significant Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance, presents significant unavoidable impacts of the Proposed Project that were identified in the Final EIR, the mitigation measures identified in the MMRP, and the rationales for the findings.

Section III F, Cumulative Impacts, presents the summary of cumulative impacts of the Proposed Project.

Section IV, Alternatives to the Proposed Project, presents alternatives to the project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

Section V, Additional CEQA Considerations, presents additional CEQA considerations, including significant irreversible changes due to the Proposed Project and growth-inducing impacts of the Proposed Project.

Section VI, Findings on Responses to Comments on the Draft EIR and Revisions to the Final EIR, presents the City's findings on the response to comments and revisions to Final EIR, and decision on whether a recirculated Draft EIR is necessary or not.

Section VII, Statement of Overriding Considerations, presents a description of the Proposed Project's significant and unavoidable adverse impacts and the justification for adopting a statement of overriding consideration.

Section VIII, Mitigation Monitoring Reporting Program, presents the Mitigation Monitoring and Reporting Program.

Section IX, Certification, identifies the requirements for certification of the EIR.

Attachment I, Index, provides an index of each threshold question and their location within this Findings document.

B. FINDINGS REGARDING NO ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

Issues Deemed No Impact

Pursuant to CEQA Guidelines Section 15060(d) and 15063 that allow a lead agency to begin work directly on the EIR process, an NOP was issued with an Initial Study.

Findings on "No Impact"

Based on the environmental assessments in the Final EIR, the City determined that the Proposed Project would have no impact, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that no significant impact would occur in each of the issue areas is based on the environmental evaluation in the listed topical EIR sections in

Sections 4.1 through 4.17 of the Draft EIR, which include Environmental Setting, Environmental Impacts, Cumulative Impacts, and Mitigation Measures.

The EIR concluded that some of the impacts of the Proposed Project would result in no impacts as detailed in Chapter 4 of the Draft EIR. Those issues include the following topical areas in their entirety or portions thereof: Agriculture and Forestry Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, and Wildfire. These no impact determinations are discussed below. See Attachment I (Index) at the end of this document for the threshold impact and the location of the discussion.

CEQA Guidelines Section 15901 mandates that an EIR may not be certified for a project which has one or more significant environmental effects unless one of three possible findings is made for each significance effect. Since the following environmental issue areas were determined to have no impact, the findings for these issues are not required but are provided informationally.

1. Agriculture and Forestry Resources

Impact 4.2 b: The GPU would not conflict with existing zoning for agricultural use or a Williamson Act contract.

According to the California Department of Conservation California Williamson Act Enrollment Finder, there is no land within the City that is designated under the Williamson Act. Zoning for agricultural use does not occur within the project boundaries. Therefore, there would be no impact.

Finding. The Proposed Project would have no direct or indirect impacts relating to conflict with existing zoning for agricultural use or a Williamson Act contract. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 4.2-6)

Impact 4.2 c&d: The GPU would not conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production, or result in the loss of forest land or conversion of forest land to nonforest use.

The City of Indian Wells does not have land designated as forest land, timberland, or timberland zoned Timberland Production within the City boundaries. Additionally, these activities do not occur within the City. Therefore, implementation of the proposed project would not conflict with zoning or rezoning of forest land, timberland, or timberland zoned Timberland Production, or result in the loss of forest land or conversion of forest land to non-forest use. Impacts are not expected.

Finding. The Proposed Project would have no direct or indirect impacts to lands zoned for forestland, timberland, or timberland zoned Timberland Production. Additionally, the Proposed Project would not result in the loss of forestland or conversion to nonforest use. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 4.2-6)

2. Geology and Soils

Impact 4.7 a(i): The GPU would not result in adverse effects involving the rupture of a known fault.

Due to the City's distance from faults, rupture in the City is not anticipated to occur. The closest fault, the San Andres Fault, is approximately 5 miles northeast of the City boundaries. Therefore, no impact is expected.

Finding. The Proposed Project would have no direct or indirect impacts relating to rupture of a known fault. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 4.7-22)

Impact 4.7 e: The GPU would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

Any new development within the City would not be serviced by septic tanks or alternative wastewater disposal systems. Therefore, there would be no impact.

Finding. The Proposed Project would not have direct or indirect impacts relating to soils for septic tanks or alternative wastewater disposal systems. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 4.7-39)

3. Hazards and Hazardous Materials

Impact 4.9 e: The GPU is not located within an airport land use compatibility plan area and would not result in a safety hazard or excessive noise associated with airports.

The City of Indian Wells is located approximately 2 miles southwest of the closest airport, the Bermuda Dunes Airport. The City is not located within the Bermuda Dunes Land Use Compatibility Plan. Due to the Planning Area's distance from the closest airport, the GPU would not result in a safety hazard or excessive noise for people residing or working in the City associated with an Airport Land Use Compatibility Plan. No impacts are expected.

Finding. The Proposed Project would have no direct or indirect impacts relating to safety hazards or excessive noise related to airports. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 4.9-29)

Impact 4.9 f: The GPU would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The City's adopted Local Hazard Mitigation Plan addresses the planned response to extraordinary emergency situations associated with natural or human caused disasters. The Local Hazard Mitigation Plan is continually updated, with its latest update adopted in January 2023. The main evacuation routes in the City include Highway 111, Washington Street, Fred Waring Drive, and Cook Street.

The Community Safety Element of the proposed GPU identifies safety hazards relevant to the City of Indian Wells, and emergency preparedness in the City. Adoption of the GPU would allow a variety of new developments, including residential, commercial, resort, and public projects. Road and infrastructure improvements would occur to accommodate new growth. Given that the type, location, and size of future development and infrastructure projects are not known at this time, there is the potential that the City could receive a development proposal that could potentially interfere with an established emergency evacuation route or plan. Therefore, future development proposed within the GPU area would be required to be reviewed and approved by the fire and police departments prior to issuance of building permits to ensure appropriate access. The City's and future project's coordination with fire and police departments would ensure that future projects would not interfere with emergency response or evacuation plans.

Finding. The Proposed Project would have no direct or indirect impacts relating to the interference with an adopted emergency response plan or emergency evacuation plan. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 4.9-29)

4. Land Use and Planning

Impact 4.11 a: The GPU would not divide an established community.

The proposed GPU establishes the City's vision for future growth and development. The land uses allowed under the proposed GPU provide opportunities for cohesive new growth at vacant in-fill locations within existing urbanized areas of the City, as well as new growth adjacent to existing urbanized areas, but would not create physical division within the community. New development and redevelopment projects would be designed to complement the character of the existing community and neighborhoods and provide connectivity between existing development and new development. The proposed General Plan Land Use Map designates sites for a range of urban and rural developed uses as well as open space. The proposed GPU does not include any new areas designated for urbanization or new roadways, infrastructure, or other features that would divide existing communities. The proposed GPU would not result in impacts associated with the physical division of an established community.

Finding. The Proposed Project would have no direct or indirect impacts relating to physical division of an established community. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pp. 4.11-16 - 4.11-17)

5. Mineral Resources

Impact MR a&b: Implementation of the GPU would not result in the loss of or availability of a known mineral resource.

The northeastern portion of the City is in zone MRZ-3. This zone is an area which contains mineral deposits, but their significance cannot be determined based on available data. The remaining areas of the City are within zone MRZ-1. This zone is an area where adequate information indicates that there are no significant mineral deposits present or where it is judged that there is little likelihood of their presence. No impacts are expected related to the loss of availability of known mineral resources.

Mineral resources that are known to exist in the Coachella Valley region primarily consist of sand and gravel (aggregate) typically deposited along and near local drainages. Aggregate material is deemed necessary to the local building industry as a component of asphalt, concrete, road base, stucco and plaster. Local or regional construction industries tend to be dependent on readily available aggregate deposits within reasonable distance to the market region. The City is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, or the resource maps prepared pursuant to SMARA. No impacts are expected as a result of GPU implementation.

Finding. The Proposed Project would have no direct or indirect impacts relating to the known availability of a mineral resource and to the availability of locally-important mineral resource recovery site. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 6-5)

6. Noise

Impact 4.12 c: The GPU would not result in excessive noise levels due to proximity to an airport or private airstrip.

The closest airport to the project site is the Bermuda Dunes Airport, located approximately 2 miles northeast of the City of Indian Wells. The City is located outside of the 65, 60, and 55 CNEL noise contours associated with the airport facility. Furthermore, the City is not located within the Bermuda Dunes Airport Land Use Plan planning area. Therefore, no noise impacts associated with airports are expected.

Finding. The Proposed Project would have no direct or indirect impacts relating to airport-related noise. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pg. 4.12-42)

7. Wildfire

Impact WF a-d: The GPU would not substantially impair an adopted emergency response plan or emergency evacuation plan; exacerbate wildfire risks; require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing environmental impacts; or

expose people or structure to significant risks as a result of post-fire slope instability or drainage change.

The City of Indian Wells is situated along the foothills of the Santa Rosa Mountains. Wildfire risk is related to a number of parameters, including fuel loading (vegetation), fire weather (winds, temperature, humidity levels, and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazards by intensifying the effects of wind to make fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. Although the developed areas within Indian Wells lie adjacent to the slopes of the Santa Rosa Mountains, the combination of the desert environment and the lack of vegetation along the slopes are not conducive to generate and fuel wildfires.

CAL FIRE conducts fire hazard severity mapping, including mapping areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones (FHSZ), define the application of various mitigation strategies and influence how buildings are constructed and how property is protected within State Responsibility Areas (SRAs) to reduce risk associated with wildland fires. In addition, CAL FIRE must recommend Very High Fire Hazard Severity Zones (VHFHSZ) identified within any Local Responsibility Area (LRA). According to the California Fire Hazard Severity Zone Viewer, there are no FHSZ zones located within the GPU Planning Area and no threat of wildland fire. Likewise, there are no VHFHSZ zones within the Planning Area.

Federal Responsibility Areas (FRAs) are lands administered or controlled by the Federal Government for which federal agencies have administrative and protection responsibility. There are five FRAs within the mountainous areas that serve as the backdrop for Indian Wells. However, the areas adjacent to the established FRAs are designated for open space uses. Development is not proposed in areas adjacent to the mountainous areas of the City. Therefore, buildout of the City per the GPU is not expected to expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Moreover, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires because the site and surrounding areas do not have dense vegetation or steep slopes, conducive for the spread of wildfires.

Buildout of the City per the GPU will provide development of infrastructure (water, sewer, and storm drainage). Development within the City will be required to comply with building standards and guidelines to reduce potential impacts of fires, resulting in decreased fire risk. The GPU would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Highway 111, Fred Waring Drive, Washington Street, and Cook Street provide regional access to the City. Emergency access is provided throughout the City. The City of Indian Wells has its own fire station, at 44900 Eldorado Drive, and police station at 44850 Eldorado Drive. The General Plan Update would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan because it will provide emergency fire access to the various communities throughout the City and will not alter the City's existing street system. Emergency access would be compliant with the standards of the Fire Department to ensure proper vehicular access for emergency vehicles to the developed and undeveloped areas. As a result, the General Plan Update is not expected to require the installation or maintenance of associated

infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

Due to the character of the urbanized areas of the City, fires would primarily be associated with structures, trash/debris, and vehicle fires. Structure fires, including homes, commercial buildings, and other facilities are of the greatest concern due to the potential for loss of life as well as property. Generally, the risk of injury and damage is greater for higher occupancy structures such as condominiums, apartment buildings, and hotels. In addition, higher density areas are of increased concern due to the larger number of people residing within a concentrated area and the potential for fires to spread from one structure to another. However, Indian Wells is community with a relatively low population density and generally good emergency access. As stated above, wildfires are not expected to occur within the City due to the lack of fuel surrounding the City. Therefore, the project would not 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 as a result of a wildfire. No impacts are anticipated.

Buildout of the GPU is not anticipated to be impacted by wildfires.

Finding. The Proposed Project would have no direct or indirect impacts relating to wildfire risk. Accordingly, no changes or alterations to the Proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Draft EIR pp. 6-6 - 6-7.)

C. FINDINGS REGARDING LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CONTINUE TO BE LESS THAN SIGNIFICANT

Findings on “Less Than Significant Impacts”

Based on the environmental assessments in the Final EIR, the City determined that the Proposed Project would have less than significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that less than significant impact would occur in each of the issue areas is based on the environmental evaluation in the listed topical EIR Sections 4.1 through 4.17 of the Draft EIR, which include Environmental Setting, Project Impacts, Cumulative Impacts, and Mitigation Measures.

The EIR concluded that all or some of the impacts of the Proposed Project with respect to the following issues will continue to be less than significant with the implementation of existing State and local regulatory requirements, and GPU proposed policies and actions as detailed in Sections 4.1 through 4.17 of the Draft EIR. Those issues include the following topical areas in their entirety or portions thereof: Aesthetics, Air Quality, Biological Resources, Energy Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, and Utilities and Service Systems. See Attachment I (Index) at the end of this document for the threshold impact and the location of the discussion.

CEQA Guidelines Section 15901 mandates that an EIR may not be certified for a project which has one or more significant environmental effects unless one of three possible findings is made for each

significance effect. Since the following environmental issue areas were determined to have a less than significant impact, the findings for these issues are not required but are provide informationally.

1. Aesthetics

Impact 4.1 b: The GPU will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

No officially designated or eligible State scenic highway is located within the City of Indian Wells. The closest State scenic highway is located approximately 1.36 miles west of the City, at State Route 74. Due to the City's distance from the State Route 74, buildout of the GPU would not damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway. State scenic highway impacts associated with GPU implementation would be less than significant.

Although the Proposed Project does not propose a particular development, future development would occur in vacant and infill parcels of land. Some of these parcels occur along public roads, including Highway 111 and Miles Avenue. Development along these rights-of-way could obstruct scenic resources, which include the surrounding mountains (see Impact 4.1 a discussion, in Section D, below). However, GPU policies listed below would establish and maintain greenbelts and open space amenities that are viewed by people who travel through and within the City and maintain scenic views from public rights-of-way. Therefore, impacts would remain less than significant.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

RM-2.3 Open Space Character. Establish and maintain greenbelts and open space amenities which enhance the open space character of the City and serve the needs of residents.

RM-2.4 Tourism Support. Support resort tourism by preserving, restoring, creating, and maintaining public open space, scenic views from public rights-of-way, and low impact recreational opportunities.

Finding

The policies listed above continue to support the less than significant findings related to the Proposed GPU's impact on scenic resources. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to scenic resources within a state scenic highway. GPU policies and actions will serve as improvement measures. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.1-8)

Rationale for Finding

Due to the City's distance from the State Route 74, buildout of the GPU would not damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway. By establishing and maintaining greenbelts and open space amenities that are viewed

by people who travel through and within the City and maintaining scenic views from public rights-of-way as required in Policies RM-2.3 and RM-2.4 would ensure that impacts to scenic resources would continue to be less than significant.

Impact 4.1-c: The GPU will not degrade the existing visual character or quality of public views or conflict with applicable zoning and other regulations governing scenic quality.

CEQA Guidelines Section 15387 defines an urbanized area as a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. Buildout of the GPU would result in 5,405 residents and consist of 14.3 square miles, resulting in a buildout density of 378 residents per square mile.

The visual character and scenic quality within the City of Indian Wells is defined by the mountainous topography, including the Santa Rosa Mountains, that distinguishes the City's southern boundary, the natural desert context, and the manmade and built environment, including landscaping and gated residential communities. Much of the visual character of Indian Wells is shaped by its open space resources including parks, trails, golf courses, and natural preserves.

Though the GPU Planning Area is not considered "urbanized" under the CEQA definition, the scenic quality that currently exists in the City is primarily comprised of residential communities, commercial plazas, resort buildings, golf clubs, and the Santa Rosa Mountains. Scenic quality is established and maintained within the City with the implementation of the Indian Wells Municipal Code, Title 21, Zoning Code. The Zoning Code provides development standards for the various zones within the City (Chapter 21.20 through 21.48). The standards provide guidelines for building heights, setbacks, lot sizes, allowed structures, etc., which ensures visual consistency between projects throughout the City.

Policies listed below, as proposed in the GPU, would be subject to comply with these guidelines, as well as the applicable regulations set forth in the Indian Wells Municipal Code. Buildout of the GPU would, therefore, not substantially degrade the existing visual character or quality of public views of the City. Additionally, review and approval by the City of Indian Wells would ensure future development is consistent with the existing developments in the City and that the City continues its image as an international resort destination.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

CD-2.1 Design Features. Enhance the City's identity with attractive high-quality gateways, city entry signs and design features, cohesive street signs, and other design features at public gathering spaces and other areas, that contribute to the quality of life and enhance the premiere residential-resort community character of Indian Wells.

- CD-2.2 Standards and Guidelines.** Develop and enforce development standards and objective design guidelines that provide clear direction for achieving quality community design in new development and redevelopment projects.
- CD-2.4 Site Planning.** Identify and preserve, as feasible, the significant features of a site, such as viewsheds, heritage trees, and rock outcroppings, during the design and development of new projects.
- CD-2.7 Streetscapes.** Promote drought tolerant landscaping, tree planting, and tree preservation along City streets as a means of improving aesthetics, making neighborhoods more pedestrian-friendly, and providing environmental and economic benefits.
- CD-2.8 Arts in Public Places.** Continue to implement the Arts in Public Places program to provide a diverse and culturally rich environment for Indian Wells residents and visitors.
- RM-2.1 Open Space Preservation.** Designate and preserve the City's open space and scenic resources including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.
- RM-2.2 Scenic Vista Preservation.** Locate and site development to preserve public and private views of hillside areas, the Santa Rosa Mountains, and other scenic vistas of the San Jacinto and San Geronio Mountain Ranges.
- RM-2.3 Open Space Character.** Establish and maintain greenbelts and open space amenities which enhance the open space character of the City and serve the needs of residents.

Actions

- CD-2a** Continue the Art in Public Places program, including the identification of funding sources and potential sites for public art display. The program may include, but is not limited to, City entry monumentation, streetscape treatments (including street signs), and other public area improvements.
- CD-2b** Prepare and adopt objective design standards for multifamily and mixed-use projects and require all development in the City to comply with approved design standards, including but not limited to, architecture, landscaping, site design, and other development related regulations intended to enhance and promote the image of Indian Wells.
- CD-2c** Continue to preserve the community characteristics of scale, good site design, and sensitivity to neighboring sites in single-family residential districts by requiring approval by the City's Design Review Committee for new homes, additions, and exterior remodeling.

RM-2a Enforce the Hillside Management Ordinance to ensure the environmental integrity of the hillsides.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to the existing visual character of the City or the conflict of applicable zoning and other regulations governing scenic quality. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to visual character and scenic quality. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pp. 4.1-8 – 4.1-10.)

Rationale for Finding

Goal CD-2 in the Community Development Element of the GPU pursues a visually attractive community that helps create a unique sense of place in the Coachella Valley and reinforces the image of Indian Wells as a prestigious community and international resort destination. This is achieved through Policy CD-2.1 which requires design features of entry signs, street signs, and other public gathering spaces be established to enhance the City's identity; Policy CD-2.2, which enforces the implementation of development standards and design guidelines to provide a clear aesthetic direction; Policy CD-2.4, which requires future project to consider and preserve significant features (i.e., viewsheds, trees, rock outcroppings) during design; Policy CD-2.7, which promotes aesthetically-pleasing streetscapes via landscaping; and Policy CD-2.8, which implements the Arts in Public Places program. The listed policies are further implemented by Action 2a, 2b, and 2c. The implementation of the policies and actions listed above would ensure that future development includes aesthetically pleasing design, site plans, street frontages, and signage. The policies also emphasize the preservation of open space, scenic resources, and scenic vistas within the City (Policy RM-2.1 and RM-2.2) and maintain the open space character (Policy RM-2.3). This is achieved by Action RM-2a, which enforces the Hillside Management Ordinance to ensure the environmental integrity of the hillsides, and the implementation of the Zoning Code development standards. Therefore, the GPU would continue to support less than significant impacts to the existing visual character or quality of public views of the City.

2. Air Quality

Impact 4.3 a: The GPU would not conflict with or obstruct implementation of an applicable air quality plan.

Under CEQA, a significant air quality impact could occur if the Proposed Project is not consistent with the applicable AQMP or would obstruct the implementation of the policies or hinder reaching the goals of that plan. The Proposed Project site is located within the SSAB and will be subject to SCAQMD's 2022 Air Quality Management Plan (2022 AQMP), adopted December 22, 2022 to continue serving as a regional blueprint for achieving the federal air quality standards. The 2022 AQMP includes the most current strategies to meet the air quality standards and ensure that public health is protected to the maximum extent feasible. It also includes a comprehensive analysis of emissions,

meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures is updated with the latest data and methods.

Moreover, the GPU is subject to the regulations and measures originating from the 2003 Coachella Valley PM10 State Implementation Plan (CVSIP), which is designed to address the region's serious nonattainment area for PM10 (particulate matter with an aerodynamic diameter of 10 microns or less).

Overall, buildout of the Proposed GPU would result in 5,455 single family units and 816 multifamily units, for a City total of 6,271 residential units (consistent with the current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the current General Plan); and 6,310 jobs (93 more jobs than the current General Plan).

The 2022 AQMP is a comprehensive plan that establishes control strategies and guidance on regional emission reductions for air pollutants base, in part, on the land use plans of the jurisdictions in the region. The GPU has been developed consistently with the various population and employment projections embedded within the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which was factored into the 2022 AQMP. It is therefore expected that the Proposed Project will result in emissions consistent with those factored in the 2022 AQMP. Moreover, the changes to the General Plan land use map associated with the Proposed Project would not exceed the SCAQMD's criteria pollutant thresholds (see Impact 4.3.b discussion, below).

The Proposed Project would be implemented in accordance with all applicable air quality management plans to ensure any impacts to air quality continue to be mitigated. Actions include, but are not limited to, the preparation and enforcement of any required dust control management plan in compliance with the CVSIP, South Coast Air Quality Management District (SCAQMD) Rule 403 and 403.1, and Chapter 7.01 (Control of PM10, Fugitive Dust and Other Emissions) of the Indian Wells Municipal Code. Compliance with the dust control standards will prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-9.1 Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.
- RM-9.2 Zero-Emission and Low-Emission Vehicle Use.** Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.

RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.

RM-9.4 Regional Air Quality. Participate in air quality improvement efforts in the Riverside County area, including those organized through SCAQMD, Imperial County Air Pollution Control District (ICAPCD), the Coachella Valley Association of Governments (CVAG), and the California Air Resource Board (CARB).

Actions

RM-9a Consider giving preference to contractors and service providers who use reduced emission equipment for City construction projects and service contracts.

RM-9b Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.

RM-9c As applicable, review development projects during the CEQA process for potential air quality impacts to residences and other sensitive receptors. Ensure that mitigation measures and best management practices (BMPs) are implemented to reduce significant emissions of criteria pollutants.

RM-9d Review development, infrastructure, and planning projects for consistency with SCAQMD and ICAPCD requirements during the CEQA review process. Require project applicants to prepare air quality analyses to address SCAQMD, ICAPCD, and General Plan requirements, as appropriate, which include analysis and identification of:

1. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
2. Potential exposure of sensitive receptors to toxic air contaminants.
3. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
4. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.

RM-9e Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD construction emission thresholds. Where construction emissions from individual projects exceed SCAQMD and ICAPCD thresholds, the following actions should be incorporated as necessary to minimize impacts. These measures do not exclude the use of other, equally effective mitigation measures as determined by a project specific Air Quality Assessment.

- Require all off-road diesel equipment greater than 50 horsepower (hp) to meet U.S. EPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board Certified Level 3 Diesel Particulate Filter (DPF) or equivalent. The DPF reduces diesel particulate matter and NOx emissions during construction activities.
- Require a minimum of 50 percent of construction debris be diverted for recycling.
- Require building materials to contain a minimum 10 percent recycled content.
- Require materials such as paints, primers, sealants, coatings, and glues to have a low volatile organic compound concentration compared to conventional products. If low VOC materials are not available, architectural coating phasing should be extended sufficiently to reduce the daily emissions of VOCs.

RM-9f Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD operational emission thresholds. For projects where operational emissions exceed regulatory thresholds, the following measures may be used to reduce impacts. Note the following measures are not all inclusive and developers have the option to add or substitute measures that are equally or more appropriate for the scope of the project.

- Provide onsite solar/renewable energy in excess of regulatory requirements.
- Require that owners/tenants of non-residential or multi-family residential developments use architectural coatings that are 10 grams per liter or less when repainting/repairing properties.
- Require dripless irrigation and irrigation sensor units that prevent watering during rainstorms.

RM-9g Consider creating dust control measures and coordinating with the Salton Sea Air Basin in implementing strategies proposed in the Air Quality Management Plan to improve regional air quality.

RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.

RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.

RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.

Finding

The policies and actions listed above continue to support the less than significant findings that the GPU would not conflict with the implementation of an applicable air quality plan. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to an applicable air quality plan. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pp. 4.3-17 – 4.3-21)

Rationale for Finding

The GPU establishes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. These policies include the efforts to provide energy efficient alternatives to fossil fuel use to improve air quality (Policy RM-9.1); encourage zero-emission vehicles, low emission vehicles, and car-sharing programs to improve air quality (Policy RM-9.2); protect residential areas and sensitive receptors from areas that produce air quality pollution (Policy RM-9.3); and participate in regional air quality improvement efforts (Policy RM-9.4). The policies are supported by GPU Actions RM-9a through RM-9k, which require future projects to analyze air quality impacts, demonstrate consistency with air quality plans, and implement dust control measures.

Moreover, air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan. The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated emissions reductions (Policy CD-1.1 and CD-1.8). These policies and actions help ensure consistency with the 2022 AQMP. While the Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated mobile emissions and support the regional air quality efforts. The relevant policies are M-1.1 (Development-Related Traffic Impacts), M-1.2 (LOS Standards), M-1.3 (Traffic Distribution), M-1.4 (Efficient Circulation), M-1.5 (Transportation Management System), M-1.6 (Intersection Configurations), M-1.7 (Minimize Environmental Impacts), M-1.8 (Local and Regional Collaboration), M-1.9 (Safe Routes to School), M-1.10 (Residential Streets Traffic Calming), M-1.11 (ADA Accessibility), M-1.12 (Truck Routes), M-2.1 (Multi-Modal Streets), M-2.2 (Alternative Modes), M-2.3 (Connectivity), M-2.4 (New Development), M-2.5 (Citywide Bicycle Network), M-2.6 (Bicyclist and Pedestrian Safety), M-2.7 (CV Link Users), M-2.8 (Bus Stops), M-2.9 (Rail and Air Travel), M-2.10 (The Living Desert). The relevant actions are M-1a through M-1g. These policies and actions also help ensure continued consistency with the 2022 AQMP. Therefore, impacts will continue to support the less than significant impacts.

Impact 4.3 b: The GPU would not result in a cumulatively considerable net increase of any criteria pollutant.

The California Emissions Estimator Model (CalEEMod), version 2022.1, was used to estimate potential air pollutant emissions associated with the Proposed Project. The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of the federal and/or state ambient air quality standards, such as the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). To assist lead agencies in determining the significance of air quality impacts, SCAQMD has established suggested short-term construction-related and long-term operational impact significance thresholds for direct and indirect impacts on air quality.

Construction Emissions

Construction emissions resulting from project implementation account for the demolition, site preparation, grading, building construction, paving, and architectural coating (painting) stages in order to construct the new land uses associated with the General Plan Update. The 'Health Club' land use within CalEEMod was selected as the land use for each of the land uses associated with the proposed project, since it is the best proxy land use available in CalEEMod for the Resort Commercial land use that is proposed for the project parcels. SCAQMD daily thresholds for carbon dioxide (CO), oxides of nitrogen (NO_x), reactive organic gas (ROG), sulfur oxides (SO_x), particulate matter equal to or less than 10 microns in diameter (PM₁₀), and particulate matter equal to or less than 2.5 microns in diameter (PM_{2.5}) will not be exceeded during construction of the proposed project (see Table 4.3-3 in the Draft EIR).

Operational Emissions

Operational emissions are those generated over the life of the Proposed Project (operation of future projects within the City resulting from the implementation of the GPU), including area, energy, and mobile sources. Area sources include consumable products, such as building maintenance and cleaning supplies, kitchen and restroom supplies, pavement off-gassing, and periodic reapplication of architectural coatings. Energy sources include the direct and indirect use of fossil fuels for energy, including natural gas and electricity use in buildings, parking lot lighting, ventilation equipment, and elevators. Mobile emissions are generated by motor vehicle trips consistent with the transportation analysis provided in this document. Operational emissions from buildout conditions will not exceed SCAQMD thresholds for any criteria pollutant, and impacts will be less than significant without the need for mitigation measures (see Table 4.3-4 in the Draft EIR).

As discussed above and determined in Tables 4.3-3 and 4.3-4 of the Draft EIR, the project will not exceed criteria pollutant emissions thresholds as a result of construction and operation of the Proposed Project. The air quality standards and regulatory framework stem from the Clean Air Act, which identified the primary standards to provide public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly. Ambient air quality standards, their attainment, and maintenance were based on criteria to protect public health. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to

animals, crops, vegetation, and buildings. As such, compliance with the established regional and localized thresholds during construction and operation are consistent with the objective of protecting public health and welfare.

The Coachella Valley portion of the SSAB is classified as a “non-attainment” area for PM10 and ozone. Project-related PM10 emissions are calculated to be below established SCAQMD Air Quality Significance Thresholds after implementing the required dust control measures under SCAQMD Rule 403/403.1. Therefore, the Proposed Project will result in incremental, but not cumulatively considerable impact on regional PM10 levels. CO, NOx, and ROG are precursors to ozone, for which the Coachella Valley is in non-attainment. The Proposed Project will not exceed thresholds for these pollutants and will not result in a cumulatively considerable impact on regional ozone levels. It is worth noting that SCAQMD deems that local sources of air pollution generated in the Coachella Valley have a limited impact on ozone levels compared to the transport of ozone precursors generated in the upwind SCAB. Finally, pertaining to cumulatively considerable net increases of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, less than significant impacts are anticipated.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-9.1 Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.
- RM-9.2 Zero-Emission and Low-Emission Vehicle Use.** Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.
- RM-9.3 Sensitive Receptors.** Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.
- RM-9.4 Regional Air Quality.** Participate in air quality improvement efforts in the Riverside County area, including those organized through SCAQMD, ICAPCD, the Coachella Valley Association of Governments (CVAG), and the California Air Resource Board (CARB).

Actions

- RM-9a Consider giving preference to contractors and service providers who use reduced emission equipment for City construction projects and service contracts.**

- RM-9b** Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.
- RM-9c** As applicable, review development projects during the CEQA process for potential air quality impacts to residences and other sensitive receptors. Ensure that mitigation measures and best management practices (BMPs) are implemented to reduce significant emissions of criteria pollutants.
- RM-9d** Review development, infrastructure, and planning projects for consistency with SCAQMD and ICAPCD requirements during the CEQA review process. Require project applicants to prepare air quality analyses to address SCAQMD, ICAPCD, and General Plan requirements, as appropriate, which include analysis and identification of:
1. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
 2. Potential exposure of sensitive receptors to toxic air contaminants.
 3. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
 4. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.
- RM-9e** Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD construction emission thresholds. Where construction emissions from individual projects exceed SCAQMD and ICAPCD thresholds, the following actions should be incorporated as necessary to minimize impacts. These measures do not exclude the use of other, equally effective mitigation measures as determined by a project specific Air Quality Assessment.
- Require all off-road diesel equipment greater than 50 horsepower (hp) to meet U.S. EPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board Certified Level 3 Diesel Particulate Filter (DPF) or equivalent. The DPF reduces diesel particulate matter and NOx emissions during construction activities.
 - Require a minimum of 50 percent of construction debris be diverted for recycling.
 - Require building materials to contain a minimum 10 percent recycled content.

- Require materials such as paints, primers, sealants, coatings, and glues to have a low volatile organic compound concentration compared to conventional products. If low VOC materials are not available, architectural coating phasing should be extended sufficiently to reduce the daily emissions of VOCs.

RM-9f Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD operational emission thresholds. For projects where operational emissions exceed regulatory thresholds, the following measures may be used to reduce impacts. Note the following measures are not all inclusive and developers have the option to add or substitute measures that are equally or more appropriate for the scope of the project.

- Provide onsite solar/renewable energy in excess of regulatory requirements.
- Require that owners/tenants of non-residential or multi-family residential developments use architectural coatings that are 10 grams per liter or less when repainting/repairing properties.
- Require dripless irrigation and irrigation sensor units that prevent watering during rainstorms.

RM-9g Consider creating dust control measures and coordinating with the Salton Sea Air Basin in implementing strategies proposed in the Air Quality Management Plan to improve regional air quality.

RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.

RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.

RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.

Finding

The policies and actions listed above continue to support the less than significant findings that the GPU would not result in a cumulatively considerable net increase of any criteria pollutant. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to a cumulatively considerable net increase of a criteria pollutant. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pp. 4.3-21 – 4.3-27)

Rationale for Finding

As stated above, the Proposed Project will not exceed criteria pollutant emissions thresholds as a result of construction and operation of the Proposed Project. Although the findings were less than significant, the GPU proposes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. These policies include the efforts to provide energy efficient alternatives to fossil fuel use to improve air quality (Policy RM-9.1); encourage zero-emission vehicles, low emission vehicles, and car-sharing programs to improve air quality (Policy RM-9.2); protect residential areas and sensitive receptors from areas that produce air quality pollution (Policy RM-9.3); and participate in regional air quality improvement efforts (Policy RM-9.4). The policies are supported by GPU Actions RM-9a through RM-9k, which require future projects to analyze air quality impacts, demonstrate consistency with air quality plans, and implement dust control measures which would ensure that the Proposed Project does not result in a cumulatively considerable increase in a criteria pollutant.

Moreover, air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan. The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated emissions reductions (Policy CD-1.1 and CD-1.8). These policies and actions help ensure consistency with the 2022 AQMP. While the Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated mobile emissions and support the regional air quality efforts. The relevant policies are M-1.1 (Development-Related Traffic Impacts), M-1.2 (LOS Standards), M-1.3 (Traffic Distribution), M-1.4 (Efficient Circulation), M-1.5 (Transportation Management System), M-1.6 (Intersection Configurations), M-1.7 (Minimize Environmental Impacts), M-1.8 (Local and Regional Collaboration), M-1.9 (Safe Routes to School), M-1.10 (Residential Streets Traffic Calming), M-1.11 (ADA Accessibility), M-1.12 (Truck Routes), M-2.1 (Multi-Modal Streets), M-2.2 (Alternative Modes), M-2.3 (Connectivity), M-2.4 (New Development), M-2.5 (Citywide Bicycle Network), M-2.6 (Bicyclist and Pedestrian Safety), M-2.7 (CV Link Users), M-2.8 (Bus Stops), M-2.9 (Rail and Air Travel), M-2.10 (The Living Desert). The relevant actions are M-1a through M-1g. These policies and actions also help ensure that the Proposed Project does not result in a cumulatively considerable increase in a criteria pollutant. Therefore, impacts will continue to support the less than significant impacts.

Impact 4.3 c: The GPU will not expose sensitive receptors to substantial pollutant concentrations.

A sensitive receptor is a person in the population who is particularly susceptible (i.e., more susceptible than the population at large) to health effects due to exposure to an air contaminant. Sensitive receptors and the facilities that house them are of particular concern if they are located in close proximity to localized sources of carbon monoxide, toxic air contaminants, or odors.

The City of Indian Wells is largely developed with residential and commercial uses. Lands available for development include vacant and infill lots. Construction-related emissions resulting from the vacant

and infill lots are not expected to reach or exceed the SCAQMD regional thresholds of significance and therefore would not expose sensitive receptors to substantial pollutant concentrations at a regional level.

SCAQMD has developed and published the Final Localized Significance Threshold (LST) Methodology to help identify potential impacts that could contribute to or cause localized exceedances of the federal and/or State ambient air quality standards (NAAQS/CAAQS). LST methodology was developed in response to environmental justice and health concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities. The purpose of analyzing LSTs is to determine whether a project may generate significant adverse localized air quality impacts in relation to the nearest exposed sensitive receptors, such as schools, churches, residences, hospitals, day care facilities, and elderly care facilities. LST thresholds represent the maximum emissions from a project that will prevent an exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), project, size, and distance to the sensitive receptor. Therefore, complying with the lowest allowable emissions thresholds translates to meeting the most stringent air quality standards for a project locality.

As part of the LST methodology, SCAQMD has divided its jurisdiction into 37 source receptor areas (SRAs) which can be used to determine whether a project may generate significant adverse localized air quality impacts. The proposed development is located in SRA 30, which covers the Coachella Valley and City of Indian Wells. LSTs only apply to certain criteria pollutants: CO, NOx, PM10, and PM2.5.

Geographic Information Systems (GIS) mapping analysis was used to delineate the future project area of construction within the City from the implementation of the GPU and identify the nearest sensitive receptors using the distance intervals established by the LST methodology, which are 25 meters (82 feet), 50 meters (164 feet), 100 meters (328 feet), 200 meters (656 feet), and 500 meters (1,640 feet). Some of the future project site surroundings include residential uses that are within 25 meters (82 feet) of the project, including at APNs 633-150-077, 633-150-071, 633-310-035 and 633-410-051. As such, the existing sensitive receptors serve as the basis for the LST analysis using the shortest distance interval of 25 meters (82 feet). The shortest distance interval to the nearest sensitive receptor establishes the strictest threshold with the lowest emissions allowances needed to maintain compliance.

The construction activities would not generate emissions in excess of the site-specific LSTs (see Table 4.3-5 in the Draft EIR); therefore, site-specific impacts during construction of the project would be less than significant without the need for mitigation. Because the proposed land uses do not include major stationary polluters (such as a landfill, chemical plant, oil field, refineries etc.), LST analysis was not conducted or required for project operation. Therefore, impacts to sensitive receptors from project construction will be less than significant.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.

Actions

RM-9g Consider creating dust control measures and coordinating with the Salton Sea Air Basin in implementing strategies proposed in the Air Quality Management Plan to improve regional air quality.

RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.

RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.

RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact of exposing sensitive receptors to substantial pollutant concentrations. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to exposing sensitive receptors to substantial pollutant concentrations. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pp. 4.3-27 – 4.3-29)

Rationale for Finding

As stated above, construction and operation of future development within the GPU Planning Area will not expose sensitive receptors to substantial pollutant concentrations. Although the findings were less than significant, the GPU proposes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. Specifically, Policy RM-9.3 protects residential areas and sensitive receptors from areas that produce air quality pollution. Action RM-9g and RM-9i through RM-9k supports Policy RM-9.3 by requiring compliance with dust control regulations and implementation of dust control measures.

Moreover, air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan. The Community Development Element will include policies and actions designed to prohibit certain development types (Policy CD-1.8). While Policy M-1.12 establishes truck routes within the City in the Mobility Element to support the regional air quality efforts. As previously stated, future development within the City would not

expose sensitive receptors to pollutant concentrations, and the policies and actions listed above continue to support the less than significant finding.

Impact 4.3 d: The GPU will not result in other emissions such as those leading to odors.

Development of the remaining vacant and infill lots within the GPU Planning Area is not expected to result in emissions that would exceed the SCAQMD Air Quality Significance Thresholds pertaining to construction or operation. Moreover, the project emissions would not exceed the Localized Significance Thresholds (LST) applicable to the project setting in relation to the existing residences near the project. Future development has the potential to result in short-term odors associated with operation of heavy equipment during grading, excavation, and other construction activities. However, the nature of construction-related odors is that they tend to be temporary and disperse with distance.

Additionally, future development within the GPU Planning Area will not include the types of facilities commonly known to generate odors, such as agricultural activities, feedlots, wastewater treatment plants, sanitary landfills, composting/green waste facilities, recycling facilities, petroleum refineries, chemical manufacturing plants, painting/coating operations, rendering plants, or food packaging facilities. Moreover, such odors would be inconsistent with the ambiance required for successful operation of proposed land uses. As such, the Proposed Project is not expected to result in odor emissions adversely affecting nearby neighbors. Pertaining to other emissions adversely affecting a substantial number of people, less than significant impacts are anticipated.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

RM-9.2 Zero-Emission and Low-Emission Vehicle Use. Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.

RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.

Finding

The policies listed above continue to support the less than significant findings related to the GPU resulting in other emissions (such as those leading to odors). Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to other emissions. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation

of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.3-29)

Rationale for Finding

As stated above, development within the GPU Planning Area will not result in other emissions (such as those leading to odors). Although the findings were less than significant, the GPU proposes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. These policies include the efforts to encourage zero-emission vehicles, low emission vehicles, and car-sharing programs to improve air quality (Policy RM-9.2), and protect residential areas and sensitive receptors from areas that produce air quality pollution (Policy RM-9.3). Moreover, air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Mobility Element of the General Plan, such as Policy M-1.7, which provides methods to minimize environmental impacts. As previously stated, future development within the City would not result in other emissions (such as those leading to odors), and the policies listed above continue to support the less than significant finding.

3. Biological Resources

Impact 4.4 d: The GPU will not 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.

The City does not act as a wildlife movement corridor due to the current built environment as well as the presence of urban/suburban development encompassing much of the City. Any development occurring from the GPU shall comply with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) through the payment of mitigation fees required by new developments. Additionally, if any future development were to occur adjacent to the Santa Rosa and San Jacinto Conservation Area, development would be required to follow the Land Use Adjacency Guidelines outlined in the CVMSHCP (see pg. 4.4-9 of the Draft EIR). These guidelines were developed to reduce impacts to biological resources in the Conservation Area. Both required payment of the mitigation fee and compliance with the CVMSHCP Land Use Adjacency Guidelines, as well as compliance with all applicable federal, State, and regional laws and regulations that relate to migratory wildlife corridors and native wildlife nursery sites would ensure that impacts to these biological resources would not be expected.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Actions

RM-1d Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project

impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys.

RM-1g Prior to the approval of any development proposed in areas of “high ecological sensitivity,” require the applicant to prepare a biological study for the area.

Finding

The actions listed above continue to support the less than significant findings that the GPU would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to migratory wildlife corridors. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.4-21)

Rationale for Finding

As stated above, the GPU Planning Area does not act as a wildlife movement corridor due to the current built environment as well as the presence of urban/suburban development encompassing much of the City. Any development occurring within the GPU Planning Area shall comply with the CVMSHCP through the payment of mitigation fees required by new developments. This is required by Action RM-1d, which also requires narrow endemic surveys, riparian/riverine policy, and other applicable surveys, if required. Additionally, development in the City is required to follow Action RM-1g set forth by the City. Action RM-1g states that prior to the approval of any development proposed in areas of "high ecological sensitivity," the applicant is required to prepare a biological study for the area. The implementation of these actions, along with the compliance with the CVMSHCP, and all applicable federal, State, and regional laws and regulations that relate to migratory wildlife corridors and native wildlife nursery sites would ensure that impacts to these biological resources would continue to be less than significant.

Impact 4.4 e: The GPU will not conflict with any local policies or ordinances protecting biological resources.

The City lies within the boundary of the CVMSHCP which outlines policies for conservation habitats and natural communities and is implemented by the City of Indian Wells. There are no other unique local policies or ordinances protecting biological resources that would cause a conflict. Any development occurring from the GPU shall comply with the CVMSHCP through the payment of mitigation fees required by new developments within the City. If any future development were to occur adjacent to the Santa Rosa and San Jacinto Conservation Area, development would be required to follow the Land Use Adjacency Guidelines outlined in the CVMSHCP (see Impact 4.4 d, above, and page 4.4-9 of the Draft EIR).

The following GPU action was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project.

Actions

RM-1d Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys.

Finding

The action listed above continues to support the less than significant findings that the GPU would not conflict with any local policies or ordinances protecting biological resources. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to local policies or ordinances protecting biological resources. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.4-22)

Rationale for Finding

The CVMSHCP is a document that acts to protect biological resources within the Coachella Valley. The CVMSHCP outlines policies for conservation habitats and natural communities and is implemented by the City of Indian Wells. Although the GPU is required to comply with the CVMSHCP, the GPU proposes Action RM-1d, which requires that any development occurring from the GPU comply with the CVMSHCP through the payment of mitigation fees and completion of biological surveys, if required, by new developments within the City. Therefore, the proposed GPU action continues to support the less than significant finding.

Impact 4.4 f: The GPU will not conflict with the provisions of an adopted Habitat Conservation Plan, or other local, regional, or state habitat conservation plan.

The City of Indian Wells is a participant of the CVMSHCP. The Plan outlines policies for conservation habitats and natural communities and is implemented by the City of Indian Wells. The southern portion of the City is included in the Santa Rosa and San Jacinto Mountains Conservation Area; however, no development is proposed in the Conservation Area. If any future development were to occur adjacent to the Santa Rosa and San Jacinto Conservation Area, development would be required to follow the Land Use Adjacency Guidelines outlined in the CVMSHCP (see page 4.4-9 of the Draft EIR), which include regulations to minimize edge effects from drainage, toxics, lighting, noise, and invasive species. These guidelines were developed to reduce impacts to biological resources in the Conservation Area to less than significant levels. Future development in the City would comply with the CVMSHCP and all applicable City policies and actions set forth in the GPU; therefore, impacts associated with the implementation of the GPU would be less than significant.

The following GPU action was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project.

Actions

RM-1d Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys.

Finding

The action listed above continues to support the less than significant findings that the GPU would not conflict with the provisions of an adopted Habitat Conservation Plan, or other local, regional, or state habitat conservation plan. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to conservation plans. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.4-22)

Rationale for Finding

The CVMSHCP is a document that acts to protect biological resources within the Coachella Valley. The CVMSHCP outlines policies for conservation habitats and natural communities and is implemented by the City of Indian Wells. Although the GPU is required to comply with the CVMSHCP, the GPU proposes Action RM-1d, which requires that any development occurring from the GPU comply with the CVMSHCP through the payment of mitigation fees or biological surveys (if necessary) required by new developments within the City. Therefore, the proposed GPU action continues to support the less than significant finding.

4. Energy Resources

Impact 4.6 a: The GPU will not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation.

Existing and future developments within the GPU Planning Area will use energy resources, primarily in the form of electricity, natural gas, and mobility-related petroleum. Electricity is provided to the City by Southern California Edison (SCE) and Imperial Irrigation District (IID), while natural gas is provided to the City by Southern California Gas Company (The Gas Company or SoCalGas). SCE/IID and SoCalGas would continue to serve the City of Indian Wells.

Buildout of the GPU includes residential, commercial, and resort uses. The amount of energy used in the Planning Area at buildout would directly correlate to the type and size of development, the energy consumption associated with unit appliances, outdoor lighting, and energy use associated with other buildings and activities. Other major sources of Planning Area energy consumption include fuel used

by vehicle trips generated during construction and operational activities, and fuel used by off-road construction vehicles during construction. GPU energy consumption was analyzed in the Draft EIR using the modelling software: CalEEMod V2022.1 and the California Air Resource Board's EMFAC2017.

The City of Indian Wells is largely developed with residential, resort, and commercial uses. Buildout of the City would include the development of vacant and infill lots north of Highway 111 and north and south (and east and west in some areas) of Miles Avenue. Redevelopment could also occur throughout the City. Buildout of the Proposed GPU would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan).

Transportation Energy

Petroleum would be consumed throughout construction of the GPU. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction, while VMT associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty equipment used for construction would rely on diesel fuel, as would haul trucks involved in off-hauling materials from demolition or excavation. Construction workers would travel to and from the City throughout the duration of construction. It is assumed that construction workers would travel to and from the City in gasoline-powered passenger vehicles. There are no unusual land use characteristics or construction processes that would require the use of equipment that would be more energy intensive which is used for comparable activities or use of equipment that would not conform to current emissions standards (and related fuel efficiencies).

It was determined that the estimated demand of gasoline for construction worker trips for the various construction phases would result in 38,148.3 gallons¹; the demand of diesel fuel for construction vendor trips (i.e., trips are associated with the delivery of construction materials during the construction phase) would consume 56,620.8 gallons of diesel fuel during construction; the demand for diesel fuel for construction hauling trips to and from the site (i.e., the lots associated with APNs 633-150-077, 633-150-071, 633-310-035 and 633-410-051) during demolition of portions of the site would consume 916.5 gallons of diesel fuel²; and the demand of diesel fuel for construction vehicles on-site during the various construction phases would consume 119,917.6 gallons of diesel fuel.

In total, development within the GPU Planning Area is estimated to consume approximately 38,148.3 gallons of gasoline and 177,454.9 gallons of diesel fuel during project construction. In total, buildout of these lots would consume a total of 215,603.2 gallons of petroleum. In the event construction activities are extended over a longer period of time, it is possible that more gasoline would be used for workers traveling to and from the site, but any such increase would be relatively minor, and would not change any of the impact determinations stated in this section. Petroleum use is also necessary to operate construction equipment. The US EPA implements a Tier 4 program in order to reduce the

¹ The number of worker trips was automatically estimated within CalEEMod, based on the lot acreages associated with these APNs, and other project characteristics.

² The demolition phase was assumed to include demolition of an estimated total of 25,000 total square feet of existing building area, based on an analysis of the total existing building area located within these APNs.

impacts of motor vehicles emissions on air quality and public health. These vehicle emissions standards reduce both tailpipe and evaporative emissions from passenger cars, light-duty trucks, medium duty passenger vehicles, and some heavy-duty vehicles. Future projects will be required to operate off-road diesel construction equipment rated at 50 horsepower (hp) or greater in compliance with EPA/CARB Tier 4 off-road emissions standards or equivalent, during all construction activities. The use of Tier 4 engines or higher during construction would assist in reducing construction-related emissions within the Planning Area. The GPU will not conflict or obstruct the EPA/CARB Tier 4 emissions standards. Additionally, energy used during construction of the project would be limited to the construction period and would not involve long-term petroleum use. As such, energy consumption during construction activities would not be considered excessive, inefficient or unnecessary.

Operation of the GPU would generate vehicle trips during its operational phase. The consumption and use of petroleum-based fuels related to vehicular travel is anticipated during operation of the GPU. Operation of the GPU would add approximately 579,783 vehicle miles traveled daily (consistent with the Project-specific Transportation Analysis, Appendix F in Draft EIR). It was calculated that on-road vehicle energy usage in the Planning Area at buildout would be approximately 1,126,231.7 gallons of gasoline per year, and 79,744.6 gallons of diesel per year, for a total of 1,205,976.3 gallons of petroleum per year (see Table 4.6-5 in the Draft EIR).

Over the lifetime of GPU buildout and operation, the fuel efficiency of vehicles in use is expected to increase as older vehicles are replaced with newer, more efficient models. Thus, the amount of petroleum consumed because of vehicle trips during operation would decrease over time. There are numerous regulations in place that require and/or encourage increased fuel efficiency. For example, CARB has adopted a new approach to passenger vehicles by combining the control for smog-causing pollutants and GHG emissions into a single coordinated package of standards. The approach also includes efforts to support and accelerate the number of plug-in hybrids and zero-emissions vehicles in California. As such, operation of the GPU is expected to use decreasing amounts of petroleum over time due to advances in fuel economy. Therefore, impacts are less than significant.

Electricity and Natural Gas

During grading and construction, the GPU's electricity demand will be limited. Energy used to pump water, power security and other lighting, and for incidental purposes, will result in electricity consumption during grading and construction. The electricity demand at any given time would vary throughout the construction period based on construction activities being performed. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. Once construction activities are complete, electricity demand will transition to operational power demand. Natural gas will not likely be used during construction of the GPU. Fuels used for construction would primarily consist of petroleum distillates, including diesel and gasoline fuels, as discussed above.

No adverse effects to nonrenewable energy resources are anticipated with the operation of the Proposed GPU. As determined in the Draft EIR, the GPU's new energy demand would be approximately 3,157,794 kiloWatt hour (kWh) of electricity per year, 14,173,607 thousand British thermal units, and (kBtu) of natural gas per year (see Table 4.6-7 in the Draft EIR).

While the GPU would result in a long-term increase in demand for electricity, the developments within the Planning Area would be required to comply with Title 24 and CALGreen requirements related to energy efficiency. Further, submittal, review, and approval of future project plans through the City, SCE and IID would ensure future electricity demand would be manageable. While the GPU would result in a long-term increase in demand for electricity, future projects would be required to comply with Title 24 and CALGreen requirements related to energy efficiency. Impacts would be less than significant.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-10.1 Green Building Standards Code.** Ensure that new construction and major redevelopment complies with the most current version of the California Green Building Standards Code.
- RM-10.2 Energy Conservation.** Promote energy conservation by residents and businesses in existing structures, in close coordination with other agencies and local energy providers, including Southern California Edison and Southern California Gas Company.
- RM-10.3 Energy Efficient Design.** Encourage energy efficient design including site planning techniques, building orientation, and building methods that reduce energy use, conserve non-renewable energy and materials, and promote water efficient landscaping to support energy conservation.
- RM-10.4 Conditions of Approval.** Require all new development projects obtaining discretionary action by the City to comply with energy related conditions of approval.
- RM-10.5 Retrofitting.** Encourage energy-efficient retrofitting of existing buildings, including homes, throughout the City.
- RM-10.6 Public Education.** Improve public dissemination of information for possible energy conservation solutions.
- RM-10.7 Renewable Energy.** Encourage the use of renewable energy and non-traditional energy sources such as wind, hydrologic, and solar to reduce dependence on traditional energy sources.
- RM-10.8 Solar Design.** Encourage the use of active or passive solar design whenever feasible.
- RM-10.9 Solar Access.** Continue to protect solar access in accordance with the Solar Rights Act.
- RM-10.10 Multi-Jurisdictional Efforts.** Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.

- RM-10.11** **Municipal Buildings and Vehicles.** Continue efforts to reduce dependency on fossil fuels in all municipal buildings and vehicles.
- RM-9.2** **Zero-Emission and Low-Emission Vehicle Use.** Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.
- M-1.9** **Safe Routes to School.** Work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School.
- M-2.1** **Multi-Modal Streets.** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.
- M-2.2** **Alternative Modes.** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.
- M-2.3** **Connectivity.** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.
- M-2.4** **New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.
- M-2.5** **Citywide Bicycle Network.** Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.
- M-2.6** **Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.
- M-2.7** **CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.
- M-2.8** **Bus Stops.** Work with SunLine and other providers to improve bus stop amenities.
- M-2.9** **Rail and Air Travel.** Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.

Actions

- RM-10a** Establish an education program, in partnership with relevant agencies and community organizations, to improve public dissemination of information for possible energy conservation solutions to residents, businesses, and the building industry.

RM-10b	Provide the public with current information on energy grants, incentives and energy conservation programs.
RM-10c	Encourage the Home Energy Assistance Link (HEAL) program, a monetary incentive program, that assists Indian Wells residents purchase energy and water efficient appliances.
RM-10d	Develop a green building resource guide that will encourage the following: <ul style="list-style-type: none"> • Reduction or elimination of toxic and harmful substances within buildings and their surrounding environments. • Selection of materials and products based on their life-cycle environmental impacts and use of materials and products with recycled content.
RM-10e	Audit existing City facilities and operations to identify energy efficiency improvements and seek grant funding to implement these improvements.
RM-10f	Investigate incorporating sustainable materials and construction elements into the Capital Improvement Program.
RM-10g	Continue the City's program for recycling green waste from City maintained landscape areas and the Golf Resort into mulch for use as ground cover.
RM-10h	Utilize LED light fixtures and motion detectors at City Hall to reduce the demand on electrical power.
RM-10i	Pursue Leadership in Energy and Environmental Design (LEED) certification for future construction of affordable housing at City Housing Authority properties.
RM-10j	Incorporate into City codes, when feasible, planning and building standards which minimize consumption of non-renewable resources, such as natural gas and fossil fuels.
RM-10k	Permit the use of solar panels to maximize energy efficiency provided the panels are in accordance with the City's/State's design guidelines contained in the Zoning Code and establish a program to waive permit fees for solar installation.
RM-10l	Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.
RM-10m	Coordinate with Coachella Valley Association of Governments (CVAG) to hold workshops on the use of renewable energy and the local development associated industries in the Coachella Valley.
M-1e	Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.

- M-1f** Consider streetscape improvements such as landscaping, sidewalks, paths, lighting, and other pedestrian-oriented features in the City.
- RM-9b** Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to the unnecessary, inefficient, and wasteful consumption of energy resources. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to energy resources. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.6-14)

Rationale for Finding

Existing regulatory requirements, such as those established by the EPA/CARB, Title 24 and CALGreen, regulate vehicle emission standards and energy consumption in residential and nonresidential buildings. Although the GPU would be required to comply with the State and local requirements for energy efficiency and consumption, the GPU provides policies and actions that further enforce energy efficiency. Although the GPU would result in an increase in petroleum use during operation compared to the existing conditions, the project-specific petroleum use would be expected to diminish over time as fuel efficiency improves, including encouraging the use of zero-emission and low-emission vehicle use, as implemented in GPU Policy RM-9.2 and Action RM-9b. The GPU also provides policies that promote multiple modes of transportation and safety for multi-modal transportation in Policies M-1.9, M-2.1, M-2.2, M-2.5, M-2.6, M-2.7, M-2.8, and M-2.9, and the thoughtful connectivity between land uses to reduce vehicle miles traveled and subsequently petroleum consumed in Policies M-2.3 and M-2.4, and Action M-1e and M-1f. Therefore, petroleum use in the Planning Area would continue to be less than significant.

GPU Policy RM-10.1 and Action RM-10j requires developments within the Planning Area to comply with Title 24 and CALGreen requirements related to energy efficiency. Further, submittal, review, and approval of project plans through the City, SCE and IID would ensure future electricity demand would be manageable, as required by GPU Policy RM-10.4. The City will continue to educate the public, promote energy conservation, renewable energy, solar design, and encourage energy efficient design (i.e., site planning techniques, building orientation, and building methods that reduce energy use, conserve non-renewable energy and materials, and promote water efficient landscaping to support energy conservation), and retrofitting, as implemented by GPU Policy RM-10.2, RM-10.3, RM-10.6, RM-10.8, RM-10.9 and RM-10.11, and Actions RM-10a, through RM-10i. While the GPU would result in a long-term increase in demand for electricity, future projects would be required to comply with Title 24 and CALGreen requirements related to energy efficiency and the GPU policies and actions listed above. Impacts to energy resources would continue to be less than significant.

Impact 4.6 b: Buildout of the GPU will continue to comply with state or local plans for renewable energy or energy efficiency.

Buildout of the GPU would use energy resources for the operation of buildings (electricity and natural gas), for on-road vehicle trips (e.g., gasoline and diesel fuel), and from off-road construction activities (e.g., diesel fuel) associated with 2045 buildout of the GPU. Developers of individual projects within the Planning Area would be responsible for conserving energy, to the extent feasible, and would rely heavily on reducing per capita energy consumption to achieve this goal, including through statewide and local measures. Buildout of the GPU would be in compliance with all applicable State and local regulations regulating energy consumption, including Senate Bill 100, California Building Energy Efficiency Standards (Title 24), and Indian Wells Climate Action Plan (CAP).

In accordance with SCE and IID policies, the projects within the City would consult with the associated electricity provider to coordinate electrical infrastructure removals or relocations with site-specific requirements for each planned development (Policy RM-10.2). This would ensure that SCE's and IID's specific design practices would be implemented as part of the development which would further reduce the project's demand on electrical infrastructure during construction as well as avoid any disruption of electrical service to the site and other surrounding properties. As such, construction of the GPU is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

Moreover, in accordance with SoCalGas policies, the projects within the City would consult with SoCalGas to coordinate natural gas infrastructure removal or relocation with site-specific requirements. This would ensure that the existing gas lines would be maintained and secured and not impacted during construction. This would avoid disruption of gas to the project site or other properties as well as would further reduce the GPU's demand on SoCalGas's infrastructure during construction. As such, construction of the GPU is not anticipated to adversely affect the natural gas infrastructure currently serving the City, surrounding area or utility system capacity.

Senate Bill 100

Senate Bill 100 (De Leon, 2018), the 100 Percent Clean Energy Act of 2018, requires California's renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers, and 100 percent of electricity procured to serve state agencies, by 2045. Energy providers are working to integrate new clean energy technologies to meet the State's 2045 deadline. The GPU policies and actions listed below ensure consistency with Senate Bill 100.

Title 24

Title 24's Building Energy Efficiency Standards are designed to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings. Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen), which instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. Title 24 establishes new multi-family (including hotels and motels) building envelope (e.g., roof deck and ceiling insulation, roof solar

reflectance, window insulation and glazing, window heat gain, etc.), building systems (e.g., space and water heating), lighting, and solar requirements.

Indian Wells Climate Action Plan

The City of Indian Wells's Climate Action Plan (CAP) also outlines measures to reduce energy consumed by existing and future developments within the City. The CAP details strategies and actions in seven sectors (residential, business, building, transportation, municipal, hospitality/recreation, and education) to achieve the greenhouse gas emissions reduction goal. Although the City's CAP was adopted in 2013, some of the measures remain applicable to City's goal to reduce greenhouse gas emissions, including those related to solid waste diversion, drought-tolerant and efficient landscaping, energy efficient construction and buildings, and alternative transportation systems.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-10.1 Green Building Standards Code.** Ensure that new construction and major redevelopment complies with the most current version of the California Green Building Standards Code.
- RM-10.2 Energy Conservation.** Promote energy conservation by residents and businesses in existing structures, in close coordination with other agencies and local energy providers, including Southern California Edison and Southern California Gas Company.
- RM-10.3 Energy Efficient Design.** Encourage energy efficient design including site planning techniques, building orientation, and building methods that reduce energy use, conserve non-renewable energy and materials, and promote water efficient landscaping to support energy conservation.
- RM-10.4 Conditions of Approval.** Require all new development projects obtaining discretionary action by the City to comply with energy related conditions of approval.
- RM-10.5 Retrofitting.** Encourage energy-efficient retrofitting of existing buildings, including homes, throughout the City.
- RM-10.6 Public Education.** Improve public dissemination of information for possible energy conservation solutions.
- RM-10.7 Renewable Energy.** Encourage the use of renewable energy and non-traditional energy sources such as wind, hydrologic, and solar to reduce dependence on traditional energy sources.
- RM-10.8 Solar Design.** Encourage the use of active or passive solar design whenever feasible.

- RM-10.9** **Solar Access.** Continue to protect solar access in accordance with the Solar Rights Act.
- RM-10.10** **Multi-Jurisdictional Efforts.** Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.
- RM-10.11** **Municipal Buildings and Vehicles.** Continue efforts to reduce dependency on fossil fuels in all municipal buildings and vehicles.
- RM-9.2** **Zero-Emission and Low-Emission Vehicle Use.** Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.
- M-1.9** **Safe Routes to School.** Work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School.
- M-2.1** **Multi-Modal Streets.** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.
- M-2.2** **Alternative Modes.** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.
- M-2.3** **Connectivity.** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.
- M-2.4** **New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.
- M-2.5** **Citywide Bicycle Network.** Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.
- M-2.6** **Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.
- M-2.7** **CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.
- M-2.8** **Bus Stops.** Work with SunLine and other providers to improve bus stop amenities.
- M-2.9** **Rail and Air Travel.** Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.

Actions

- RM-10a** Establish an education program, in partnership with relevant agencies and community organizations, to improve public dissemination of information for possible energy conservation solutions to residents, businesses, and the building industry.
- RM-10b** Provide the public with current information on energy grants, incentives and energy conservation programs.
- RM-10c** Encourage the Home Energy Assistance Link (HEAL) program, a monetary incentive program, that assists Indian Wells residents purchase energy and water efficient appliances.
- RM-10d** Develop a green building resource guide that will encourage the following:
- Reduction or elimination of toxic and harmful substances within buildings and their surrounding environments.
 - Selection of materials and products based on their life-cycle environmental impacts and use of materials and products with recycled content.
- RM-10e** Audit existing City facilities and operations to identify energy efficiency improvements and seek grant funding to implement these improvements.
- RM-10f** Investigate incorporating sustainable materials and construction elements into the Capital Improvement Program.
- RM-10g** Continue the City's program for recycling green waste from City maintained landscape areas and the Golf Resort into mulch for use as ground cover.
- RM-10h** Utilize LED light fixtures and motion detectors at City Hall to reduce the demand on electrical power.
- RM-10i** Pursue Leadership in Energy and Environmental Design (LEED) certification for future construction of affordable housing at City Housing Authority properties.
- RM-10j** Incorporate into City codes, when feasible, planning and building standards which minimize consumption of non-renewable resources, such as natural gas and fossil fuels.
- RM-10k** Permit the use of solar panels to maximize energy efficiency provided the panels are in accordance with the City's/State's design guidelines contained in the Zoning Code and establish a program to waive permit fees for solar installation.
- RM-10l** Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.

- RM-10m** Coordinate with Coachella Valley Association of Governments (CVAG) to hold workshops on the use of renewable energy and the local development associated industries in the Coachella Valley.
- M-1e** Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.
- M-1f** Consider streetscape improvements such as landscaping, sidewalks, paths, lighting, and other pedestrian-oriented features in the City.
- RM-9b** Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to a State or local plan for renewable energy or energy efficiency. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating state or local plans related to energy efficiency. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.6-23)

Rationale for Finding

Future developments within the GPU Planning Area will be required to consult with the local electric and natural gas providers to ensure capacity and infrastructure improvements required for the developments. This is required by Policy RM-10.2; thus, construction of the GPU is not anticipated to adversely affect the energy infrastructure serving the surrounding uses or utility system capacity.

Senate Bill 100: As previously stated, Senate Bill 100 requires California's renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers, and 100 percent of electricity procured to serve state agencies, by 2045. The Proposed GPU Policies RM-10.1, RM-10.3, RM-10.4, and RM-10.5 promote efficient buildings, Policies RM-10.2, and RM-10.6 promote energy conservation, Policies RM-10.7, RM-10.8, and RM-10.9 promote renewable energy, and Policies M-2.1 through M-2.9, and RM-9.2 support multi-modal transportation. The listed policies will assist in achieving the State's 2045 goal.

Title 24: Title 24's Building Energy Efficiency Standards are designed to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings. Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen), which instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The GPU will be required to meet the standards of Title 24, as required in GPU Policy RM-10.1, RM-10.3, RM-10.8, and RM-10.9.

Indian Wells Climate Action Plan: The City of Indian Wells’s Climate Action Plan (CAP) also outlines measures to reduce energy consumed by existing and future developments within the City. GPU Policies RM-7-1 through RM-7.7 are consistent with solid waste diversion in compliance with local, regional and State regulations. GPU Policies RM-6.4 and RM-6.6 promotes the incorporation of water-wise native landscaping or alternative water saving materials wherever feasible in the City and encourages the use of reclaimed water for landscaping and irrigation needs in an effort to reduce water and energy consumption and remain energy efficient. GPU Policy RM-7.7 encourages the recycling/composting of all City organic materials including landscape and food waste materials. As discussed above, the GPU will be required to meet the standards of Title 24, as required in GPU Policy RM-10.1, RM-10.3, RM-10.8, and RM-10.9. The GPU encourages the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles in Policy RM-9.2. As stated above, GPU Policies M-2.1 through M-2.9 promote multiple forms of transportation throughout the City including bicycle, pedestrian, low speed vehicles, and public transit. Specifically, working with SunLine and other providers to improve bus stop amenities. With the foregoing, the GPU is consistent with and would not obstruct implementation of the applicable strategies and actions contained in the City’s CAP.

Overall, the GPU is not anticipated to conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Impacts would continue to be less than significant.

5. Greenhouse Gas Emissions

Impact 4.8 a The GPU would not generate significant greenhouse gas emissions that could impact the environment.

The City of Indian Wells is largely developed with residential, commercial, and resort uses. Future development within the GPU Planning Area would occur on vacant and infill lots primarily located north of Highway 111 and east and west of Miles Avenue. The Draft EIR analyzed greenhouse gas (GHG) emissions that would be associated with construction and operation of these remaining lots in Section 4.8. Construction-related GHG emissions will be short-term, while operational emissions will occur throughout the life of the City. At buildout, five emission source categories will contribute either directly or indirectly to operational GHG emissions: energy/electricity usage, water usage, solid waste disposal, area emissions (pavement and architectural coating off-gassing), and mobile sources.

Construction GHG Emissions

The California Emissions Estimator Model (CalEEMod), version 2022.1, was used to calculate Project-related GHG emissions during the construction phase, and annual operational emissions. Construction of the Proposed Project is anticipated to occur in 2025 through 2029, as a conservative estimate based on the most feasible and shortest time frame for buildout of the remaining developable areas in the City. For analysis purposes, all project components have been analyzed concurrently over a single period, as this buildout scenario represents the worst-case scenario conditions compared to a phased implementation. This is also conservative because it assumes buildout would occur by 2029, sixteen years before the buildout year for the GPU of 2045, since construction vehicles would become more

efficient over time. As determined in the modeling and the Draft EIR, construction would result in a total of approximately 2,455 MTCO₂e. To determine if construction emissions will result in a significant impact, build out GHG emissions were amortized over a 30-year period and added to annual operational emissions to be compared to applicable GHG thresholds.

Operational GHG Emissions

On December 5, 2008, the SCAQMD formally adopted a greenhouse gas significance threshold of 10,000 MTCO₂e/yr that applies to stationary source projects (industrial uses) for which SCAQMD is the lead agency (SCAQMD Resolution No. 08-35). This threshold was adopted based upon an October 2008 staff report and draft interim guidance document that also recommended a threshold for all projects using a tiered approach. It was recommended by SCAQMD staff that a project's greenhouse gas emissions would be considered significant if it could not comply with at least one of the following "tiered" tests:

Tier 1: Does the project qualify for any applicable statutory or categorical exemption under CEQA? If yes, no further action is required, and climate change impacts would be less than significant.

Tier 2: Is the project consistent with a GHG reduction plan? (The project must be consistent with CEQA Guidelines Sections 15064(h)(3), 15125(d), or 15152(s).) If yes, there is a presumption of less than significant impacts with respect to climate change.

Tier 3: Is the project's incremental increase in GHG emissions below or mitigated to less than the significance screening level (10,000 MTCO₂e per year for industrial projects; 3,000 MTCO₂e for residential projects/commercial projects; 3,500 MTCO₂e for mixed use projects)? If yes, there is a presumption of less than significant impacts with respect to climate change.

Tier 4: Does the project meet one of the following standards?

- 1: Reduce Business-as-Usual (BAU) emissions by a certain percentage; this percentage is currently undefined;
- 2: Early implementation of applicable AB 32 Scoping Plan measures
- 3: 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO₂e/SP per year for projects and 6.6 MTCO₂e per SP per year for plans;

Option 3, 2035 target: 3.0 MTCO₂e/SP per year for projects and 4.1 MTCO₂e per service population per year for plans.

If yes, there is a presumption of less than significant impacts with respect to climate change.

Tier 5: Projects should obtain GHG emission offsets to reduce significant impacts. Offsets in combination with any mitigation measures should achieve the target thresholds for any of the above Tiers. Otherwise, project impacts would remain significant.

Under the tiered threshold approach, Tier 3 is the first threshold that can be met by the Project and therefore serves as the basis of determining significance.

The Proposed Project is expected to generate approximately 12,666 MTCO₂e per year from construction, area, energy, mobile sources, waste, and water usage sources (see Table 4.8-2 of the Draft EIR). As such, the Project GHG emissions would be above with the threshold of significance set at 3,000 MTCO₂e per year (i.e. Tier 3 of the SCAQMD's greenhouse gas significance thresholds). However, the Proposed Project would be consistent with Tier 4 of the SCAQMD's greenhouse gas significance thresholds, since the Proposed GPU would generate approximately 6,310 jobs; therefore, the MT CO₂e per employee would be approximately 2.01, which is below the SCAQMD Tier 4 threshold of 6.6 MTCO₂e per SP.³

As indicated by the GHG emissions inventory and trends highlighted in CARB's press release no. 18-37, the regional and statewide strategies are helping California reduce greenhouse gas pollution, which has fallen below 1990 levels, an achievement roughly equal to taking 12 million cars off the road or saving 6 billion gallons of gasoline a year. Having been evaluated against the regionally accepted tiered GHG threshold and found to be consistent, the Proposed Project will not generate greenhouse gas emissions, directly or indirectly, that have a significant effect on the environment. Therefore, GPU impacts related to direct or indirect GHG emissions are considered less than significant.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- CD-1.1 Land Use Pattern.** Promote an appropriate land use plan that fosters and enhances community livability and public health; sustains economic vitality; relates to the City's resort industry; promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in this Element and Land Use Map.
- CD-1.8 Prohibited Development Types.** Prohibit undesirable development types, including linear or strip commercial development, heavy polluting industry, and billboards.
- M-1.1 Development-Related Traffic Impacts.** Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.
- M-1.2 LOS Standards.** Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.
- M-1.3 Traffic Distribution.** Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.

³ It should be noted that no new residences would be generated by the proposed Project. Therefore, only employees constitute 'service population' for the purposes of this analysis.

- M-1.4** **Efficient Circulation.** Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs like the Coachella Valley Sync program, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.
- M-1.5** **Transportation Management System.** Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.
- M-1.6** **Intersection Configurations.** Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.
- M-1.7** **Minimize Environmental Impacts.** Manage the circulation system to minimize congestion and improve flow and air quality.
- M-1.8** **Local and Regional Collaboration.** Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.
- M-1.9** **Safe Routes to School.** Work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School.
- M-1.10** **Residential Streets Traffic Calming.** Continue implementing traffic calming measures to discourage speeding and cut-through traffic on residential streets, where appropriate.
- M-1.11** **ADA Accessibility.** Ensure the City's transportation network is safe, accessible, and consistent with the Americans with Disabilities Act (ADA), to allow mobility-impaired users, such as disabled persons and seniors, to safely travel within and beyond the city.
- M-1.12** **Truck Routes.** Maintain a network of truck routes to facilitate goods movement to regional roads and to discourage the use of residential roads.
- M-2.1** **Multi-Modal Streets.** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.
- M-2.2** **Alternative Modes.** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.

- M-2.3** **Connectivity.** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.
- M-2.4** **New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.
- M-2.5** **Citywide Bicycle Network.** Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.
- M-2.6** **Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.
- M-2.7** **CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.
- M-2.8** **Bus Stops.** Work with SunLine and other providers to improve bus stop amenities.
- M-2.9** **Rail and Air Travel.** Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.
- M-2.10** **The Living Desert.** Coordinate with The Living Desert to ensure Indian Wells residents have access to the reserve's nature walks and hiking trails.
- RM-9.1** **Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.
- RM-9.2** **Zero-Emission and Low-Emission Vehicle Use.** Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.
- RM-9.3** **Sensitive Receptors.** Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.
- RM-9.4** **Regional Air Quality.** Participate in air quality improvement efforts in the Riverside County area, including those organized through SCAQMD, ICAPCD, the Coachella Valley Association of Governments (CVAG), and the California Air Resource Board (CARB).

Actions

- M-1a** Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its

traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:

- On-site transportation facilities: streets, curbs, traffic control devices;
- Access improvements: street extensions, widening, turn lanes, signals, etc.;
- Street widening for streets fronting the development property as shown on the Circulation Plan map;
- Right-of-way landscaping; and
- Off-site roadway and intersection improvements.

- M-1b** Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements.
- M-1c** Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.
- M-1d** Evaluate opportunities to implement alternative roadway design elements, including but not limited to, roundabouts, traffic circles, and chicanes, as traffic control, considering safety, traffic calming, cost and maintenance.
- M-1e** Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.
- M-1f** Consider streetscape improvements such as landscaping, sidewalks, paths, lighting, and other pedestrian-oriented features in the City.
- M-1g** Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal.
- RM-9a** Consider giving preference to contractors and service providers who use reduced emission equipment for City construction projects and service contracts.

- RM-9b** Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.
- RM-9c** As applicable, review development projects during the CEQA process for potential air quality impacts to residences and other sensitive receptors. Ensure that mitigation measures and best management practices (BMPs) are implemented to reduce significant emissions of criteria pollutants.
- RM-9d** Review development, infrastructure, and planning projects for consistency with SCAQMD and ICAPCD requirements during the CEQA review process. Require project applicants to prepare air quality analyses to address SCAQMD, ICAPCD, and General Plan requirements, as appropriate, which include analysis and identification of:
1. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
 2. Potential exposure of sensitive receptors to toxic air contaminants.
 3. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
 4. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.
- RM-9e** Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD construction emission thresholds. Where construction emissions from individual projects exceed SCAQMD and ICAPCD thresholds, the following actions should be incorporated as necessary to minimize impacts. These measures do not exclude the use of other, equally effective mitigation measures as determined by a project specific Air Quality Assessment.
- Require all off-road diesel equipment greater than 50 horsepower (hp) to meet USEPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board Certified Level 3 Diesel Particulate Filter (DPF) or equivalent. The DPF reduces diesel particulate matter and NOx emissions during construction activities.
 - Require a minimum of 50 percent of construction debris be diverted for recycling.
 - Require building materials to contain a minimum 10 percent recycled content.
 - Require materials such as paints, primers, sealants, coatings, and glues to have a low volatile organic compound concentration compared to conventional

products. If low VOC materials are not available, architectural coating phasing should be extended sufficiently to reduce the daily emissions of VOCs.

RM-9f Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD operational emission thresholds. For projects where operational emissions exceed regulatory thresholds, the following measures may be used to reduce impacts. Note the following measures are not all inclusive and developers have the option to add or substitute measures that are equally or more appropriate for the scope of the project.

- Provide onsite solar/renewable energy in excess of regulatory requirements.
- Require that owners/tenants of non-residential or multi-family residential developments use architectural coatings that are 10 grams per liter or less when repainting/repairing properties.
- Require dripless irrigation and irrigation sensor units that prevent watering during rainstorms.

RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.

RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.

RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to the generation of greenhouse gas emissions. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to generating greenhouse gas emissions that may have a significant impact on the environment. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.8-9)

Rationale for Finding

As stated above, the Project will not exceed GHG emission thresholds as a result of construction and operation of proposed buildout of the GPU. Although the findings were less than significant, the GPU proposes various policies and actions designed to support the statewide efforts toward GHG emissions reductions and the associated benefits in climate change. These policies include the efforts to provide energy efficient alternatives to fossil fuel use to reduce GHG emissions (Policy RM-9.1); encourage zero-emission vehicles, low emission vehicles, and car-sharing programs to reduce GHG emissions

(Policy RM-9.2); protect residential areas and sensitive receptors from areas that produce GHG emissions and air quality pollution (Policy RM-9.3); and participate in regional air quality improvement efforts (Policy RM-9.4). The policies are supported by GPU Actions RM-9a through RM-9k, which require future projects to analyze GHG impacts, demonstrate consistency with SCAQMD and ICAPCD, and implement dust control measures.

Moreover, GHG and climate change benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan. The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated GHG reductions (Policy CD-1.1 and CD-1.8).

The Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated GHG emissions. The relevant policies are M-1.1 (Development-Related Traffic Impacts), M-1.2 (LOS Standards), M-1.3 (Traffic Distribution), M-1.4 (Efficient Circulation), M-1.5 (Transportation Management System), M-1.6 (Intersection Configurations), M-1.7 (Minimize Environmental Impacts), M-1.8 (Local and Regional Collaboration), M-1.9 (Safe Routes to School), M-1.10 (Residential Streets Traffic Calming), M-1.11 (ADA Accessibility), M-1.12 (Truck Routes), M-2.1 (Multi-Modal Streets), M-2.2 (Alternative Modes), M-2.3 (Connectivity), M-2.4 (New Development), M-2.5 (Citywide Bicycle Network), M-2.6 (Bicyclist and Pedestrian Safety), M-2.7 (CV Link Users), M-2.8 (Bus Stops), M-2.9 (Rail and Air Travel), M-2.10 (The Living Desert). The relevant actions are M-1a through M-1g. These policies and actions also help ensure continued less than significant impacts to GHG emissions.

Impact 4.8 b The GPU would continue to comply with applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions.

As previously mentioned, under Assembly Bill 32 passed in 2006, California must reduce its emissions to 1990 levels (431 million metric tons) by 2020. Senate Bill 32, signed in 2016, requires the State to go even further than AB 32 and cut emissions 40 percent below 1990 levels by 2030. More recently, Assembly Bill 1279 declared the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 85 percent below the 1990 levels. The 2022 Scoping Plan lays out the framework to achieve the AB 1279 target of 85 percent below 1990 levels by 2045 and identifies a need to accelerate the 2030 target to 48 percent below 1990 levels.

California's primary programs for reducing greenhouse gases are the Renewables Portfolio Standard, the Advanced Clean Cars Program, the Low Carbon Fuel Standard and the Cap-and-Trade Program. Additional programs address a variety of greenhouse gas sources. These include the Short-Lived Climate Pollutants Strategy, the Sustainable Communities Strategy and the Sustainable Freight Action Plan. The 2022 Scoping Plan, adopted by CARB, lays out how these initiatives work together to reduce greenhouse gases to achieve California's 2030 target of 260 million metric tons and also to reduce smog-causing pollutants. This target will require California to more than double the rate at which it

has been cutting climate-changing gases. Future reductions will occur against a backdrop of natural sources of GHGs which are increasingly variable because of the climate change California is already witnessing. The SCAQMD adopted the interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to projects where the SCAQMD is the lead agency.

CARB's statewide GHG emission inventory has tracked California's progress in reducing GHG emissions. On July 11, 2018, CARB announced that greenhouse gas pollution in California had fallen below 1990 levels for the first time since emissions peaked in 2004, an achievement roughly equal to taking 12 million cars off the road or saving 6 billion gallons of gasoline a year. Moreover, the agency findings also indicated a declining GHG emissions trend between 2007 and 2017. In 2017, emissions from GHG emitting activities statewide were 424 million MTCO₂e, 5 million MTCO₂e lower than 2016 levels and 7 million MTCO₂e below the 2020 GHG Limit of 431 million MTCO₂e. The largest reductions are attributed to the electricity sector, which continues to see decreases as a result of the State's climate policies. The transportation sector remains the largest source of GHG emissions in the State, but saw a 1 percent increase in emissions in 2017, the lowest growth rate over the past 4 years. The transportation sector, the State's largest source of greenhouse gases, saw a 2 percent increase in emissions in 2016 because of increased fuel consumption. The State has also documented the increased use of biofuels as a result of the state's Low Carbon Fuel Standard. These low-carbon alternative fuels, consisting mostly of biodiesel, renewable diesel, and ethanol, reduced emissions by 14 million metric tons of carbon dioxide, when compared to what would have been generated if conventional fossil fuels had been used.

More recently, CARB's Statewide GHG emission inventory tracked year 2023 data. GHG emissions for 2023 totaled approximately 381 million MTCO₂e, 43 million MTCO₂e below the year 2017 levels. The transportation sector remained the largest GHG sector, with 39 percent of total emissions, followed by the Industrial sector with 22 percent, Electricity at 16 percent, Agriculture & Forestry at 8 percent, Residential at 8 percent, and Commercial at 6 percent.

In summary, GPU implementation is expected to comply with SCAQMD regulations and statewide GHG reduction targets, and would be consistent with all applicable plans, policies, and regulations adopted for the purposes of reducing greenhouse gas emissions, including the 2022 CARB Scoping Plan. Therefore, the Proposed GPU would not generate significant levels of GHG emissions, and will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-9.1 Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.
- RM-9.2 Zero-Emission and Low-Emission Vehicle Use.** Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles,

and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.

RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.

RM-9.4 Regional Air Quality. Participate in air quality improvement efforts in the Riverside County area, including those organized through SCAQMD, ICAPCD, the Coachella Valley Association of Governments (CVAG), and the California Air Resource Board (CARB).

Actions

RM-9a Consider giving preference to contractors and service providers who use reduced emission equipment for City construction projects and service contracts.

RM-9b Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.

RM-9c As applicable, review development projects during the CEQA process for potential air quality impacts to residences and other sensitive receptors. Ensure that mitigation measures and best management practices (BMPs) are implemented to reduce significant emissions of criteria pollutants.

RM-9d Review development, infrastructure, and planning projects for consistency with SCAQMD and ICAPCD requirements during the CEQA review process. Require project applicants to prepare air quality analyses to address SCAQMD, ICAPCD, and General Plan requirements, as appropriate, which include analysis and identification of:

1. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
2. Potential exposure of sensitive receptors to toxic air contaminants.
3. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
4. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.

RM-9e Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD construction emission thresholds. Where construction emissions from individual projects exceed SCAQMD and ICAPCD thresholds, the

following actions should be incorporated as necessary to minimize impacts. These measures do not exclude the use of other, equally effective mitigation measures as determined by a project specific Air Quality Assessment.

- Require all off-road diesel equipment greater than 50 horsepower (hp) to meet USEPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board Certified Level 3 Diesel Particulate Filter (DPF) or equivalent. The DPF reduces diesel particulate matter and NOx emissions during construction activities.
- Require a minimum of 50 percent of construction debris be diverted for recycling.
- Require building materials to contain a minimum 10 percent recycled content.
- Require materials such as paints, primers, sealants, coatings, and glues to have a low volatile organic compound concentration compared to conventional products. If low VOC materials are not available, architectural coating phasing should be extended sufficiently to reduce the daily emissions of VOCs.

RM-9f Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD operational emission thresholds. For projects where operational emissions exceed regulatory thresholds, the following measures may be used to reduce impacts. Note the following measures are not all inclusive and developers have the option to add or substitute measures that are equally or more appropriate for the scope of the project.

- Provide onsite solar/renewable energy in excess of regulatory requirements.
- Require that owners/tenants of non-residential or multi-family residential developments use architectural coatings that are 10 grams per liter or less when repainting/repairing properties.
- Require dripless irrigation and irrigation sensor units that prevent watering during rainstorms.

RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.

RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.

RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to an applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gases. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to greenhouse gases. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.8-18)

Rationale for Finding

As stated above, the project will not exceed GHG emission thresholds as a result of construction and operation of proposed buildout of the GPU. Although the findings were less than significant, the GPU proposes various policies and actions designed to support the statewide efforts toward GHG emissions reductions and the associated benefits in climate change. These policies include the efforts to provide energy efficient alternatives to fossil fuel use to reduce GHG emissions (Policy RM-9.1); encourage zero-emission vehicles, low emission vehicles, and car-sharing programs to reduce GHG emissions (Policy RM-9.2); protect residential areas and sensitive receptors from areas that produce GHG emissions and air quality pollution (Policy RM-9.3); and participate in regional air quality improvement efforts (Policy RM-9.4). The policies are supported by GPU Actions RM-9a through RM-9k, which require future projects to analyze GHG impacts, demonstrate consistency with SCAQMD and ICAPCD, and implement dust control measures.

Moreover, GHG and climate change benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan. The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated GHG reductions (Policy CD-1.1 and CD-1.8).

While the Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated GHG emissions. The relevant policies are M-1.1 (Development-Related Traffic Impacts), M-1.2 (LOS Standards), M-1.3 (Traffic Distribution), M-1.4 (Efficient Circulation), M-1.5 (Transportation Management System), M-1.6 (Intersection Configurations), M-1.7 (Minimize Environmental Impacts), M-1.8 (Local and Regional Collaboration), M-1.9 (Safe Routes to School), M-1.10 (Residential Streets Traffic Calming), M-1.11 (ADA Accessibility), M-1.12 (Truck Routes), M-2.1 (Multi-Modal Streets), M-2.2 (Alternative Modes), M-2.3 (Connectivity), M-2.4 (New Development), M-2.5 (Citywide Bicycle Network), M-2.6 (Bicyclist and Pedestrian Safety), M-2.7 (CV Link Users), M-2.8 (Bus Stops), M-2.9 (Rail and Air Travel), M-2.10 (The Living Desert). The relevant actions are M-1a through M-1g. These policies and actions help ensure that the GPU does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Impacts continue to be less than significant.

6. Hazards and Hazardous Materials

Impact 4.9 a&b: The GPU would not create a significant hazard to the public or the environment due to the routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The GPU would result in the future development of vacant areas and infrastructure improvements throughout the City. Future development and improvements could result in the transportation, use, and/or disposal of hazardous materials during construction or operation of future projects. Future activities may involve equipment or construction activities that use hazardous materials (e.g., coatings, solvents and fuels, and diesel-fueled equipment), cleanup of sites with known hazardous materials, the transportation of excavated soil and/or groundwater containing contaminants from areas that are identified as being contaminated, or disposal of contaminated materials at an approved disposal site. While hazardous materials may be associated with industrial activities, hazardous materials may also be associated with the regular cleaning and maintenance of residential and other less intense uses. Accidental release of hazardous materials that are used in the construction or operation of a project may occur. There is also the potential for accidental release of pre-existing hazardous materials, associated with previous activities on a site within the City limits.

The use, transport, and disposal of hazardous materials are regulated and monitored by local and regional fire departments, Certified Unified Program Agencies (CUPAs), California Occupational Safety and Health Administration (Cal OSHA) and the Department of Toxic Substances Control (DTSC) consistent with the requirements of federal, State, and local regulations and policies. Hazardous materials are utilized during short-term construction activities, or during long-term operation of a project. This is discussed subsequently.

Construction

The various phases of construction within the GPU Planning Area (grading, trenching, construction, architectural coating, street paving, etc.) are expected to involve the temporary management and use of oils, fuels and other potentially flammable substances. The nature and quantities of these products would be limited to what is necessary to carry out construction of a project. Some of these materials would be transported to the site periodically by vehicle and would be stored in designated controlled areas on a short-term basis. When handled properly by trained individuals and consistent with the manufacturer's instructions and industry standards, the risk involved with handling these materials is considerably reduced.

Furthermore, to prevent a threat to the environment during construction, the management of potentially hazardous materials and other potential pollutant sources may be regulated, in part, through the implementation of measures in the Storm Water Pollution Prevention Plan (SWPPP), if required by code at a project site. The implementation of a SWPPP requires a list of potential pollutant sources and the identification of construction areas where additional control measures are necessary to prevent pollutants from being released on-site or into the surroundings. Best management practices (BMPs) are necessary for proper material delivery and storage; material use; and spill prevention and control.

As required by the SWPPP, the contractor will be required to identify a controlled staging area within the project limits for storing materials and equipment. These temporary measures outline the required physical improvements and procedures to prevent impacts of pollutants and hazardous materials to workers and the environment during construction. For example, all construction materials, including paints, solvents, and petroleum products, must be stored in controlled areas and according to the manufacturer's specifications. In addition, perimeter controls (fencing with wind screen), linear sediment barriers (gravel bags, fiber rolls, or silt fencing), and access restrictions (gates) would help prevent temporary impacts. Nonetheless, all hazardous materials would be stored, handled, and disposed of in accordance with local ordinances and State and federal regulatory requirements to reduce the risk of an accidental spill. Lastly, and upon project completion of construction, all hazardous materials would be removed from the project site. With such standard measures in place, less than significant impacts are anticipated during construction of future development.

Additionally, future construction activities would be conducted under the emergency response plan requirements set forth by the County of Riverside and the City of Indian Wells Municipal Code.

Operation

The City of Indian Wells is largely developed, with approximately 187 remaining developable acres. Development throughout the City includes residential communities, golf communities, resorts, offices and professional buildings, restaurants, and sport complexes. The nature of these uses does not typically involve, as a primary activity, the routine transport, use, or disposal of hazardous materials in quantities or a manner that would pose a threat to the project and its surroundings or create a significant hazard through a foreseeable accident conditions involving the release of hazardous materials into the environment. The handling, application, and storage of cleaning agents, building maintenance products, paints, solvents and other related substances is expected to occur with the operation of resort, residential, commercial, and offices and professional buildings in order to carry out the necessary operations in each facility or use. However, these materials would not be expected to be present in sufficient quantities to pose a significant hazard to public health and safety, or the environment.

Throughout the City, landscape maintenance activities, including golf course maintenance, typically utilize products that may be hazardous in large quantities. However, these products are stored in compliance with manufacturer's standards. Onsite storage and maintenance areas may include hazardous materials associated with landscape maintenance (fertilizers, pesticides, herbicides), as well as the maintenance of golf carts and other equipment used for golf facilities. For facilities that store and use hazardous materials, the business owner/operator shall submit a Hazardous Materials Business Plan (HMBP) to the Riverside County Fire Department that identifies the hazardous materials to be used and stored on site, the location of the storage area, an emergency contingency plan showing how spills would be cleaned up, and any other information required in an HMBP. Or the owner/operator may provide evidence that the activities that will occur within this facility would not rise to the level that an HMBP is required.

According to Riverside County Municipal Code Chapter 8.64, *Disclosure of Hazardous Materials and Formulation of Business Emergency Plans*, the County established a system for permitting businesses that handle hazardous materials in order to enforce minimum standards respecting such materials. Under

the administration of the County of Riverside Department of Environmental Health (DEH), and in compliance with the Hazardous Materials Release Response Plans and Inventory Law, Chapter 6.95 of the California Health and Safety Code (HSC), any business handling and/or storing a hazardous material shall obtain a permit from the DEH and electronically submit a business plan in the Statewide Informational Management System. Should any component of a development, such as maintenance areas, require the storage or handling of hazardous materials, as defined in Chapter 8.64 of the Riverside County Municipal Code, it shall be required to follow the procedures established in the Municipal Code and Chapter 6.95 of the HSC. Maintenance areas may contain storage of petroleum products, landscaping fertilizers, and other products required for onsite maintenance of the property. Compliance of these procedures will ensure that potential impacts from the use, transport and disposal of hazardous materials would be less than significant during operation of facilities throughout the City.

Future development within the GPU would be required to comply with applicable federal, State, and local regulations to ensure impacts are less than significant. The GPU enforces these regulations with the policies and actions listed below.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- PS-5.1 Hazardous Ordinances.** Enforce existing Federal, State, and local ordinances regulating the use, manufacture, sale, transport, treatment, storage, and disposal of hazardous substances.
- PS-5.2 Regional Consistency.** Utilize the Riverside Countywide Integrated Waste Management Plan to ensure that local regulation and practices are consistent with the policy direction and action programs that the County recommends.
- PS-5.3 Multi-Jurisdictional Coordination.** Work with Riverside County Fire Department (RCFD) and other responding agencies to ensure that emergency personnel respond safely and effectively to a hazardous materials incident in the City.
- PS-5.4 Public-Private Coordination.** Require that developers coordinate with the Riverside County Department of Environmental Health to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe.
- PS-5.5 Hazardous Waste.** Promote the proper disposal of hazardous waste, including paint, tires, medications, medical sharps, infectious waste, asbestos waste, construction waste, and electronic waste, through education, monitoring, and enforcement of proper use, storage, handling, and disposal.
- PS-5.6 Household Hazardous Waste Disposal.** Support the sitting waste and recycling service provider to continue the free Household Hazardous Waste (HHW) pick-up program for residents. Coordinate with the City's waste service provider and the County of Riverside to increase public awareness about proper disposal related to

household hazardous waste; inform the Indian Wells community regarding relevant services and programs to address issues related to hazardous waste and materials; and discourage household storage of hazardous materials.

Actions

- PS-5a** As part of the development review process, determine the potential for the production, use, storage, transport, and/or disposal of hazardous materials and provide for reasonable controls and mitigation measures on such hazardous materials as to protect both the residents and the environment, and to mitigate the risks to an acceptable level.
- PS-5b** Review development proposals to ensure the proximity between users and transporters of substantial hazardous materials and sensitive uses, such as schools and residential neighborhoods, remains at or above safe and acceptable levels, regardless of growth and new development.
- PS-5c** Require the submittal of information regarding hazardous materials manufacturing, storage, use, transport, and/or disposal by existing and proposed businesses and developments to RCFD.
- PS-5d** Advertise the Household Hazardous Waste Collection Program, established by the City's waste service provider. Provide informational materials at public locations and links on the City's website about the City's Household Hazardous Waste Collection Program, the County's Antifreeze, Batteries, Oil, and Paint (ABOP) program, collection facilities, drop-off centers, and the 24-hour Household Hazardous Waste hotline.
- PS-5e** Amend the Municipal Code to require that, prior to issuance of any grading or building permit (whichever occurs first) for a project on a site identified on any list of hazardous materials compiled pursuant to Government Code Section 65962.5, a formal Phase I Environmental Site Assessment (ESA) shall be prepared in accordance with ASTM Standard Practice E 1527-05 or the Standards and Practices for All Appropriate Inquiry (AAI) and submitted to the City's Community Development Department. The Phase I ESA shall identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified Hazardous Materials Specialist with Phase II/site characterization experience prior to demolition, and/or construction. The Hazardous Materials Specialist shall identify proper remedial activities appropriate to the hazardous material(s) found (e.g., removal and disposal; bio-remediation; pump and treat; soil vapor extraction, and in situ oxidation), as necessary.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact related to the transport, use, or disposal of hazardous materials or possible release of hazardous materials into the environment. Overall, the Proposed GPU would have less than

significant direct or indirect impacts relating to the transport, use, or disposal of hazardous materials, or the release of hazardous materials into the environment. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.9-29)

Rationale for Finding

As stated above, the GPU established policies and actions to support and enforce the existing federal, State, and local regulations regulating hazardous materials. Future development proposed within the City will be required to comply with Policies PS-5.1 through PS-5.6. The policies outlined within the GPU will reduce the GPU's likelihood to create a significant hazard to the public or an accidental release of hazardous materials by regulating the use, transport, storage, and disposal of hazardous substances enforced by existing Federal, State, and local ordinances (PS-5.1 and PS-5.5); utilize the Riverside Countywide Integrated Waste Management Plan to ensure that local regulation and practices are consistent with the policy direction and action programs that the County recommends and provide free Household Hazardous Waste (HHW) pick-up program for residents (PS-5.2 and PS-5.6); work with RCFD and other responding agencies to ensure that emergency personnel respond safely and effectively to a hazardous materials incident in the City (PS-5.3); and require that developers coordinate with the Riverside County Department of Environmental Health (DEH) to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe (PS-5.4).

As part of the development review process, the City and future applicants shall determine the potential for the production, use, storage, transport, and/or disposal of hazardous materials and provide for reasonable controls and mitigation measures on such hazardous materials as to protect both the residents and the environment, and to mitigate the risks to an acceptable level, as required in Action PS-5a. Additionally, the City shall review development proposals in proximity to sensitive uses (i.e., schools, residential neighborhoods, etc.) (Action PS-5b), and require the submittal of information regarding hazardous materials manufacturing, storage, use, transport, and/or disposal by existing and proposed businesses and developments to RCFD (Action PS-5c). The City shall also implement a Household Hazardous Waste Collection Program to control the disposal of certain household wastes (Action PS-5d) and require a Phase I Environmental Site Assessment (ESA) at sites listed pursuant to Government Code Section 65962.5 (Action PS-5e). Future projects proposed within the City will be required to comply with Policies PS-5.1 through PS-5.6 and the associated actions to ensure that the future developments would not create a significant hazard to the public or the environment due to routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, impacts would be less than significant.

Impact 4.9-3: The GPU could be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5.

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements to provide information about the location of hazardous materials release sites. Government Code Section 65962.5 requires that a list of

these sites be maintained and updated annually. The State's DTSC is responsible for a portion of the information contained in the Cortese List. To discover hazardous material sites within the GPU Planning Area GeoTracker, EnviroStor, and the EPA Enforcement and Compliance History Online (ECHO) were consulted in March 2024.

Three facilities were identified in the GeoTracker database; however, all sites were designated as completed, case closed. The EnviroStor database identified one site within the City. The site was a school investigation site, however, no contaminants were found and no action is required. Finally, the ECHO databased listed 27 locations within the City of Indian Wells. All 27 sites list on ECHO had a status of "No Violation Identified" within the three-year reporting period (see Tables 4.9-1 through 4.9-3 in the Draft EIR).

Federal and State regulations ensure that existing hazards, including those associated with known hazardous materials sites, are addressed prior to development. After the search of the three databases, it can be concluded that the sites listed are not anticipated to affect the City due to their distance to the site and their status as "Completed-Case Closed" or no violations.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

PS-5.4 Public-Private Coordination. Require that developers coordinate with the Riverside County Department of Environmental Health to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe.

Actions

PS-5e Prior to issuance of any grading or building permit (whichever occurs first) for a project on a site identified on any list of hazardous materials compiled pursuant to Government Code Section 65962.5, a formal Phase I Environmental Site Assessment (ESA) shall be prepared in accordance with ASTM Standard Practice E 1527-05 or the Standards and Practices for All Appropriate Inquiry (AAI) and submitted to the City's Community Development Department. The Phase I ESA shall identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified Hazardous Materials Specialist with Phase II/site characterization experience prior to demolition, and/or construction. The Hazardous Materials Specialist shall identify proper remedial activities appropriate to the hazardous material(s) found (e.g., removal and disposal; bio-remediation; pump and treat; soil vapor extraction, and in situ oxidation), as necessary.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact regarding a hazardous material site compiled pursuant to Government Code Section 65962.5. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating

to hazardous materials sites. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.9-27)

Rationale for Finding

Federal and State regulations ensure that existing hazards, including those associated with known hazardous materials sites, are addressed prior to development. After the search of the three databases, it can be concluded that the sites listed are not anticipated to affect the City due to their distance to the site and their status as “Completed-Case Closed” or no violations. However, the GPU established policies and actions to support and enforce the existing federal, State, and local regulations regulating hazardous materials sites. Future projects proposed within the City will be required to comply with Policies PS-5.1 through PS-5.6. Specifically, Policy PS-5.4 requires that developers coordinate with the Riverside County Department of Environmental Health (DEH) to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe. As stated in Action PS-5e, a Phase I Environmental Site Assessment (ESA) shall be conducted at sites identified on any list of hazardous materials compiled pursuant to Government Code Section 65962.5. The Phase I ESA would identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified Hazardous Materials Specialist with Phase II/site characterization experience prior to demolition, and/or construction. Impacts will remain less than significant.

Impact 4.9 g: The GPU would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

The City of Indian Wells Planning Area is located within a desert environment with sparse vegetation. The mountainous areas in the southern part of the City consist primarily of rock outcroppings, with very little vegetative fuel to feed a wildfire. The County of Riverside publishes a “hazardous high fire areas map,” which is updated periodically. The map delineates areas susceptible to wildland fires. According to the map, the unincorporated areas southwest of the City’s boundaries are designated as Very High and High Fire Hazard Severity Zones (FHSZ) within State Responsibility Areas. Areas within the City are not designated as Moderate, High, or Very High FHSZs because of the lack of vegetative fuel in the mountainous areas within the City. Urban fires are more of a concern in Indian Wells, however, compliance with State building and fire codes, which are also included in the Indian Wells Municipal Code in Chapters 16.12 and 16.32.

Development under the Proposed GPU would place people and structures in currently developed and urbanized areas along the valley floor of Indian Wells, i.e., areas not considered wildland urban interface (WUI). WUI areas are more likely to have a risk of wildland fires due to the sloped features and vegetative cover. The valley floor of Indian Wells contains landscaped features that are regularly watered. Development is not proposed along the slopes or wildland areas that make up the southern portion of the City. Future development would occur in the urban areas of the City, primarily north of Highway 111 and north and south (and east and west) of Miles Avenue. All future projects allowed under the General Plan would be required to comply with the provisions of State and local requirements related to building and fire codes.

Per, Chapter 16.32 of the Indian Wells Municipal Code, provisions and appendices of the California Fire Code has been adopted by the City of Indian Wells. Chapter 16.32 also outlines amendments to the code, including applicability (Section 102.5 of the California Fire Code) regarding application of residential code; and required fire-flow for buildings other than one- and two-family dwellings. Chapter 16.32 also adds Section 104.7, Liability, where any liability against Riverside County and City of Indian Wells or any officer or employee for damages resulting from the discharge of their duties shall be as provided by law; 104.1.1, Authority of the Fire Chief and Fire Department, where the Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the City Council; and C103.1, Hydrant Spacing, where fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Future projects will be required to comply with the standards in Title 16, Building and Construction, specifically, Chapter 16.32, California Fire Code.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- PS-2.1 Building Fire Codes.** Require that all buildings and facilities comply with local, state, and federal regulatory standards such as the California Building and Fire Codes as well as other applicable fire safety standards.
- PS-2.2 Urban Fire Risks.** Work with CAL FIRE/RCFD to maintain an ongoing fire inspection program to reduce fire hazards associated with multifamily development, critical facilities, public assembly facilities, industrial buildings, and nonresidential buildings.
- PS-2.3 Fire Hazard Identification.** Coordinate with CAL FIRE/RCFD to identify any changes in regional fire hazard severity zones to further reduce fire hazards in the community the community.
- PS-2.4 Fire-Prone Building Materials.** Restrict, after appropriate public hearings, the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk.
- PS-2.5 Public Education.** Work with RCFD to disseminate educational programs for residents on fire hazard risks and fire safety measures, including evacuation routes, with a special focus on at-risk populations such as seniors.
- PS-2.6 Fire Protection Plans.** Uphold locally and regionally adopted fire protection plans, including the City of Indian Wells Local Hazard Mitigation Plan, and regularly renew such plans as new information becomes available.

Actions

- PS-2a** Mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.
- PS-2b** Review and revise the City LHMP at least every 5 years to reflect current community needs, and to ensure the City continues to receive federal FEMA mitigation assistance.
- PS-2c** Require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers.
- PS-2d** Work with Riverside County to develop a comprehensive fire plan which forecasts future personnel and equipment needs and require new development to pay its pro-rata share of costs for fire services.
- PS-2e** Upgrade older water mains in the City as needed to ensure adequate water pressure for firefighting.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact related to wildland fires. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to wildland fires. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.9-29)

Rationale for Finding

Federal, State, and local regulations enforce fire safety measures that reduce impacts of fires and wildland fires. However, the GPU established policies and actions to support and enforce the existing federal, State, and local regulations regulating hazardous materials sites. Future projects within the City would be required to comply with California Building and Fire Codes and reduce the use of fire-prone building materials (Policy PS-2.1 and PS-2.4 and Action PS-2c); work with CALFIRE/RCFD to maintain an ongoing fire inspection program, and identify changes in regional fire severity zones (Policy PS-2.2 and PS-2.3 and Action PS-2a); educate residents on fire hazard risks and safety measures, and uphold local and regional fire protection plans (Policy PS-2.5 and PS-2.6 and PS-2b). Additionally, future development would be required to pay its pro-rata share of costs for fire services and upgrade older water mains to meet adequate water pressure for firefighting (Action PS-2d and PS-2e). Moreover, as future development and infrastructure projects are considered by the City, each project would be evaluated for potential impacts, specific to the project, associated with wildland fire hazards as required under CEQA. Implementation of the GPU and the policies and actions would result in less than significant wildfire impacts.

7. Hydrology and Water Quality

Impact 4.10 a: The GPU would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Construction-Related Water Quality Impacts

The City of Indian Wells is largely developed. New construction would occur in vacant and infill lots north of Highway 111 and north and south (and east and west in some areas) of Miles Avenue, and redevelopment of existing properties could occur in the City. Grading, excavation, removal of vegetation cover, and loading activities associated with future construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion impacts that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas.

As required by the Clean Water Act, each subsequent development project or improvement project that exceeds one acre of disturbed surface area will require an approved Storm Water Pollution Prevention Plan (SWPPP) that includes best management practices for grading and preservation of topsoil. A SWPPP is not required if the project will disturb less than one acre. SWPPPs are designed to control storm water quality degradation to the extent practicable using best management practices during and after construction. Future development project applicants must submit the SWPPP with a Notice of Intent to the State Water Resources Control Board (SWRCB) to obtain a General Permit. The SWRCB is an agency responsible for reviewing the SWPPP with the Notice of Intent, prior to issuance of a General Permit for the discharge of storm water during construction activities. The SWRCB accepts General Permit applications (with the SWPPP and Notice of Intent) after specific projects have been approved by the lead agency. The lead agency for each specific project that is larger than one acre is required to obtain a General Permit for discharge of storm water during construction activities prior to commencing construction (per the Clean Water Act).

The General Plan sets policies and actions for build-out of the City, but it does not envision or authorize any specific development project. Because of this, the site-specific details of potential future development projects are currently unknown and analysis of potential impacts of such projects is not feasible and would be speculative. However, each future project must include detailed project specific drainage plans that control storm water runoff and erosion, both during and after construction. As discussed above, the RWQCB will require a SWPPP to be prepared for each future project that disturbs an area one acre or larger. The SWPPPs will include project specific best management measures that are designed to control drainage and erosion.

New Development-Related Water Quality Impacts

New development and infrastructure improvement projects under the proposed GPU could introduce constituents into the storm water system that are typically associated with urban runoff. These constituents include sediments, petroleum hydrocarbons, pesticides, fertilizers, and heavy metals such as lead, zinc, and copper, which build up during the dry months of the year and pollutes runoff during the initial runoff (“first flush”). Other common sources of storm water pollution in the City include

litter, trash, pet waste, paint residue, organic material (yard waste), fertilizers, pesticides, sediments, construction debris, metals from automobile brake pad dust, air pollutants that settle on the ground or attach to rainwater, cooking grease, illegally dumped motor oil, and other harmful fluids.

The majority of development allowed under the GPU would be within areas currently developed with urban uses, and the amount and type of runoff generated by various future development and infrastructure projects would be similar to existing conditions. However, new development and infrastructure projects have the potential to result in increases in the amount of impervious surfaces throughout GPU Planning Area. Future increases in impervious surfaces would result in increased urban runoff, pollutants, and first flush roadway contaminants, as well as an increase in nutrients and other chemicals from landscape areas. These constituents could result in water quality impacts to on- and off-site drainage flows to area waterways.

Due to future development and infrastructure projects, the overall volume of runoff in Indian Wells could be increased compared to existing conditions. If the City's drainage system is not adequately designed, GPU buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceed system capacity or contributed to bank erosion. However, federal, State and local regulations require stormwater protection from pollutants during operation of projects.

Future development and infrastructure project is required to prepare a detailed project specific drainage plan, Water Quality Management Plan (WQMP), and a SWPPP that will control storm water runoff and erosion, both during and after construction. If future development projects involve the discharge into surface waters the project proponent will need to acquire certain regulatory permits including but not limited to a National Pollution Discharge Elimination System (NPDES) permit, and Waste Discharge permit from the RWQCB and comply with all storm water sewer system (MS4) requirements. For new development, water quality standards and waste discharge requirements are also met through implementation of a project-specific WQMP in compliance with the NPDES permit program for post-construction stormwater runoff quantity and quality requirements by implementing proposed storm drain and retention facilities with a mandated operation and maintenance program to meet the Low Impact Development (LID) Site Design criteria. Retention facilities typically consist of surface basins or underground systems designed to capture and infiltrate urban runoff from the design storm event applicable to the development. The overall maintenance of private storm drain and retention systems are covered by the Operation and Maintenance (O&M) section of the Final WQMP and subject to a site-specific Stormwater Management/BMP Facilities Agreement (WQMP Agreement) with the City of Indian Wells. The O&M section of the WQMP requires the implementation, inspection, maintenance and frequency guidelines for measures which could include education for property owners and operators; activity restrictions; common area landscape management and efficient landscape design; common area litter control; contractor/employee training; common area catch basin inspection; street sweeping of private streets and parking lots; storm drain system stenciling and signage; trash and waste storage areas to reduce pollutant introduction. The WQMP Agreement establishes the owner or operator's responsibility to maintain the said facilities in accordance with the approved WQMP, also allowing for City entry for inspection and enforcement as necessary. The WQMP Agreement is signed by the owner/operator and City representatives before recordation against the property.

Colorado River Basin Regional Water Quality Control Board

The Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) is designed to preserve and enhance water quality in the Region and to protect the beneficial uses of all regional waters for the benefit of present and future generations. The Basin Plan contains the Region's beneficial uses for ground and surface waters, water quality objectives to protect beneficial uses, and implementation programs to achieve water quality objectives. The Basin Plan fulfills state and federal statutory requirements for water quality planning, thereby preserving and protecting ground and surface waters of the Colorado River Basin Region.

Local Implementation Plans

The City of Indian Wells enforces several strategic planning policies in order to anticipate the future, envision what the organization must become in order to operate effectively within that future, and make plans for moving the organization from what it is to what it needs to become to be successful. The City enforces codes and regulations outlined in the Indian Wells Municipal Code to ensure proper land development and compliance with the federal, State, and local regulations.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-6.1** **Regional Cooperation.** Actively participate in regional activities to assure (a) the effective management of water resources, and (b) the development of water policies at the County, State and Federal level that are favorable to the Coachella Valley.
- RM-6.7** **Education.** Strengthen education programs related to water protection and conservation.
- RM-2.1** **Open Space Preservation.** Designate and preserve the City's open space and scenic resources, including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.

Finding

The policies listed above continue to support the less than significant findings related to the GPU's impact to water quality standards or waste discharge requirements. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to water quality standards or waste discharge requirements. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-11)

Rationale for Finding

Although the City enforces codes and regulations outlined in the Indian Wells Municipal Code to ensure proper land development and compliance with the federal, State, and local regulations, the GPU also establishes policies and actions designed to support various efforts relevant to surface water and

groundwater quality. The policies and actions contained in the Resource Management Element are the most applicable to this matter. Policy RM-6.1 encourages the active participation in regional activities to assure (a) the effective management of water resources, and (b) the development of water policies at the County, State and federal level that are favorable to the Coachella Valley. Policy RM-6.7 encourages the City to strengthen education programs related to water protection and conservation. Finally, Policy RM-2.1 encourages the designation and preservation of the City's open space and scenic resources, including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks. Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to water quality standards, waste discharge requirements, or other conditions capable of degrading surface or groundwater quality.

Impact 4.10 b: The GPU would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the GPU may impede sustainable groundwater management of the basin.

The Coachella Valley Groundwater Basin is the primary groundwater source in the Coachella Valley, with the Coachella Valley Water District (CVWD) being the domestic water purveyor serving the project site. Indian Wells is underlain by the Indio Subbasin, which is estimated to have 29.8 million acre-feet (AF) of water in the first 1,000 feet below the ground surface, or approximately 76 percent of the total groundwater in the Coachella Valley Groundwater Basin. CVWD works with other local water agencies and Coachella Valley stakeholders to implement water conservation, water reuse, and groundwater recharge strategies to ensure water availability and system capacity to meet the growing needs of the Coachella Valley Cities, including Indian Wells. Groundwater is pumped by local wells and distributed for drinking and irrigation purposes. To offset the amount of water pumped by local wells, the region's water agencies import water from the Colorado River to replenish the basin, recycle wastewater for irrigation, and incentivize conservation – this is called “groundwater management”. Historically, more groundwater has been pumped out of the Indio Subbasin each year than the amount of water that naturally replenishes the groundwater basin. Overdraft occurs when a groundwater basin has pumping (demands) that exceed recharge (supplies) over the long term. Agencies within the Indio Subbasin began to actively manage the Subbasin in 2002 with development of the 2002 Coachella Valley Water Management Plan in order to address this issue. This plan was updated in 2010 to document the accomplishments in reducing overdraft and to address changed conditions since 2002. CVWD, Coachella Water Authority (CWA), Desert Water Agency (DWA), and Indio Water Authority (IWA) collectively represent the Indio Subbasin GSAs. In January 2017, the GSAs submitted to DWR the 2010 Coachella Valley Water Management Plan (2010 CVWMP), accompanied by an Indio Subbasin Bridge Document, as a SGMA-compliant Alternative Plan. On July 17, 2019, DWR approved the Alternative Plan with a requirement to submit an Alternative Plan Update by January 1, 2022 and every five years thereafter. Based on the Indio Subbasin SGMA documentation, the combined strategies have resulted in significant groundwater levels (storage) increases across the subbasin, thus allowing the region to comply with the framework for sustainable management. The largest groundwater level increases are observed in the western Coachella Valley, near the Whitewater River Groundwater Replenishment Facility and in the eastern Coachella Valley, near the Thomas E. Levy Groundwater Replenishment Facility, where the level increases have been as much as 200 feet and 100

feet respectively. In the area on or around City of Indian Wells, groundwater level increases have ranged from 7 to 15 feet, reflecting the benefits of source substitution and conservation programs.

CVWD works with other local water agencies and Coachella Valley stakeholders to implement water conservation, water reuse, and groundwater recharge strategy to ensure water availability and system capacity to meet the growing needs of the Coachella Valley. CVWD collaborates with maintenance of three replenishment facilities serving the Indio Subbasin: Whitewater River Groundwater Replenishment Facility, the Thomas E. Levy Groundwater Replenishment Facility, and the Palm Desert Groundwater Replenishment Facility.

In 2014, the California Legislature signed a three-bill legislative package into law, collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA allows local agencies to manage groundwater resources in a sustainable manner, with management efforts tailored to the resources and needs of their specific communities. Groundwater management is described as the planned and coordinated monitoring, operation, and administration of a groundwater basin sustainability. The Coachella Valley Groundwater Basin is designated by DWR as a medium priority basin. CVWD is the Groundwater Sustainability Agency (GSA) for the majority of the eastern portion of the Indio Subbasin, including the area that underlies the project area. Since groundwater management has been a historic effort in the Coachella Valley, local agencies have been able to adapt their current measures as part of their sustainability plan.

Artificial replenishment, or recharge, is recognized by the water districts as one of the most effective methods available for preserving local groundwater supplies, reversing aquifer overdraft and meeting demand by domestic consumers. According to the CVWD website on Groundwater Replenishment and Imported Water, local agencies have percolated over 650 billion gallons of water back into the aquifer to date. In the central part of the Coachella Valley, groundwater recharge is provided by the recently constructed first phase of the Palm Desert Groundwater Replenishment Facility. According to the CVWD web site, this facility is expected to add up to 25,000 acre-feet of Colorado River water annually into the aquifer. Combined with water conservation and efficiency requirements, individual development projects can contribute to groundwater sustainability by implementing the required stormwater runoff retention and infiltration facilities. The GPU will not impede or conflict with any existing or planned groundwater recharge facility. The proposed GPU aligns with the local and regional groundwater recharge strategies and complies with the local retention ordinance by maintaining on-site infiltration requirements applicable to future development plans.

Moreover, the City will continue to implement water conservation measures in accordance with the applicable landscape ordinance requirements pertaining to water efficient irrigation systems and drought-tolerant plant selection (Indian Wells Municipal Code 21.60). Interior fixtures are also expected to be water efficient, thus complying with the local water conservation strategies. With the continued implementation of water conservation measures, impacts related to groundwater supplies and management will be less than significant.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-6.2 Groundwater Management.** Protect the underlying water basin from overextraction by encouraging sustainable groundwater recharge and management.
- RM-6.3 Conservation.** Encourage the use of water conserving appliances and fixtures in all new developments, as required by state law.
- RM-6.4 Water-Saving Design.** Incorporate water-wise native landscaping or alternative water saving materials (i.e. artificial turf) whenever feasible within the City.
- RM-6.5 Non-Potable Waterlines.** Continue to support the extension of non-potable waterlines for irrigation use, especially to Highway 111, local businesses, and Homeowners Associations.
- RM-6.6 Reclaimed Water.** Encourage water-intensive land uses, such as golf courses, to utilize reclaimed water, where feasible for landscaping and irrigation needs.

Actions

- RM-6a** Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.
- RM-6b** Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.
- RM-6c** Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.
- RM-6d** Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.
- RM-6e** Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.
- RM-6f** Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.
- RM-6g** Work with CVWD and private developers to encourage water conservation in the following ways:
- Implementing aquifer and groundwater recharge programs
 - Participating in water conservation programs operated by the local and regional water districts
 - Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness.

- Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.
- Developing education materials and programs that encourage and facilitate water conservation throughout the community.
- Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.
- Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
- Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.

RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.

RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:

- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
- If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
- Ensure the project applicant has paid the required fees prior to occupancy of any new development.
- Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.

RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.

RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to groundwater supplies or recharge. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to groundwater supplies or recharge. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-15)

Rationale for Finding

The City will continue to implement water conservation measures in accordance with the applicable landscape ordinance requirements pertaining to water efficient irrigation systems and drought-tolerant plant selection (Indian Wells Municipal Code 21.60). Although the City enforces codes and regulations outlined in the Municipal Code to ensure water conservation in compliance with the federal, State, and local regulations, the GPU also establishes policies and actions designed to support various efforts relevant to groundwater supplies, recharge and management. Policies RM-6.2 through RM-6.6 encourage sustainable groundwater recharge and management, the use of water conserving appliances and fixtures in all new developments (as required by State law), incorporates water-wise native landscaping and alternative water saving materials (i.e., artificial turf), supports the extension of non-potable waterlines for irrigation use, and encourages water-intensive land uses, such as golf courses to utilize reclaimed water. These policies protect the underlying water basin from overextraction by enforcing conservation and water-efficient fixtures. Actions RM-6a through RM-6k support the policies listed above by updating the City's Water Efficient Landscape Ordinance periodically, encourage water conservation measures, working with CVWD to monitor water use throughout the City, incorporating water-wise native landscaping along roadway medians, and install water conservation devices and weather-based irrigation controls. Therefore, implementation of the Proposed GPU and associated policies and actions is expected to result in less than significant impacts pertaining to groundwater supplies or groundwater recharge.

Impact 4.10 c(i): The GPU would increase impervious surfaces but would not substantially alter the existing drainage pattern in a manner which would result in substantial erosion or siltation.

The City of Indian Wells has been largely developed, with residential, commercial, and open space uses throughout the northern portions of the City. Two drainage courses exist within the City: the Deep Canyon Stormwater Channel and Whitewater River (and connecting Coachella Valley Stormwater Channel). Both channels, along with the other methods of storm water control systems, work to direct runoff away from existing development within the City.

Future development within the GPU Planning Area would occur within infill and vacant lots primarily located north of Highway 111, north and south (and east and west where applicable) of Miles Avenue. Any proposed land uses would result in an increase in impervious land cover through the introduction of structures, hardscape and streets. Without engineering controls, such land use changes would translate to an increase in total stormwater runoff volume, an increase in runoff velocity, and a greater peak discharge. However, as is required through the City's engineering standards for land subdivision

and development, the future project will incorporate on-site infrastructure to intercept, convey, and retain stormwater runoff resulting from the worst-case 100-year storm event.

Chapter 21.70.050(G), Stormwater Management, states that stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site retention and infiltration are encouraged. Project applicants shall refer to the District, the City, and/or Regional Water Quality Control Board for information on any applicable stormwater ordinances and stormwater management plans. Rain gardens and other landscape features that increase rainwater capture and infiltration are recommended.

The hydrologic self-containment generally required from new development would prevent the release of runoff into neighboring properties and flood control facilities, therefore preventing off-site siltation and erosion impacts. All on-site impervious and pervious land cover resulting from project implementation, including storm drain systems and surface basins, will be subject to proper operation and maintenance during the life of the project, as mandated by the WQMP agreement that will be required of this project prior to issuance of a grading permit. Therefore, less than significant impacts are expected pertaining to substantial erosion or siltation, on- or off-site.

Implementation of the GPU may allow development and improvement projects that would involve some land clearing, grading, and other ground-disturbing activities that could temporarily increase soil erosion rates during and shortly after project construction. As required by the Clean Water Act, each subsequent development project or improvement project exceeding an acre in disturbance will require an approved SWPPP that includes best management practices for grading and preservation of topsoil. SWPPPs are designed to control storm water quality degradation to the extent practicable using best management practices during and after construction.

As discussed previously, the City of Indian Wells regulates stormwater discharge in accordance with the NPDES permit through Chapter 16.52 of the Indian Wells Municipal Code that discusses Storm Water Management and Discharge Controls. Additionally, Chapter 22.04 provides erosion control and protection measures, and Chapter 16.36 includes standards for flood damage prevention and floodplain management.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

RM-6.4 Water-Saving Design. Incorporate water-wise native landscaping or alternative water saving materials (i.e. artificial turf) whenever feasible within the City.

RM-6.5 Non-Potable Waterlines. Continue to support the extension of non-potable waterlines for irrigation use, especially to Highway 111, local businesses, and Homeowners Associations.

Actions

RM-6a Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.

- RM-6b** Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.
- RM-6c** Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.
- RM-6d** Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.
- RM-6e** Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.
- RM-6f** Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.
- RM-6g** Work with CVWD and private developers to encourage water conservation in the following ways:
- Implementing aquifer and groundwater recharge programs
 - Participating in water conservation programs operated by the local and regional water districts
 - Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness.
 - Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.
 - Developing education materials and programs that encourage and facilitate water conservation throughout the community.
 - Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.
 - Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
 - Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.
- RM-6h** Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.

- RM-6i** Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:
- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
 - If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
 - Ensure the project applicant has paid the required fees prior to occupancy of any new development.
 - Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.
- RM-6j** Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.
- RM-6k** Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The regulatory requirements listed above continue to support the less than significant findings related to the GPU's impact to erosion or siltation on- or off-site. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to erosion or siltation on- or off-site. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-19)

Rationale for Finding

State and local requirements regulate water runoff that could lead to erosion or siltation. Chapter 21.70.050 (G), stormwater management, and Chapter 16.52, stormwater management and discharge controls of the Indian Wells Municipal Code regulates stormwater, flood, and erosion control by setting standards during construction and operation of projects. For example, Chapter 21.70.050 (G) encourages stormwater runoff management to minimize runoff and increase water in the basin. Minimizing runoff at sites would reduce waterborne erosion and siltation. The City also established engineering standards for land subdivision and developments to ensure that onsite infrastructure intercepts, conveys, and retains stormwater runoff resulting from the worst-case 100-year storm event. Future projects within the City would also be required to comply with NPDES programs, including SWPPP during construction, and submit a post-construction project WQMP for review and approval.

The SWPPP and WQMP ensures BMPs are implemented during construction and operation (respectively) to ensure erosion and siltation does not occur.

In addition to complying with the NPDES programs and WQMP stormwater requirements, the GPU contains policies to reduce impacts associated with stormwater and drainage including policies to maintain sufficient levels of storm drainage service, improvements to flood control facilities and channel segments, and other best practices in order to protect the community from flood hazards and minimize the discharge of materials into the storm drain system that are toxic or that could lead to siltation. Moreover, the GPU does not propose any development at the time of writing, however, implementation of the GPU may facilitate future development within the City. The vacant portions of the City are primarily located in developed areas and are considered “infill” development. Therefore, the occurrence of substantial erosion or siltation due to site development within these portions is unlikely.

Therefore, implementation of the proposed GPU and associated regulatory requirements will continue the less than significant impacts pertaining to the drainage conditions throughout the City resulting in substantial erosion or siltation.

Impact 4.10 c(ii): The GPU would not increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Construction activities are regulated by the NPDES General Construction Storm Water Permit that apply to project-level land development activities. Compliance with the storm water permit during construction activities requires the preparation of a SWPPP that contains BMPs to control the discharge of pollutants, including sediment, into local surface water drainages. Additionally, the City, in accordance with its approved Phase I Storm Water Management Program, must implement Post-Construction Storm Water Management in new development and redevelopment.

A gradual increase in impervious cover associated with new development could increase operational storm water runoff. In addition to complying with the NPDES programs and WQMP stormwater requirements, the Proposed GPU contains policies and actions to reduce impacts associated with stormwater and drainage including policies to maintain sufficient levels of storm drainage service, improvements to flood control facilities, and other best practices in order to protect the community from flood hazard, and minimize the discharge of materials into the storm drain system that are toxic, or which could obstruct flows. Additionally, the governing regulations encourage stormwater be directed towards permeable surfaces, incorporate stormwater capture, and promote BMPs and Low Impact Development measures (LID) to treat stormwater.

Future development under the Proposed GPU would result in a progressive reduction in the amount of impervious soil surfaces available for infiltration of rainfall and runoff, but such changes would occur for limited infill areas that have largely been disturbed. The pollutants generally associated with urban runoff from new development would be captured and retained in privately constructed and operated storm drain systems and applicable forms of flood control subject to review and approval at the project level.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- PS-3.1 Maintain Stormwater Infrastructure.** Preserve the quality and function of the Whitewater River/Coachella Valley Stormwater Channel, and subsequent flood control facilities, by proactively planning for improvements, regularly performing maintenance, and limiting development within the flood plain and flood way.
- PS-3.2 Comply with National & State Flood Programs.** Maintain and periodically update floodplain management ordinances, response plans, building and safety codes, and multi-jurisdictional efforts, to reflect, and comply with, applicable Federal and State law, and National Flood Insurance Program requirement. Coordinate with FEMA to ensure that Federal Insurance Rate Maps correctly depict flood hazards in the City.
- PS-3.3 NPDES.** Adhere to requirements of the Riverside County Flood Control and Water Conservation District's NPDES/Municipal Stormwater Management Program.
- PS-3.4 Regional Coordination.** Maintain communication with RCFCDD regarding regional flood facilities and the potential future need to expand the capacity of flood control facilities based on changing flood conditions associated with climate change and extreme weather.
- PS-3.5 Municipal Code.** Implement the standards and requirements defined in the Municipal Code to reduce flood hazards and address flood-prone areas within Indian Wells.
- PS-3.6 Development within Watercourse Designations.** Limit development within watercourse designations to improvements proven to not substantially impede the flow of water or result in any increase in flood levels during the occurrence of the one hundred (100) year flood discharge; improvements must be approved by CVWD.
- PS-3.7 Building Codes.** Adhere to the latest building, site, and design codes in the California Building Code and FEMA flood control guidelines to avoid or minimize the risk of flooding hazards in the community.
- PS-3.8 Natural Drainage and Habitat Preservation.** Minimize the alteration of natural drainage patterns and conserve riparian habitat when implementing flood control maintenance activities to hinder contamination and enhance the overall health of the Whitewater River/Coachella Valley Stormwater Channel.
- PS-3.9 Reduce Stormwater Runoff.** Limit the amount of impervious surfaces in new developments and redevelopments as feasible; developments that add impervious surfaces should integrate low impact development best management practices to reduce stormwater runoff.

PS-3.10 **Mitigation.** Require that all new development and redevelopment in areas susceptible to flooding incorporate mitigation measures designed to reduce flood hazards.

Actions

RM-6a Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.

RM-6b Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.

RM-6c Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.

RM-6d Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.

RM-6e Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.

RM-6f Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.

RM-6g Work with CVWD and private developers to encourage water conservation in the following ways:

- Implementing aquifer and groundwater recharge programs
- Participating in water conservation programs operated by the local and regional water districts
- Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness.
- Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.
- Developing education materials and programs that encourage and facilitate water conservation throughout the community.
- Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.

- Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
- Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.

RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.

RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:

- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
- If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
- Ensure the project applicant has paid the required fees prior to occupancy of any new development.
- Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.

RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.

RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to on- or off-site flooding. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to on- or off-site flooding. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-21)

Rationale for Finding

As stated above, State and local requirements regulate surface runoff that could result in flooding, including NPDES programs (construction SWPPP) and post-construction WQMP. Additionally, the

City plans to regularly maintain the regional stormwater facilities including the Whitewater River/Coachella Valley Stormwater Channel, as well as maintain floodplain management ordinances, response plans, and building and safety codes to comply with applicable Federal and State law, and National Flood Insurance Program requirement. The policies also require communication with Riverside County Flood Control (RCFC) regarding regional flood control facilities. Based on changing flood conditions associated with climate change and extreme weather. Moreover, the City will limit the amount of impervious surfaces in new developments and redevelopments as feasible; developments that add impervious surfaces should integrate low impact development best management practices to reduce stormwater runoff. Future development under the proposed GPU would result in a progressive reduction in the amount of impervious soil surfaces available for infiltration of rainfall and runoff, but such changes would occur for limited infill areas that have largely been disturbed. Urban runoff from new development would be captured and retained in privately constructed and operated storm drain systems and applicable forms of flood control subject to review and approval at the project level. This would ensure runoff is captured and does not flood developments in the City or areas surrounding development. GPU Actions RM-6a through RM-6k facilitates the City's compliance with established construction and post-construction water management, as well as water conservation methods that would reduce the potential for on- or off-site flooding. The conservation methods, including the implementation of water-efficient irrigation and landscaping, would reduce the likelihood of overwatering or flooding from a broken facility. Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to increases or changes to surface runoff in a manner which could result in flooding conditions.

Impact 4.10 c(iii): The GPU would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional source of polluted runoff.

Stormwater runoff volume generated from the City is intercepted and conveyed along existing storm drain infrastructure that is managed and integrated at the regional level under CVWD as the practical flood control manager. The Proposed GPU does not propose extensive land use changes or project-level development that would conflict with the existing engineering or regulatory requirements. Additionally, all new development in the City will require the pertinent construction of infrastructure improvements, such as streets, sidewalks, storm drains, sewer lines, water lines, utilities, and associated facilities. At a minimum, development within the City will be required to implement flood protection measures that will protect potential development from the controlling 100-year storm event runoff volume. Because all the vacant residential land in the City is located in developed areas and is considered "infill" development, the requirement for site improvements will be tailored to those areas under City review. Under these conditions, future development within the City does not involve the excessive release of runoff into the existing stormwater channels. Accordingly, the site does not contribute existing sources of pollutants.

Off-site drainage from mountainside tributary areas is separately handled by the existing formal channels, which are publicly owned and maintained. Similarly, this project does not propose physical improvements that would impair the capacity of these facilities. The Deep Canyon Stormwater Channel and the Whitewater River (and the connecting CVSC) would continue to operate as designed, without

receiving any excessive amounts of runoff from the surrounding areas. Additionally, future development within the City will be required to implement flood control infrastructure, thus minimizing the amount of runoff directed towards the existing channels. Less than significant impacts are anticipated.

Polluted runoff can occur during construction or operation of future sites. Grading, excavation, removal of vegetation cover, and loading activities associated with future construction activities could temporarily increase runoff, erosion, and sedimentation. As required by the Clean Water Act, each subsequent development project or improvement project that exceeds one acre of disturbed surface area will require an approved Storm Water Pollution Prevention Plan (SWPPP) that includes best management practices for grading and preservation of topsoil. A SWPPP is not required if the project will disturb less than one acre. SWPPPs are designed to control storm water quality degradation to the extent practicable using best management practices during and after construction.

New development and infrastructure improvement projects under the proposed GPU could introduce constituents into the storm water system that are typically associated with urban runoff. These constituents include sediments, petroleum hydrocarbons, pesticides, fertilizers, and heavy metals such as lead, zinc, and copper. These pollutants tend to build up during the dry months of the year. Precipitation during the early portion of the wet season (generally from November to April) washes away most of these pollutants, resulting in high pollutant concentrations in the initial wet weather runoff. This initial runoff is referred to as the “first flush” of storm events. Subsequent periods of rain would result in less concentrated pollutant levels in the runoff.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Actions

- | | |
|--------------|---|
| RM-6a | Periodically review and update, as needed, the City’s Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325. |
| RM-6b | Recommend the establishment incentives/funding for projects or residences that implement water conservation measures. |
| RM-6c | Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities’ common area and existing individual businesses. |
| RM-6d | Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians. |
| RM-6e | Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes. |
| RM-6f | Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units. |

- RM-6g** Work with CVWD and private developers to encourage water conservation in the following ways:
- Implementing aquifer and groundwater recharge programs
 - Participating in water conservation programs operated by the local and regional water districts
 - Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness.
 - Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.
 - Developing education materials and programs that encourage and facilitate water conservation throughout the community.
 - Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.
 - Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
 - Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.
- RM-6h** Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.
- RM-6i** Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:
- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
 - If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
 - Ensure the project applicant has paid the required fees prior to occupancy of any new development.

- Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.

RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.

RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to runoff water which could exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to the stormwater drainage systems. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-21)

Rationale for Finding

As stated above, State and local requirements regulate stormwater drainage and runoff, and require flood control infrastructure. Future development within the City will be required to implement flood control infrastructure, thus minimizing the amount of runoff directed towards the existing channels. Less than significant impacts are anticipated. GPU Actions RM-6a through RM-6k facilitates the City's compliance with established construction and post-construction water management, as well as water conservation methods that would reduce potential impacts to stormwater drainage systems. Therefore, implementation of the Proposed GPU and associated policies and actions is expected to result in less than significant impacts pertaining to stormwater drainage systems.

Impact 4.10 c(iv): The GPU would not impede or redirect flood flows.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying potential hazards and determining the need for and availability of federal flood insurance. As previously mentioned, FEMA flood zone designations rely on a variety of flood risk information based on historic, meteorological, hydrologic and hydraulic data, as well as existing development, open space and topographic conditions within an area. FIRM data and corresponding zone designations are represented in numbered panels. The applicable FIRM Panels to the project site are identified as Panel Numbers 06065C2226H, 06065C2227H, 06065C2231H, 06065C2228H, 06065C2229H, and 06065C2233H, applicable to the site since April 19, 2017.

Approximately 7.7 percent, or 720 acres, of the City is designated by Federal Emergency Management Agency (FEMA) as Special Flood Hazard Areas (Zones A, AE, AO). Zone A consists of low-lying areas that are in close proximity to lakes, ponds, and other large bodies of water. Zone AE flood zones are areas that present a 1% annual chance of flooding. Zone AO is the flood zone that corresponds to

the areas of 1% shallow flooding where average depths are between 1 and 3 feet. Approximately 444 acres of Indian Wells is designated as Zone A, however, most of it is contained in the two primary stormwater channels. FEMA Zones AO and AE are located in the southwest corner of the City, primarily due to its adjacency to the natural alluvial fan feature, cut by braided stream channels, located southwest of the City. Approximately 1,055 acres of the City are designated by FEMA as part of the 500-year flood zone (Zone X Shaded) and the remaining 7,558 acres are deemed to be areas of minimal hazard or areas with reduced risk due to levee improvements (Zone X).

The City contains natural and human-made drainage courses along the base of the Santa Rosa Mountains. Infrastructure within the City limits is protected from the drainage by existing public flood control infrastructure consisting of two channels designed to convey flows to the Coachella Valley floor and eventually Whitewater River. The two channels are the Whitewater River (and the connecting) and the Deep Canyon Stormwater Channel (DCSC). The ephemeral nature of local drainage translates to short-term duration after storm events, rather than continuous or long-term flows. The presence of this flood control infrastructure allows the majority of the City to operate under reduced risk of flooding. CVWD outlets assist the drainage of stormwater into the CVSC and the DCSC. CVWD also provides slope protection and service roads within the CVSC and the DCSC, for continual maintenance of the channels.

The following GPU actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- PS-3.1** **Maintain Stormwater Infrastructure.** Preserve the quality and function of the Whitewater River/Coachella Valley Stormwater Channel, and subsequent flood control facilities, by proactively planning for improvements, regularly performing maintenance, and limiting development within the flood plain and flood way.
- PS-3.2** **Comply with National & State Flood Programs.** Maintain and periodically update floodplain management ordinances, response plans, building and safety codes, and multi-jurisdictional efforts, to reflect, and comply with, applicable Federal and State law, and National Flood Insurance Program requirement. Coordinate with FEMA to ensure that Federal Insurance Rate Maps correctly depict flood hazards in the City.
- PS-3.3** **NPDES.** Adhere to requirements of the Riverside County Flood Control and Water Conservation District's NPDES/Municipal Stormwater Management Program.
- PS-3.4** **Regional Coordination.** Maintain communication with RCFCDD regarding regional flood facilities and the potential future need to expand the capacity of flood control facilities based on changing flood conditions associated with climate change and extreme weather.
- PS-3.5** **Municipal Code.** Implement the standards and requirements defined in the Municipal Code to reduce flood hazards and address flood-prone areas within Indian Wells.

- PS-3.6** **Development within Watercourse Designations.** Limit development within watercourse designations to improvements proven to not substantially impede the flow of water or result in any increase in flood levels during the occurrence of the one hundred (100) year flood discharge; improvements must be approved by CVWD.
- PS-3.7** **Building Codes.** Adhere to the latest building, site, and design codes in the California Building Code and FEMA flood control guidelines to avoid or minimize the risk of flooding hazards in the community.
- PS-3.8** **Natural Drainage and Habitat Preservation.** Minimize the alteration of natural drainage patterns and conserve riparian habitat when implementing flood control maintenance activities to hinder contamination and enhance the overall health of the Whitewater River/Coachella Valley Stormwater Channel.
- PS-3.9** **Reduce Stormwater Runoff.** Limit the amount of impervious surfaces in new developments and redevelopments as feasible; developments that add impervious surfaces should integrate low impact development best management practices to reduce stormwater runoff.
- PS-3.10** **Mitigation.** Require that all new development and redevelopment in areas susceptible to flooding incorporate mitigation measures designed to reduce flood hazards.

Actions

- RM-6a** Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.
- RM-6b** Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.
- RM-6c** Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.
- RM-6d** Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.
- RM-6e** Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.
- RM-6f** Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City, A water saving audit will be conducted after one year of the completing of the replacement units.
- RM-6g** Work with CVWD and private developers to encourage water conservation in the following ways:

- Implementing aquifer and groundwater recharge programs
- Participating in water conservation programs operated by the local and regional water districts
- Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness.
- Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.
- Developing education materials and programs that encourage and facilitate water conservation throughout the community.
- Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.
- Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
- Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.

RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.

RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:

- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
- If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
- Ensure the project applicant has paid the required fees prior to occupancy of any new development.
- Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.

- RM-6j** Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.
- RM-6k** Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to impeding or redirecting flood flows. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to flood flows. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-22)

Rationale for Finding

Implementation of the Proposed GPU would establish updated land use designations Recreation to Resort Commercial for the vacant lands located north of Highway 111, on the east and west sides of Miles Avenue. The remaining developable infill lands dispersed throughout the City would maintain their current designations. Implementation of the GPU would not preclude project-level proposals from the requirement to demonstrate the appropriate flood control, storm drain, and hydrology compliance in relation to the existing infrastructure. Existing drainage patterns on protected open space and along the dedicated flood control facilities would not be substantially altered by means of land use designations or policies in a manner that would affect the connectivity and function of local resources. Future efforts toward channel improvements will follow the appropriate environmental review and engineering approval process under CVWD's jurisdiction and other relevant water resource agencies to ensure capacity and consistency with regional facilities. The existing engineering requirements on new project-specific development proposals to adequately convey or retain stormwater runoff while protecting new structures and facilities would not be modified by the Proposed GPU. Therefore, the project would not incur planning or project-level modifications capable of impeding or redirecting flood flows. Regarding potential impedances or redirection of flood flows, less than significant impacts are anticipated.

Additionally, the City plans to regularly maintain the regional stormwater facilities including the Whitewater River/Coachella Valley Stormwater Channel (Policy PS-3.1), as well as maintain floodplain management ordinances, response plans, and building and safety codes to comply with applicable Federal and State law, and National Flood Insurance Program requirement. The policies also require communication with Riverside County Flood Control (RCFC) regarding regional flood control facilities (Policies PS-3.2, PS-3.4, PS-3.5, PS-3.6, PS-3.7 and PS-3.8). Moreover, the City will limit the amount of impervious surfaces in new developments and redevelopments as feasible; developments that add impervious surfaces should integrate low impact development best management practices to reduce stormwater runoff (Policies PS-3.9 and PS-3.10). Future development under the proposed GPU would result in a progressive reduction in the amount of impervious soil surfaces available for infiltration of rainfall and runoff, but such changes would occur for limited infill areas that have largely been disturbed. Urban runoff from new development would be captured and retained in privately

constructed and operated storm drain systems and applicable forms of flood control subject to review and approval at the project level. This would ensure runoff is captured and does not flood developments in the City or areas surrounding development. GPU Actions RM-6a through RM-6k facilitates the City's compliance with established construction and post-construction water management, as well as water conservation methods that would reduce the potential for on- or off-site flooding. The conservation methods, including the implementation of water-efficient irrigation and landscaping, would reduce the likelihood of overwatering or flooding from a broken facility. Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to increases or changes to surface runoff in a manner which could result in flooding conditions.

Impact 4.10 d: The GPU would not risk release of pollutants due to inundation as a result of a flood, tsunami, or seiche.

FIRM Panel Numbers 06065C2226H, 06065C2227H, 06065C2231H, 06065C2228H, 06065C2229H, and 06065C2233H, applicable to the site since April 19, 2017, identify the current FEMA flood zone designations, which are categorized by lettered identifiers with corresponding levels of risk. According to the map panels, the majority of the City is designated as Zone X or other areas, while less than 8% is designated as Zone A, Zone AE, or Zone AO which applies to areas with a 1-percent annual chance of flooding. These portions include the existing watersheds and drainage channels known as the Deep Canyon Stormwater Channel and the Whitewater River (and connecting Coachella Valley Stormwater Channel (CVSC)). The watersheds drain towards the Deep Canyon Stormwater Channel (DCSC), where stormwater is collected and distributed towards the Whitewater River and CVSC. The CVSC then distributes flows towards the Salton Sea. As such, there are no existing or proposed habitable structures in Zone A, Zone AE, or Zone AO designations. The GPU does not propose any future development or changes to the existing special flood hazard areas. Future efforts to improve regional stormwater management and flood control infrastructure will continue to be subject to the applicable standards managed by CVWD as the governing flood control agency in the City. The GPU will not conflict with such processes.

Moreover, the City is not located near any coastal areas and therefore is not prone to tsunami hazards. The project is not located near any large body of water or any area recognized for being susceptible to seiche risk. Existing artificial water features within the project site have been constructed by prior engineering plans and are actively maintained. The flood control channels within the city have been designed for the corresponding off-site tributary flows occurring after storm events and therefore do not involve the permanent or continuous stormwater storage or containment. The existing potable water reservoirs owned by CVWD have been constructed in compliance with the seismic requirements. On-site inundation conditions are prevented by the previously discussed stormwater retention facilities. Therefore, pertaining to flood, tsunami, seiche zone, or pollutant releases associated with inundation, less than significant impacts are expected.

The following GPU actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Actions

- RM-6a** Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.
- RM-6b** Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.
- RM-6c** Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.
- RM-6d** Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.
- RM-6e** Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.
- RM-6f** Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City, A water saving audit will be conducted after one year of the completing of the replacement units.
- RM-6g** Work with CVWD and private developers to encourage water conservation in the following ways:
- Implementing aquifer and groundwater recharge programs
 - Participating in water conservation programs operated by the local and regional water districts
 - Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness.
 - Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.
 - Developing education materials and programs that encourage and facilitate water conservation throughout the community.
 - Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.
 - Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
 - Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.

- RM-6h** Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.
- RM-6i** Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:
- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
 - If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
 - Ensure the project applicant has paid the required fees prior to occupancy of any new development.
 - Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.
- RM-6j** Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.
- RM-6k** Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The actions listed above continue to support the less than significant findings related to the GPU's impact from flood hazards, tsunami, or seiche zones. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to flood hazards, tsunamis or seiche zones. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-22)

Rationale for Finding

The City is not located near any coastal areas and therefore is not prone to tsunami hazards. The GPU Planning Area is not located near any large body of water or any area recognized for being susceptible to seiche risk. Existing artificial water features within the project site have been constructed by prior engineering plans and are actively maintained. The flood control channels within the City have been designed for the corresponding off-site tributary flows occurring after storm events and therefore do not involve the permanent or continuous stormwater storage or containment. The existing potable water reservoirs owned by CVWD have been constructed in compliance with the seismic requirements. On-site inundation conditions are prevented by the previously discussed stormwater retention facilities.

Therefore, pertaining to flood, tsunami, seiche zone, or pollutant releases associated with project inundation, less than significant impacts are expected.

Impact 4.10 e: The GPU would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Future development in the City is expected to implement project-specific WQMPs to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. This type of compliance document applies to the post-construction (operational) stage of future projects. The content and methodology of each project-specific WQMP are governed by the Whitewater River Region, Water Quality Management Plan Guidance Document, dated June 2014 and revised in January 2015, but may be updated during the life of the GPU. The primary objective of the WQMP is to ensure that the land development proposals prevent or minimize the impact of Urban Runoff on Receiving Waters to the Maximum Extent Practicable (MEP). This objective is achieved through the review of project-specific existing and proposed conditions to install desert-appropriate, post-construction Best Management Practices (BMPs) meeting the criteria of Low Impact Development (LID) standards. The LID standards are established in the Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development (Handbook).

The project-specific WQMP is a form of compliance document that is prepared concurrently with the engineering plans (grading, storm drain, street) and the hydrology report for the proposed development. Aspects of the WQMP include an evaluation of existing conditions; an assessment of the regional surface water quality impairments; an assessment of the proposed land uses; and identification of source control and site design measures (BMPs) to handle runoff resulting from individual projects. Existing regional stormwater and flood control infrastructure serving the City of Indian Wells will not be impacted by individual development occurring within the GPU framework due to the applicable engineering standards and requirements for on-site retention.

A traditional land development project would need to allocate land for facilities to retain or treat runoff. Project-specific WQMPs will also include the required operation and maintenance guidelines to ensure that on-site facilities are actively maintained for effectiveness, without placing a burden on the City or regional agency resources. With implementation of project-specific WQMPs, the operational aspects of each project will comply with the regulatory water quality objectives.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

RM-6.2 Groundwater Management. Protect the underlying water basin from overextraction by encouraging sustainable groundwater recharge and management.

RM-6.3 Conservation. Encourage the use of water conserving appliances and fixtures in all new developments, as required by state law.

RM-6.4 **Water-Saving Design.** Incorporate water-wise native landscaping or alternative water saving materials (i.e. artificial turf) whenever feasible within the City.

RM-6.5 **Non-Potable Waterlines.** Continue to support the extension of non-potable waterlines for irrigation use, especially to Highway 111, local businesses, and Homeowners Associations.

RM-6.6 **Reclaimed Water.** Encourage water-intensive land uses, such as golf courses, to utilize reclaimed water, where feasible for landscaping and irrigation needs.

Actions

RM-6a Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.

RM-6b Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.

RM-6c Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.

RM-6d Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.

RM-6e Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.

RM-6f Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.

RM-6g Work with CVWD and private developers to encourage water conservation in the following ways:

- Implementing aquifer and groundwater recharge programs
- Participating in water conservation programs operated by the local and regional water districts
- Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness.
- Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.

- Developing education materials and programs that encourage and facilitate water conservation throughout the community.
- Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.
- Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
- Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.

RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.

RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:

- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
- If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
- Ensure the project applicant has paid the required fees prior to occupancy of any new development.
- Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.

RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.

RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The policies and actions listed above continue to support the less than significant finding related to the GPU's impact to a water quality control plan or sustainable groundwater management plan. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to the

obstruction of a water quality control plan or sustainable groundwater management plan. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.10-24)

Rationale for Finding

Implementation of the GPU includes policies and actions in the Resource Management Element to maintain consistency with the sustainable groundwater management plan strategies applicable at the regional local level. Policies RM-6.2 through RM-6.6 encourage sustainable groundwater recharge and management, the use of water conserving appliances and fixtures in all new developments (as required by State law), incorporates water-wise native landscaping and alternative water saving materials (i.e., artificial turf), supports the extension of non-potable waterlines for irrigation use, and encourages water-intensive land uses, such as golf courses to utilize reclaimed water. These policies protect the underlying water basin from overextraction by enforcing conservation and water-efficient fixtures. Actions RM-6a through RM-6k support the policies listed above by updating the City's Water Efficient Landscape Ordinance periodically, encourage water conservation measures, working with CVWD to monitor water use throughout the City, incorporating water-wise native landscaping along roadway medians, and install water conservation devices and weather-based irrigation controls. As such, development within the vacant portions of the City is not expected to obstruct the facilities, capacities, or strategies identified in the governing groundwater management and stormwater resources planning. Therefore, implementation of the Proposed GPU and associated policies is expected to result in less than significant impacts pertaining to compliance with water quality control or sustainable groundwater management plans.

8. Land Use and Planning

Impact 4.11 b: GPU implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.

General Plan Update

As set forth by State law, the GPU serves as the primary planning document for the City and subordinate documents and plans would be updated to be consistent with the General Plan. The proposed GPU provides for a development and resource conservation pattern that preserves and protects Indian Wells' unique character and celebrates the community's high quality of life. The Community Development Element in the GPU guides where growth and development will occur in the City, and will accommodate land uses to respond to the community's changing needs with the implementation of policies and actions, listed below.

Coachella Valley Multiple Species Habitat Conservation Plan Analysis

The City of Indian Wells lies within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The CVMSHCP covers approximately 1.1 million acres in the Coachella Valley and ensures the conservation of the covered species and conserved natural communities in perpetuity. The Coachella Valley Conservation Commission (CVCC) oversees and

manages the CVMSHCP and has adopted a development impact fee structure which helps fund and implement conservation efforts of the CVMSHCP. The Indian Wells Municipal Code Chapter 22.20, Multiple Species Habitat Conservation Plan Mitigation Fee, enforces the impact fee which helps fund and implement conservation efforts of the CVMSHCP. Future projects within the City would be required to pay the Local Development Mitigation Fee in full at the time of the issuance of a building permit.

Southern California Association of Governments Regional Transportation Plan (SCAG)/Sustainable Communities Strategy

SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (also known as "Connect SoCal") is a plan for mobility, accessibility, sustainability, and a high quality of life in the region. It is first and foremost, a transportation plan that integrates land use planning into its framework to improve mobility and access to transportation options in response to Senate Bill (SB) 375. The goals within the RTP/SCS are meant to provide guidance for the project within the context of regional goals and policies. Therefore, the goals in the RTP/SCS may be pertinent to the proposed GPU. SCAG updated their RTP/SCS in April 2024. The plan includes four goals that fall into four core categories: mobility, communities, environment, and economy. The 2024 RTP/SCS is pending approval from the California Air Resources Board (CARB). However, the Goals and Guiding Policies set forth in RTP/SCS and the project's consistency with the 2024 goals are provided in the Draft EIR. The Draft EIR concluded that the GPU is consistent with the applicable goals provided in the 2020-2045 and 2024 update RTP/SCS.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- CD-1.1 Land Use Pattern.** Promote an appropriate land use plan that fosters and enhances community livability and public health; sustains economic vitality; relates to the City's resort industry; promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in this Element and Land Use Map.
- CD-1.2 Plan for New Development.** Ensure that new development corresponds to the provision of infrastructure, public services, and community facilities, and that new development funds and constructs its fair share of improvements in accordance with City requirements.
- CD-1.3 Housing for All Incomes.** Assist in the development of adequate housing to meet the needs of very low, low, and moderate income households through implementation of the Housing Program set forth in the Housing Element.

- CD-1.4 Senior Resident Land Use Needs.** Promote land uses and policies that support the needs of Indian Wells' senior community, including those with mobility, sensory and other limitations or who need assistance with activities of daily living.
- CD-1.5 Public Services for Quality of Life.** Maintain appropriate sites for institutional and public facility uses that can accommodate the infrastructure and facilities needed to serve the community.
- CD-1.6 Residential Clustering.** Encourage clustering of residential uses to minimize impacts from noise, flooding, slope instability, and other environmental hazards, or to achieve other desirable City objectives.
- CD-1.7 Transitions and Buffering.** Require the use of appropriate transitions and buffering to help ensure that non-residential uses do not affect the integrity and enjoyment of adjacent residential neighborhoods.
- CD-1.8 Prohibited Development Types.** Prohibit undesirable development types, including linear or strip commercial development, heavy polluting industry, and billboards.

Actions

- CD-1a** Amend the City's Municipal Code to reflect zoning designations and standards consistent with land use designations included in the General Plan Element.
- CD-1b** At least biennially, review the City's Municipal Code, including the Zoning Code and Subdivision Code, and update as appropriate to reflect goals, policies, and actions included in the Community Development Element.
- CD-1c** Ensure all projects are reviewed and processed per California Environmental Quality Act (CEQA) Guidelines.
- CD-1d** Through the development review process, evaluate development proposals for land use and transportation network compatibility with existing surrounding or abutting development or neighborhoods.
- CD-1e** Analyze land use compatibility through the development review process to require adequate buffers and/or architectural enhancements that protect sensitive receptors from intrusion of development activities that may cause unwanted nuisances and health risks.
- CD-1f** As part of development review process, ensure that residential and non-residential developments fall within the minimum and maximum density requirements and/or allowed floor-area-ratios stipulated on the Land Use Map and included within the Land Use Descriptions. Projects shall also be reviewed for consistency with the development standards and density requirements established by any applicable Specific Plan governing the area in question.

CD-1g Conduct proactive outreach to property owners and developers to encourage the development of new projects that provide public benefits on vacant parcels. Specifically focus on developing vacant areas located at the intersection of Miles Avenue and Washington Street, adjacent to the Indian Wells Tennis Garden and the intersection of Miles Avenue and Highway 111.

CD-1h Assist in the consolidation of contiguous smaller parcels for development purposes.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to a land use plan, policy or regulation adopted to avoid or mitigate environmental effects. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to a land use plan, policy or regulation adopted to avoid or mitigate environmental effects. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.11-17)

Rationale for Finding

General Plan Update

The Proposed GPU includes policies and actions that ensure environmental effects are mitigated. Similar to the current General Plan, the Proposed GPU acts to maintain the City's quality residential and resort character in Goal CD-1. Goal CD-1 intends that existing and future development maintains the well-established residential and resort character of Indian Wells. This is achieved in Policies CD-1.1 through CD-1.8. Policy CD-1.1 focuses on ensuring the land use pattern promotes and enhances community livability and public health, sustains community vitality, relates to the City's resort industry, promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in the GPU and Land Use Map. New development would be required to fund and construct its fair share of improvements in accordance with City requirements, which is consistent with Policy CD-1.2 and CD-1.5, for infrastructure, public services, and community facilities. This would be required in project conditions of approval, depending on the project.

The revised land use designations in the GPU includes an Affordable Housing Overlay and a Senior Housing Overlay which assist in the development of adequate housing to meet various household incomes, and senior housing. The Affordable Housing Overlay zone shall apply to residential properties only and shall indicate the City Council's intent to utilize the developer incentives programs for the development of affordable housing projects as set forth in Government Code Section 65915. The Senior Housing Overlay zone shall apply to residential properties only and shall indicate the City Council's intent to utilize the developer incentives programs, negotiated on an individual basis with prospective developers, to provide for senior citizen housing in the City. This is consistent with Policy CD-1.3 and CD-1.4 of the GPU.

The GPU land use map ensures new residential uses are located in areas protected from hazards. Moreover, the land use map ensures the placement of land uses next to compatible uses. For example, a residential community would not be compatible next to heavy industrial use (although Indian Wells does not include heavy industrial uses). This is consistent with CD-1.6 and CD-1.7. Finally, the GPU land use map will restrict undesirable land uses within the City, consistent with CD-1.8. The Policies CD-1.1 through CD-1.8 are implemented with the associated Actions CD-1a through CD-1h.

The GPU enhances policies and actions from the City's existing General Plan that were intended for environmental protection and would not remove or conflict with City plans, policies, or regulations adopted for environmental protection. The proposed GPU would require modifications to the City's Zoning Ordinance to provide consistency between the General Plan and zoning; however, these modifications will not remove or adversely modify portions of the Indian Wells Municipal Code that were adopted to mitigate an environmental effect.

Subsequent development and infrastructure projects would be required to be consistent with all applicable policies, standards, and regulations, including those land use plans, policies, and regulations adopted to mitigate environmental effects by the City as well as those adopted by agencies with jurisdiction over components of future development projects. Any potential environmental impact associated with conflicts with land use requirements would be less than significant.

Coachella Valley Multiple Species Habitat Conservation Plan

As stated above, the Indian Wells Municipal Code Chapter 22.20, Multiple Species Habitat Conservation Plan Mitigation Fee, enforces the impact fee which helps fund and implement conservation efforts of the CVMSHCP. Future projects within the City would be required to pay the Local Development Mitigation Fee in full at the time of the issuance of a building permit. This is also enforced in GPU Action RM-1d.

Additionally, the Santa Rosa and San Jacinto Mountains Conservation Area of the CVMSHCP encompasses the southern portion of the City, where developed areas meet the toe of slope of the Santa Rosa Mountains. To ensure consistency with the CVMSHCP and further protect the Conservation Area located within the City, the GPU does not allow development within the Conservation Area. This area is designated for Natural Open Space, per the GPU Land Use Map. Areas adjacent to the Conservation Area would be required to implement the Adjacency Guidelines. Therefore, implementation of the GPU would not conflict with the CVMSHCP, and impacts would be less than significant.

SCAG's RTP/SCS

The goals within the RTP/SCS are meant to provide guidance for the project within the context of regional goals and policies. Therefore, the goals in the RTP/SCS may be pertinent to the proposed GPU. SCAG updated their RTP/SCS in April 2024. The plan includes four goals that fall into four core categories: mobility, communities, environment and economy. The 2024 RTP/SCS is pending approval from the California Air Resources Board (CARB). However, the Goals and Guiding Policies set forth in RTP/SCS and the project's consistency with the 2024 goals are provided in the Draft EIR. The Draft EIR concluded that the GPU is consistent with the applicable goals provided in the 2020-

2045 and 2024 update RTP/SCS. See Table 4.11-5 on page 4.11-21 in the Draft EIR, and Table 4.11-6 on page 4.11-24 in the Draft EIR.

9. Population and Housing

Impact 4.13 a: The GPU would not result in unplanned growth in the City.

The Proposed GPU has the potential to induce both direct and indirect population growth within the Planning Area with the development of the remaining vacant areas within the City. At full buildout, the Proposed GPU could accommodate a total of 6,271 housing units, 5,159,667 square feet of non-residential building square footage, and 6,310 jobs within the Planning Area.

Employment

In 2017, 5,282 jobs were counted in the City of Indian Wells, an increase of 33.6 percent from 2007. According to the SCAG Integrated Growth Forecast, it is projected that the City of Indian Wells is projected to contain 6,800 jobs by 2045.

The leisure sector was the major sector for jobs in Indian Wells and accounted for 47.1 percent of total jobs in the City in 2017. Other large sectors include professional (9.8 percent), finance (9.1 percent), and other (10.6 percent). The largest employers of the City include the Renaissance Esmeralda Resort, Hyatt Regency, Toscana Country Club, and Indian Wells Golf Resort. However, most of the City's jobs are held by non-Indian Wells residents. Overall, only 4.5 percent of Indian Wells' working residents are employed within the City. Therefore, Indian Wells has a high proportion of jobs to households at 1.23, as indicated in the table below. An employment to housing ratio in the range of 0.75 to 1.5 is considered beneficial for reducing vehicle miles traveled (VMTs). An imbalance in jobs and housing creates longer commute times, more single driver commutes, loss of job opportunities for workers without vehicles, traffic congestion, and poor air quality.

Population Growth

The City of Indian Wells had a total population of 5,403 people in 2020. The Southern California Association of Governments (SCAG) forecasts that by 2045, the City of Indian Wells will have a population of approximately 6,400 people.

The Proposed GPU accommodates future growth in Indian Wells, including the development of new residential uses, commercial buildings, and resort uses. At full buildout, the City of Indian Wells could accommodate a total of 6,271 housing units, 5,405 residents, 5,159,667 square feet of new non-residential building space, and 6,310 jobs within the Planning Area. Buildout of the current General Plan would result in a total of 6,271 residential units; 5,405 residents; 5,132,104 square feet of nonresidential space; and 6,217 jobs. Since the number of residential units and residents will not change between the current General Plan and the Proposed GPU, the GPU will not result in unplanned population growth.

Housing

The number of estimated housing units in the City of Indian Wells was 5,395 housing units, according to Indian Wells' 2021-2029 Housing Element; however, approximately 2,905 (53.8 percent) were occupied (see Table 4.13-3, Housing Stock by Type and Vacancy (2020), above). Buildout of the current General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units. The Proposed GPU also proposes 6,271 residential units at total buildout of the Planning Area.

The Proposed GPU is intended to accommodate the City's fair share of statewide housing needs, which are allocated by the SCAG, based on regional numbers provided by the California Department of Housing and Community Development on a regular basis (every five to eight years). State law requires the Housing Element to include quantified objectives for the maximum number of units that can be constructed, rehabilitated or conserved. According to the City's overall RHNA for the 2021-2029 planning period, the City of Indian Wells will develop a total of 382 homes to satisfy the 2021-2029 RHNA allocation, consisting of 58 extremely-low income, 59 very low income, 81 low income, 91 moderate income, and 93 above moderate income units.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Goal 1: Conserve and improve the condition of the existing housing stock.

Policies

- 1.1 Continue enforcement of the codes and regulations establishing minimum construction standards.
- 1.2 Encourage maintenance and repair of existing housing to prevent deterioration within the City.
- 1.3 Monitor the status of at-risk affordable rental housing units, proactively work with potential nonprofit purchasers/managers as appropriate and explore funding sources available to preserve the at-risk units.

Goal 2: Support and encourage the development of housing affordable for all income segments of the population.

Policies

- 2.1 Maintain adequate capacity to accommodate the City's unmet Regional Housing Needs Allocation (RHNA) for all income categories throughout the planning period.
- 2.2 Continue to provide affordable housing opportunities in Indian Wells through a density bonus incentive for the development of lower and moderate-income units.
- 2.3 Encourage private entities (both non-profit and for-profit) to participate in attaining housing goals.
- 2.4 Encourage residential development that provides a range of housing types in terms of cost, density, unit size, and configuration.

- 2.5 Continue to allow accessory dwelling units and junior accessory dwelling units as a means of providing additional affordable rental housing opportunities.
- 2.6 Assist with the development of housing that targets the needs of special populations, including the elderly, disabled, farmworkers, and homeless.
- 2.7 Allow by-right approval for housing developments proposed for non-vacant sites included in one previous housing element inventory and vacant sites included in two previous housing elements, provided that the proposed housing development consists of at least 20 percent lower income and affordable housing units.

Goal 3: Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement and development of housing.

Policies

- 3.1 Continue to utilize zoning standards and overlay districts that facilitate the development of affordable housing units.
- 3.2 Provide reasonable accommodation for housing for persons with disabilities.
- 3.3 Periodically review City development standards to ensure consistency with the General Plan and to ensure high-quality affordable housing.
- 3.4 Monitor State and federal housing-related legislation, and update City plans, ordinances, and processes as appropriate to remove or reduce governmental constraints.
- 3.5 Regularly identify and evaluate the impact of nongovernmental constraints on housing development and implement programs to reduce negative impacts.

Goal 4: Promote housing opportunities for all persons regardless of race, religion, sex, age, marital status, familial status, ancestry, national origin, color, source of income, sexual orientation, or any other arbitrary factors.

Policies

- 4.1 Promote fair housing practices throughout the City.
- 4.2 Promote a variety of housing types to meet the special needs of persons with physical and developmental disabilities, elderly households, and others who may need specialized residential living arrangements.
- 4.3 Strengthen opportunities for participation in the approval process for all housing projects, including affordable housing.
- 4.4 Assist in affirmatively furthering and enforcing fair housing laws by providing support to organizations that provide outreach and education regarding fair housing rights,

receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.

Finding

The policies listed above continue to support the less than significant findings related to the GPU's impact to unplanned growth. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to unplanned growth. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.13-9)

Rationale for Finding

Employment

Buildout of the Proposed GPU could result in a total of 6,310 jobs. Therefore, the City's projected jobs/housing ratio would be approximately 1.01 by 2045 upon full development of the Proposed GPU.

Implementation of the Proposed GPU would result in direct employment growth from the proposed mix of employment-generating land uses within the Planning Area. This includes approximately 5,159,667 total square feet of nonresidential space. Approximately 6,310 jobs are anticipated at buildout of the project. Jobs required for the project site will primarily consist of commercial, retail, resort, and service jobs, which could be filled by workers already residing within the City or the Coachella Valley region. Employment growth resulting from buildout of the GPU would result in a less than significant impacts because this increase is consistent with projected employment growth for the City.

Population

Since the number of residential units and residents will not change between the current General Plan and the Proposed GPU, the Proposed GPU will not result in unplanned population growth.

Population projections as a result of buildout of the GPU is consistent with City and regional growth projections, and public service providers and utilities will be able to adequately accommodate this growth. Therefore, the project would not result in a substantial population increase unanticipated by the City. Impacts would be less than significant.

Housing

The Proposed GPU also proposes 6,271 residential units at total buildout of the Planning Area. According to the City's overall RHNA for the 2021-2029 planning period, the City of Indian Wells will develop a total of 382 homes to satisfy the 2021-2029 RHNA allocation, consisting of 58 extremely-low income, 59 very low income, 81 low income, 91 moderate income, and 93 above moderate income units.

Jurisdictions may count projects that are approved/entitled but not yet built or under construction. 233 units serving moderate- and above-moderate income households are expected to be developed during the planning period. An additional 17 units are under construction or have building permits issued for accessory dwelling units and various single family lots.

The City has a remaining RHNA of 231 units (115 extremely low/very low-income units, 80 low-income units, and 36 moderate-income units). As previously stated, buildout of the GPU could accommodate 6,271 residential units. Therefore, buildout of the GPU would not result in unplanned growth as housing is allocated in the City's 6th Cycle Housing Element approved by SCAG.

Therefore, while implementation of the GPU would result in a direct increase in population and housing, this increase is consistent with projected residential growth for the City.

Similar to the current General Plan, the Proposed GPU can accommodate 6,271 housing units. This complies with Goal 1 and its policies, which require the conservation and improvement of the condition of the existing housing stock. The GPU will also develop extremely low, low-, moderate-, and above moderate-income levels, diversifying the housing stock within the City, which is compliant with Policy 1.3, Goal 2 and Policies 2.1 through 2.7. The GPU will also comply with California Building Code standards for residential buildings, as well as fair housing laws within the City, in compliance with Goals 3 and 4, and their associated policies. These policies continue to support the less than significant finding related to housing.

Impact 4.13 b: The GPU will not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

The Proposed GPU does not include the demolition or conversion of existing residential dwelling units to non-residential uses. New development will be on vacant lots or underutilized properties dispersed throughout the Planning Area.

The majority of developed land in the Planning Area is comprised of residential uses, which are not anticipated to undergo significant land use changes under the GPU. The GPU focuses infill development opportunities in vacant and underutilized areas in Indian Wells. The General Plan Land Use Map was developed to preserve existing neighborhoods throughout the City. Throughout the Planning Area, the GPU is projected to increase the number of existing dwelling units (5,395 units to 6,271 units at buildout) and provide housing to serve the diverse needs of the community at various socioeconomic levels (see discussion of RHNA Impact 4.13 a, above).

There will be no impact to the current population of the area as it is vacant land, and the population will increase based on new development. Therefore, impacts of the Proposed GPU on the displacement of people or housing are considered less than significant and no mitigation is required. The policies listed below would further ensure that a range of housing types are provided in the City, and that housing conditions are evaluated as the housing supply ages.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Goal 1: Conserve and improve the condition of the existing housing stock.

Policies

- 1.1 Continue enforcement of the codes and regulations establishing minimum construction standards.
- 1.2 Encourage maintenance and repair of existing housing to prevent deterioration within the City.
- 1.3 Monitor the status of at-risk affordable rental housing units, proactively work with potential nonprofit purchasers/managers as appropriate and explore funding sources available to preserve the at-risk units.

Goal 2: Support and encourage the development of housing affordable for all income segments of the population.

Policies

- 2.1 Maintain adequate capacity to accommodate the City's unmet Regional Housing Needs Allocation (RHNA) for all income categories throughout the planning period.
- 2.2 Continue to provide affordable housing opportunities in Indian Wells through a density bonus incentive for the development of lower and moderate-income units.
- 2.3 Encourage private entities (both non-profit and for-profit) to participate in attaining housing goals.
- 2.4 Encourage residential development that provides a range of housing types in terms of cost, density, unit size, and configuration.
- 2.5 Continue to allow accessory dwelling units and junior accessory dwelling units as a means of providing additional affordable rental housing opportunities.
- 2.6 Assist with the development of housing that targets the needs of special populations, including the elderly, disabled, farmworkers, and homeless.
- 2.7 Allow by-right approval for housing developments proposed for non-vacant sites included in one previous housing element inventory and vacant sites included in two previous housing elements, provided that the proposed housing development consists of at least 20 percent lower income and affordable housing units.

Goal 3: Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement and development of housing.

Policies

- 3.1 Continue to utilize zoning standards and overlay districts that facilitate the development of affordable housing units.
- 3.2 Provide reasonable accommodation for housing for persons with disabilities.
- 3.3 Periodically review City development standards to ensure consistency with the General Plan and to ensure high-quality affordable housing.

- 3.4 Monitor State and federal housing-related legislation, and update City plans, ordinances, and processes as appropriate to remove or reduce governmental constraints.
- 3.5 Regularly identify and evaluate the impact of nongovernmental constraints on housing development and implement programs to reduce negative impacts.

Goal 4: Promote housing opportunities for all persons regardless of race, religion, sex, age, marital status, familial status, ancestry, national origin, color, source of income, sexual orientation, or any other arbitrary factors.

Policies

- 4.1 Promote fair housing practices throughout the City.
- 4.2 Promote a variety of housing types to meet the special needs of persons with physical and developmental disabilities, elderly households, and others who may need specialized residential living arrangements.
- 4.3 Strengthen opportunities for participation in the approval process for all housing projects, including affordable housing.
- 4.4 Assist in affirmatively furthering and enforcing fair housing laws by providing support to organizations that provide outreach and education regarding fair housing rights, receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.

Finding

The policies listed above continue to support the less than significant findings related to the GPU's impact to existing people or housing. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to the displacement of existing people or housing. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.13-14)

Rationale for Finding

As previously stated, future development within the GPU Planning Area would occur in vacant and infill parcels within the City. Therefore, implementation would not displace existing people or housing, since housing does not occur on the vacant lots. Therefore, impacts of the Proposed GPU on the displacement of people or housing are considered less than significant and no mitigation is required. However, the policies listed above would further ensure that a range of housing types are provided in the City, as required by Policies 2.1 through 2.7, and that housing conditions are evaluated as the housing supply ages, as required in Policies 1.1 through 1.3. Policies 3.1 through 3.5 act to remove governmental constraints to the maintenance improvement and development of housing, and Policies 4.1 through 4.4 promote fair housing opportunities for all persons. These policies continue to support the less than significant finding related to housing.

10. Public Services

Impact 4.14 a: The GPU would not result in substantial adverse impacts associated with fire protection.

Construction Impacts

Construction activities would increase the potential for accidental on-site fires from sources such as mechanical equipment operation and the use of flammable construction materials. Upon adoption of the GPU, construction contractors would implement best management practices (BMPs) to minimize these hazards, including the maintenance of mechanical equipment to ensure proper working order, the safe storage of flammable materials, and the immediate cleanup of any flammable spills.

Additionally, future construction within the City may require partial road closures due to construction traffic for grading, debris removal, and material deliveries, which could impact emergency response times, including fire services. However, traffic management plans would be required to ensure that construction projects do not obstruct the Riverside County Fire Department's (RCFD) ability to provide emergency services. Clear, unobstructed paths would be maintained to ensure the fire department can uphold its standard response times during construction activities.

Operational Impacts

With the implementation of the GPU, the City can be expected to have an incremental increase to the number of calls for fire services. The City's population could increase by 1,862 residents at full GPU buildout.

Fire Station No. 55 is the primary station to respond to calls from residents of Indian Wells, given its convenient location at the center of the City. Station No. 93 is the second closest station and responds when Station No. 55 is responding to other calls. Both stations provide services within a 5 – 7-minute response time.

Development would comply with all existing development standards, codes, policies, and actions set forth by the City. This includes Indian Wells Municipal Code Chapter 3.24 and Chapter 3.25, requiring the payment of developer fees by new development within the City to help pay for facilities that are determined to be constructed to accommodate new development. Chapter 3.26, Special Fire Tax, imposes a levy on property improvements and property usage based on estimated fire flow requirements. These requirements are calculated using a formula provided in the California Insurance Services Office guidelines, which are detailed in the Fire Prevention and Control Master Planning Guide, distributed by the United States Department of Commerce. In order to ensure future development is complying with fire code standards, Chapter 16.32, California Fire Code, states that the City adopts and applies all of the provisions and appendices of the California Fire Code.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-5.1** **Fair Share.** Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.
- RM-5.2** **Capital Improvements.** Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.
- PS-1.1** **Service Agreements.** Maintain contracted essential service agreements through established State and county agencies, including CAL FIRE, RCFD, and RCSD.
- PS-1.2** **Emergency Plan.** Enforce, and periodically update, local emergency plans, such as the City EOP and LHMP, to ensure the most current information is reflected.
- PS-1.3** **Emergency Response Service.** Provide sufficient levels of all emergency response services to protect the health, safety, and welfare of all persons and to protect property in the City.
- PS-1.6** **School Emergency Planning.** Coordinate with the Desert Sands Unified School District to ensure the highest levels of safety and emergency preparedness are instilled in their programs and practices.
- PS-1.7** **Regional Support System.** Continue to participate in automatic and mutual aid agreements with adjacent service providers and regional agencies, such as Coachella Valley Association of Governments (CVAG) and the Cove Commission, to ensure efficient and adequate resources, facilities, and support
- PS-1.8** **Community Coordination.** Encourage emergency preparedness to be the combined responsibility of the City, in conjunction with the County, Coachella Valley Association of Governments (CVAG), and the State as well as City residents and the business community.
- PS-2.1** **Building Fire Codes.** Require that all buildings and facilities comply with local, state, and federal regulatory standards such as the California Building and Fire Codes as well as other applicable fire safety standards.
- PS-2.2** **Urban Fire Risks.** Work with CAL FIRE/RCFD to maintain an ongoing fire inspection program to reduce fire hazards associated with multifamily development, critical facilities, public assembly facilities, industrial buildings, and nonresidential buildings.
- PS-2.3** **Fire Hazard Identification.** Coordinate with CAL FIRE/RCFD to identify any changes in regional fire hazard severity zones to further reduce fire hazards in the community the community.

- PS-2.4** **Fire-Prone Building Materials.** Restrict, after appropriate public hearings, the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk.
- PS-2.5** **Public Education.** Work with RCFD to disseminate educational programs for residents on fire hazard risks and fire safety measures, including evacuation routes, with a special focus on at-risk populations such as seniors.
- PS-2.6** **Fire Protection Plans.** Uphold locally and regionally adopted fire protection plans, including the City of Indian Wells Local Hazard Mitigation Plan, and regularly renew such plans as new information becomes available.

Actions

- PS-1a** Regularly conduct periodic emergency response exercises to test the effectiveness of City emergency response procedures; coordinate with the County and State where multi-jurisdictional efforts are needed.
- PS-1b** Coordinate with the County of Riverside to keep the Multi-Jurisdictional Local Hazard Mitigation Plan up to date.
- PS-1c** Maintain an Emergency Operations Plan (EOP) that defines the actions and roles necessary to provide a coordinated response within the City before, during, and following extraordinary emergencies associated with natural, manmade, and technological disasters. An EOP typically has built-in flexibility to allow use in all emergencies and facilitates response and short-term recovery activities. Annually review and update the City's EOP under the provision of the State Emergency Management System format to maximize the efforts of emergency service providers (e.g., fire, medical, and law enforcement) and minimize human suffering and property damage during disasters.
- PS-1e** Provide community education and self-help programs. In cooperation with CVAG and other communities in the Valley, distribute periodic safety publications, that discuss available protective services, to the public. Coordinate with local agencies and organizations to develop and distribute informational brochures and give presentations to civic groups and local schools to educate residents and businesses about appropriate actions to take during an emergency.
- PS-1g** Work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios.
- PS-2a** Mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.
- PS-2b** Review and revise the City LHMP at least every 5 years to reflect current community needs, and to ensure the City continues to receive federal FEMA mitigation assistance.

- PS-2c** Require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers.
- PS-2d** Work with Riverside County to develop a comprehensive fire plan which forecasts future personnel and equipment needs and require new development to pay its pro-rata share of costs for fire services.
- PS-2e** Upgrade older water mains in the city as needed to ensure adequate water pressure for firefighting.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to fire protection services. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to fire protection services. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.14-10)

Rationale for Finding

Construction Impacts

In regard to the construction materials for present and future projects, Action PS-2a, encourages the mitigation of existing, non-conforming development to contemporary fire-safe standards where feasible, reducing fire risks during construction. Policy PS-2.4 would restrict (after appropriate public hearings) the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk. Action PS-2c would require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers. Additionally, the City's General Plan has outlined policies that include requiring new development to fund its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. (Policy RM-5.1). To supplement Policy RM-5.1, Policy RM-5.2 states that the City would maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements. Policy PS-2.2 mandates that the City works with CAL FIRE/RCFD to maintain an ongoing fire inspection program, which would also apply during construction to minimize fire hazards. Action PS-1a further ensures regular emergency response exercises are conducted to test the effectiveness of the City's response procedures, particularly during high-risk construction phases that may disrupt emergency routes. Therefore, impacts to fire services during potential future construction within the City would be less than significant.

Operational Impacts

In addition to the requirements set forth in the City's Municipal Codes, City policies and actions are required to be followed by future development. Policy PS-2.1 requires all buildings and facilities to comply with local, State, and federal regulatory standards such as the California Building and Fire

Codes as well as other applicable fire safety standards. Policy PS-2.3 requires that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers. Additionally, the City's General Plan has outlined policies that include requiring new development to fund its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. (Policy RM-5.1). To supplement Policy RM-5.1, Policy RM-5.2 states that the City would maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.

In addition, multiple City policies and actions are to be implemented by the City to maintain and improve fire safety. Policy PS-1.1 states that the City would maintain contracted essential service agreements through established State and county agencies, including CAL FIRE, RCFD, and RCSD. Policy PS-1.2 mandates the periodic update of local emergency plans, such as the City's Emergency Operations Plan (EOP) and Local Hazard Mitigation Plan (LHMP). The City will conduct coordination with the Desert Sands Unified School District (DSUSD) under Policy PS-1.6 to enhance school emergency planning. Action PS-1c states that the City would maintain an EOP that defines the actions and roles necessary to provide a coordinated response within the City before, during, and following extraordinary emergencies associated with natural, manmade, and technological disasters. To strengthen community fire safety, Policy PS-2.5 requires the City and RCFD to provide public education programs, particularly for at-risk populations, on fire hazards, safety measures, and evacuation routes. Policy PS-1.3 states the City should provide sufficient levels of all emergency response services to protect the health, safety, and welfare of all persons and to protect property in the City. Policy PS-1.7 states that the City should continue to participate in automatic and mutual aid agreements with adjacent service providers and regional agencies, such as Coachella Valley Association of Governments (CVAG) and the Cove Commission, to ensure efficient and adequate resources, facilities, and support services before, during, and after emergencies; further cooperate with regional agencies and the general public to inform citizens of available protective services. Policy PS-1.8 encourages emergency preparedness to be the combined responsibility of the City, in conjunction with the County, CVAG, and the State as well as City residents and the business community. Action PS-1e states that the City will provide community education and self-help programs. In cooperation with CVAG and other communities in the Valley, distribute periodic safety publications, that discuss available protective services, to the public. Policy PS-2.6 states that the City should uphold locally and regionally adopted fire protection plans, including the City of Indian Wells Local Hazard Mitigation Plan, and regularly renew such plans as new information becomes available.

Additionally, Action PS-1g states that the City should work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios. Action PS-2d states that the City will work with Riverside County to develop a comprehensive fire plan which forecasts future personnel and equipment needs and requires new development to pay its pro-rata share of costs for fire services. Action PS-2e addresses the need to upgrade older water mains to maintain adequate water pressure for firefighting. Furthermore, Action PS-1b ensures the Local Hazard Mitigation Plan (LHMP) is kept up to date, while Action PS-2b states that the City will review and revise the City LHMP at least every 5 years to reflect

current community needs, and to ensure the City continues to receive federal FEMA mitigation assistance.

Overall, the GPU itself does not create the necessity to propose new fire facilities. When future facilities are proposed, project-specific environmental impacts will be assessed, and potential impacts will be identified during the City planning process for fire facilities. Implementation of the City policies and actions, City Municipal Codes, as well as the most current local, State, and federal codes and regulations would ensure that impacts would be less than significant.

Impact 4.14 a: The GPU would not result in substantial adverse impacts associated with police protection.

Construction

Construction impacts from the implementation of the GPU within the City of Indian Wells to police would be similar to those faced by fire services. Future construction within the City may result in construction traffic that could result in partial road closures due to construction trucks moving in and out of the City for grading, debris removal, and delivery of construction materials. These activities could potentially have an impact on emergency services, like police services, by increasing response times. However, construction management traffic plans will be required to ensure future projects do not impede with the Sheriff's Department ability to provide service during project construction, as encouraged by the GPU policies and actions provided below.

Operational Impacts

Implementation of the GPU could place an additional demand on service calls for police services; however, future development would be required to follow existing development standards set forth by the City and Indian Wells Police Department (IWPD). Additionally, the City will maintain and finance the capital improvement program to ensure the timely implementation of the GPU and the adequate and the timely provision of public facility and municipal improvements, as implemented by the policies and actions provided below.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-5.1** **Fair Share.** Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.
- RM-5.2** **Capital Improvements.** Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.

Actions

PS-1a Regularly conduct periodic emergency response exercises to test the effectiveness of City emergency response procedures; coordinate with the County and State where multi-jurisdictional efforts are needed.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to police protection services. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to police protection services. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.14-15)

Rationale for Finding

Construction

Future construction within the City may result in construction traffic that could result in partial road closures due to construction trucks moving in and out of the City for grading, debris removal, and delivery of construction materials. These activities could potentially have an impact on emergency services, like police services, by increasing response times. However, construction management traffic plans will be required to ensure future projects do not impede with the Sheriff's Department ability to provide service during project construction. Action PS-1a ensures regular emergency response exercises are conducted to test the effectiveness of the City's response procedures, particularly during high-risk construction phases that may disrupt emergency routes. Therefore, impacts to police services during construction would be less than significant.

Operational Impacts

Implementation of the GPU could place an additional demand on service calls for police services; however, future development would be required to follow existing development standards set forth by the City and IWPd. Implementation of the GPU would be required to meet all current and applicable policies as well which include Policy RM-5.1 ensuring that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. Additionally, Policy RM-5.2 states that the City will maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.

As a result of compliance with these existing regulations, the GPU would not significantly increase police response times and would not interfere with IWPd's ability to provide service to the City. Therefore, impacts to police services would be less than significant.

Impact 4.14 a: The GPU would not result in substantial adverse impacts associated with schools.

Full buildout of the GPU could result in an increase in 1,058 residential units. Per the Department of Finance’s Population and Housing Estimates for the City, the City has an estimated 1.76 persons per household (PPH). The 2024 DSUSD Fee Justification Study for New Residential and Commercial/Industrial Development states that the student generation rate for DSUSD is 0.3502. Based on the forecasted housing growth from the proposed project, approximately 370.5 new students could be added to DSUSD at full GPU buildout.

To ensure that Desert Sands Unified Schol District (DSUSD) accommodates future growth in the City, DSUSD levies developer fees for new construction of residential, commercial, and rental self-storage development. In January of 2024, the State Allocation Board (“SAB”) adjusted the Statutory Fees for a unified (TK-12) school district to \$5.17 per square foot of assessable space of new residential development, \$0.29 per square foot for rental self-storage, and \$0.84 per square foot of chargeable covered and enclosed space of commercial/industrial development pursuant to Government Code section 65995 and Education Code section 17620. DSUSD informs the City every year about updated fees to ensure the City’s developer fees include the most recent fee amount.

DSUSD currently has no excess capacity at the elementary school level and although DSUSD is currently able to house existing students at the middle and high school levels as excess capacity exists at each – specifically, excess capacity exists at the middle school level (434 seats) and at the high school level (614 seats) – the DSUSD Fee Justification Study for New Residential and Commercial/Industrial Development shows additional growth will not be accommodated by current excess capacity.

In addition, it was determined in the 2024 DSUSD Fee Justification Study for New Residential and Commercial/Industrial Development that the DSUSD’s facilities impact per square foot is greater than the allowable Level 1 Fee (\$5.17). Due to this, DSUSD suffers unmitigated impacts from new residential development. According to the 2024 DSUSD Fee Justification Study for New Residential and Commercial/Industrial Development, facilities cost \$10.34 per square foot.

No new school facilities are proposed in the GPU. Although growth projections may necessitate new schools in the future, the timing and specifics of these facilities are currently unknown. Potential impacts will be identified and mitigated during the facility planning process. Future proposals for new school facilities will be reviewed on a case-by-case basis by the DSUSD, ensuring compliance with all relevant codes and regulations to minimize environmental impacts.

The following GPU policies were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

RM-5.1 **Fair Share.** Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.

RM-5.2 Capital Improvements. Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.

Finding

The policies listed above continue to support the less than significant findings related to the GPU's impact to schools. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to schools. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.14-16)

Rationale for Finding

As concluded in the 2024 DSUSD Fee Justification Study for New Residential and Commercial/Industrial Development, DSUSD will use the fee's collected towards the construction and/or reconstruction of school facilities and/or additional permanent facilities on existing school campuses and/or acquisition of new or interim public-school facilities. Interim school facilities can house students generated by new development while permanent facilities are being constructed including leasing or acquisition of portable classrooms to meet the temporary needs of students generated from new development and construction, and the installation of interim facilities and to pay for the costs of replacing interim facilities with permanent facilities.

Senate Bill (SB) 50 permits school districts to levy fees to fund school construction, with the payment of these fees deemed full mitigation of development impacts on school facilities. Policy RM-5.1 ensures that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. Additionally, Policy RM-5.2 states that the City will maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and timely provision of public facility and municipal improvements. In addition to City efforts, the school district is responsible for implementing specific methods to mitigate school impacts under the Government Code. The collection of State-mandated school impact fees would ensure school-related impacts continue to be less than significant.

Impact 4.14 a: The GPU would not result in substantial adverse impacts associated with parks.

Buildout of the GPU would develop 1,058 additional residential units, which could increase the population by 1,862, and increase the use of local parks. However, according to Municipal Code Chapter 20.36.040, Park Dedication Requirements, the City of Indian Wells requires projects to pay a park development fee, dedicate land, or both. Chapter 20.36.040 states that the developer of any residential subdivision shall dedicate park land and/or pay fees in lieu thereof, at the rate of five acres per one thousand population, which are owned and maintained by the City, and two acres for private parks located in the immediate subdivision. This would ensure impacts to parks are less than significant.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-5.1 Fair Share.** Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.
- RM-5.2 Capital Improvements.** Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.
- RM-3.1 Provision of Opportunities.** Facilitate recreational opportunities for residents by providing and maintaining needed facilities throughout the City and in cooperation with adjoining jurisdictions.
- RM-3.2 Parks in Residential Areas.** Support the development of local-serving park and recreational facilities (public and private) in residential areas.
- RM-3.3 Service Area Radius.** Focus new park and recreation facilities in areas that are outside 1/4-mile walking radius from an existing or proposed park or trail and enhance options for residents to access these facilities through safe walking and cycling routes.
- RM-3.4 Golf Courses.** Promote the City's municipal and private golf courses as high-quality amenities that serve residents, draw visitors, and make Indian Wells an exceptional destination.
- RM-3.5 Facilities for Seniors.** Cater to the City's senior population by continuing to provide recreational facilities and activities specifically tailored to meet the needs of older residents.
- RM-3.6 HOA Collaboration.** Collaborate with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities.
- RM-3.7 Safety and Compatibility.** Consider public safety and compatibility with adjacent uses in park design and development including the location of buildings, activity areas, lighting, and parking.
- RM-3.8 Parkland Dedication.** Require new development or major redevelopment to incorporate parkland, open space, or green space to expand recreational opportunities in the community in accordance with Section 20.36.040, Park dedication requirements, of the Indian Wells Municipal Code.

- RM-3.9** **Maintenance.** Require that parks and recreational facilities be well-maintained by the responsible agency/organization.
- RM-3.10** **Accessibility.** Require that new park facility construction and existing facility retrofits meet accessibility standards defined by the Americans with Disabilities Act (ADA) and playground safety requirements.
- RM-3.11** **Parkland Funding.** Actively pursue financing for parkland acquisition and maintenance and allocate sufficient funding to park development to support the community's recreational needs.
- RM-3.12** **Community Support.** Collaborate with residents to ensure the City's park and recreation facilities and programs reflect evolving community preferences.

Actions

- RM-3a** Update the Zoning Code to list recreational facilities and support facilities as an allowable use in all residential zones.
- RM-3b** Require developers to dedicate land based upon the park acreage standard of up to five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.
- RM-3c** Pursue available resources to fund recreation facilities and parkland acquisition, development, and maintenance, including but not limited to, State and federal grants, special districts, private donations, gifts, and endowments.
- RM-3d** Conduct regular maintenance assessments for all parks and recreation facilities.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to parks. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to parks. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.14-18)

Rationale for Finding

The City of Indian Wells currently mitigates potential impacts to parks by requiring a park development fee or dedication of land (or both) in Municipal Code Chapter 20.36.040, Park Dedication Requirements. Chapter 20.36.040 states that the developer of any residential subdivision shall dedicate park land and/or pay fees in lieu thereof, at the rate of five acres per one thousand population, which are owned and maintained by the City, and two acres for private parks located in the immediate subdivision.

The City of Indian Wells is committed to ensuring that its parks and recreational facilities are both adequate and accessible for residents and visitors through a comprehensive set of policies. Policy RM-3.1 focuses on facilitating recreational opportunities by maintaining necessary facilities citywide and cooperating with neighboring jurisdictions. Policy RM-3.2 emphasizes the development of parks in residential areas, promoting local-serving public and private recreational facilities. To ensure coverage, Policy RM-3.3 directs the City to establish new parks outside a 1/4-mile walking radius from existing ones and to enhance safe walking and cycling routes to these facilities. Safety and compatibility are priorities under Policy RM-3.7, which requires careful consideration of park design aspects such as building placement, lighting, and parking. To support ongoing development, Policy RM-3.8 mandates that new projects incorporate parkland, aligning with Municipal Code, Section 20.36.040, park dedication requirements. Maintenance is crucial, with Policy RM-3.9 ensuring responsible agencies keep parks well-maintained. Accessibility is also a focus, as Policy RM-3.10 requires compliance with ADA standards and playground safety requirements for new and retrofitted facilities. Policy RM-3.11 calls for active pursuit of funding for parkland acquisition and maintenance. Community involvement is encouraged through Policy RM-3.12, which aims to align facilities and programs with residents' evolving preferences. To continue to attract visitors and residents to Indian Wells, the City would follow Policy RM-3.4, promoting the City's municipal and private golf courses. Ensuring fair contribution from new developments, Policy RM-5.1 mandates that such projects fund their share of public infrastructure and amenities. Finally, Policy RM-5.2 supports the capital improvement program to guarantee the timely implementation of the General Plan and the provision of public facilities. Collectively, these policies ensure that Indian Wells' park facilities will be sufficient and well-maintained for current and future needs.

The City of Indian Wells has also outlined a series of strategic actions designed to ensure that parks and recreational facilities are ample and meet the needs of residents and visitors. Action RM-3a involves updating the Zoning Code to permit recreational facilities and support structures in all residential zones, thereby expanding access to recreational opportunities throughout the city. Action RM-3b stipulates that developers must dedicate land for parks based on a standard of up to five acres per one thousand residents or alternatively, pay fees in lieu of land dedication, providing flexibility and ensuring the expansion of recreational spaces. According to Municipal Code Chapter 20.36.040, Park Dedication Requirements, the City of Indian Wells requires projects to pay a park development fee, dedicate land, or both. Section 20.36.040 states that the developer of any residential subdivision shall dedicate park land and/or pay fees in lieu thereof, at the rate of five acres per one thousand population. Dedicated park land is to be apportioned as three acres for public parks, which are owned and maintained by the City, and two acres for private parks located in the immediate subdivision.

As stated above, the full buildout of the GPU could increase the population by 1,862 from the additional 1,058 residential units. Future projects will be reviewed by the Planning Commission and seek approval from the City Council in order to ensure the appropriate fee amount is collected and/or park land is dedicated. To secure financial resources for recreational facilities and parkland acquisition, Action RM-3c commits the City to actively pursue funding from a variety of sources, including state and federal grants, special districts, and private contributions. Maintenance is a priority under Action RM-3d, which mandates regular assessments of all parks and recreational facilities to ensure they remain in excellent condition. Collectively, these policies and actions demonstrate a proactive approach

to maintaining and enhancing the City of Indian Wells' parks facilities, ensuring they are sufficient and aligned with the needs of the community. Impacts are anticipated to continue to be less than significant.

Impact 4.14 a: The GPU would not result in substantial adverse impacts associated with other public facilities.

The City of Indian Wells is largely developed. Buildout of the GPU would result in new development in areas north of Highway 111 and north and south (and east and west in some areas) of Miles Avenue. Increased use of existing public facilities in the City could occur with buildout of the City. The City of Indian Wells has developed a robust framework of policies and actions to ensure the sustainability and adequacy of public facilities for its residents and visitors.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-5.1** **Fair Share.** Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.
- RM-5.2** **Capital Improvements.** Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.
- RM-3.5** **Facilities for Seniors.** Cater to the City's senior population by continuing to provide recreational facilities and activities specifically tailored to meet the needs of older residents.
- RM-3.6** **HOA Collaboration.** Collaborate with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities.

Actions

- RM-3e** Conduct periodic assessments of community needs and preferences in recreation programming and services.
- RM-3f** Identify ways to preserve, restore, create, and maintain low impact recreational opportunities and open space experiences for resort visitors such as publishing a trails/bike path brochure for the resorts to distribute.
- RM-3g** Encourage schools and places of worship in the City to create and promote recreation programs and activities for residents.

Finding

The policies listed above continue to support the less than significant findings related to the GPU's impact to other public facilities. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to other public facilities. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.14-20)

Rationale for Finding

The City of Indian Wells has developed a robust framework of policies and actions to ensure the sustainability and adequacy of public facilities for its residents and visitors. Policy RM-3.5 caters specifically to seniors by offering recreational facilities and activities tailored to their needs. Collaboration is key, as seen in Policy RM-3.6, which encourages working with Homeowners Associations to meet the diverse needs of the community, including families, seniors, and individuals with disabilities. Policy RM-5.1 ensures that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. Policy RM-5.2 states that the City should maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and timely provision of public facilities and municipal improvements.

To stay attuned to community needs, Action RM-3e involves conducting periodic surveys to gauge residents' preferences and requirements for recreational programming and services. Action RM-3f seeks to enhance the recreational experience for resort visitors by identifying opportunities to preserve, restore, and create low-impact recreational spaces, including the publication of a trails and bike path brochure for distribution at resorts. Finally, Action RM-3g encourages local schools and places of worship to develop and promote recreational programs, broadening the scope of available activities for residents. By implementing these comprehensive policies and actions, the City of Indian Wells will ensure that public facilities are well-maintained, adequately funded, and effectively meet the diverse needs of the community. Therefore, the GPU is expected to have a less than significant impact on public facilities within the City.

11. Recreation

Impact 4.15 a: The GPU would not 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.

The City only has one public park with passive amenities for its residents. Most of the communities within the City of Indian Wells have their own form of recreational facilities that satisfy the needs of the community. Nonetheless, the analysis in the Draft EIR assumed that added residents would utilize these facilities, resulting in facility upkeep and maintenance due to increased usage load from various activities. The City of Indian Wells is dedicated to ensuring management and maintenance of its park and recreational facilities, leveraging a comprehensive framework of policies and actions listed below.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-3.1** **Provision of Opportunities.** Facilitate recreational opportunities for residents by providing and maintaining needed facilities throughout the City and in cooperation with adjoining jurisdictions.
- RM-3.2** **Parks in Residential Areas.** Support the development of local-serving park and recreational facilities (public and private) in residential areas.
- RM-3.3** **Service Area Radius.** Focus new park and recreation facilities in areas that are outside 1/4-mile walking radius from an existing or proposed park or trail and enhance options for residents to access these facilities through safe walking and cycling routes.
- RM-3.4** **Golf Courses.** Promote the City's municipal and private golf courses as high-quality amenities that serve residents, draw visitors, and make Indian Wells an exceptional destination.
- RM-3.5** **Facilities for Seniors.** Cater to the City's senior population by continuing to provide recreational facilities and activities specifically tailored to meet the needs of older residents.
- RM-3.6** **HOA Collaboration.** Collaborate with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities.
- RM-3.7** **Safety and Compatibility.** Consider public safety and compatibility with adjacent uses in park design and development including the location of buildings, activity areas, lighting, and parking.
- RM-3.8** **Parkland Dedication.** Require new development or major redevelopment to incorporate parkland, open space, or green space to expand recreational opportunities in the community in accordance with Section 20.36.040, Park dedication requirements, of the Indian Wells Municipal Code.
- RM-3.9** **Maintenance.** Require that parks and recreational facilities be well-maintained by the responsible agency/organization.
- RM-3.10** **Accessibility.** Require that new park facility construction and existing facility retrofits meet accessibility standards defined by the Americans with Disabilities Act (ADA) and playground safety requirements.

RM-3.11 **Parkland Funding.** Actively pursue financing for parkland acquisition and maintenance and allocate sufficient funding to park development to support the community's recreational needs.

RM-3.12 **Community Support.** Collaborate with residents to ensure the City's park and recreation facilities and programs reflect evolving community preferences.

Actions

RM-3a Update the Zoning Code to list recreational facilities and support facilities as an allowable use in all residential zones.

RM-3b Require developers to dedicate land based upon the park acreage standard of up to five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.

RM-3c Pursue available resources to fund recreation facilities and parkland acquisition, development, and maintenance, including but not limited to, State and federal grants, special districts, private donations, gifts, and endowments.

RM-3d Conduct regular maintenance assessments for all parks and recreation facilities.

RM-3e Conduct periodic assessments of community needs and preferences in recreation programming and services.

RM-3f Identify ways to preserve, restore, create, and maintain low impact recreational opportunities and open space experiences for resort visitors such as publishing a trails/bike path brochure for the resorts to distribute.

RM-3g Encourage schools and places of worship in the City to create and promote recreation programs and activities for residents.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to existing neighborhood and regional parks or other recreational facilities. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to existing parks or recreational facilities. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.15-5)

Rationale for Finding

Most of the communities within the City of Indian Wells have their own form of recreational facilities that satisfy the needs of the community. However, the GPU provides policies and actions that ensure impacts to parks and recreational facilities remain less than significant. These policies and actions are discussed subsequently.

Policy RM-3.1 aims to facilitate recreational opportunities by strategically providing and maintaining necessary facilities citywide, collaborating with neighboring jurisdictions for enhanced access. Policy RM-3.2 supports the development of local-serving parks in residential areas, encompassing both public and private initiatives. Policy RM-3.3 directs the focus of new park and recreation facilities beyond a 1/4-mile walking radius from existing or proposed parks, promoting safe pedestrian and cycling routes for accessibility. Policy RM-3.5 underscores the importance of recreational facilities tailored to seniors, ensuring inclusivity across residential areas. Collaboration with Homeowners Associations under Policy RM-3.6 fosters tailored recreational solutions for diverse community segments, including families and individuals with disabilities. Safety and compatibility considerations under Policy RM-3.7 guide park design and development, enhancing public safety and harmony with neighboring land uses. Policy RM-3.8 mandates new developments incorporate parkland, expanding recreational opportunities in compliance with municipal code requirements. Maintenance standards under Policy RM-3.9 ensure parks are well-kept, supported by regular assessments. Accessibility standards mandated by Policy RM-3.10 prioritize ADA (Americans with Disabilities Act) compliance and playground safety requirements, ensuring inclusivity in facility design. Policy RM-3.11 actively pursues funding for parkland acquisition and maintenance, vital for sustained community recreational needs. Policy RM-3.12 promotes community engagement to align park and recreation offerings with evolving preferences.

Additionally, the City is committed to effectively managing and maintaining its parks and recreational facilities through a series of proactive actions. Action RM-3a involves updating the Zoning Code to allow recreational facilities and support structures in all residential zones, ensuring broad access to recreational opportunities across the City. Action RM-3b mandates that developers either dedicate land or pay fees for parkland based on a specified acreage standard per population, providing flexibility while ensuring sufficient recreational space for residents. Action RM-3c focuses on securing diverse funding sources such as State and federal grants, private donations, and endowments to support the acquisition, development, and ongoing maintenance of recreation facilities and parklands. Regular maintenance assessments under Action RM-3d ensure that all parks and recreational facilities are well-maintained, preserving their quality and safety for public use. Periodic assessments conducted through Action RM-3e allow the City to stay responsive to community preferences, adapting recreation programming and services accordingly. Action RM-3f aims to enhance recreational experiences for resort visitors by exploring and implementing strategies to preserve, create, and maintain low-impact recreational opportunities and open spaces, such as distributing trails and bike path brochures. Additionally, Action RM-3g encourages local schools and places of worship to actively engage in promoting recreational programs and activities, fostering a community-wide commitment to wellness and leisure. By implementing these actions, the City ensures that existing and future parks and recreational facilities will be effectively managed and maintained, thereby minimizing any significant impacts from the implementation of the GPU. Less than significant impacts are anticipated.

Impact 4.15 b: The GPU would not require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Development from the implementation of the GPU could increase uses of the City's recreational facilities. Any new development within the City limits would be required to pay development fees in

order to comply with the City's efforts to mitigate potential impacts to the park and recreational facilities. Section 20.36.040 of the City's Municipal Code establishes criteria for dedicating land, or payment of in lieu fees for construction of new parks or recreational facilities or rehabilitation of existing facilities. The ordinance states that residential subdivisions, containing fifty parcels or fewer, shall not be required to dedicate any land for parks and recreational purposes without consent, but shall pay a development fee in accordance with the Code. All other residential developments are required to pay a park development fee, dedicate land, or both.

According to Section 20.36.040, (f), Private Parks, when private land for park and recreational purposes is to be provided in a proposed subdivision and such park land is to be privately owned and perpetually maintained and operated by the future residents or owners of the development, such land may be credited against the requirement for dedication of land for park and recreational purposes. The eligibility of private park land for land dedication or fee credit shall be subject to approval by the Council.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

RM-3.6 HOA Collaboration. Collaborate with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities.

RM-3.8 Parkland Dedication. Require new development or major redevelopment to incorporate parkland, open space, or green space to expand recreational opportunities in the community in accordance with Section 20.36.040, Park dedication requirements, of the Indian Wells Municipal Code.

Actions

RM-3b Require developers to dedicate land based upon the park acreage standard of up to five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to the construction or expansion of recreational facilities. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.15-7)

Rationale for Finding

Any new development within the City limits would be required to pay development fees in order to comply with the City's efforts to mitigate potential impacts to the park and recreational facilities. Section 20.36.040 of the City's Municipal Code establishes criteria for dedicating land, or payment of in lieu fees for construction of new parks or recreational facilities or rehabilitation of existing facilities, which is required by Policy RM-3.8. Additionally, Action RM-3b requires developers to dedicate land based upon the park acreage standard of up to five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.

Because the types of parks and open spaces should be consistent with the needs of the residents, there is a limited need for public parks that include athletic fields, swimming pools, or other active recreational spaces in Indian Wells. Most of the local Homeowners Associations (HOA) provide the recreational facilities needed by the residents. The City's Policy RM-3.6 states that the City collaborates with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities. Implementation of the GPU policies and actions will ensure that impacts associated with the construction or expansion of recreational facilities will remain less than significant.

12. Transportation

Impact 4.16 a: The GPU would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

The Draft EIR provided a qualitative analysis of whether the GPU would conflict with relevant programs, plans, ordinances, and policies related to the circulation system. A conflict could occur if the proposed GPU would preclude the ability of Indian Wells to implement its goals or policies.

Generally, a plan/project causes a significant impact to transit facilities and services if an element of it conflicts with existing or planned transit services. The evaluation of transit facilities shall consider if: (1) a plan or project or related mitigation disrupts existing transit services or facilities; (2) a plan or project or related mitigation conflicts with an existing or planned transit facility; or (3) a plan or project or related mitigation conflicts with transit policies adopted by the City of Indian Wells for its respective facilities.

The City's Mobility Element describes the related policies necessary to ensure that pedestrian and bicycle facilities are safe and effective for Indian Wells residents, employees and visitors. Using the Mobility Element as a guide, significant impacts to these facilities would occur when a plan or project: (1) creates a hazardous condition that currently does not exist for pedestrians and bicyclists, or otherwise interferes with pedestrian accessibility; or (2) conflicts with an existing or planned pedestrian or bicycle facility; or (3) conflicts with policies related to bicycle and pedestrian facilities as adopted by the City of Indian Wells for its respective facilities.

According to the Department of Finance Population and Housing Estimates, the City of Indian Wells had a population of 4,797 in 2024. The expected population from GPU buildout conditions would be 5,405. GPU TA evaluated the buildout of the proposed General Plan that would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan). As the population of Indian Wells increases through the GPU horizon, there would be an associated increase in the demand for transit facilities and service that would result in additional traffic congestion.

Level of Service (Consistency with the General Plan)

Future Traffic Conditions without Improvements

The potential operational effects on the transportation system were evaluated under the Year 2045 GPU conditions for non-CEQA local transportation analysis purposes. The automobile turning movement counts for the 2045 Proposed GPU were developed based on outputs from the RIVCOM travel demand model.

No specific development projects are proposed as part of the Indian Wells GPU. While widening of Highway 111 within Indian Wells is included under the Riverside County Transportation Commission's Long Range Transportation Study (RCTC LRTS), there is no committed funding for the widening. For the analysis prepared in the Draft EIR, the roadway and intersection configurations are kept consistent from the existing scenario, including Highway 111 with 2 lanes in each direction and all study intersections with the same lane configurations and signal phasing.

The Level of Service (LOS) at seven intersections for year 2045 GPU conditions was analyzed (see Table 4.16-7 in the Draft EIR). The Indian Wells Lane and Highway 111 intersection will have a LOS F during the weekday AM and PM hours. The Eldorado Drive and Highway 111 intersection will also have a LOS F during weekday PM hours, and the Cook Street and Highway 111 intersection will have a LOS E during weekday AM hours.

Roadway Segments

The roadway segment analysis was performed for average daily traffic volumes (ADT). According to this analysis, Highway 111 from Cook Street to Rancho Palمراس Drive and Highway 111 from Miles Avenue to Washington Street will have a LOS F (see Table 4.16-8 in the Draft EIR).

Future Traffic Conditions with Highway 111 Improvements

Several intersections and roadway segments on Highway 111 would operate at a LOS below the City's LOD "D" target and would not meet the CMT LOS "E" target. Widening of Highway 111 from 4 to 6 lanes within City limits was identified in the RCTS LRTS. The following provides a summary of the anticipated traffic operations with widening of Highway 111 and study intersections along the corridor. With the addition of a third lane in each direction of Highway 111, the following intersection improvements were assumed at the study intersections:

- Cook Street at Highway 111

- Eastbound: Convert right-turn only lane to through-right turn lane
 - Westbound: Convert right-turn only lane to through-right turn lane
- Eldorado Drive at Highway 111
 - Eastbound: Convert right-turn only lane to through-right turn lane
 - Westbound: Convert right-turn only lane to through-right turn lane
- Indian Wells Lane at Highway 111
 - Eastbound: Add additional through-lane
 - Westbound: Add additional through lane
- Miles Avenue at Highway 111
 - Eastbound: Convert right-turn only lane to through-right turn lane
 - Westbound: Add additional through lane

The improvements would result in all study intersections operating at LOS D or better (see Table 4.16-9 in the Draft EIR).

Bicycle and Pedestrian

Growth associated with the implementation of the GPU would increase the population of Indian Wells, thus presumably increasing the demand for bicycle and pedestrian facilities as well as resulting in an increase in vehicular traffic. However, the Mobility Element includes a long list of policies and actions that would enhance the bicycle and pedestrian network to fulfill Goal M-2 which strives to provide a variety of travel modes to residents, workers, and visitors. See the policies and actions listed below. The implementation of all the GPU Mobility goals, policies, and actions would result in a more integrated and complete network of bicycle and pedestrian facilities as compared to existing conditions. The GPU would not conflict with a program, plan, ordinance, or policy addressing bicycle or pedestrian facilities.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- M-1.1 Development-Related Traffic Impacts.** Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.
- M-1.2 LOS Standards.** Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.
- M-1.3 Traffic Distribution.** Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.
- M-1.4 Efficient Circulation.** Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs like the

Coachella Valley Sync program, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.

- M-1.5 **Transportation Management System.**** Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.
- M-1.6 **Intersection Configurations.**** Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.
- M-1.7 **Minimize Environmental Impacts.**** Manage the circulation system to minimize congestion and improve flow and air quality.
- M-1.8 **Local and Regional Collaboration.**** Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), Local Agency Formation Commission (LAFCO), Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.
- M-2.1 **Multi-Modal Streets.**** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.
- M-2.2 **Alternative Modes.**** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.
- M-2.3 **Connectivity.**** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.
- M-2.4 **New Development.**** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.
- M-2.5 **Citywide Bicycle Network.**** Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.
- M-2.6 **Bicyclist and Pedestrian Safety.**** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.
- M-2.7 **CV Link Users.**** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.

- M-4.1** **Funding Sources.** Leverage existing available funding methods and sources to fund the transportation system in the City while also researching innovative funding sources at the federal, state, regional, and county levels.
- M-4.2** **Development Fees.** Ensure that new development projects contribute their appropriate fair share to transportation network improvements.
- M-4.3** **Monitor Funding.** Monitor funding of programmed transportation improvements.
- M-4.4** **Regional Funding.** Encourage regional agencies to continue to provide adequate transportation funding to local jurisdictions.

Actions

- M-1a** Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:
- On-site transportation facilities: streets, curbs, traffic control devices;
 - Access improvements: street extensions, widening, turn lanes, signals, etc;
 - Street widening for streets fronting the development property as shown on the Circulation Plan map;
 - Right-of-Way landscaping; and
 - Offsite roadway and intersection improvements.
- M-1b** Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements.
- M-1c** Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-Wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.

- M-1e** Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.
- M-1g** Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal
- M-2a** During project application review, consider requiring new and enhanced transit, bicycle, and pedestrian facilities along arterials and collectors where appropriate.
- M-4a** Develop and support a flexible financing program to fund the construction, maintenance, and improvement of the roadway system.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to a program, plan, ordinance, or policy addressing the circulation system. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to a program, plan, ordinance, or policy addressing the circulation system. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.16-19)

Rationale for Finding

The GPU Mobility Element also includes policies and actions to maintain and improve the circulation system throughout the growth and development of the City. Policy M-1.1 requires all new developments and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts. Policy M-1.5 emphasizes the use of effective transportation system management techniques such as signal coordination and requires any new development to join the City's existing Transportation Management System. Additionally, it helps to ensure that cumulative growth in the City as well as the valley is properly analyzed, Policy M-1.8 states that the City coordinates with other government entities in the implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. These entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County, and adjacent communities. The City's transportation policies also emphasize maintaining efficient traffic flow while minimizing environmental and safety impacts. Policy M-1.2 sets a goal of maintaining a minimum Level of Service (LOS) "D" at intersections during weekday peak hours, aiming to reduce traffic congestion. To support traffic distribution throughout the City and ease congestion during special events, Policy M-1.3 ensures that the street system is well-maintained. Further enhancing circulation, Policy M-1.4 promotes traffic control measures such as traffic signal coordination, adding turn lanes, and maintaining street surfaces to minimize noise and air quality impacts. To reduce congestion and improve air quality, Policy M-1.7 promotes proactive management of the City's circulation system.

The GPU Mobility Element also contains multiple actions imposed on new development. Action M-1a requires new development and expansion of existing development to provide necessary street

improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Action M-1b requires VMT analysis land use application projects and transportation projects for the purposes of environmental review under CEQA. The action states that the City adopts City-specific VMT thresholds and considers publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements. With implementation of the actions and policies described above, the GPU would enhance, not disrupt, existing or planned transit and roadway facilities.

Certain City policies emphasize the importance of securing and managing funding to support a sustainable and efficient transportation system. Policy M-4.1 highlights the need to leverage available funding methods while actively researching innovative funding sources at federal, state, regional, and county levels to ensure the City can maintain and improve its transportation infrastructure. Additionally, Policy M-4.2 ensures that new development projects contribute their fair share toward transportation network improvements, supporting equitable funding for future growth. Monitoring the funding of programmed transportation improvements is also a key focus under Policy M-4.3, ensuring that projects remain on track and receive necessary financial support.

In terms of regional collaboration, Policy M-4.4 encourages regional agencies to continue providing adequate transportation funding to local jurisdictions, strengthening the City's ability to maintain and enhance its transportation system. Action M-4a aligns with these policies by supporting the development of a flexible financing program to fund the construction, maintenance, and improvement of the roadway system, ensuring the City can address its evolving transportation needs while maintaining financial stability. Finally, Action M-1g states that the City will implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal.

Growth associated with the implementation of the GPU would increase the population of Indian Wells, thus presumably increasing the demand for bicycle and pedestrian facilities as well as resulting in an increase in vehicular traffic. However, the Mobility Element includes a long list of policies and actions that would enhance the bicycle and pedestrian network to fulfill Goal M-2 which strives to provide a variety of travel modes to residents, workers, and visitors.

Policy M-2.1 encourages the use of alternative modes of transportation, including public transit, ride sharing, biking, low-speed vehicles, and walking, to serve the City's residents, workers, and visitors traveling to local and regional destinations. Complimenting Policy M-2.1, Policy M-2.2 aims to improve pedestrian, bicycle, and low-speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools. Policy M-2.5 supports an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes. Policy M-2.6 is dedicated to providing safe and efficient travel options through the City for CV Link users coming from neighboring cities. Policy M-2.7 discusses providing safe and efficient travel options through the City for CV Link users coming from neighboring cities. Lastly, Action M-1c states that the City will coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley

Association of Governments (CVAG), Local Agency Formation Commission (LAFCO), Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.

Additionally, there are policies and actions that directly address new developments to ensure that future growth of the City does not negatively affect bicycle and pedestrian facilities. Policy M-2.3 focuses on new developments, encouraging them to create internal shared-use paths where desirable and feasible, including amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, and landscaping. These developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points, ensuring safety for people walking and biking. To further enhance the bike network system, Policy M-2.4 requires new developments to provide bike lanes on public roads and mandates updates to the Citywide Bicycle Plan as needed. Action M-2a states that during project application review, the City will consider requiring new or enhanced transit, bicycle, and pedestrian facilities along arterials and collectors where appropriate. Action M-1e encourages new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design. The implementation of these actions and policies for new developments would ensure that new development would not negatively affect the City's bicycle and pedestrian facilities.

Conclusion

Implementation of the GPU would not physically disrupt an existing facility or interfere with the implementation of a planned facility, including transit, roadway, bicycle, and pedestrian facilities. With implementation of the transit, bicycle, and pedestrian supportive policies and actions within the GPU, the access to multimodal options would be enhanced and transit, bicycle, and pedestrian connectivity would be improved. Additionally, the GPU would not conflict with a program, plan, ordinance, or policy addressing transit, bicycle, or pedestrian facilities. Therefore, this impact would be less than significant.

Impact 4.16 b For Impact 4.16 b (VMTs), refer to Section E, *Significant and Unavoidable Impacts That Cannot Be Mitigated to Below the Level of Significance.*

Impact 4.16 c: The GPU would not increase hazards due to a geometric design feature or incompatible uses.

The City of Indian Wells has well-established roadway and site design standards that guide the design and construction of new transportation facilities to minimize design hazards for all users of the circulation system. City policies (including those identified in the GPU) require evaluation of safety conditions as part of the project review process. This includes the review of roadway improvements to ensure that safety-related standards are met, such as driver sight distance requirements, intersection improvements, and additional pedestrian and bicycle infrastructure. As needed, improvements to meet safety standards are identified and required as part of project approval. New roadways are required to be designed according to applicable Federal, State and, local design standards. This includes the City's adopted Public Improvement and Engineering Standards.

All future development under the GPU would be subject to, and designed in accordance with, City of Indian Wells design and safety standards as well as meet the guidelines in the California Manual of Uniform Traffic Control Devices and the Caltrans Roadway Design Manual. Therefore, impacts associated with transportation-related hazards will be less than significant.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- M-1.1 Development-Related Traffic Impacts.** Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.
- M-1.6 Intersection Configurations.** Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.
- M-1.12 Truck Routes.** Maintain a network of truck routes to facilitate goods movement to regional roads and to discourage the use of residential roads.
- M-2.4 New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.
- M-2.5 Citywide Bicycle Network.** Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.
- M-2.6 Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.
- M-2.7 CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.
- M-2.8 Bus Stops.** Work with Sunline and other providers to improve bus stop amenities.
- M-2.9 Rail and Air Travel.** Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.
- M-2.10 The Living Desert.** Coordinate with The Living Desert to ensure Indian Wells residents have access to the reserve's nature walks and hiking trails.

Actions

- M-1d** Evaluate opportunities to implement alternative roadway design elements, including but not limited to, roundabouts, traffic circles, and chicanes, as traffic control, considering safety, traffic calming, cost and maintenance.

- M-1e** Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.
- M-1f** Consider streetscape improvements such as landscaping, sidewalks, paths, lighting, and other pedestrian-oriented features in the City.
- M-2b** Consider establishing a low-speed vehicle path system, consistent with the provisions of the California Vehicle Code and the California Highway Design Manual.
- M-2c** Create a promotional campaign to encourage walking, biking, carpooling, and alternative modes of transportation to the automobile to improve air quality.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to traffic hazards due to a geometric design feature. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to traffic hazards. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.16-30)

Rationale for Finding

The City of Indian Wells has well-established roadway and site design standards that guide the design and construction of new transportation facilities to minimize design hazards for all users of the circulation system. The project review process includes evaluation of safety conditions of a proposed project. This includes the review of roadway improvements to ensure that safety-related standards are met, such as driver sight distance requirements, intersection improvements, and additional pedestrian and bicycle infrastructure. As needed, improvements to meet safety standards are identified and required as part of project approval. New roadways are required to be designed according to applicable Federal, State and, local design standards. This includes the City's adopted Public Improvement and Engineering Standards.

Additionally, the GPU includes policies that are intended to result in a reduction in potential conflict between road use types. Policies intended to create a safe, comprehensive, and integrated system of trails, sidewalks, and bikeways include Policy M-1.1 which aims to work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School. Policy M-2.4 encourages new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use. Policy M-2.5 supports an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes. Policy M-2.6 would develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes. Policy M-2.7 plans to provide safe and efficient travel options through the City for CV Link users coming from neighboring cities. Action M-1e encourages new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.

To ensure that development contributes appropriately to transportation improvements, Action M-4b enforces the collection of fair share fees from new development projects. These fees are allocated to enhance the transportation network, allowing the City to expand its infrastructure in line with population growth. Additionally, Action M-4c mandates that the City actively monitor funding for programmed transportation improvements, ensuring that resources are efficiently allocated to priority projects and that timelines are met. This ongoing financial oversight is crucial for maintaining a reliable and up-to-date transportation system. Action M-4a outlines the development and support of a flexible financing program aimed at funding the construction, maintenance, and improvement of the roadway system. This initiative is critical in ensuring that the City can adapt to changing financial conditions while keeping its transportation infrastructure in good condition.

Policies also focus on safety and accessibility. For example, Policy M-1.6 encourages the use of non-traditional intersection designs, like roundabouts, when feasible, while Policy M-1.9 supports Safe Routes to School programs to encourage walking and biking. Residential streets benefit from traffic calming measures (M-1.10), and ADA accessibility (M-1.11) is prioritized to ensure safe travel for all residents, including those with disabilities. Policies M-2.8 and M-2.9 address public transit and regional connectivity by working with transit providers to improve bus stop amenities and promoting rail and air services. Policy M-1.12 states that the City will maintain a network of truck routes to facilitate the movement of goods to regional roads and to discourage the use of residential roads. Action M-1d would evaluate opportunities to implement roundabouts as traffic control and improve safety while Action M-1f considers streetscape improvements like pedestrian-oriented features in the City. And Action M-2a states that the City would consider establishing a low-speed vehicle path, following provisions of the California Vehicle Code and the California Highway Design Manual. Finally, the City collaborates with The Living Desert (M-2.10) to ensure access to recreational trails for Indian Wells residents.

Through implementation of these policies and action, existing conflicts between motor vehicles and non-motorized travelers will be reduced over time. All future development under the GPU would be subject to, and designed in accordance with, City of Indian Wells design and safety standards as well as meet the guidelines in the California Manual of Uniform Traffic Control Devices and the Caltrans Roadway Design Manual. Therefore, implementation of the GPU would not result in transportation-related hazards. This impact would be less than significant.

Impact 4.15 d: The GPU would not result in inadequate emergency access.

The GPU includes circulation improvements and policies that would enhance emergency access throughout Indian Wells. Additionally, emergency access for any future discretionary developments under the GPU would be subject to review by the City of Indian Wells and responsible emergency service agencies; thus, ensuring all future projects would be designed to meet all Indian Wells emergency access and design standards. Therefore, the GPU would not result in inadequate emergency access. This impact would be less than significant.

The following GPU actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Actions

- PS-1g** Work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios.
- PS-2a** Mitigation, as feasible, existing, non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.
- M-1a** Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:
- On-site transportation facilities: streets, curbs, traffic control devices;
 - Access improvements: street extensions, widening, turn lanes, signals, etc.;
 - Street widening for streets fronting the development property as shown on the Circulation Plan map;
 - Right-of-way landscaping; and
 - Off-site roadway and intersection improvements.

Finding

The actions listed above continue to support the less than significant findings related to the GPU's impact to adequate emergency access. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to emergency access. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.16-33)

Rationale for Finding

As previously stated, emergency access for any future developments under the GPU would be subject to review by the City of Indian Wells and responsible emergency service agencies; thus, ensuring all future projects would be designed to meet all City of Indian Wells emergency access and design standards. Additionally, the Mobility Element and Public Safety Element of the GPU lists policies and actions directed at reducing risk and harm by natural or manmade hazards. In regard to roadways, Action M-1a requires new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Action PS-2a states the City will mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards. Action PS-1g states that the City will work with RCFD

to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios. With the implementation of GPU actions listed above would continue to support the less than significant finding.

13. Utilities and Service Systems

Impact 4.17 a: The GPU would not require relocation and/or construction of new or expanded water, wastewater, storm drain, electric, natural gas, or telecommunication infrastructure that would cause significant environmental effects.

Individual assessments for water and sewer requirements will be conducted for each new development proposal to ensure there is adequate availability. The infrastructure and facilities necessary to serve new growth may involve development of facilities on new development sites and off-site, such as at existing wastewater treatment facilities, on appropriately designated land, and may also involve improvements to other existing facilities and disturbance of existing rights-of-way. The specific impacts of providing new and expanded facilities cannot be determined at this time, as the GPU does not propose or approve development, nor does it designate specific sites for new or expanded public facilities. However, water and wastewater are anticipated to be covered under the CVWD 2020 CVRUWMP and Sewer System Management Plan (SSMP). The proposed full buildout of the GPU is similar to the City's current General Plan and CVWD has accounted for undeveloped property in their planning efforts.

CVWD is required to periodically prepare Urban Water Management Plans for water and master plans for wastewater and would anticipate the need for increased service levels as part of their regular planning process. CVWD's SSMP provides for a properly managed, operated, and maintained sanitary sewer system, to include adequate capacity of conveying peak wastewater flows. The SSMP is audited every two years to ensure plan components are adequate, up-to-date, and implemented. The SSMP is updated every five years as needed.

Similarly, electricity and gas companies prepare load forecasts to ensure the reliability of service. As future development under the 2040 General Plan would occur over an approximately 20-year period, the improvements to public utility infrastructure would be constructed in a coordinated manner concurrent with increases in projected demand and City policies and actions listed below.

The City of Indian Wells is primarily built out, and no major changes in storm flows are anticipated. As a standard requirement, new development will be required to incorporate stormwater management by conveying site runoff into on-site retention basins with a combined capacity to handle the water quality management plan design capture volume and the controlling 100-year storm event volume. New development is obligated to meet the City's requirements by demonstrating that the incremental increase in runoff due to development can be adequately retained on-site. The site-specific impacts of these facilities cannot be determined until the facilities are proposed.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policy

- RM-5.1** **Fair Share.** Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.
- RM-5.2** **Capital Improvements.** Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.
- RM-5.3** **Regional Cooperation.** Collaborate with the various regional facility and service providers to deliver high levels of service to Indian Wells.
- RM-5.4** **Public/Private Partnerships.** Consider public/private partnerships to realize capital infrastructure and public service needs within the City.
- RM-5.5** **Sufficient Capacity.** Coordinate with CVWD to ensure wastewater facilities provide sufficient capacity for Indian Wells residents.
- RM-5.6** **Monitoring and Maintenance.** Coordinate with CVWD to ensure wastewater infrastructure conditions are monitored and facilities are adequately maintained.
- RM-8.1** **Infrastructure and Services.** Encourage service providers to make available the highest level of telecommunications infrastructure, along with a wide range of modern telecommunications services for Indian Wells residences, businesses, and institutions.
- RM-8.2** **Improvements and Upgrades.** Promote technological improvements and upgrading of telecommunications services.
- RM-8.3** **Utility Siting.** Coordinate with service providers in the siting and design of telecommunications facilities to minimize environmental, aesthetic, and safety impacts.
- RM-8.4** **Undergrounding.** Require that all new telecommunication lines are installed underground where feasible and promote the undergrounding of existing overhead facilities.

Actions

- RM-5a** Maintain and implement public facility master plans, in collaboration with appropriate outside service providers and agencies, to ensure compliance with appropriate regional, State, and federal laws and to identify infrastructure needs, funding sources, and implement improvements for public facilities and services.
- RM-5b** Continue to contract with public and private entities for the provision of public services as long as these services are more economical, more accessible, and/or better serve the needs of residents than City-provided services.

RM-5c	Periodically survey residents to assess the perceived adequacy of City services and facilities.
RM-5d	Continue to upgrade older water mains in the City as needed to ensure adequate water pressure for firefighting.
RM-5e	Cooperate with CVWD to update population projections, sewer generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.
RM-5f	Work with CVWD to expedite the improvement and expansion of sewer facilities when necessary.
RM-5g	Cooperate with CVWD to evaluate and implement stormwater improvements, including, but not limited to, the need for channel lining, rip-rap, and drop structures as necessary.
RM-5h	Through the development review process, continue to cooperate with CVWD to ensure adequate wastewater facilities are provided and maintained in the community. Specifically, the City should: <ul style="list-style-type: none"> • Require that sufficient wastewater infrastructure capacity is available to serve the development prior to approval of the project. • Ensure the project applicant has paid the required fees prior to occupancy of any new development. • Periodically review the fee schedules for sewer connections and revise fees as necessary to cover the cost of related services and facilities.
RM-8a	As part of development review, ensure that telecommunications infrastructure is unobtrusive and screened from public view where possible.
RM-8b	Actively seek to participate in pilot programs and other opportunities to expand high-speed broadband services within the City. Confer with telecommunications providers regarding major development plans and participate of the extension of utilities.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities. Accordingly, no changes or alterations to the Proposed GPU were

required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.17-13)

Rationale for Finding

The requirement for additional utilities such as natural gas, electricity, and telecommunications would likely be increased as new developments are proposed. However, the City is largely built out and access to these utilities is expected to be available without the need to construct or relocate existing infrastructure. All infrastructure improvements would be required to comply with applicable City regulations, including GPU Policy RM-5.1, RM-5.2, RM-5.5, RM-5.6 and RM-8.1–RM-8.4. As well as Actions RM-5d, RM-5e, RM- 5f, RM 5g, and RM-8a and RM-8b. Policy RM-5.1 and RM-5.2 requires future projects within the City to pay the fair share costs for the expansion of public infrastructure, services and facilities, and requires the City to maintain and finance the capital improvement program to ensure the timely improvement of public facilities and improvements. These policies are supported by Actions RM-5a and RM-5d. Policies RM-5.3 and RM-5.4 promotes regional and public and private collaboration regarding services, which are supported by RM-5b and RM-5c. Policies RM-5.5 and RM-5.6 encourages coordination with CVWD regarding water and wastewater services, which are supported by actions RM-5e through RM-5h. Policies RM-8.1 through RM-8.4 focuses on upgrading and maintaining telecommunication infrastructure within the City. These policies are supported by Actions RM-8a and RM-8b.

Moreover, these utilities would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA. Therefore, impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater is less than significant because all future projects will abide State regulations and City policies and actions listed above.

Impact 4.17 b: The GPU would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.

The baseline condition of the City's current General Plan Buildout would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs. In comparison with the full buildout of the GPU, the City of Indian Wells could accommodate a total of 6,271 housing units, 5,405 residents (same as the current General Plan); 5,159,667 square feet of new non-residential building space (27,563 more square feet than the Current General Plan); and 6,310 jobs within the Planning Area (93 more jobs than the Current General Plan). The Proposed GPU will not result in additional population growth and consequently there would be no increase in residential water supplies beyond what has already been analyzed in the CVWD 2020 Regional Urban Water Management Plan (RUWMP). The additional employment and square footage of non-residential building space is also accounted for in the 2020 RUWMP.

The Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) adopted by the Southern California Association of Governments (SCAG) in 2020. As part of that effort, SCAG performed a detailed evaluation of current and projected future demographics throughout southern California, including CVWDs service area for the RUWMP. The RTP/SCS analysis included forecasts for employment, population, and households within cities and unincorporated areas. This demographic

information was used to prepare projections of future water demands. The population growth forecasts were developed using regional growth projections published in 2020 by SCAG. The projections provided in SCAG's RTP/SCS plan included estimates of population, households, and employment through 2045. In April 2024, SCAG updated their RTP/SCS. The 2024 RTP/SCS focuses on buildout of the Southern California region by 2050. The Plan includes four goals that fall into four core categories: mobility, communities, environment, and economy.

CVWD's 2020 RUWMP has been developed to assist the agency in reliably meeting current and future water demands in a cost-effective manner. The comprehensive Water Management Plan guides efforts to eliminate overdraft, prevent groundwater level decline, protect water quality, and prevent land subsidence. The RUWMP serves as a planning tool that documents actions in support of long-term water resources planning and ensures adequate water supplies are available to meet existing and future urban water demands.

CVWD's domestic water system has 64 pressure zones and consists of approximately 97 groundwater production wells, 2,000 miles of pipe, and 133 million gallons of storage in 65 enclosed reservoirs. CVWD's service area includes all or a portion of the cities of Cathedral City, Indian Wells, Indio, La Quinta, Palm Desert, and Rancho Mirage, and unincorporated areas of Riverside County. According to the CVWD 2023-2024 Annual Review, CVWD has an average daily demand of 75.9 MGD in its coverage area and delivered 85,014 AFY in 2023-2024. CVWD has a total daily pumping capacity of 234 MGD and storage capacity of 174.2 million gallons (MG).

CVWD developed an approach for estimating service area population to account for the effect of seasonal residents on gallon per capita per day (GPCD) estimates. This method was approved by the California Department of Water Resources (DWR) for use in the RUWMP. Estimates of the permanent population were made using DWR's Population Tool. CVWD's water service area was loaded into the Population Tool and intersected with census data to estimate permanent population. CVWD then estimated the seasonal population and the population in RV parks using data from the Census and other sources. CVWD estimates a population of 268,952 in 2020, and a population of 383,300 in 2045 (see Table 4.17-2 in the Draft EIR). CVWD projects groundwater demand to be 123,461 acre-feet per year (AFY) in 2025, and 148,166 AFY in 2045 (see Table 4.17-3 in the Draft EIR). CVWD includes water saving fixtures and measures in their projections of water demand. Additionally, when feasible, CVWD requires new development to use recycled or non-potable water as a condition of receiving domestic and wastewater services from CVWD. If recycled or non-potable water service is not available at the time, developments would then use recycled or non-potable water as it becomes available.

The California Urban Water Management Planning Act (Act) requires urban water suppliers to assess water supply reliability by comparing total projected water use with the expected water supply over the next 20 to 25 years in five-year increments. The Act also requires an assessment for a single dry year and multiple dry years. The CVWD UWMP states that water supplies during normal, dry and multiple dry years is fully reliable and CVWD will be able to meet 100 percent of the projected water demand for the period of 2025-2045. However, during a normal year, single-dry year, or five-dry year period, the agencies could produce additional groundwater if demands exceed the estimates (see Table 4.17-6 in the Draft EIR).

The GPU will continue to implement water conservation measures in accordance with the applicable landscape ordinance requirements pertaining to water efficient irrigation systems and drought-tolerant plant selection (Indian Wells Municipal Code 21.60). Based on the information provided in this analysis, there is substantial evidence to support a determination that there will be sufficient water supplies to meet the demands of the City. Therefore, impacts to the water supply would be less than significant and future projects will be required to comply with all such regulations and GPU policies and actions listed below.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- RM-6.1 Regional Cooperation.** Actively participate in regional activities to assure (a) the effective management of water resources, and (b) the development of water policies at the County, State and Federal level that are favorable to the Coachella Valley.
- RM-6.2 Groundwater Management.** Protect the underlying water basin from overextraction by encouraging sustainable groundwater recharge and management.
- RM-6.3 Conservation.** Encourage the use of water conserving appliances and fixtures in all new developments, required by state law.
- RM-6.4 Water Saving Design.** Incorporate water-wise native landscaping or alternative water saving materials (i.e. artificial turf) whenever feasible with the City.
- RM-6.5 Non-Potable Waterlines.** Continue to support the extension of non-potable waterlines for irrigation use, especially to Highway 111, local businesses, and Homeowners Associations.
- RM-6.6 Reclaimed Water.** Encourage water-intensive land uses, such as golf courses, to utilize reclaimed water, where feasible for landscaping and irrigation needs.
- RM-6.7 Education.** Strengthen education programs related to water protection and conservation.

Actions

- RM-6a** Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.
- RM-6b** Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.
- RM-6c** Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.

- RM-6d** Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.
- RM-6e** Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.
- RM-6f** Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.
- RM-6g** Work with CVWD and private developers to encourage water conservation in the following ways:
- Implementing aquifer and groundwater recharge programs
 - Participating in water conservation programs operated by the local and regional water districts
 - Monitoring citywide usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness
 - Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17.
 - Developing education materials and programs that encourage and facilitate water conservation throughout the community
 - Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements.
 - Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments.
 - Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.
- RM-6h** Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.
- RM-6i** Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:

- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.
- If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
- Ensure the project applicant has paid the required fees prior to occupancy of any new development.
- Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.

RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.

RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's impact to water supplies during future normal, dry, and multiple dry years. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to water supplies during normal, dry, and multiple dry years. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.17-16)

Rationale for Finding

As stated above, the 2020 RUWMP was developed to assist the agency in reliably meeting current and future water demands in a cost-effective manner. The RUWMP serves as a planning tool that documents actions in support of long-term water resources planning and ensures adequate water supplies are available to meet existing and future urban water demands. GPU Policy RM-6.1 and 6.2 are implemented to support the regional cooperation of all involved agencies and groundwater management.

Future demand within CVWD's jurisdictional boundary is anticipated to be 123,461 AFY in 2025 and 148,166 in 2045. Anticipated water savings related to toilets, showerheads, dishwashers, clothes washers, and urinals (categorized as indoor water use) as well as outdoor water use have been incorporated into CVWD's projections. Indoor conservation is mainly a result of government mandated water efficiency requirements for fixtures. It assumes that all new construction complies with the plumbing code in effect that the time and any replacement device is also in compliance with the current plumbing code. GPU Policy RM-6.3, which encourages the use of water conserving

appliances and fixtures in all new developments, required by State law, will also be implemented to support water saving measures.

When feasible, CVWD requires new development to use recycled or non-potable water as a condition of receiving domestic and wastewater services from CVWD. If recycled or non-potable water service is not available at the time, developments would then use recycled or non-potable water as it becomes available. Currently, Toscana Country Club, Desert Horizons, and Indian Wells Golf Resort use recycled non-potable water at these golf courses. GPU Policy RM-6.6 also encourages the use of reclaimed water for water-intensive uses, such as golf courses.

The GPU will continue to implement water conservation measures in accordance with the applicable landscape ordinance requirements pertaining to water efficient irrigation systems and drought-tolerant plant selection (Indian Wells Municipal Code 21.60) and GPU Actions RM-6a, RM-6d, and RM-6f. Based on the information provided in the Draft EIR, there is substantial evidence to support a determination that there will be sufficient water supplies to meet the demands of the City. Therefore, impacts to the water supply would be less than significant and future projects will be required to comply with all applicable regulations and GPU policies and actions.

Impact 4.17 c: The GPU would not result in a determination by the wastewater treatment provider that it has adequate capacity the project's projected demand in addition to the provider's existing commitments.

Indian Wells' sewer services are provided by CVWD. CVWD's wastewater collection system consists of approximately 1,160 miles of 6-inch through 36-inch diameter sewers and includes 28 sewage lift stations and associated force mains. The system contains trunk sewers, generally 10 inches in diameter and larger, that convey the collected wastewater flows to the District's treatment facilities. CVWD operates five WRPs, two of which (WRP-7 and WRP-10) generate recycled water for irrigation of golf courses and large landscaped areas.

WRP-10 treats domestic wastewater generated within Palm Desert, Indian Wells, Rancho Mirage and portions of Cathedral City. WRP-10 consists of an activated sludge treatment plant, and a tertiary wastewater treatment plant. It is also a groundwater replenishment site and generates recycled water for irrigation of golf courses and large landscaped areas. Per the 2020 CVWD RUWMP, WRP-10 has a capacity to treat 18 million gallons per day (MGD). This plant treats an annual average flow of 10.8 MGD (12,000 AFY) from the activated sludge plant. Approximately 60 percent of WRP-10's effluent receives tertiary treatment, which is available as recycled water and used by the non-potable water fund for delivery to customers. The average population served by the WRP is 90,000 people. According to the California Department of Finance, the 2024 population estimates of Indian Wells is approximately 4,797 residents. Therefore, the City of Indian Wells only contributes approximately 5 percent of the total wastewater generated between the four cities being transported to WRP-10 or 0.5 MGD. Given the current capacity of WRP-10 to treat 18 MGD and the plants' average flow of 10.8 MGD, there is a remaining capacity of 7.2 MGD. Full buildout of the GPUs residential and non-residential components would add additional wastewater over a 20-year period (approx. 2.28 MGD). CVWD's Sewer System Management Plan (SSMP) describes the management of its sewer collection system. The SSMP is written to minimize the number of Sanitary Sewer Overflows (SSO) and provide for a properly

managed, operated, and maintained sanitary sewer system, to include adequate capacity of conveying peak wastewater flows. The SSMP is audited every two years to ensure plan components are adequate, up-to-date, and implemented. The SSMP is updated every five years (or as needed) to ensure it is current and includes any audit findings of which direct change to the plan. Through planning and design processes currently in place at CVWD and the coordination with the City, both agencies are able to ensure sewer infrastructure would support future developments under the proposed GPU.

The following GPU action was included in the Draft EIR and the Final EIR and is applicable to the Proposed Project.

Actions

RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.

Finding

The action listed above continues to support the less than significant findings related to the GPU's impact to the wastewater treatment provider and wastewater capacity. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to wastewater capacity and treatment. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.17-24)

Rationale for Finding

The 2024 population estimates of Indian Wells is approximately 4,797 residents. The average population served by the WRP is 90,000 people, therefore, the City of Indian Wells only contributes approximately 5 percent of the total wastewater generated between the four cities being transported to WRP-10 or 0.5 MGD. Given the current capacity of WRP-10 to treat 18 MGD and the plants' average flow of 10.8 MGD, there is a remaining capacity of 7.2 MGD. Full buildout of the GPU's residential and non-residential components would add additional wastewater over a 20-year period (approximately 2.28 MGD). CVWD's Sewer System Management Plan (SSMP) describes the management of its sewer collection system. The SSMP is written to minimize the number of Sanitary Sewer Overflows (SSO) and provide for a properly managed, operated, and maintained sanitary sewer system, to include adequate capacity of conveying peak wastewater flows. Through planning and design processes currently in place at CVWD and the coordination with the City, both agencies are able to ensure sewer infrastructure would support future developments under the proposed GPU. Therefore, impacts from future development to WRP-10 are not expected to overwhelm the plant's resources and WRP-10 has adequate capacity to provide wastewater services for the future development of vacant residential land in the City.

New construction may require improvements to existing wastewater infrastructure and/or disturbance of existing rights-of-way connections. The specific impacts of these improvements cannot be determined at this time, because the GPU does not propose any development. Future development would be evaluated at a project-level to ensure the proper wastewater improvements are made. The environmental impacts are expected to be similar to those associated with new development and

infrastructure projects under the GPU. As future development is brought forward to the City, it will be required to comply with all current regulations and will be evaluated for compliance with the City's GPU and Municipal Code. Impacts would also be further analyzed for potential environmental impacts, consistent with CEQA. Action RM-6k supports working with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary. Impact to wastewater would be less than significant.

Impact 4.17 d&e: The GPU would not generate solid waste in excess of State or local standards, and the GPU would continue to comply with federal, state, and local management reduction statutes and regulations related to solid waste.

Solid waste and recycling services are provided to the City by Burrtec Waste Industries, Inc. (Burrtec), which also serves restaurants, retailers, hotels, and resorts. Over the last 4-years, Indian Wells solid waste trends go from 8,000 to 12,000 tons per year (see Table 4.17-9 in the Draft EIR). Solid waste and recycling collected from the City is taken to the Edom Hill Transfer Station. This transfer station is permitted to receive 3,500 tons per day (tpd) and currently processes over 1,900 tons per day. Residual waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Landfill and the Lamb Canyon Sanitary Landfill. The Badlands Landfill has a permitted daily capacity of 5,000 tons per day and an estimated total capacity of 82,300,000 cubic yards with a remaining capacity of 7,800,00 cubic yards. The Lambs Canyon Landfill has a permitted capacity of 5,000 tons per day and 319,242,950 cubic yards of remaining capacity with a closure date of 2032. Therefore, the GPU would be served by a landfill with sufficient capacity. Additionally, the other landfills have sufficient capacity to meet the demands of solid waste generated by the additional development under the GPU.

The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- | | |
|---------------|--|
| RM-7.1 | Compliance with State Legislation. Comply with local, regional and State regulations regarding waste diversion, source reduction, recycling, and composting. |
| RM-7.2 | Solid Waste Collection. Provide adequate waste disposal, recycling, and refuse services for present and future residents and businesses, including programs that improve public access to solid waste collection and recycling facilities. |
| RM-7.3 | Fees and Funding. Work with Burrtec to periodically review collection, recycling, and disposal fees to achieve state and federal mandates, meet community expectations, and reflect cost efficiencies or increases for service delivery. Be prepared to fund expansions, operations, or maintenance for regional waste facilities when necessary, including but not limited to the Badlands Landfill and the Lamb Canyon Sanitary Landfill. |
| RM-7.4 | Recycled Product Use. Encourage the salvage and reuse of building materials and recycled products in new construction and remodel projects. |

- RM-7.5** **Community-Wide Waste Reduction.** Continue to foster a sense of personal responsibility among residents for solid waste management particularly in accomplishing waste reduction and recycling goals.
- RM-7.6** **Short-Lived Climate Pollutant Reduction.** Continue to implement solid waste plans and programs, such as organic waste recycling and surplus food recovery, that reduce short-lived climate pollutants (SLCP).
- RM-7.7** **Recycling and Composting.** Encourage the recycling/composting of all City organic materials including landscape and food waste materials.

Actions

- RM-7a** Regularly review the service levels of the Edom Hill Transfer Station. Coordinate with impacted agencies on potential plans for expansions, maintenance, and operations when service levels are determined to be inadequate.
- RM-7b** On an ongoing basis and in compliance with State law, ensure solid waste collection activities completed by franchise solid waste haulers, facility siting and construction of transfer and/or disposal facilities, operation of waste reduction and recycling programs, and household hazardous waste disposal and education programs are consistent with the Riverside County Solid Waste Management Plan.
- RM-7c** Include standard language in requests for services and in City agreements requiring contractors to use best management practices to maximize diversion of waste from the landfill in order to meet the City's specified diversion rates.
- RM-7d** Encourage the expansion of recycling and reuse programs, such as:
- RM-7e** Increased participation in residential curbside recycling programs;
- RM-7f** Increased participation in commercial and industrial recycling programs for paper, cardboard, and plastics;
- RM-7g** Reduce yard and landscaping waste through methods such as composting, grass recycling, and using resource efficient landscaping techniques; and
- RM-7h** Encourage local businesses to provide electronic waste (e-waste) drop-off services and encourage residents and businesses to properly dispose of, or recycle, e-waste.
- RM-7i** Continue to enforce and monitor required diversion rates pursuant to the requirements contained in Chapter 16.75. of the Municipal Code.
- RM-7j** Continue the procurement of recycled products and materials utilized in City owned buildings, including building/decorative materials and furnishings, food and beverage service items and office materials.

- RM-7k** Maintain and improve the City of Indian Wells waste diversion rate as mandated by the State of California. Participate in source reduction and recycling techniques to reduce the amount of solid waste sent to landfills and ensure adequate landfill capacity in the region.
- RM-7l** Work with appropriate service providers to collect and compost greenwaste, including landscaping, Christmas trees, composting and mulch, and other sources of organic waste, to distribute for use in parks, medians, and other municipal areas.
- RM-7m** Provide recycling and composting information to residents, commercial businesses, and developers. These educational programs will inform citizens of the benefits of recycling and composting, and appropriate disposal options and locations.

Finding

The policies and actions listed above continue to support the less than significant findings related to the GPU's generation of solid waste and capacity, and regulations related to solid waste. Overall, the Proposed GPU would have less than significant direct or indirect impacts relating to solid waste. Accordingly, no changes or alterations to the Proposed GPU were required as the City of Indian Wells finds that implementation of the measures listed above are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.17-25)

Rationale for Finding

Future buildout of the GPU could result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of non-residential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan).

As stated above, the Lambs Canyon Landfill has a permitted capacity of 5,000 tons per day and 319,242,950 cubic yards of remaining capacity with a closure date of 2032. Therefore, the GPU would be served by a landfill with sufficient capacity. Additionally, the other landfills have sufficient capacity to meet the demands of solid waste generated by the additional development under the GPU. The City will continue to coordinate with Riverside County regarding solid waste disposal capacity in order to continue to provide adequate waste disposal, recycling, and refuse services, per Policy RM-7.2. Actions RM-7a and RM-7b require the regular review of service levels at the Edom Hill Transfer Station and ensure solid waste collection activities completed by franchise solid waste haulers, facility siting and construction of transfer and/or disposal facilities, operation of waste reduction and recycling programs, and household hazardous waste disposal and education programs are consistent with the Riverside County Solid Waste Management Plan and State law.

Future development would be subject to waste diversion measures required by the City. Every covered project is required to divert a minimum of fifty percent (50%) with a goal of seventy percent (70%) of the construction and demolition debris resulting from that project. This follows State and local statutory goals and policies implemented by GPU Policy RM-7.1 and RM-7.4. The City has a waste diversion goal of reducing organic waste disposal seventy-five percent (75%) by 2025. These goals are consistent with state regulations regarding solid waste, composting, and recycling (Senate Bill 1383)

and implemented by GPU Policy RM-7.6 and RM-7.7 and Actions RM-7d, RM-7e, RM-7f, RM-7g, RM-7k, RM-7l, and RM-7m. Given the City's ability to meet its disposal targets and the remaining capacity of the area landfills, meeting the solid waste and recycling needs of the GPU would not result in adverse impacts to landfill facilities.

The Indian Wells Municipal Code also requires all new construction to develop a waste management plan for construction and demolition projects (16.75) as well as screening measures of utility and solid waste facilities (21.50). In addition, the GPU update includes the following Policies RM-7.4 and RM-7.5, aimed at maintaining conservation practices and promoting proper solid waste management in both the public and private sectors.

The project will comply with all applicable solid waste statutes, policies, and guidelines. Burrtec abides by Assembly Bill 341 which is a legislative declaration that it is the policy goal of the State of California that not less than 75% of solid waste generated be reduced, recycled, or composted by the year 2020. Future projects will be required to arrange for Burrtec collection of recycled material and supply and allow access to an adequate number, size, and location of collection containers with sufficient labels or colors for employees, contractors, tenants, and customers, consistent with City's collection services. The California Green Building Standards Code (CalGreen) applies to all cities in California, and mandates that all new building construction develop a waste management plan that includes diversion of at least 65% of construction and demolition material from landfills, through recycling and/or reuse. There are no impacts relative to applicable solid waste regulations because future projects will be required to comply with all such regulations and GP Policies and Actions listed above. Impacts would be less than significant.

D. FINDINGS ON SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CAN BE REDUCED TO A LESS THAN SIGNIFICANT LEVEL

The following summary describes impacts of the Proposed Project that, without mitigation, would result in significant adverse impacts. The City Council hereby finds that Mitigation Measures in the form of GPU policies and actions have been identified in the EIR and these Findings that will avoid or substantially lessen the following potentially significant environmental impacts. Upon implementation of the mitigation measures provided in the EIR, these impacts would be considered less than significant. See Attachment I (Index) at the end of this document for the location of the discussion threshold questions.

1. Aesthetics

Impact 4.1 a: The GPU would adversely affect a scenic vista.

While the Planning Area contains numerous areas and viewsheds with relatively high scenic value (i.e., natural landforms/mountains), there are no officially designated scenic vista points in the Planning Area. Additionally, there are no officially designated scenic highways located in the City of Indian Wells. The closest scenic highway is located approximately 1.35 miles west of the City boundaries (Route 74). Significant visual resources in the Planning Area include the surrounding mountain ranges, specifically the Santa Rosa Mountains located immediately south, and the more distant San Jacinto

Mountains to the west and Little San Bernardino Mountains to the north. The Santa Rosa Mountains occupy the southern portion of the City at an elevation of approximately 2,200 feet. The tallest peak of the Santa Rosa Mountains is Toro Peak at 8,716 feet (outside of the City boundary). Views of the Santa Rosa Mountains are visible from most parts of the City and are the most notable visual assets. The San Jacinto and Little San Bernardino Mountains are located further from the City and are visible from a few locations throughout the City.

The City of Indian Wells is largely developed with residential, commercial, resort, recreational, and open space uses. There are very few areas within the Planning Area that are designated for urban land uses which are not already developed. The proposed Land Use Map does not convert any lands designated specifically for open space land uses to urban uses. However, implementation of the Proposed GPU could lead to new and expanded urban development throughout the City, specifically on undeveloped land north of Highway 111 and east and west of Miles Avenue, as well as lands north and south of Miles Avenue between Warner Trail and Washington Street. This new development may obstruct or interfere with views of visual features surrounding the Planning Area, including views of the Santa Rosa Mountains. Furthermore, buildout under the GPU and implementation of the proposed General Plan Land Use Map has the potential to result in new and expanded development along the Highway 111 corridor, which includes high scenic values, even though the segment of Highway 111 within the City is not determined an officially designated City view corridor. This is considered a potentially significant impact, which would be mitigated to a less than significant level through the implementation of the policies and actions listed below.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

- RM-2.1 Open Space Preservation.** Designate and preserve the City's open space and scenic resources including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.
- RM-2.2 Scenic Vista Preservation.** Locate and site development to preserve public and private views of hillside areas, the Santa Rosa Mountains, and other scenic vistas of the San Jacinto and San Gorgonio Mountain Ranges.
- RM-2.3 Open Space Character.** Establish and maintain greenbelts and open space amenities which enhance the open space character of the City and serve the needs of residents.
- RM-2.4 Tourism Support.** Support resort tourism by preserving, restoring, creating, and maintaining public open space, scenic views from public rights-of-way, and low impact recreational opportunities.

Actions

RM-2a Enforce the Hillside Management Ordinance to ensure the environmental integrity of the hillsides.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.1-7)

Rationale for Finding

Buildout of vacant lands within the Planning Area would be required to be consistent with the Proposed GPU. Goal RM-2 of the GPU's Resource Management Element is to ensure that natural open space areas are protected and balanced with recreation, scenic enjoyment, and protection of natural resources and features. This is supported by policies and actions that require the City to preserve open space and scenic resources, which enhances the open space character of the City, and supports tourism (see Policies RM-2.1 through RM-2.4 and Action RM-2a). Specifically, the implementation of the policies and actions contained in the GPU listed below would determine and preserve the City's open space and scenic vistas and enforce the Hillside Management Code in the Indian Wells Municipal Code to ensure the environmental integrity of the hillsides (Policies RM-2.1 through RM-2.3 and Action RM-2a). The protection of these scenic views and open space areas will also attract tourism to the City (Policy RM-2.4). Additionally, the implementation of the policies and actions contained in the Resource Management Element would further ensure that new development is designed in a way that enhances the visual quality of the community, compliments the visual character of the City, and that adverse effects on public views are minimized. Therefore, the impact would be less than significant following implementation of the GPU policies and actions.

Impact 4.1 d: The GPU would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Nighttime lighting is generated by developed structures and buildings, such as residential homes, commercial businesses, and resort properties within the City of Indian Wells. Traffic signals, light poles and signage also contributes to nighttime lighting sources throughout the City. Residential homes and commercial businesses typically include low-intensity, downward-oriented light fixtures, typically located at building entrances, or within parking areas and along pedestrian pathways. Non-stationary sources of light in the City is contributed by vehicular traffic traveling through rights-of-way within the City. A major thoroughfare within the City includes Highway 111, which provides regional access to the City. Increased nighttime lighting can reduce visibility of the night sky, resulting in fewer stars being visible and generally detracting from the quality of life in Indian Wells. This is considered a potentially significant impact.

Daytime glare is typically generated in urban areas by sunlight reflecting off of structures, windows, and other reflective surfaces. Implementation of the proposed GPU would introduce the development of new structures which could result in increased daytime glare. However, the City of Indian Wells is

largely developed, apart from approximately 56 acres north of Highway 111, and north and south of Miles Avenue. These areas would develop resort, residential, commercial, and recreational land uses, which may utilize materials that produce glare.

The City of Indian Wells is located in the Palomar Observatory restricted nighttime light zone that prohibits obtrusive nighttime lights. In order to avoid light pollution created in Riverside County, the County established Ordinance No. 655, Regulating Light Pollution, to restrict the permitted use of certain light fixtures emitting into the night sky undesirable light rays which have a detrimental effect on astronomical observations and research. The allowed lighting within the ordinance must be fully shielded if feasible and partially shielded in all other cases and must be focused to minimize spill light into the night sky and onto adjacent properties. Additionally, Indian Wells Municipal Code Section 22.04.092 requires that any architectural, landscape, or accent lighting (lighting used for decorative effects) shall be turned off between 11:00 p.m. and sunrise in order to protect Palomar Observatory from light pollution. Common recreational areas (club house, common pool areas, etc.) may be lighted while those facilities are in use. This requirement shall exclude outdoor lighting used for illuminating walkways, or other outdoor security lighting as permitted.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

RM-2.7 Lighting and Glare. Protect scenic enjoyment by encouraging outdoor lighting that is directed appropriately and avoid the creation of regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light.

Action

RM-2b Adopt a Dark Sky Ordinance to limit residents' exposure to artificial light during their outdoor nighttime activities while providing adequate light levels to ensure safety and security.

RM-2c Create and implement development design standards to reduce regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.1-11)

Rationale for Finding

Increased nighttime lighting can reduce visibility of the night sky, resulting in fewer stars being visible and generally detracting from the quality of life in Indian Wells. This is considered a potentially significant impact which would be mitigated to a less than significant level through the implementation of Policy RM-2.7 which requires outdoor lighting to be directed appropriately and avoid the creation of regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light. Implementation of Action RM-2b would reduce lighting impacts from residential uses during nighttime activities without compromising safety, while Action RM-2c would implement development design standards to reduce excessive glare.

In addition to the policies and actions listed above, future projects would be required to comply with regulations established in Riverside County Ordinance No. 655, Regulating Light Pollution, due to the City's location within the Palomar Observatory restricted nighttime light zone, which prohibits obtrusive nighttime lights. Ordinance No. 655 restricts the permitted use of certain light fixtures emitting into the night sky undesirable light rays which have a detrimental effect on astronomical observations and research. The allowed lighting within the ordinance must be fully shielded if feasible and partially shielded in all other cases and must be focused to minimize spill light into the night sky and onto adjacent properties. Additionally, Indian Wells Municipal Code Section 22.04.092 requires that any architectural, landscape, or accent lighting (lighting used for decorative effects) shall be turned off between 11:00 p.m. and sunrise in order to protect Palomar Observatory from light pollution. Common recreational areas (club house, common pool areas, etc.) may be lighted while those facilities are actually in use. This requirement shall exclude outdoor lighting used for illuminating walkways, or other outdoor security lighting as permitted.

Through the implementation of the policies and actions during the development review process, the City can ensure that adverse impacts associated with daytime glare and nighttime lighting are reduced to a less than significant level.

2. Biological Resources

Impact 4.4 a: The GPU will not have a substantial adverse effect on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the CDFW or USFWS.

The Planning Area can be characterized as a resort town, mostly developed with residential, commercial, and open space land uses. There are only a few areas of the Planning Area that have not been developed or disturbed. However, this does not negate the presence of special status species occurring in these areas. The implementation of the GPU would not directly approve or entitle any development or infrastructure projects. However, implementation would allow and facilitate future development in Indian Wells, which could result in adverse impacts to special-status plant and wildlife species, as well as sensitive remaining natural habitat.

According to a 2024 CNDDDB search of the City, a search revealed 17 special status species within the City boundaries (listed under Special Status Species, see page 4.4-3 of the Draft EIR). Subsequent development under the GPU could result in the direct loss of habitat areas associated with these special

status species since suitable habitat for some of these species does still exist within the City. Additionally, indirect impacts to special status plant species could occur with implementation of the GPU. Thus, impacts are potentially significant.

Mitigation Measures

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

- RM-1.1** **Biodiversity.** Preserve biological communities that contribute to the region's biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements.
- RM-1.6** **Sensitive Biological Habitat.** Direct development away from areas of sensitive biological habitat unless effective mitigation measures (such as preconstruction biological surveys to identify whether candidate, sensitive, and/or special-status species occur onsite) to reduce potential impacts can be implemented.
- RM-1.7** **Pre-Development Review.** Require development proposals to identify significant biological resources and provide mitigation to reduce impacts, including through the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques, and other appropriate impact reduction measures.
- RM-1.8** **Riparian Preservation.** Encourage the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels through the development review process.

Actions

- RM-1a** Develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall continue to strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.
- RM-1d** Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys.

- RM-1e** Where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City of Indian Wells Planning Department prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a 300-foot buffer around the active nest. For listed raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure the nesting behavior is not adversely affected by construction activity, pursuant to the Migratory Bird Treaty Act (MBTA). Prior to the commencement of construction activities and the issuance of any permits, results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Indian Wells Planning Department, California Department of Fish and Wildlife (CDFW), and other appropriate agencies.
- RM-1f** Review each development proposal as it is submitted to the City to assure that the potential impacts on the natural environment are minimized in accordance with the provisions of CEQA.
- RM-1g** Prior to the approval of any development proposed in areas of “high ecological sensitivity,” require the applicant to prepare a biological study for the area.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.4-13)

Rationale for Finding

In order to ensure that less than significant impacts occur to any special status species located in the City, any future development would be required to follow City policies and actions. Applicable policies and actions to special status species include Policy RM-1.1, to preserve biological communities that contribute to the region’s biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements. Policy RM-1.6 states that the City should direct development away from areas of sensitive biological habitat unless effective mitigation measures can be implemented. Policy RM-1.7 requires development proposals to identify significant biological resources and provide mitigation including the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques and other appropriate measures. Policy RM1-1.8 encourages the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels.

Action RM-1a states that the City shall strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants. Action RM-1d states that the City will use the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) to help assess potential project impacts and mitigation requirements. Action RM-1d states how development in the City must comply with CVMSHCP in terms of payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. Action RM-1e states that where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. Action RM-1f states that the City shall review each development proposal submitted to the City to assure that the potential impacts on the natural environment are minimized. Action RM-1g requires that any development proposed in areas of “high ecological sensitivity” are required to conduct a biological study for the area.

Adherence to these policies and actions would ensure that impacts are minimized. Policies required by developers will be enforced by the City, and policies and actions will be implemented when the GPU is approved. In addition, all future development would be required to comply with applicable federal and State laws and regulations that concern the preservation of biological resources, including the CVMSHCP, CEQA, and Migratory Bird Treaty Act (MBTA).

Any future development would be required to follow the MBTA and all applicable laws pertaining to nesting birds and birds of prey. The MBTA prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase or barter, any migratory birds, their eggs, parts, and nests, except as authorized under a valid permit by the Department of Interior U.S. Fish and Wildlife Service.

As discussed above, if a project is to be developed next to a Conservation Area, it is required that the project follow CVMSHCP’s Land Use Adjacency Guidelines. These guidelines are necessary to avoid or minimize edge effects. These requirements include light shielding to reduce the effects of light on habitat and setbacks, berms, or walls, as appropriate to minimizing the effects of noise. Where appropriate, the City and/or applicable agencies may require projects not adjacent to Conservation Areas to require similar measures to CVMSHCP’s Land Use Adjacency Guidelines. The City’s Staff will review each project and the necessary biological studies on a subject property to inform best practices are used and avoidance and or reduction of biological impacts are implemented.

The policies and actions and federal and State measures discussed above would reduce impacts on candidate, sensitive, and/or special-status species to less than significant levels.

Impact 4.4 b: The GPU would have a substantial adverse effect on riparian habitat or other sensitive natural community.

The GPU could facilitate development that could impact existing vegetation communities. According to Natural Community Accounts and Conservation Measures from the Final Major Amendment to the CVMSHCP (August 2016) mesquite hummocks were formerly widespread from the dune areas of Indian Wells but are now restricted to undeveloped lots amid urban lands. Changes in soil moisture

and water table declines may have reduced the occurrence of these hummocks. Changes to the vacant properties within the City could result in significant impacts to sensitive natural communities.

Mitigation Measures

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

- RM-1.1** **Biodiversity.** Preserve biological communities that contribute to the region's biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements.
- RM-1.6** **Sensitive Biological Habitat.** Direct development away from areas of sensitive biological habitat unless effective mitigation measures to reduce potential impacts can be implemented.
- RM-1.7** **Pre-Development Review.** Require development proposals to identify significant biological resources and provide mitigation to reduce impacts, including through the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques, and other appropriate impact reduction measures.
- RM-1.8** **Riparian Preservation.** Encourage the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels through the development review process.

Actions

- RM-1a** Develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall continue to strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.
- RM-1d** Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys.

- RM-1e** Where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City of Indian Wells Planning Department prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a 300-foot buffer around the active nest. For listed raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure the nesting behavior is not adversely affected by construction activity, pursuant to the Migratory Bird Treaty Act (MBTA). Prior to the commencement of construction activities and the issuance of any permits, results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Indian Wells Planning Department, California Department of Fish and Wildlife (CDFW), and other appropriate agencies.
- RM-1f** Review each development proposal as it is submitted to the City to assure that the potential impacts on the natural environment are minimized in accordance with the provisions of CEQA.
- RM-1g** Prior to the approval of any development proposed in areas of “high ecological sensitivity,” require the applicant to prepare a biological study for the area.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.4-16)

Rationale for Finding

The City has policies and actions regarding natural communities, to ensure less than significant impacts occur. Policy RM-1.1 states that the City should preserve biological communities that contribute to the region’s biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements. Policy RM-1.6 states that the City should direct development away from areas of sensitive biological habitat unless effective mitigation measures can be implemented. Policy RM-1.7 requires development proposals to identify significant biological resources and provide mitigation including the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques and other appropriate measures. Policy RM1-1.8 encourages the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels. Applicable actions

include Action RM-1a, stating that the City develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants. Action RM-1d states that the City should cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the CVMSHCP to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the MSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. Action RM-1f states that the City shall review each development proposal submitted to the City to assure that the potential impacts on the natural environment are minimized. Action RM-1g requires that any development proposed in areas of “high ecological sensitivity” are required to conduct a biological study for the area. Adherence to these policies and actions would ensure that impacts are minimized. Policies required by developers will be enforced by the City, and policies and actions will be implemented when the GPU is approved. In addition, all future development would be required to comply with applicable federal and state laws and regulations that concern the preservation of biological resources, including the CVMSHCP, MBTA, and CEQA.

As discussed above, a future project developed near a Conservation Area would be required to follow CVMSHCP’s Land Use Adjacency Guidelines. These guidelines are designed to prevent or reduce edge effects and include requirements such as light shielding to minimize light impact on habitats, as well as setbacks, berms, or walls to mitigate noise. In some cases, the City or relevant agencies may also require projects not directly adjacent to Conservation Areas to implement similar measures in line with CVMSHCP guidelines. City Staff will review each project along with any necessary biological studies on the property to ensure best practices are followed. Impacts to sensitive vegetation communities and riparian habitat associated with development facilitated by the GPU would be less than significant.

Impact 4.4 c: The GPU would have a substantial adverse effect on state or federally protected wetlands.

The City does not contain federally protected wetlands, marshes, or other natural drainage features. There is the Whitewater River and Deep Canyon Stormwater Channel in the City. Both waterways are managed by the Coachella Valley Water District (CVWD). Federal standards prohibit development in the floodways though some watercourse areas are used for golfing. Changes to the Whitewater River Channel are proposed as part of the proposed project consistent with ongoing efforts to improve the channel. Approximately 6.82 acres of the Whitewater River Channel will be removed from the storm channel and added to developable acreage for resort commercial uses. The proposed changes to the Whitewater River Channel could result in potential impacts to biological resources.

Mitigation Measures

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

- RM-1.7** **Pre-Development Review.** Require development proposals to identify significant biological resources and provide mitigation to reduce impacts, including through the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques, and other appropriate impact reduction measures.
- RM-1.8** **Riparian Preservation.** Encourage the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels through the development review process.

Actions

- RM-1a** Develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall continue to strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.
- RM-1d** Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys.
- RM-1e** Where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City of Indian Wells Planning Department prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a 300-foot buffer around the active nest. For listed raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure the nesting behavior is not adversely affected by construction activity, pursuant to the Migratory Bird Treaty Act (MBTA). Prior to the commencement of construction activities and the issuance of any permits, results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Indian Wells Planning Department, California Department of Fish and Wildlife (CDFW), and other appropriate agencies.

- RM-1f** Review each development proposal as it is submitted to the City to assure that the potential impacts on the natural environment are minimized in accordance with the provisions of CEQA.
- RM-1g** Prior to the approval of any development proposed in areas of “high ecological sensitivity,” require the applicant to prepare a biological study for the area.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.4-19)

Rationale for Finding

The Whitewater River Channel is not a Conservation Area, nor have any sensitive species been found in the portion of the Channel in the Planning Area. However, in order to ensure that improvements on the storm channel and the removal of 6.82 acres from the storm channel does not negatively impact biological resources, appropriate biological surveys will be conducted if deemed necessary by City Staff and applicable public agencies. GPU Policy RM-1.7 requires development proposals to identify significant biological resources and provide mitigation including the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques and other appropriate measures. Policy RM1-1.8 encourages the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels. These policies are supported by Action RM-1a, stating that the City develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants. Action RM-1d states that the City should cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the CVMSHCP to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the MSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. Action RM-1f states that the City shall review each development proposal submitted to the City to assure that the potential impacts on the natural environment are minimized. Action RM-1g requires that any development proposed in areas of “high ecological sensitivity” are required to conduct a biological study for the area. Overall, implementation of the GPU would not result in the direct removal, filling, or other hydrological interruption to any of these resources. Impacts would be less than significant.

3. Cultural and Tribal Cultural Resources

Impact 4.5 a: Development of the GPU could impact historical resources.

The City of Indian Wells is largely developed. Buildout of the GPU will accommodate new businesses and residential uses and expansion of existing businesses. New development would occur in vacant and infill properties, largely concentrated north of Highway 111 and north and south (and east and west in some areas) of Miles Avenue. Although the GPU does not propose a specific development, analysis of the potential impacts to historic resources were analyzed should development occur, as proposed by the GPU.

Analysis of Eastern Information Center (EIC) and other databases of previously recorded resources within the GPU indicate five historic built environment resources are currently identified within the City. None are listed on the National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR). Three built environment resources were previously determined eligible for the NRHP. Of these, two buildings are no longer extant, and one is still intact. The remaining two previously recorded built environment resources were determined not eligible for the NRHP or the CRHR. While the GPU does not propose any site-specific plans that would affect an identified historical resource, future developments may have the potential to impact a historic resource at the project level.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

- RM-4.1 Preservation.** Protect areas containing significant historic, archaeological, paleontological and tribal cultural resources, as defined by the California Public Resources Code.
- RM-4.2 Tribal Consultation.** Consult with Native American tribes whose tribal cultural resources may be impacted by proposed development, as necessary, and in accordance with state, local, and tribal intergovernmental consultation requirements, to mitigate or avoid significant effects to resource(s).
- RM-4.3 Historic Resources.** Identify, designate, and protect buildings, districts, eligible properties and sites of historic importance within Indian Wells.
- RM-4.4 Funding.** Identify funding programs to assist private property owners in the preservation of historic resources.

Actions

- RM-4a** Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).
- RM-4b** For structures that potentially have historic significance, the City shall require that a study be conducted by a professional archaeologist or historian to determine the actual significance of the structure and potential impacts of the proposed development in accordance with CEQA Guidelines Section 15064.5. The City may require modification of the project and/or mitigation measures to avoid any impact (including visual impacts) to a historic structure, when feasible.
- RM-4c** For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts, or require mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.
- RM-4d** The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable palaeontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation.
- RM-4e** The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.
- RM-4f** In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons

responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.

- RM-4g** Prior to adopting any general plan, specific plan, or any amendment thereto, the City shall notify appropriate tribes of the opportunity for consultation for the purpose of preserving, or mitigating impacts to, cultural places located on land within the City's jurisdiction that may be affected by the proposed plan or amendment.
- RM-4h** Prior to the adoption or substantial amendment of a general plan or specific plan, the City shall refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the City's jurisdiction for a 45-day comment period.
- RM-4i** Prior to designating open space, the City shall consult with tribes if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code section 65092.
- RM-4j** Develop and implement programs and/or incentives to private property owners to help preserve, restore, or reuse historic structures while enhancing their historical significance and integrity.
- RM-4k** Conduct a historic properties inventory that takes into consideration buildings, neighborhoods, tribal cultural resources, eligible properties and other features of historic, architectural, or cultural significance and pursue official designation as warranted.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures are feasible, and the measures are therefore adopted. (Draft EIR pg. 4.5-16)

Rationale for Finding

As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the City's General Plan, Municipal Code, and other applicable State and Local regulations. Subsequent development and infrastructure projects would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA and mitigation may be required as future projects are planned. The City's Resource Management Element of the GPU includes Policy RM-4.1, RM-4.3, RM-4.4 and Actions RM-4a, RM-4b, RM-4c, RM-4e, RM-4j, and RM-4k that would ensure that impacts to historic resources are taken into consideration and reduced or

minimized in conjunction with future development. The policies enforce the preservation of historic resources (as defined by the California Public Resources Code) by identifying, designating and protecting buildings, district or eligible properties and sites within the City, and providing funding programs to assist property owners in the preservation of historic resources. Therefore, potential impacts to historical resources associated with growth forecast under the GPU would be less than significant because all future projects will abide by State and local regulations, and the City policies and actions listed above.

Impact 4.5 b: Development of the GPU could impact archaeological resources.

Seventy-two (72) archaeological resources have been previously recorded within the City. However, many of the areas mapped as previously containing archaeological resources have been developed and cultural resources therein destroyed from development.

Prehistoric and historic archaeological sensitivity mapped within the City include the eastern segment of SR-111 and a small section just south of the Coachella Valley Stormwater Channel. Archaeological sensitivity within the City has been mapped using a concentration of previously identified prehistoric and historic resources described in the records search and on historic maps. Prehistoric sensitivity is concentrated in two locations within the City: north and south of the Coachella Valley Stormwater Channel and the eastern segment of SR-111. Twenty-five (25) prehistoric sites and isolates have been previously identified along the Coachella Valley Stormwater Channel including the Native American village site of Kavinish which may contain prehistoric, ethnographic, and historic era buried deposits.

The second location of prehistoric sensitivity within the City is located in Hidden Valley, in the southwest corner, in the foothills west of Eisenhower Mountain. Although the area has gone through a large-scale country club development known as the “Reserve”, there is a potential for buried deposits from the concentration of 31 prehistoric sites and isolates in the vicinity.

The Santa Rosa mountains that encompass a majority of the southern portion of the City have unknown sensitivity.

Future development consistent with the GPU could result in impacts to potential archeological resources.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

RM-4.1 Preservation. Protect areas containing significant historic, archaeological, paleontological and tribal cultural resources, as defined by the California Public Resources Code.

Actions

- RM-4c** For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts, or require mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.
- RM-4e** The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.5-19)

Rationale for Finding

Section 5097.5 of the California Public Resources Code also prohibits the removal, destruction, or defacement of archaeological resources on public lands without express permission by the jurisdiction (State of California 2015). As future projects are planned, they must adhere to GPU policies such as RM-4.1, which enforces the protection of areas containing archaeological resources and GPU Actions RM-4a, RM-4c, RM-4e and all applicable regulations to ensure that impacts to archaeological resources are considered as future development is proposed. Potential impacts to archaeological resources associated with growth forecast under the GPU would be less than significant.

Impact 4.5 c: Development of the GPU could impact human remains.

The City of Indian Wells is largely developed. New development would occur in vacant and infill properties, largely concentrated north of Highway 111 and north and south (and east and west in some areas) of Miles Avenue. Future development associated with the GPU could disturb native soils and therefore could have the potential to encounter human remains. California Health and Safety Code Section 7050.5 states that in the event of discovery of any human remains on the project site, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the coroner determines the remains to be Native American or has reason to believe that they are those of Native

American, the coroner shall contact the NAHC within 24-hours, and the NAHC will be responsible for identifying the Most Likely Descendant (MLD) and contacting them for ongoing consultation and resolution.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Actions

RM-4f In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.5-21)

Rationale for Finding

Future development associated with the GPU could disturb native soils and therefore could have the potential to encounter human remains. Therefore, all development in the City must comply with applicable laws related to the discovery of human remains. Including but not limited to the California Health and Safety Code Section 7050.5, which states that in the event of discovery of any human remains on the project site, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the coroner determines the remains to be Native American or has reason to believe that they are those of Native American, the coroner shall contact the NAHC within 24-hours, and the NAHC will be responsible for identifying the Most Likely Descendant (MLD) and contacting them

for ongoing consultation and resolution. The project will be subject to these requirements during all construction and excavation activities. Compliance with the California Health and Safety Code and GPU Action RM-4f of the GPU Resource Management Element will ensure that, should there be a discovery of any human remains during project construction activities, impacts would be reduced to less than significant levels.

Impact 4.5 d: Development of the GPU could impact tribal cultural resources.

The GPU will facilitate future growth in Indian Wells, including new businesses, expansion of existing businesses, and new residential uses. The buildout analysis of the 20-year horizon, and 2045 buildout will result in a total of 6,271 residential units, which is consistent with the Current General Plan; additional square feet of nonresidential space; and 6,310 jobs. While much of the City has been developed, there is potential for encountering buried resources associated with Native American Tribes. The potential for intact cultural deposits at certain depths is probable at locations deemed sensitive or in proximity to known recorded archaeological resources. All prehistoric archaeological sites and isolates are Tribal Cultural Resources (TCR); however, plants and other natural resources, as well as geographic locations can also be a TCR. Unless already documented, TCRs can only be identified by Tribal representatives or persons working on their behalf.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

RM-4.2 Tribal Consultation. Consult with Native American tribes whose tribal cultural resources may be impacted by proposed development, as necessary, and in accordance with state, local, and tribal intergovernmental consultation requirements, to mitigate or avoid significant effects to resource(s).

Actions

RM-4a Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).

RM-4c For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts, or require

mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.

- RM-4e** The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.
- RM-4f** In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.
- RM-4g** Prior to adopting any general plan, specific plan, or any amendment thereto, the City shall notify appropriate tribes of the opportunity for consultation for the purpose of preserving, or mitigating impacts to, cultural places located on land within the City's jurisdiction that may be affected by the proposed plan or amendment.
- RM-4h** Prior to the adoption or substantial amendment of a general plan or specific plan, the City shall refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the City's jurisdiction for a 45-day comment period.
- RM-4i** Prior to designating open space, the City shall consult with tribes if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code section 65092.
- RM-4k** Conduct a historic properties inventory that takes into consideration buildings, neighborhoods, tribal cultural resources, eligible properties and other features of historic, architectural, or cultural significance and pursue official designation as warranted.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.5-22)

Rationale for Finding

To determine the potential for Tribal cultural resources from the GPU, the City sent notices to the NAHC and local Tribes as required under AB 52 and SB 18. The City sent out 14 notification letters to Native American Tribes. The City received one response to the notification letters. The City also engaged in Tribal consultation with the Agua Caliente Band of Cahuilla Indians, per their request, and in compliance with AB 52 and SB 18. As discussed above, the construction of future development has the potential to unearth unknown cultural resources and TCRs. Site-specific development would undergo further CEQA review and AB 52 consultation that may identify unknown TCRs that have not been formally recorded during the consultation of the GPU. Moreover, the City's Resource Management Element includes Goals and Policies such as Policy RM-4.2 and Actions RM-4a, RM-4c, RM-4e, RM-4f, RM-4g, RM-4h, RM-4 and RM-4k. Policy RM-4.2 requires consultation with tribes whose TCRs may be impacted by development. Actions RM-4a, RM-4c, RM-4e, RM-4f, RM-4g, RM-4h, RM-4 and RM-4k further require coordination with tribes during review process of future projects. Adherence to the State, tribe, and local regulations in conjunction with the GPU policies would ensure impacts to TCRs would be reduced to less than significant levels.

4. Geology and Soils

Impact 4.7 a(ii): Strong seismic ground shaking could result in direct or indirect adverse effects in the GPU Planning Area.

While no active faults exist within Indian Wells, the region faces seismic hazards primarily from the San Andreas and San Jacinto faults, located 5 to 15 miles from City boundaries respectively. These faults, including others in the area, pose the risk of seismic ground shaking. Development within the City may thus expose structures and inhabitants to the adverse effects of earthquakes, including ground shaking and related ground failure. Factors influencing ground motion effects and structural damage include earthquake intensity, distance from the epicenter, soil composition, and building design. While accurate earthquake predictions remain elusive, statistical risk analyses estimate the probability of magnitude 7 or greater earthquakes along the San Andreas fault. The Southern Segment of the San Andreas fault, with a characteristic earthquake estimated at magnitude 7.7, poses a notable risk due to its past ruptures. The San Jacinto fault, also active, adds to the seismic risk.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

- PS-4.1** **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.
- PS-4.2** **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.
- PS-4.3** **Map Maintenance.** Maintain the City's geologic and seismic hazards map in concert with updates from the California Geologic Survey and local surveys and update as appropriate.
- PS-4.4** **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

- PS-4a** Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.
- PS-4b** Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.
- PS-4c** Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.
- PS-4d** Update building, zoning, and grading codes as needed to ensure adopted standards mitigate potential seismic hazards and comply with the Alquist-Priolo Act.

PS-4e Develop a structural hazards reduction program (per Section 8875 of the Government Code) for the upgrading of seismically hazardous buildings.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.7-22)

Rationale for Finding

The GPU contains policies and actions that address strong seismic ground shaking that could occur. Policy PS-4.1 requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. Policy PS4.2 discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Policy PS-4.4 requires the use of the most current seismic hazards of the Uniform Building Code. Action PS-4a requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. It also requires development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. Action PS-4b requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, Action PS-4c requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate.

The City policies and actions also include Policy PS-4.3 which states that the City will maintain the City's geologic and seismic hazards map in concert with updates from the California Geologic Survey and local surveys and update as appropriate. In addition, Action PS-4d states that the City will update building, zoning, and grading codes as needed to ensure adopted standards mitigate potential seismic hazards and comply with the Alquist-Priolo Act. Action PS-4e states that the City will develop a structural hazards reduction program (per Section 8875 of the Government Code) for the upgrading of seismically hazardous buildings. Implementation of all the GPU applicable policies and actions discussed above and described below would ensure the structural integrity during seismic events, thus reducing seismic impact for new developments in the City to less than significant levels.

Impact 4.7 a(iii): The GPU could be effect by seismic-related ground failure, including liquefaction.

Liquefaction involves sudden loss of strength in a saturated, cohesionless soil (typically sand) which is the result of shock or strain, such as in an earthquake. This shock causes the soil to behave like a liquid. If the liquefied soils are near the surface, buildings may substantially sink or tilt. Lightweight structures

may float upwards to the ground surface and foundations may displace laterally, causing structural failures. If the liquefied soils are located in the subsurface, this may provide a sliding surface for material above the liquefied layer. Liquefaction is most likely to occur where groundwater is less than 30 feet from the surface. According to the Sustainable Groundwater Management Act (SGMA) Data Viewer application, State Well Number 05S06E24G001S in the City, east and south of Miles Avenue, north of Highway 111, and west of Washington Street has a recorded depth to groundwater at approximately 162 feet as of March 2024. Since the GPU Planning Area is likely to experience seismic events due to the proximity of local faults, impacts of ground failure could be significant.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

- PS-4.1** **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.
- PS-4.2** **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.
- PS-4.4** **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

- PS-4a** Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.
- PS-4b** Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.
- PS-4c** Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes

and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.7-24)

Rationale for Finding

In order to ensure that future development in the City is not at risk of liquefaction, development would be required to follow City policies and actions. Policy PS-4.1 strives to reduce the risk of impacts from geologic and seismic hazards by applying proper and up-to-date land use planning, development engineering, building construction, and retrofitting requirements. Policy PS-4.2 discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Policy PS-4.4 enforces the most current seismic standards of the Uniform Building Code. Action PS-4a requires assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards. Action PS-4b requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, Action PS-4c states that during review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey. Through the implementation of these City policies and actions, potential impacts from liquefaction would be reduced to less than significant.

Impact 4.7 a(iv): The GPU could be affected by seismic-related landslides.

Landslides and rockfall can occur when unstable slope conditions are worsened by strong ground motion caused by seismic events. Conditions that lead to landslide vulnerability include high seismic potential; rapid uplift and erosion that creates steep slopes and deeply incised canyons; folded and highly fractured rock; and rock with silt or clay layers that are inherently weak. Landslides are not likely to occur within the region, since the areas of steep slopes, located in the southern part of the City, are primarily composed of strong bedrock. Additionally, according to the USGS U.S. Landslide Inventory and Interactive Map, there are no records of landslides within or near the City. Nevertheless, rockfall hazards can occur in the mountains and foothills during a strong earthquake.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

- PS-4.1** **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.
- PS-4.2** **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.
- PS-4.4** **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

- PS-4a** Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.
- PS-4b** Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.
- PS-4c** Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.7-26)

Rationale for Finding

Although landslides are not likely to occur within the region, since the areas of steep slopes in the southern part of the City are primarily composed of strong bedrock, rockfall hazards can occur in the mountains and foothills during a strong earthquake. Policy PS-4.1 requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. Policy PS-4.2 discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Policy PS-4.4 requires the use of the most current seismic hazards of the Uniform Building Code. Action PS-4a requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. Action PS-4b requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, Action PS-4c requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Implementation of the General Plan Update applicable policies and actions would ensure no impacts would occur to new developments from landslides.

Impact 4.7 b: The GPU could result in soil erosion or loss of topsoil.

The City of Indian Wells is largely developed with residential, resort, and commercial uses. Buildout of the GPU would include additional residential, resort and commercial uses, however, the GPU does not propose a specific development. Future development within the City would likely occur north of Highway 111 and north and south (and east and west in some areas) of Miles Avenue, where there are vacant and infill lots. Construction of these areas could result in windborne and waterborne erosion during ground disturbing activities.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Actions

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Windborne Erosion

Construction would involve ground disturbing activities, such as the clearing and grubbing of existing vegetation, and grading, which would expose topsoil and could result in windborne erosion. The Coachella Valley PM10 State Implementation Plan (SIP) requirement for a Fugitive Dust Control Plan. A Fugitive Dust Control Plan is required in Indian Wells Municipal Code Chapter 8.20 for any area of more than five thousand square feet. The Fugitive Dust Control Plan requires the implementation of best available control measures (BACMs) including but not limited to the use of perimeter fencing, applying adhesive dust suppressant, and watering the project site. Future projects may be required to implement the BACMs for on- and off-site improvements detailed within the project-specific Fugitive Dust Control Plan during construction of the project site.

Waterborne Erosion

Erosion from rainfall and runoff at the development site during grubbing, grading and construction activities would have adverse effects if not addressed. Therefore, in conjunction with the requirements for water protection, and prior to site disturbance, the project contractor would be required to apply to the State Water Resources Control Board (SWRCB) for coverage under the Construction General Permit (Order No. 99-08-DWQ) (CAS000002). This requirement applies best management practices (BMPs) to remove eroded soils from stormwater discharges during clearing, grading, and excavation. The Construction General Permit requires an applicant to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP includes a list of the BMPs that would be implemented to prevent soil erosion that could contaminate nearby water resources. The SWPPP for a proposed project and offsite construction relating to the project would be prepared in conjunction with the final grading permit, and would require a range of BMPs, including but not limited to:

- *Temporary Soil Stabilization*: hydraulic mulch, soil polymers and geotextiles;
- *Temporary Sediment Control*: sandbag barriers, straw bale barriers, sediment traps, and fiber rolls.
- *Wind Erosion Control*: *wind fencing*, water of the construction site, straw mulch;
- *Tracking Control*: staging/storage area, track-out plates and street sweeping;
- *Non-stormwater Management*: clear water diversion and dewatering; and
- *Waste Management and Materials Pollution Control*: vehicle and equipment cleaning, concrete waste management, and contaminated soils management.

Therefore, the implementation of a SWPPP for a development site in the project area would reduce soil erosion or the loss of topsoil during construction resulting from stormwater to less than significant levels.

Landscaped areas would include ground coverings, trees, and/or shrubs that would stabilize the ground surface. Any irrigation systems (i.e., sprinklers or drip irrigation) would also be maintained according to City standards during project operation to ensure that overwatering of plants (which leads to waterborne erosion) does not occur. Any drainage and retention facilities would be maintained according to City standards during project operation to ensure their intended function. The required routine maintenance of onsite drainage and retention facilities and associated infrastructure would reduce the likelihood of flooding on a developed property. Additionally, development could introduce impervious, paved areas. The impervious surfaces would reduce the potential for erosion during operation by stabilizing the ground surface and minimizing the amount of exposed soil. These features would establish stabilized surfaces and onsite maintenance at a development site, thereby decreasing the likelihood of onsite windborne and waterborne erosion during operation. The implementation of the Fugitive Dust Control Plan and the SWPPP, as well as any mitigation measures detailed in a project-specific survey of soil and geologic conditions (Action PS-4c) would ensure that impacts from erosion created from the site and any offsite construction relating to the development would be less than significant.

Impact 4.7 c: Buildout of the GPU could be located on a geologic unit that is unstable, resulting in landslide, lateral spreading, subsidence, liquefaction, or collapse.

Development allowed under the GPU could result in the exposure of people and structures to conditions that have the potential for adverse effects associated with ground instability or failure. Soils and geologic conditions in the GPU Planning Area could have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse.

Landslides and Rockfalls

Landslides and rockfall can occur when unstable slope conditions are worsened by strong ground motion caused by seismic events. Conditions that lead to landslide vulnerability include high seismic potential; rapid uplift and erosion that creates steep slopes and deeply incised canyons; folded and highly fractured rock; and rock with silt or clay layers that are inherently weak. Landslides are not likely to occur within the region, since the areas of steep slopes, located in the southern part of the City, are

primarily composed of strong bedrock. Additionally, according to the USGS U.S. Landslide Inventory and Interactive Map, there are no records of landslides within or near the City.

Lateral Spreading

Lateral spreading generally is a phenomenon where blocks of intact, non-liquefied soil move down slope on a liquefied substrate of large areal extent. The potential for lateral spreading is present where open banks and unsupported cut slopes provide a free face (unsupported vertical slope face). Ground shaking, especially when inducing liquefaction, may cause lateral spreading toward unsupported slopes.

Subsidence

Groundwater is an important water supply source in the Coachella Valley. The demand for water has exceeded the deliveries of imported surface water in the past, and groundwater levels have historically declined as a result of increased pumping.

Based on a review of the Riverside County Land Information System website, the City is situated in an area susceptible to ground subsidence due to the withdrawal of groundwater. The United States Geological Survey (USGS), with Coachella Valley Water District (CVWD), completed subsidence monitoring reports for the Coachella Valley in 2001 and 2007 showing subsidence rates in the Coachella Valley had been increasing rapidly.

Liquefaction

Liquefaction occurs when ground shaking of relatively long duration and intensity causes loose, unconsolidated soils to act like a liquid and lose strength. Liquefaction involves sudden loss of strength in a saturated, cohesionless soil (typically sand) which is the result of shock or strain, such as in an earthquake, causing the soil to behave like a liquid. Generally, liquefaction can occur if all of the following conditions apply: liquefaction-susceptible soil, groundwater within a depth of 50 feet or less, and strong seismic shaking. Future projects within the GPU Planning Area could be impacted by unstable soil conditions.

Collapse

Soil collapse occurs in recently deposited sediments that accumulated in an arid or semi-arid environment. Young alluvial and wind-deposited sediments in the City may be locally susceptible to soil collapse due to their low density, rapid deposition in the desert environment, and the generally dry condition of the upper soils. As previously stated, the soils at the Planning Area include interbedded Lacustrine and Alluvial Deposits (Q1/Qa). Future projects within the GPU Planning Area could be impacted by collapsible soils.

Flooding, Tsunami, and Seiche

Indian Wells is located far inland and not near any ocean body of water that would be susceptible to a tsunami. Additionally, the City is protected from upstream flooding by the Deep Canyon Stormwater Channel and the Coachella Valley Stormwater Channel. Aboveground water tanks, owned and

operated by CVWD are located at the southeastern City boundary. Flooding and seiches could impact the GPU Planning Area.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided includes any revisions incorporated in the Final EIR.

Policies

- PS-4.1 **Geologic Hazard Reduction.**** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.
- PS-4.2 **Sensitive Site Location.**** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.
- PS-4.4 **Building Codes.**** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

- PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.**
- PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.**
- PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants**

to mitigate the impacts per the recommendations contained within the geologic survey.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Landslides and Rockfalls

Landslides are not likely to occur within the region, since the areas of steep slopes, located in the southern part of the City, are primarily composed of strong bedrock. Additionally, according to the USGS U.S. Landslide Inventory and Interactive Map, there are no records of landslides within or near the City. Nevertheless, rockfall hazards can occur in the mountains and foothills during a strong earthquake. Policy PS-4.1 requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. Policy PS-4.2 discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in area with high seismic or geologic hazards. Policy PS-4.4 requires the use of the most current seismic hazards of the Uniform Building Code. Action PS-4a requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. Action PS-4b requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, Action PS-4c requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Implementation of the General Plan Update applicable policies and actions would ensure no impacts would occur to new developments from landslides. Therefore, impacts to the City and its future development due to potential landslides and rock fall will be reduced to less than significant.

Lateral Spreading

Lateral spreading generally is a phenomenon where blocks of intact, non-liquefied soil move down slope on a liquefied substrate of large areal extent. Policy PS-4.1 requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. Policy PS-4.4 requires the use of the most current seismic hazards of the Uniform Building Code. Action PS-4a requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require

development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. Action PS-4b requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, Action PS-4c requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. The applicable City policies and actions would ensure that impacts relating to lateral spreading would be mitigated, and less than significant impacts could occur to future projects in the City.

Subsidence

Based on a review of the Riverside County Land Information System website, the City is situated in an area susceptible to ground subsidence due to the withdrawal of groundwater. The United States Geological Survey (USGS), with Coachella Valley Water District (CVWD), completed subsidence monitoring reports for the Coachella Valley in 2001 and 2007 showing subsidence rates in the Coachella Valley had been increasing rapidly.

According to the 2020 Coachella Valley Regional Urban Water Management Plan (RUWMP), CVWD and DWA jointly operate groundwater replenishment programs (GRPs) in the West Whitewater River Subbasin and Mission Creek Subbasin management areas, and CVWD operates a replenishment program in the East Whitewater River Subbasin area of benefit (AOB). These programs have had a significant beneficial effect on overdraft. To recover the cost of the GRP, a Replenishment Assessment Charge (RAC) is applied to all non-exempted groundwater production. These RACs are calculated and managed separately by each agency for each of the AOBs. In 2002, CVWD adopted the Coachella Valley Water Management Plan (CVWMP) to address groundwater overdraft and is working collaboratively with other agencies to implement that plan.

Additional programs focusing on conversion of groundwater pumpers to recycled and imported Coachella Canal water over the next ten years are intended to prevent future overdraft. During extended drought periods when State Water Project (SWP) Exchange water deliveries for replenishment are reduced, continued groundwater pumping could result in short-term overdraft. Reduced replenishment could result in lower groundwater levels, which are expected to recover when normal supply conditions resume. Short-term reductions in replenishment due to droughts are not expected to affect long-term supply reliability. Therefore, valley-wide effort from water agencies to manage groundwater levels would ensure that ground subsidence would be at less than significant levels for future developments in the City.

Liquefaction

The Riverside County seismic-geologic map identifies no areas of potential liquefaction in the City of Indian Wells. The nearest areas of potential liquefaction encompass the eastern portions of La Quinta and Indio to the east of the Planning Area. Additionally, development would be required to have surveys of soil and geologic conditions (Action PS-4c) conducted where project specific liquefaction potential can be addressed and mitigated. Action PS-4c requires projects to be compliant with

California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Implementation of the General Plan Update applicable policies and actions would ensure impacts related to liquefaction would be less than significant.

Collapse

Future projects in the City would be required to follow City policies and actions. The City of Indian Wells has established a comprehensive set of policies and actions to mitigate the risks associated with geologic and seismic hazards. Policy PS-4.1 emphasizes the importance of applying up-to-date land use planning, development engineering, building construction, and retrofitting requirements to reduce geologic hazard impacts. Policy PS-4.2 discourages the development of sensitive uses, such as critical facilities and high-occupancy buildings, in high seismic risk areas, promoting instead the use of these areas for landscaped open spaces. Additionally, Policy PS-4.4 ensures the maintenance of high seismic performance standards by adopting and enforcing the latest seismic standards in the Uniform Building Code.

To implement these policies, the City requires thorough hazard assessments and mitigation measures for new development projects and city improvements in geologically susceptible areas (Action PS-4a). This includes specific design considerations to minimize hazards such as falling rocks in hillside areas. Action PS-4b mandates professional inspections of geotechnical aspects during site development for sites prone to significant seismic hazards. Furthermore, Action PS-4c ensures compliance with the California Health and Safety Code's earthquake protection provisions and other relevant building standards. This includes requiring surveys of soil and geologic conditions by licensed professionals and mandating mitigation measures for identified geologic impacts before project approval. These measures collectively aim to safeguard public safety and infrastructure integrity against the risks of collapse due to geologic hazards. Less than significant impacts are expected.

Flooding, Tsunami, and Seiche

The City is protected from upstream flooding by the Deep Canyon Stormwater Channel and the Whitewater River (which transitions into the Coachella Valley Stormwater Channel). Future projects within the City of Indian Wells will design flood control infrastructure that will safely convey flooding away from future and existing development.

Indian Wells is not located near any ocean body of water that would be susceptible to a tsunami. Therefore, the City will not be impacted by tsunamis. However, aboveground water tanks are located at the southeastern City boundary. The reservoirs are owned and operated by the CVWD. To ensure impacts of seismic events, and their secondary effects (including seiches), do not result in the failure of an aboveground water reservoir, construction requirements are established for the safe development and maintenance of the storage tanks. Structural requirements include the implementation of appropriate building materials, foundational standards, and loading factors. Impacts related to flooding, tsunami, and seiches in the City would be less than significant.

Impact 4.7 d: The GPU could be located on expansive soil, creating substantial direct or indirect risks to life or property.

Varying amounts of fine-grained silts and clays within soils may shrink or swell as moisture content changes as described in the Environmental Setting section above. Indian Wells consists of mostly Quaternary alluvium, lake, dune sand, and Pleistocene nonmarine deposits, with Mesozoic granitic rocks along the Santa Rosa Mountains, which encompass the southern portion of the project area. The City is situated primarily upon soils that are characterized as gravelly sand. Therefore, expansive soils are not anticipated. Although expansive soils are not anticipated within the City, unfavorable soils conditions could be exposed during excavation or grading for future projects within the City. Therefore, impacts could be significant.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

- PS-4.1 Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.
- PS-4.2 Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.
- PS-4.4 Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

- PS-4a** Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.
- PS-4b** Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Policy PS-4.1 requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. Policy PS-4.4 requires the use of the most current seismic hazards of the Uniform Building Code. Action PS-4a requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. Action PS-4b requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, Action PS-4c requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Therefore, impacts associated with expansive soils are considered less than significant with the implementation of the described policies and actions.

Impact 4.7 f: Construction of the GPU Planning Area could directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature.

According to the cultural and paleontological resources study conducted by Duke CRM in June 2021, no paleontological resources have been documented within the City; however, geologic formations present in the City are known to contain paleontological localities with rare, well-preserved fossil materials that offer important information about the plant or animals and/or its evolutionary history. Five formations (Qoa, Qof, Qye, Qya, and Qyf) have been determined to be highly sensitive for paleontological resources. These important resources are most often destroyed because of construction, such as excavation, trenching, and tunneling.

Mitigation Measures

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

PS-4.1 **Preservation.** Protect areas containing significant historic, archaeological, paleontological and tribal cultural resources, as defined by the California Public Resources Code.

Actions

RM-4a Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).

RM-4d The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable paleontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.7-39)

Rationale for Finding

Impacts to paleontological resources can be mitigated through pre-construction and construction mitigation programs. The report also discussed that the northeastern portion of the City, below an elevation of 200 feet, has an undetermined potential for containing paleontological resources and that studies should be undertaken to determine the possibility of resources in these elevations. With the implementation of a project-specific paleontological study for new development, impacts associated with paleontological resources are considered less than significant. This is implemented by GPU Policy RM-4.1, which requires the protection of paleontological resources, and Actions RM-4a and RM-4d. Action RM-4a requires that the City continue to assess development proposals for potential impacts to sensitive paleontological resources pursuant to the California Environmental Quality Act (CEQA).

The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable paleontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation. This is implemented by Action RM-4d.

5. Hazards and Hazardous Materials

Impact 4.9 c: Buildout of the GPU would not emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school.

The City of Indian Wells is served by the Desert Sands Unified School District (DSUSD), which operates 32 schools (see Table 4.9-4 in the Draft EIR). The only school within the City of Indian Wells Planning Area is Gerald R. Ford Elementary School, at 44210 Warner Trail.

Construction access to and activities on future development within the City could result in the exposure of hazardous materials near the existing school. However, construction materials would be properly stored in an approved location. Implementation of the Storm Water Pollution Prevention Plan (SWPPP) during construction activities, and if required by code, will ensure that hazardous materials and waste are handled per manufacturer's instruction so that they are not released into the environment in a manner that results in impacts to the surrounding uses.

The GPU Land Use Element includes land use designations, but does not propose actual development or proposed businesses. As such, it is not possible to determine if a specific use will result in hazardous emissions or require handling of hazardous or acutely hazardous materials, substances or waste. The land use designations with the highest possibility of having businesses that result in hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste would be commercial, and light industrial uses. The GPU does not propose industrial or light industrial uses within the City. However, commercial uses are proposed in the vacant areas north of Highway 111 and north and south (east and west where applicable) of Miles Avenue. Developable land north of Miles Avenue could introduce commercial uses within at least 750 feet of an existing school. Commercial uses may use a variety of hazardous materials commonly found in urban areas including paints, cleaners, and cleaning solvents. If handled consistent with the standards established by the manufacturer, these materials do not pose a significant risk. The commercial and resort uses generally provide for a variety of retail, professional office, medical, and service-oriented business activities that are compatible with the urban environment.

The GPU is not anticipated to directly lead to the establishment of new businesses that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste because the GPU does not approve any specific development project. However, given the unknown nature of future business establishments within the commercial use areas, the potential for hazardous materials is present. This is considered a potentially significant impact, which would be mitigated to a less than

significant level through the implementation of the policies and actions listed below. In addition to the policies and actions, all businesses dealing with hazardous materials would be required to be handled in accordance with federal, State, and County requirements, which would limit the potential for a project to expose nearby uses, including schools, to hazardous emissions or an accidental release. Hazardous emissions are monitored by the SCAQMD, RWQCB, DTSC, and the local CUPA. In the event of a hazardous materials spill or release, notification and cleanup operations would be performed in compliance with applicable Federal, State, and local regulations and policies, including hazardous mitigation plans.

Future development within the GPU would be required to comply with applicable federal, State, and local regulations to ensure impacts are less than significant. The GPU enforces these regulations with the policies and actions listed below. Impacts to schools are less than significant.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

- PS-5.1 Hazardous Ordinances.** Enforce existing Federal, State, and local ordinances regulating the use, manufacture, sale, transport, treatment, storage, and disposal of hazardous substances.
- PS-5.2 Regional Consistency.** Utilize the Riverside Countywide Integrated Waste Management Plan to ensure that local regulation and practices are consistent with the policy direction and action programs that the County recommends.
- PS-5.3 Multi-Jurisdictional Coordination.** Work with RCFD and other responding agencies to ensure that emergency personnel respond safely and effectively to a hazardous materials incident in the City.
- PS-5.4 Public-Private Coordination.** Require that developers coordinate with the Riverside County Department of Environmental Health to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe.
- PS-5.5 Hazardous Waste.** Promote the proper disposal of hazardous waste, including paint, tires, medications, medical sharps, infectious waste, asbestos waste, construction waste, and electronic waste, through education, monitoring, and enforcement of proper use, storage, handling, and disposal.
- PS-5.6 Household Hazardous Waste Disposal.** Support the sitting waste and recycling service provider to continue the free Household Hazardous Waste (HHW) pick-up program for residents. Coordinate with the City's waste service provider and the

County of Riverside to increase public awareness about proper disposal related to household hazardous waste; inform the Indian Wells community regarding relevant services and programs to address issues related to hazardous waste and materials; and discourage household storage of hazardous materials.

Actions

PS-5b Review development proposals to ensure the proximity between users and transporters of substantial hazardous materials and sensitive uses, such as schools and residential neighborhoods, remains at or above safe and acceptable levels, regardless of growth and new development.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.9-24)

Rationale for Finding

As stated above, the GPU established policies and actions to support and enforce the existing federal, State, and local regulations regulating hazardous materials. Policies PS-5.1 and PS-5.2 require that future developments comply with federal, State, and local ordinances regulating the use, manufacture, sale, transport, treatment, storage, and disposal of hazardous substances, and utilize the Riverside Countywide Integrated Waste Management Plan. Policy PS-5.3 encourages coordination with RCFD and local response agencies to ensure effective emergency response during a hazardous materials incident, should one occur. Policy PS-5.4 requires that developers coordinate with the Riverside County Department of Environmental Health to confirm hazardous waste cleanup sites located within the City are remediated. Policies PS-5.5 and PS-5.6 provide guidance for the disposal of hazardous waste, including household hazardous waste. Finally, as required in Action PS-5b, the City shall review development proposals in proximity to sensitive uses (i.e., schools, residential neighborhoods, etc.). Future projects proposed within the City will be required to comply with Policies PS-5.1 through PS-5.6 and the associated actions to ensure that the future developments would not emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school. Impacts will be less than significant.

6. Noise

Impact 4.12 a: The GPU could generate a substantial temporary or permanent increase in ambient noise.

The GPU Planning Area is largely developed with residential, commercial, and resort uses. New development within the GPU Planning Area would occur in vacant and infill parcels within the City, primarily located north of Highway 111 and north and south (and east and west in some areas) of Miles

Avenue. Noise throughout the City would be generated via short-term construction activities, and long-term operational activities. Vehicle traffic is also a factor of noise throughout the City.

Construction Noise

The amount, or degree, of construction-related noise at a project site may vary depending on the location of the construction activities, as well as the construction stage occurring. Noise levels associated with the construction will vary with the different phases of construction. Per Section 9.06.047 of the City of Indian Wells Municipal Code, construction shall only occur between the hours of 7:00 a.m. and 5:00 p.m. on Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays. Construction noise is exempt from the noise ordinance during those times per Section 9.06.041(e) with the use of construction mufflers. Construction is not permitted on Sundays or national holidays.

Construction noise can vary from 68 dBA to 95 dBA at 50 feet depending on the equipment used (see Table 4.12-14 in the Draft EIR). However, construction noise levels diminish rapidly with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 86 dBA measured 50 feet from the noise source would reduce to 80 dBA at 100 feet. At 200 feet from the noise source, the noise level would reduce to 74 dBA. At 400 feet, the noise source would reduce by another 6 dBA to 68 dBA.

Construction Traffic

Individual projects within the scope of the Planning Area would result in two types of short-term construction noise impacts. First, the construction crew commute and the transport of construction equipment and materials to the site for a future project within the City would incrementally increase noise levels on access roads leading to the site. Per City Municipal Code Section 9.06.047, truck traffic associated with construction should be limited to within the permitted construction hours.

On-Site Construction Activities

The site preparation phase, which includes grading and paving, tends to generate the highest noise levels since the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backhoes, bulldozers, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings. Site-specific construction activities associated with future development are expected to require the use of scrapers, bulldozers, motor graders, and water and pickup trucks. The maximum noise level generated by each scraper is assumed to be approximately 87 dBA Lmax at 50 feet from the scraper in operation. Each bulldozer would also generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by the sound sources with equal strength increases the noise level by 3 dBA. Noise reduction potential will be project and site-specific. Construction noise would be an impact if construction occurred outside of the hours outlined in Section 9.06.047 of the Indian Wells Municipal Code.

Operational Noise

Operational noise occurs during operation of the GPU, including future operation of the vacant and infill parcels within the City. Operational noise includes stationary noise and traffic noise.

Transportation Noise

The primary noise source in the Planning Area will continue to be vehicle traffic. By the year 2045, existing land uses within 50-feet of the studied roadways (except for Fairway Drive) will be exposed to noise levels that exceed the City's exterior standards of 65 dBA CNEL for noise-sensitive uses. A significant impact would occur if the GPU resulted in levels higher than 65 dBA CNEL at sensitive uses and increased the overall roadway noise level by 3 dBA CNEL, which is a noticeable change in noise level. Compared to existing traffic noise levels, 2045 without Project traffic volumes are expected to be increased to a maximum of 1.7 dBA CNEL louder (at Miles Avenue between Warner Trail and Washington Street) than existing ambient noise levels at existing land uses and will result in inaudible increases in ambient noise along the analyzed roadways (see Table 4.12-17). Note that Miles Avenue from Warner Trail to Washington Street does not have any adjacent noise-sensitive uses.

Stationary Noise

Implementation of the GPU could result in the future development of land uses that generate noise levels in excess of applicable City noise standards for non-transportation noise sources. While the GPU does not explicitly propose any new noise-generating uses, implementation of the GPU would allow for the development of mixed-uses, increased residential development at higher densities, and new commercial development, which may result in new noise sources. Specific development projects and the details of future noise-generating land uses that may be located in the Planning Area in the future are not known at this time. While no specific projects are proposed under the GPU, changes in land use may allow for more intensive noise-generating uses in closer proximity to noise-sensitive uses.

Stationary noise will be significant if it exceeds the levels outlined in the Indian Wells Municipal Code.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

- PS-6.1** **Noise Exposure.** Consider the noise compatibility of existing and future development when making land use planning decisions. Require development and infrastructure projects to be consistent with the noise standards in this element and the Indian Wells Municipal Code to facilitate acceptable noise exposure levels for existing and future development.
- PS-6.2** **Noise Mitigation.** Require new developments or the expansion of existing developments to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating

equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials, to reduce noise levels at sensitive uses, including residential uses, to 65 dB CNEL or less in outdoor activity areas and 45 dB CNEL or less in interior living spaces.

- PS-6.3 Acoustical Studies.** Require acoustical studies for new discretionary developments and transportation improvements that have the potential to affect existing noise-sensitive uses such as schools, hospitals, libraries, care facilities, and residential areas; and for projects that would introduce new noise-sensitive uses into an area where existing noise levels may exceed the thresholds identified in this element. For projects that are required to prepare an acoustical study, the study shall include mitigation measures to attain the noise standards in this element and the City's Noise Ordinance.
- PS-6.4 Roadway Noise.** Encourage the development of alternative travel options including bus transit, and bicycle, golf cart, and pedestrian paths to minimize single-occupancy vehicle trips and the implementation of noise sensitivity measures in the public realm, including traffic-calming road design, lateral separation, natural buffers, and setback to decrease excessive motor vehicle noise.
- PS-6.5 Commercial Noise.** Require the use of noise attenuation measures, including screening and buffering techniques, for all new or expansion of existing commercial developments expected to produce excess noise; in existing cases where the City's noise standards are exceeded, work with Code Enforcement to require compliance.
- PS-6.6 Short-Term Noise.** Require construction activities and other short-term noise events (i.e., concerts, sporting events) to reduce noise impacts on adjacent uses and comply with the City's Noise Ordinance.
- PS-6.7 Vibration Studies.** Require vibration impact studies for new discretionary development and transportation improvements whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings.
- PS-6.8 California Building Code.** Adhere to the latest standards related to noise in the most current edition of the California Building Code to avoid or minimize noise pollution in the community.
- PS-6.9 Interjurisdictional and Multiagency Coordination.** Coordinate with neighboring jurisdictions and transportation providers such as Caltrans, Coachella Valley Association of Governments (CVAG), and Riverside County Transportation Commission (RCTC) to minimize noise conflicts between land uses along the City's boundaries.

Actions

- PS-6a** Review new development and transportation projects for compliance with the noise requirements established in this General Plan, including the standards established in the Indian Wells Municipal Code. Where necessary, require new development to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials such as rubberized asphalt.
- PS-6b** Require acoustical studies for all new discretionary projects, including those related to development and transportation, which have the potential to generate noise impacts which exceed the standards identified in this element. The studies shall include representative noise measurements, estimates of existing and projected noise levels, and mitigation measures necessary to ensure compliance with this element and the City's Noise Ordinance.
- PS-6c** Actively enforce the standards identified in the City's Noise Ordinance in order to reduce impacts to the extent feasible. Update and amend the Noise Ordinance as appropriate.
- PS-6d** Coordinate with CVAG to reduce the speed limit on State Highway 111, in concert with synchronized intersections, to reduce noise levels along the corridor.
- PS-6e** Implement provisions of the Highway 111 Specific Plan which establishes special noise attenuation standards to maintain the corridor's quiet residential character. A minimum 50-foot landscaped parkway in residential areas shall be required along both sides of the corridor, which will be augmented by walls, berms, and other structures which will attenuate ambient noise levels.
- PS-6f** Prohibit residential development in areas of greater than 65 Community Noise Equivalent Level (CNEL) unless effective mitigation measures can be incorporated into the project design to reduce noise levels to 65 CNEL in outdoor activity areas and 45 CNEL in indoor areas.
- PS-6g** Truck traffic shall be limited to specific routes and designated hours of travel, as defined by the City Planning and Engineering Departments.
- PS-6h** Use cul-de-sacs in new residential developments to discourage through traffic in residential neighborhoods.
- PS-6i** Review the locations of proposed projects with the potential to generate stationary noise in relation to sensitive receptors through the discretionary project review process. Require that automobile and truck access to commercial properties be located adjacent to residential parcels be located at the maximum practical distance from the residential parcel.

- PS-6j** Require vibration impact studies for all new discretionary projects, including those related to development and transportation, whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. The studies shall include a detailed mitigation plan to avoid any potential significant impacts to existing structures due to groundborne vibrations, based on the California Department of Transportation's Construction Vibration Guidance Manual.
- PS-6k** Monitor changes in the California Building Code and other federal and State laws and regulations related to noise and incorporate necessary changes into the Municipal Code and building codes as required.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.12-27)

Rationale for Finding

Construction Noise

As stated above, construction noise is restricted to the hours of 7:00 a.m. and 5:00 p.m. on Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays per Section 9.06.047 of the City of Indian Wells Municipal Code. Construction is not permitted on Sundays or national holidays.

Construction Traffic

Construction crew commute and the transport of construction equipment and materials to the site for a future project within the City would incrementally increase noise levels on access roads leading to the site. Per City Municipal Code Section 9.06.047, truck traffic associated with construction should be limited to within the permitted construction hours. This is also required by Action PS-6g in the GPU. Although there would be a relatively high single-event noise exposure potential at a maximum of 87 dBA Lmax at 50 feet from passing trucks, causing possible short-term intermittent annoyances, the effect on ambient noise levels would be less than 1 dBA when averaged over one hour or 24 hours. In other words, the changes in noise levels over 1 hour or 24 hours attributable to passing trucks would not be perceptible to the normal human ear. The impact is less than significant with the implementation of Sections 9.06.041(e) and 9.06.047 of the Municipal Code and GPU Action PS-6g.

On-Site Construction Activities

The site preparation phase, which includes grading and paving, tends to generate the highest noise levels since the noisiest construction equipment is earthmoving equipment. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings. Site-specific construction activities associated with future development are expected to require the use of scrapers, bulldozers, motor graders, and water and

pickup trucks. The maximum noise level generated by each scraper is assumed to be approximately 87 dBA Lmax at 50 feet from the scraper in operation. Each bulldozer would also generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by the sound sources with equal strength increases the noise level by 3 dBA. Noise reduction potential will be project and site-specific. Construction noise would be an impact if construction occurred outside of the hours outlined in Section 9.06.047 of the Indian Wells Municipal Code. This is also required by GPU Policy 6-6. Potential impacts would be site-specific, depending on the equipment used and distances to sensitive receptors. The impact is less than significant with the implementation of Section 9.06.047 of the Municipal Code and GPU Policy PS-6.6.

Operational Noise

Transportation Noise

2045 with Project traffic volumes are expected to increase to a maximum of 1.7 dBA CNEL louder than existing ambient noise levels at existing land uses and will result in inaudible increases in ambient noise. Implementation of the GPU will, therefore, result in a less than significant impact to roadway noise levels.

Where proposed land uses are expected to be exposed to noise levels that exceed the land use compatibility criteria in Figure 4.12-3, Existing Noise and Land Use Compatibility, (in the Draft EIR) and 65 dBA CNEL residential limit outlined in the GPU, impacts can be mitigated to a level that is less than significant with the implementation of noise control measures, such as relocating residential outdoor recreational areas away from 65 dBA CNEL or greater areas or shielding outdoor areas using noise barriers. This is implemented by GPU Policy PS-6.2 and Action PS-6a and 6k. Per the existing General Plan, future residential or noise-sensitive development associated with implementation of the proposed GPU requires a noise study and mitigation implemented if exterior noise levels exceed 65 dBA CNEL. This is implemented by GPU Policy PS-6.1 and Actions PS-6a, PS-6b, PS-6c, and PS-6f. For residential developments, the study must ensure that interior levels in livable areas do not exceed 45 dBA CNEL, as implemented by GPU Policy PS-6.3 and Actions PS-6a, PS-6b, and PS-6f. The impact is less than significant with the proposed GPU policies and actions listed above.

In addition to the policies and actions listed above, the City will encourage the development of alternative travel options (including bus, bicycle, golf car, and pedestrian) to minimize single-occupancy vehicle trips and the implementation of noise sensitivity measures in the public realm. Noise sensitivity measures include traffic-calming road design, lateral separation, natural buffers, synchronized intersections, the identification of specific truck routes, and setback to decrease excessive motor vehicle noise, as implemented by GPU Policy PS-6.4 and Actions PS-6d, PS-6-e, and PS-6g.

Stationary Noise

Implementation of the GPU could result in the future development of land uses that generate noise levels in excess of applicable City noise standards for non-transportation noise sources. While the GPU does not explicitly propose any new noise-generating uses, implementation of the GPU would allow for the development of mixed-uses, increased residential development at higher densities, and new commercial development, which may result in new noise sources. Additionally, changes in land use

may allow for more intensive noise-generating uses in closer proximity to noise-sensitive uses. Where this occurs, detailed noise studies would be required to ensure that noise control measures are implemented into the project design (GPU Policy PS-6.3 and Action PS-6b). Such measures could include the redesign of stationary noise sources away from sensitive uses, construction of sound walls or berms between noise generating uses and sensitive uses, using buildings to create additional buffer distance and screening, or other site design measures to ensure that non-transportation (stationary) noise sources do not cause exterior and interior noise levels to exceed allowable standards at sensitive receptors, as implemented by Policy PS-6.1, PS-6.2, and PS-6.8 and Actions PS-6a, PS-6b, PS-6c, PS-6f, PS-6h, PS-6i and PS-6k. Commercial uses would also implement noise attenuation measures, as required by Policy PS-6.5. The impact is less than significant with the implementation of the Indian Wells Noise Ordinance and the proposed GPU Policies PS-6.1, PS-6.2, PS-6.3, PS-6.5, PS-6.8 and Actions PS-6a, PS-6b, PS-6c, PS-6f, PS-6h, PS-6i, and PS-6k.

Stationary noise will be significant if it exceeds the levels outlined in the Indian Wells Municipal Code. Implementation of the project may result in stationary noise impacts from future uses. Implementation of effective land use planning and policies and actions can minimize noise impacts related to these sources by avoiding the placement of noise generating equipment near noise-sensitive land uses and where unavoidable, include design measures to the degree practical to avoid violating the noise criteria. Stationary noise impacts can be mitigated to “less than significant” with implementation of Indian Wells Noise Ordinance and the proposed GPU policies and actions listed above.

Impact 4.12 b: The GPU could generate excessive ground-borne vibration or ground-borne noise levels

The main sources of vibration in the project area are related to vehicles and construction. Typical roadway traffic, including heavy trucks, could generate vibration amplitudes high enough to cause structural or cosmetic damage, however, this is rare.

Construction activities that produce vibration that can be felt by adjacent land uses include the use of vibratory equipment, large bulldozers, and pile drivers. The primary sources of vibration during construction are usually vibratory rollers and large bulldozers. A vibratory roller has a peak particle velocity (inches/second) of 0.21, and a large bulldozer has a peak particle velocity of 0.089 (inches per second) at 25 feet (see Table 4.12-18 in the Draft EIR). The use of pile-driving equipment can generate a peak particle velocity of 1.5 (inches per second) depending on the size and model.

Mitigation Measure

Policies and actions, as proposed by the GPU, will serve as mitigation to reduce potential impacts to less than significant levels. The following GPU policies and actions were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project. The measures as provided include any revisions incorporated in the Final EIR.

Policies

PS-6.7 Vibration Studies. Require vibration impact studies for new discretionary development and transportation improvements whose construction utilizes pile

drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings.

Actions

PS-6j Require vibration impact studies for all new discretionary projects, including those related to development and transportation, whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. The studies shall include a detailed mitigation plan to avoid any potential significant impacts to existing structures due to groundborne vibrations, based on the California Department of Transportation's Construction Vibration Guidance Manual.

Finding

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the policies and actions above. The City of Indian Wells hereby finds that implementation of the measures is feasible, and the measures are therefore adopted. (Draft EIR pg. 4.12-40)

Rationale for Finding

The main sources of vibration in the project area are related to vehicles and construction. Heavy trucks traveling over potholes or other discontinuities in the pavement have caused vibration high enough to result in complaints from nearby residents. However, these types of issues typically can be resolved by smoothing the roadway surface. Therefore, implementation of the GPU would not result in excessive groundborne vibration or groundborne noise levels during operation of the GPU.

Construction activities that produce vibration that can be felt by adjacent land uses include the use of vibratory equipment, large bulldozers, and pile drivers. The California Department of Transportation has published one of the seminal works for the analysis of ground-borne noise and vibration relating to transportation- and construction-induced vibrations and, although the GPU is not subject to these regulations, it serves as a useful tool to evaluate vibration impacts (California Department of Transportation, 2013). Construction activities in the Planning Area have the potential to result in significant impacts related to groundborne vibration associated with construction activities. These impacts would be determined to be less than significant by requiring vibration impact studies (and mitigation plan if necessary) when construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings as required in proposed GPU Policy PS-6.7 and Action PS-6j.

Construction vibration within the Planning Area is not anticipated to be significant unless an individual development uses pile driving or vibratory rollers. These impacts can be avoided by requiring vibration impact studies (and appropriate mitigation if necessary) when construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. This impact would be less than significant with the implementation of GPU Policy PS-6.7 and Action PS-6j.

E. SIGNIFICANT AND UNAVOIDABLE SIGNIFICANT IMPACTS THAT CANNOT BE MITIGATED TO BELOW THE LEVEL OF SIGNIFICANCE

The following summary describes the unavoidable adverse impact of the Proposed Project where either mitigation measures were found to be infeasible. The following impact would remain significant and unavoidable.

1. Agriculture and Forestry Resources

Impact 4.2 a&e: The GPU would convert 43 acres of California Resource Agency designated Prime Farmland to resort commercial land use.

According to the Riverside County Eastern Coachella Valley Area Plan, agriculture remains a vital part of the county. Much of the Eastern Coachella Valley, which surrounds the Salton Sea to the west and extends north toward the City of Coachella, is dedicated to agriculture. This region is one of California's key agricultural areas, producing date palms, grapes, citrus, and seasonal row crops.

The City of Indian Wells has evolved from an agricultural and open desert area into a vibrant residential community. Currently, approximately 43 acres of Prime Farmland are located at the southwest corner of Miles Avenue and Washington Street. This land, used as a sod farm and a parking lot for nearby events, was undeveloped desert land in 1996 according to aerial imagery. By 2002, it had been partially converted to agricultural use, and by 2012, the adjacent undeveloped desert land was also planted with sod.

In 2024, the land surrounding the sod farm includes sod (categorized as Other Land by the California Department of Conservation) to the west and north, residential development and desert land to the north, commercial areas to the east, and the Whitewater River Stormwater Channel to the south. Most of the land in the City, excluding the Santa Rosa Mountains, has been developed. The sod farm is zoned for commercial use, indicating the City anticipates its development.

The GPU does not propose changes to the land use designation or zoning for the 43-acre site, which is currently designated for resort commercial uses. Although the City's General Plan supports the continued agricultural use of land until new development is proposed, as outlined in Policy CD-1.9, the GPU does not include preservation of Prime Farmland as a priority. The City does not have any land designated or zoned for agricultural or farm uses, and the conversion of Prime Farmland to non-agricultural uses is anticipated as part of the City's long-term vision, in alignment with the existing General Plan land use designations and zoning.

While the continued use of this land as a sod farm may persist for some time, future development, in line with the General Plan's vision and economic changes, is likely to result in the conversion of this Prime Farmland to non-agricultural uses. The loss of this farmland, although not a direct consequence of the GPU itself, remains a significant and unavoidable impact. The City's General Plan, including Policy CD-1.9, supports agricultural activities under existing conditions, but the GPU does not introduce any measures that would prevent the conversion of this Prime Farmland.

The loss of 43 acres of Prime Farmland is unlikely to significantly affect agricultural production in the wider Coachella Valley. According to a June 2023 article by the Coachella Valley Economic Partnership, *Agriculture in the Coachella Valley*, approximately 41,000 acres remain under cultivation, with 2,058 acres used for pasture, livestock feed, or grasses. Since the GPU does not require the preservation of Prime Farmland, its implementation could indirectly result in the conversion of this land to non-agricultural uses. Given the City's existing zoning and land use patterns, and the objectives of the General Plan, mitigation measures such as the preservation of farmland are considered infeasible, as they would conflict with other key objectives of the GPU, such as supporting residential, commercial, and recreational development. As a result, the conversion of Prime Farmland is concluded to be a significant and unavoidable impact.

Mitigation Measures

In compliance with CEQA, "each public agency shall mitigate or avoid the significant effects on the environment of any project it carries out or approves whenever it is feasible to do so" (Public Resources Code, Section 21002.1[b]). The term "feasible" is defined in CEQA to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors" (Public Resources Code, Section 21061.1).

For loss of Farmland, it is the policy of Indian Wells to mitigate impacts within the City boundaries because this is the area the City has direct jurisdictional control over. In accordance with this policy, the City has determined there is no suitable replacement acreage within the City and there are no feasible mitigation measures that would reduce the Proposed Project's significant impacts regarding agricultural conversion to levels that would be less than significant. The following policy is included in the GPU to reduce impacts to agricultural land.

Policies

CD-1.9 Agricultural Uses. Allow and support the continuation of agricultural operations on lands within the City limits that are designated for development uses, until such time as new development is proposed for the land.

The following mitigation measures to reduce the impacts on agriculture have been considered; however, none of the measures would feasibly be able to reduce the significant impacts to levels less than significant:

- **Retention of Onsite Agricultural Uses.** This measure would allow, create, or maintain islands of agricultural uses within an urbanized setting, exacerbating potential land use conflicts and land use incompatibilities. However, the GPU land use plan does not establish or maintain any "Agricultural" Land Use designations within the City. Thus, it is assumed that the existing agriculture use is temporary, and the adoption of the Proposed GPU would not allow for the permanent retention of agricultural uses once development is proposed. The "Retention of Onsite Agricultural Uses" mitigation strategy would therefore conflict with proposed land use plan and would require amendments to the land use plan. Furthermore, the mitigation strategy would conflict with SCAG's Regional Transportation Plan/Sustainable Communities Strategy (known as Connect SoCal) which prioritizes the development of land within the City's existing Spheres of

Influence to avoid further sprawl and conversion of agricultural land. Based on the preceding, retention of onsite agricultural uses is considered infeasible.

- **Replacement of Agricultural Resources Offsite.** Replacement of agricultural resources at an offsite location would require the City to purchase offsite replacement acreage not designated as Farmland and improve or restore it to Farmland status. Creation of additional Farmland in the City is contrary to the GPU land use plan policies and vision as summarized previously and would require comprehensive amendment of the Policy Plan, which would in turn conflict with Connect SoCal. Using another area within Ontario Ranch for mitigation of impacts related to the Proposed Project would result in the same issues as previously described in consideration of onsite mitigation. Therefore, there is no suitable replacement acreage within the City to mitigate for loss of Farmland. It is also speculative as to whether replacement of agricultural resources offsite meets the additional requirements of CEQA. Furthermore, it is the policy of Indian Wells to mitigate impacts within the City boundaries because this is the area the City has direct jurisdictional control over. Additionally, the “Replacement of Agricultural Resources Offsite” mitigation strategy would likely result in potentially adverse environmental impacts including, but not limited to, impacts to biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. In this regard, the mitigation strategy would likely result in increased, rather than diminished environmental impacts. Based on the preceding, replacement of agricultural resources at offsite locations is considered infeasible.

The City has considered but rejected the collection of fees for offsite mitigation of agricultural impacts. Neither the City nor the adjoining counties have adopted fee programs. Absent viable programs in the region, the imposition of fees would not serve to mitigate the impacts of the Proposed Project. Furthermore, an offsite fee mitigation program would not avoid the loss of farmland; would not minimize the effect of the Proposed Project; would not repair, rehabilitate, or restore the affected farmland; and, absent a viable fee program, would not replace affected farmland with substitute farmland. Thus, such a program would not actually mitigate or substantially lessen the significant impact of the Proposed GPU.

Overall, no feasible mitigation measures have been identified, which would substantially lessen the Proposed GPU’s significant impacts related to the loss of Prime Farmland and conversion of farmland to nonagricultural use. There are no feasible mitigation measures to reduce impacts on Prime Farmland or the conversion of agricultural land to nonagricultural uses, and thus impacts would be significant and unavoidable. (Draft EIR pg. 4.2-6)

Finding

The City finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits,

including regionwide or statewide environmental benefits, of the Proposed Project outweigh its significant effects on the environment.

2. Transportation

Impact 4.16 b: The GPU would generate a substantial increase in VMT.

As stated on page 4.16-29 of the PDEIR, future conditions with the implementation of the GPU would result in a decreased vehicle miles traveled (VMT) per employee and VMT per capita in comparison to 2024 Baseline conditions analyzed in the Traffic Analysis (TA). The VMT per capita and VMT per employee in the 2045 No Project (existing conditions) and 2045 Project (GPU buildout) scenarios are the same, because the population and employment numbers are expected to remain the same in both scenarios. The impact threshold for residential VMT would be exceeded for the GPU. The impact threshold for office VMT would not be exceeded for the GPU.

As stated on page 4.16-29 of the PDEIR, the impact threshold for office VMT, which is 30.1 (15 percent below Coachella Valley Association of Governments (CVAG) base year value) would not be exceeded for the GPU. However, the impact threshold for residential VMT, which is 14.0 (15 percent below CVAG 2024 base year value), would be exceeded for the project.

Future conditions with the project (2045 Proposed General Plan Update) would result in decreased VMT per employee and VMT per capita in comparison to 2024 baseline conditions (existing conditions). In other words, the project results in less VMT per capita and VMT per employee, as it provides a more efficient distribution of land uses that promotes less trips and shorter distances. The total VMT would increase compared to existing conditions because the project accommodates more employment and population. The reductions from the 2024 to the future year indicate that future development, in particular planned mixed-use development, will provide more opportunities for Indian Wells residents and employees to access jobs and services within shorter distances. The shorter trip distances reduce VMT by vehicles, and also increase the likelihood that trips will be made by non-auto modes such as bicycling and walking. Improved transit service and accessibility to transit also help to reduce VMT even as travel activity increases.

However, the impact thresholds are based on a comparison against 15 percent below the CVAG region. Since the City of Indian Wells has not adopted VMT thresholds or published guidelines for transportation studies, this analysis relies on the Office of Planning and Research (OPR) technical advisory. The OPR recommends thresholds of 15 percent below existing VMT per capita for residential projects and VMT per employee for office projects. Given that the GPU implementation extends to 2045, it's appropriate to assess VMT impacts for that horizon year.

The impact threshold for residential VMT would be exceeded for the project, as the VMT per capita of 22.6 exceeds the 14.0 threshold. The impact threshold for office VMT would not be exceeded. The GPU is expected to reduce VMT per capita and per employee compared to 2024, promoting a more efficient distribution of land uses and shorter trip distances. Despite the total VMT increase due to higher employment and population, the shorter distances and improved transit options would likely reduce VMT per capita.

The GPU proposes policies to expand transit, bicycle, pedestrian, and complete street networks and implement transportation demand management strategies, which could reduce VMT further. However, the effectiveness of these policies is uncertain. As stated above, the GPU VMT per capita of 22.6 (refer to Table 4.16-10 in the PDEIR) exceeds the 14.0 threshold, resulting in a significant impact according to CEQA Guidelines Section 15064.3(b). Meeting this threshold would require a 40 percent reduction in VMT per capita, which is not feasible. Therefore, with respect to consistency with CEQA Guidelines Section 15064.3, subdivision (b), the VMT impact of the project related to VMT/capita would be significant and unavoidable.

Mitigation Measures

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the Proposed Project.

Policies

- M-1.1 Development-Related Traffic Impacts.** Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.
- M-1.2 LOS Standards.** Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.
- M-1.3 Traffic Distribution.** Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.
- M-1.4 Efficient Circulation.** Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs like the Coachella Valley Sync program, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.
- M-1.5 Transportation Management System.** Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.
- M-1.6 Intersection Configurations.** Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.
- M-1.7 Minimize Environmental Impacts.** Manage the circulation system to minimize congestion and improve flow and air quality.
- M-1.8 Local and Regional Collaboration.** Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of

Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.

- M-2.1 Multi-Modal Streets.** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.
- M-2.2 Alternative Modes.** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.
- M-2.3 Connectivity.** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.
- M-2.4 New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.
- M-2.5 Citywide Bicycle Network.** Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.
- M-2.6 Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.
- M-2.7 CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.
- M-4.1 Funding Sources.** Leverage existing available funding methods and sources to fund the transportation system in the City while also researching innovative funding sources at the federal, state, regional, and county levels.
- M-4.2 Development Fees.** Ensure that new development projects contribute their appropriate fair share to transportation network improvements.
- M-4.3 Monitor Funding.** Monitor funding of programmed transportation improvements.
- M-4.4 Regional Funding.** Encourage regional agencies to continue to provide adequate transportation funding to local jurisdictions.

Actions

- M-1a** Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards.

Improvements shall include as conditions of approval, but not be limited to, the following:

- On-site transportation facilities: streets, curbs, traffic control devices;
- Access improvements: street extensions, widening, turn lanes, signals, etc;
- Street widening for streets fronting the development property as shown on the Circulation Plan map;
- Right-of-Way landscaping; and
- Offsite roadway and intersection improvements.

M-1b	Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements.
M-1c	Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-Wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.
M-1e	Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.
M-1g	Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal
M-2a	During project application review, consider requiring new and enhanced transit, bicycle, and pedestrian facilities along arterials and collectors where appropriate.
M-4a	Develop and support a flexible financing program to fund the construction, maintenance, and improvement of the roadway system.

Finding

Implementation of the GPU would result in VMTs that exceed thresholds established by CVAG. The GPU VMT per capita of 22.6 exceeds the 14.0 threshold, resulting in a significant impact according to

CEQA Guidelines Section 15064.3(b). Meeting this threshold would require a 40% reduction in VMT per capita, which is not feasible. GPU policies and actions propose to expand transit, bicycle, pedestrian, and complete street networks and implement transportation demand management strategies, which could reduce VMT further. However, the effectiveness of these policies is uncertain. Therefore, with respect to consistency with CEQA Guidelines Section 15064.3, subdivision (b), the VMT impact of the Project related to VMT/capita would be significant and unavoidable. Impact 4.16 b would be significant and unavoidable.

Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures discussed above. The City of Indian Wells hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

The City finds that there are no other mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would mitigate this impact to a less-than-significant level, and further, that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the EIR, as discussed in Section IV of these Findings (Public Resources Code Section 21081(a)(1), (3); Guidelines Section 15091(a)(1), (3)). As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

F. CUMULATIVE IMPACTS

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

1. Aesthetics

The assessment of cumulative aesthetic impacts analyzes full buildout of the City of Indian Wells. As stated throughout, the City is largely developed, with the exception of locations north of Highway 111 and north and south of Miles Avenue. As stated above, future development within the City of Indian Wells could result in impacts to aesthetic resources, however, these impacts are reduced with the implementation of GPU policies listed above. Additionally, building guidelines and development standards established in the Indian Wells Municipal Code reduce aesthetic impacts of potential buildings to less than significant levels.

While the City of Indian Wells contains numerous areas and viewsheds with relatively high scenic value (i.e., surrounding mountains), there are not officially designated scenic vista points or scenic highways in the Planning Area. The closest officially designated State scenic highway is located west, in the City of Palm Desert. Significant scenic resources witness within the City includes the Santa Rosa Mountains to the south (within the City's boundary), and the San Jacinto Mountains to the west (outside of the City's boundary).

Implementation of the GPU could lead to new and expanded urban and suburban development throughout the City, specifically north of Highway 111 and north and south of Miles Avenue, which may obstruct or interfere with views of visual features surrounding the Planning Area, including views of the Santa Rosa or San Jacinto Mountains when viewed from these rights-of-way. Future projects will be required to comply with the City standards and guidelines regarding building heights and setbacks as required by the Indian Wells Municipal Code. Additionally, the GPU outlines various goals, policies and standards for land use categories, community design features, and building architecture, that impact the visual character of the City. These policies and regulations, in conjunction with the existing specific plans, would reduce cumulative impacts associated with aesthetic resources to a less than cumulatively considerable level.

Regional growth has and will continue to result in a cumulative aesthetic effect by converting undeveloped land into developed and occupied areas and increasing overall levels of nighttime lighting. Cumulative development entails grading/landform alteration, the development of structures, and the installation of roadways and other infrastructure that has altered and will continue to permanently alter the region's existing visual character. This is considered potentially significant cumulative impact. Subsequent projects implemented under the proposed General Plan would be required to be consistent with the policies and actions of the proposed General Plan and adopted policies and regulations (above), the proposed GPU would considerably contribute to permanent changes in visual character, such as obstruction of scenic views, conversion of existing visual character, and increased lighting. The policies and actions included in the GPU would fully reduce the cumulative effect of the GPU on visual character, to mitigate the proposed GPU's contribution to a less than significant level. Therefore, the proposed GPU's incremental contribution to this cumulative impact would be less than cumulatively considerable. (Draft EIR pg. 4.1-13)

2. Agriculture and Forestry Resources

The City of Indian Wells has almost completely transitioned away from agricultural production as it has developed into a City with residential, resort hotel properties, restaurants, and general retail centers. However, the cumulative impact on agricultural resources in the City is considered significant and unavoidable due to the anticipated loss of the City's remaining agricultural land. While the loss of Prime Farmland within Indian Wells is relatively minor compared to the broader Coachella Valley's agricultural land, it contributes to the urbanization and conversion of agricultural land. As the GPU continues to plan for resort and commercial development in the City, no feasible mitigation measures for agricultural resources would align with these objectives. Therefore, the cumulative impact on agricultural resources is significant and unavoidable. (Draft EIR pg. 4.2-7)

3. Air Quality

Using the most current California Emissions Estimator Model (CalEEMod, Version 2022.1) computer software, the project-specific construction and operational emissions have been quantified and evaluated against the localized and regional air quality standards, which have been established with the purpose of protective public health and sensitive populations. The expected emissions will not exceed the applicable thresholds for criteria pollutants, including PM10 and ozone precursors.

The Coachella Valley portion of the SSAB is deemed to be in nonattainment for the 1997 8-hour ozone standard. Coachella Valley is unique in its geography due to its location downwind from the SCAB. As such, when high levels of ozone are formed in the SCAB, they are transported to the Coachella Valley. Similarly, when ozone precursors such as nitrogen oxides (NOx) and volatile organic compounds (VOCs) are emitted from mobile sources and stationary sources located in the South Coast Air Basin, they are also transported to the Coachella Valley. SCAQMD has deemed that local sources of air pollution generated in the Coachella Valley have a limited impact on ozone levels compared to the transport of ozone precursors generated in SCAB. SCAQMD continues to reduce ozone and improve air quality in the Coachella Valley, in part by providing more than \$50 million in grant funding towards paving dirt roads and parking lots, clean energy projects and cleaner vehicles. Future emission reductions anticipated to occur in the South Coast Air Basin associated with current and planned regulations on mobile and stationary sources are expected to contribute to improvements in ozone air quality in the Coachella Valley and lead to attainment of the standard. By resulting in precursor emissions of ozone precursors below the established SCAQMD Air Quality Significance Thresholds, the project will prevent a condition which would impair the region's ability toward ozone attainment or one which would result in cumulative considerable exceedances.

Regarding the PM10 nonattainment status, the construction and operational emissions will also not reach or exceed the established standards. Project-related construction activities would take place within the required mandates and measures aimed at prohibiting fugitive dust. The required plan preparation and demonstrated compliance will be consistent with Chapter 8.20 (Fugitive Dust Control) of the Indian Wells Municipal Code, which is enacted to establish the minimum requirements for construction and demolition activities and other specified sources in order to reduce man-made fugitive dust and the corresponding PM10 emissions. The corresponding performance standards are also based upon the methodologies included in the Coachella Valley Dust Control Handbook, which has been prepared in accordance with CVSIP and SCAQMD Rule 403 and 403.1 referenced above. As such, the project is not expected to impair the region's ability to progress toward attainment or to result in cumulatively considerable exceedances for this pollutant. As such, the project is not expected to result in cumulative impacts to air quality. (Draft EIR pg. 4.3-30)

4. Biological Resources

Implementation of the proposed Indian Wells General Plan Update (GPU) will not result in project-level effects to biological resources. However, when considered in combination with other cumulative developments within the area, there is potential for adverse cumulative effects to biological resources. Environmental protection laws and regulations have been applied with increasing rigor since the early 1970s and include the California Endangered Species Act, Federal Endangered Species Act, and the Clean Water Act, as described in the Regulatory Setting section earlier in this Biological Resources Section. The City is also a permittee of the CVMSHCP.

The Proposed GPU and other future projects within the City would be required to comply with local, State, federal laws, City policies and actions as well as all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts on biological resources.

Therefore, with adherence to laws, policies, and programs identified in this section, all new development within the Planning Area will assist in minimizing cumulative impacts in regard to biological services and are expected to be less than significant. (Draft EIR pg. 4.4-22)

5. Cultural Resources

Cumulative impacts relating to cultural and Tribal cultural resources are regional in nature, due to the wide range of Native peoples in the Coachella Valley. Build out of the General Plan area, has the potential to cumulatively impact cultural resources. Future site-specific development shall be subject to the City's standard requirements, any development specific mitigation measures (as applicable), and compliance with federal and State law. Although continued development has the potential to cumulatively impact these resources, the continued application of City policies, and General Plan policies such as RM-4.1 through RM-4.4 and Actions RM-4a through RM-4k shall assure that cumulative impacts associated with cultural resources shall be less than significant.

Therefore, with adherence to policies as identified in this section, all new development within the proposed project is expected to be less than significant. (Draft EIR pg. 4.5-24)

6. Energy

As future development projects are received and reviewed by the City in subsequent years, those projects will be reviewed for consistency with the GPU and all relevant State-level programs and requirements. All future projects must implement the most current version of the Title 24 energy efficiency requirements, as required by State law. Consistency with the GPU and other mandatory State-level programs would ensure that future project-level contributions to inefficient, wasteful, or unnecessary energy use would be less than significant. Moreover, as identified above, buildout of the GPU would not be expected to cause an inefficient, wasteful, or unnecessary use of energy resources nor conflict with or obstruct a State or local plan for renewable energy or energy efficiency. As a result, the proposed GPU's incremental contribution to cumulative greenhouse gas, climate change, and energy impacts would be less than cumulatively considerable. (Draft EIR pg. 4.6-25)

7. Geology and Soils

The City could be adversely impacted by geotechnical hazards. To address seismic ground shaking, ground failure, liquefaction, subsidence, loss of topsoil, and expansive or corrosive soils, any project would be required to follow the City's policies and actions that address using the most current federal, State, and local building standards and requiring surveys of soil and geologic conditions. This is required by Policies PS-4.1 through PS-4.4 and Actions PS-4a through PS-4e. Additionally, the implementation of project specific SWPPPs and WQMPs would further reduce development within the Indian Wells Plan Area will not cause or contribute to any cumulative impacts associated with geology and soils and are thus considered to be less than significant. Moreover, implementation of Policy RM-4.1 and Actions RM-4a and RM-4d would ensure the cumulative impacts to paleontological resources are less than significant. (Draft EIR pg. 4.7-41)

8. Greenhouse Gas Emissions

Amortized construction and operational emissions of the proposed project would not exceed established SCAQMD thresholds for GHG emissions, therefore, potential cumulative impacts are considered less than significant. (Draft EIR pg. 4.8-22)

9. Hazards and Hazardous Materials

Typically, the release of hazardous materials is site-specific and would not result in City-wide cumulative impacts. Thus, implementation of the proposed General Plan Update would not have the potential to make a cumulatively considerable impact, in combination with impacts from past, present, or reasonably foreseeable projects and would be considered less than significant. As discussed above, future development in accordance with the GPU could result in the transport, use, storage, and handling of hazardous materials or the accidental release of hazardous materials, and would be required to comply with federal, State and local regulations, and GPU policies. Federal, State, and local regulations include the National Pollutant Discharge Elimination System, California Health and Safety Code, and Riverside County Department of Environmental Health. The GPU's contribution to hazardous materials impacts would not be cumulatively considerable.

As stated above, the GPU would not result in significant impacts to emergency response or an evacuation plan with the implementation of the General Plan policies. Additionally, future projects would be required to be reviewed and approved by the fire and police departments prior to issuance of building permits to ensure appropriate access. Thus, impacts would be less than significant and due to the localized nature of emergency response, no cumulative impacts would result from growth in the GPU area.

Finally, although the southern portion of the City is defined by steep slopes which are conducive to wildfires, the slopes do not provide dense vegetation. Therefore, wildfires are not anticipated in the City. Moreover, future development is not proposed in the sloped areas of the City. Future projects would be required to comply with all applicable code and ordinance requirements of the Riverside County Fire Department for access, water mains, fire flows, fire sprinkler systems, and fire hydrants. Therefore, cumulative impacts would be less than significant. (Draft EIR pg. 4.9-32)

10. Hydrology and Water Quality

The cumulative impacts of hydrology and water quality resulting from policies at the General Plan Update level are typically commensurate with the extent, magnitude, and nature of potential land use changes or new policies that may apply to local resources and future new development. The existing regulatory framework under the CWA and NPDES programs involves robust requirements applicable to project-level land development proposals and to various municipal activities. Implementation of the proposed GPU would not involve a change to land uses or resource management to an extent, magnitude or nature that would conflict with the existing CWA and NPDES programs, or in a manner which would increase the demand for water, groundwater resources, or wastewater operations that are currently managed at the regional level by the utility purveyors. Implementation of the GPU would not grant or otherwise approve project-level development.

The proposed policies and actions in the Resource Management Element of the proposed GPU would continue to promote the protection of local resources to the extent that is applicable at the City level, without precluding new development from subjected to the existing and evolving CWA and NPDES regulations during the life of the GPU. The existing City engineering standards would continue to ensure that future project proposals are reviewed for compliance and compatibility with the local development standards prior to project-level approvals, including those calling for proper water conservation, flood protection, stormwater management and retention, and prohibition of impactful drainage modifications.

Therefore, because of the standards implemented by the City, CVWD and other responsible agencies, cumulative impacts associated with hydrology and water quality will remain less than significant for the cumulative projects under General Plan buildout because all such projects will also be required implement stormwater management respectively. (Draft EIR pg. 4.10-25)

11. Land Use and Planning

Cumulative land use and planning impacts, such as the potential for conflicts with adjacent land uses and consistency with adopted plans and regulations, are typically site-specific.

The land uses allowed under the proposed GPU provide opportunities for cohesive new growth at in-fill locations within existing urbanized areas, as well as limited new growth within the Planning Area, but would not create physical division within existing communities. Potential new development and redevelopment projects would be designed to complement the character of existing neighborhoods and provide connectivity between existing development and new development within the cumulative analysis area. The proposed GPU does not include any new roadways, infrastructure, or other features that would divide existing communities. Therefore, the proposed GPU's incremental contribution to cumulative land use impacts would be less than cumulative considerable.

The GPU would not divide an established community and is consistent with the City's land use policies and the CVMSHCP. Development of future projects, in conjunction with other cumulative development in the area permitted by the City's GPU, would not result in citywide and regional land use and planning impacts. Upon adoption of future projects, the projects would be reviewed and determined consistent with applicable goals and policies in the City's GPU and Zoning Code. (Draft EIR pg. 4.11-26)

12. Noise

Tables 4.12-15 and 4.12-16 show the existing and cumulative noise levels associated with traffic on the local roadway network, including projects within the Planning Area. Cumulative conditions include traffic due to buildout of the General Plan Update in addition to pass-through traffic from other jurisdictions. Table 4.12-17 shows the estimated noise level increases which may occur under cumulative conditions. As shown in the above-referenced tables, cumulative conditions would not contribute to an exceedance of the City's transportation noise standards and would not result in significant increases in traffic noise levels at existing sensitive receptors.

GPU Policies PS-6.1 through PS-6.9, and Actions PS-6a through PS-6k, are intended to minimize exposure to excessive noise, including noise associated with traffic. Specifically, Policies PS-6.1 and PS-6a support noise-compatible land uses in the vicinity of traffic noise sources and require that new development and infrastructure projects be reviewed for consistency with the noise standards established by the City GPU and Municipal Code. Acoustical studies and noise mitigation shall be required for new discretionary development and transportation improvements that could impact sensitive uses, as required by Policies PS-6.2 and PS-6.3 and Action PS-6b. Land use considerations as it relates to noise is also considered in Actions PS-6c, PS-6f, PS-6h and PS-6i. Future projects would be required to adhere to the latest standards related to noise in the most current edition of the California Building Code to avoid or minimize noise levels in the community, as stated in Policy PS-6.8 and Action PS-6k. Policies PS-6.4 and PS-6.5, and Actions PS-6d, PS-6e, PS-6g consider roadway and commercial noise. Roadway noise due to GPU buildout would not result in an increase in ambient noise to levels that are considered cumulatively considerable. This is illustrated in Table 4.12-17 (above). (Draft EIR pg. 4.12-42)

13. Population and Housing

The Planning Area considered for population and housing cumulative impact analysis is the Coachella Valley, including the City of Indian Wells and surrounding jurisdictions. As discussed above, the GPU would accommodate and manage future growth based upon the 2045-year forecast horizon in which growth may occur. The GPU includes goals, policies, and land use and mobility plans that intend to help ensure the City's future population and housing needs are adequately met in the forthcoming years. Goal 1 in the Housing Element strives to conserve and improve the condition of the existing housing stock in the City. Additionally, the GPU includes goals and policies to reduce the environmental impacts that would result from growth. The forecasted population growth in the City is accounted for in SCAG's 2020-2045 RTP/SCS, and total population would be below SCAG's 2045 forecasts. Thus, the GPU's contribution to cumulative impacts related to population and housing would not be considerable.

Additionally, the GPU would not displace a substantial number of people or housing because growth facilitated by the GPU would result in the development of vacant and undeveloped areas within the City. Moreover, the City of Indian Wells is largely developed. Implementation of the GPU would result in an increase in housing units that would accommodate projected population growth. Thus, the GPU would not contribute to any cumulative impacts related to displacement of people or housing. (Draft EIR pg. 4.13-15)

14. Public Services

Considering the cumulative development within the City and its Sphere of Influence, there is likely to be a demand increase to services provided by RCFD and the Sheriff's Department. Present and reasonably foreseeable development within the area would be addressed case by case during the development and review of such development. This would ensure that services to accommodate current and future citywide growth could be reasonably provided within the cumulative context. As discussed above, all new development will be required to contribute to the payment of fees, which go towards minimizing impacts to fire and police services, as well as other public services. Therefore,

with adherence to codes, policies and actions as identified in this section, all new development within the City will assist in minimizing cumulative impacts in regard to public services and are expected to be less than significant. (Draft EIR pg. 4.14-22)

15. Recreation

Implementation of the GPU will not create cumulative impacts to recreational resources. As discussed previously, all new developments will be required to contribute to the payment of developmental fees towards the preservation, expansion and maintenance of the City's recreational parks and facilities. Demand for recreational facilities or parks is not anticipated to result in unanticipated construction of or expansion of these facilities. Therefore, with adherence to City policies and actions as well as Municipal Codes as identified in this section, all new development within City of Indian Wells will assist in minimizing cumulative impacts to recreational resources and are expected to be less than significant. (Draft EIR pg. 4.15-9)

16. Transportation

The implementation of the General Plan Update (GPU) for the City of Indian Wells would result in a significant cumulative impact on transportation, specifically in terms of vehicle miles traveled (VMT). A cumulative impact is defined as the combined result of a project's impacts when viewed in connection with other related projects, including foreseeable future developments. In this case, under horizon year 2045 conditions, the City's total regional VMT would increase as a result of the Project, indicating a cumulative transportation impact.

The Cumulative Daily VMT within the City's boundaries was calculated under two scenarios: the No Project condition and the With Project condition. Without the Project, the total VMT for 2045 is projected to be 538,149. However, with the Project, the VMT increases to 542,972, an additional 4,823 VMT, representing a 0.90% increase. This indicates that under the maximum development potential of the General Plan, there would be a net increase in VMT across the City, contributing to cumulative transportation impacts.

While the General Plan includes policies promoting non-automobile travel and more efficient land use patterns, which could help mitigate some of the VMT increases, these measures are insufficient to fully offset the projected increase. Achieving the necessary 27% reduction in VMT to avoid cumulative impacts is considered infeasible. In an effort to reduce VMT, future development projects within the City, consistent with the General Plan, would need to incorporate Transportation Demand Management (TDM) strategies, such as promoting commuter assistance programs and shortening travel distances by integrating homes, workplaces, and shopping areas. Requirements for these VMT reducing measures will be implemented through Municipal Code, Chapter 16.50, Transportation Demand Management Requirements for Specified New Development Projects (discussed under Indian Wells Municipal Code in the Regulatory Section). However, the effectiveness of TDM measures would not fully mitigate the VMT increases.

In light of this, cumulative residential VMT impacts are considered significant and unavoidable. According to the Office of Planning and Research's (OPR) SB743 Technical Advisory, if a project-level VMT impact occurs, it implies a significant cumulative impact. Since the GPU results in a project-

level VMT increase, the cumulative impact on transportation would also be significant. Therefore, despite efforts to reduce VMT through various policies and strategies, the cumulative impact of the GPU on transportation is determined to be significant and unavoidable.

All other transportation impacts associated with implementation of the GPU (discussed in the Project Impact section) would be less than significant. If the City of Indian Wells approves the GPU, the City will be required to make findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations for consideration by the City's decision makers in accordance with CEQA Guidelines Section 15093. (Draft EIR pg. 4.16-34)

17. Utilities and Service Systems

As evaluated in this section, project implementation involving an update to the Indian Wells General Plan within the existing City limits is expected to result in an incremental increase in water use, wastewater generation, solid waste generation, electricity use, natural gas use and telecommunications access associated with the potential for development within the vacant portions of the City. As mentioned previously, the GPU will include policies and guidelines to regulate the performance of water, wastewater, solid waste, electricity, natural gas, telecommunication facilities, and infrastructure within the region. Additionally, future development will be required to be consistent with the goals set within the federal, state, regional, and local levels. Thus, the proposed GPU is not expected to facilitate development that results in conditions that will substantially increase the water use, wastewater generation, solid waste generation rates, electricity consumption, natural gas use, and telecommunication access in levels negatively impacting the local infrastructure. The existing regulatory framework established at the federal, state, regional, and local level is inherently designed to prevent land development activities from incurring or causing such negative impacts. As such, the updated Indian Wells General Plan is not expected to result in cumulative impacts to the utilities and services provided by the City.

Water Supply: As discussed in the above analysis, CVWD's 2020 Regional UWMP has determined that it has sufficient supplies to meet this demand, in addition to its other existing and projected demands, during normal, single dry, and multiple dry years. The proposed project's contribution to cumulative water supply impacts would also be less than cumulatively considerable. (Draft EIR pg. 4.17-29)

Wastewater: Buildout of the proposed Indian Wells General Plan update may facilitate new development within the City that could potentially result in an increase to wastewater flows. However, as discussed, WRP-10 is designed to treat domestic wastewater generated in the Cities of Palm Desert, Indian Wells, Rancho Mirage, and portions of Cathedral City. The City of Indian Wells contributes approximately 0.5 percent of the total wastewater being transported to WRP-10. Per the 2020 CVWD RUWP, WRP-10 has a capacity to treat 15 million gallons per day (MGD).

This plant treats an annual average flow of 10.8 MGD (12,000 AFY). Proposed projects within the City and other local jurisdictions within CVWD's boundary would be required to undergo environmental review to determine if the existing CVWD wastewater infrastructure has adequate capacity to serve the project or if other onsite and off-site improvements would be necessary in order

to provide service. The projected increase in wastewater flows would not require the expansion of wastewater treatment facilities.

Additionally, all new development in the City would be required to complete an environmental analysis per CEQA Guidelines, which would analyze and disclose any potentially significant impacts on wastewater services. Therefore, the project's contribution to cumulative wastewater would have less than significant impacts. (Draft EIR pg. 4.17-29)

Solid Waste: Buildout of the General Plan will result in the construction and operation of various land uses which would result in the increase of solid waste generated in the area. As previously stated, the Badlands Landfill has a permitted daily capacity of 5,000 tons per day and an estimated total capacity of 82,300,000 cubic yards with a remaining capacity of 7,800,00 cubic yards. The Lambs Canyon Landfill has a permitted capacity of 5,000 tons per day and 319,242,950 cubic yards of remaining capacity. Future development projects in the City will be required to comply to the same waste reduction mandates as are currently in place, and more stringent mandates if they are legislated in the future. These requirements are designed to reduce the waste stream by 75% and will assist all projects in reducing cumulative solid waste impacts. The landfills serving the City have available remaining capacity. Therefore, cumulative impacts to solid waste would be less than significant. (Draft EIR pg. 4.17-30)

Electricity, Natural Gas, and Telecommunications: Southern California Edison (SCE), Imperial Irrigation District (IID), the Southern California Gas Company, and Frontier are regional purveyors of electricity, natural gas, and telecommunications. All of them provide utility services to the City of Indian Wells and throughout Riverside County and expect to accommodate future growth within the City. Future developments are required to participate in the design review process of utility plans associated with the future development. Indian Wells is a largely built out community and infrastructure exists throughout much of the City. Physical determination prior to implementation of any project and the need for further infrastructure upgrades would similarly be accomplished through the required design review and approval plans for projects through the City, nearby jurisdictions, and the appropriate regulatory agencies and utility providers. Therefore, demand would not be cumulatively considerable and would not cause or contribute to a significant cumulative impact. (Draft EIR pg. 4.17-30)

IV. ALTERNATIVES TO THE PROPOSED PROJECT

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are feasible, and therefore, merit in-depth consideration, and which ones are infeasible.

Section 15126.6 of the State CEQA Guidelines requires an EIR to describe a range of reasonable alternatives to the Project or to the location of the Project that could feasibly achieve most of its basic objectives but would avoid or substantially lessen any of the significant effects identified in the EIR analysis. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, an EIR must consider a reasonable range of alternatives that are potentially feasible; an EIR is not required to consider alternatives that are infeasible. In addition, an EIR should evaluate the comparative merits of the alternatives. Therefore, this section sets forth the potential alternatives to

the Project analyzed in the EIR and evaluates them in light of the objectives of the Project, as required by CEQA.

Key provisions of the State CEQA Guidelines relating to the alternatives' analysis (Section 15126.6 et seq.) are summarized below:

- [T]he discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more costly.” (CEQA Guidelines Section 15126.6[b]).
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact.” (CEQA Guidelines Section 15126.6[e][1])
- “The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” (CEQA Guidelines Section 15126.6[e][2])
- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.” (CEQA Guidelines Section 15126.6[f])
- “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries..., and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)” (CEQA Guidelines Section 15126.6[f][1]).
- “Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” (CEQA Guidelines Section 15126.6[f][2][A])
- “An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.” (CEQA Guidelines Section 15126.6[f][3])

A. RATIONALE FOR SELECTING POTENTIALLY FEASIBLE ALTERNATIVES

The alternatives must include a no-project alternative and a range of reasonable alternatives to the Project if those reasonable alternatives would attain most of the Project objectives while substantially lessening the potentially significant Project impacts. The range of alternatives discussed in an EIR is governed by a “rule of reason,” which the State CEQA Guidelines Section 15126.6(f)(3) defines as:

. . . set[ting] forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in the State CEQA Guidelines Section 15126.6(f)(1)) are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have access to an alternative site. An EIR need not consider an alternative whose effects could not be reasonably identified and whose implementation is remote or speculative.

For purposes of this analysis, the Project alternatives are evaluated to determine the extent to which they attain the basic Project objectives, while significantly lessening any significant effects of the Project.

B. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the EIR.

1. Alternate Location

CEQA requires that the discussion of alternatives focus on alternatives to the Proposed Project or its location that are capable of avoiding or substantially lessening any significant effects of the Proposed Project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Proposed Project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126[5][B][1]).

CEQA Guidelines require examination of an alternative location for the project if such locations would result in the avoidance of or lessening of significant impacts. Since the GPU is proposed to cover the extent of the City; and since the City is located in a developed area, and surrounded to the west and north by Palm Desert, east by La Quinta, and south by the Santa Rosa Mountains and the County of Riverside, an alternative location is not feasible. For these reasons, this alternate site was considered and rejected. (Draft EIR pg. 7-3)

Finding

The City finds that there are no alternative locations for the Proposed Project. As described in these Findings of Fact, the Proposed Project would result in less than significant impacts, or impacts that can be mitigated to less than significant. For significant and unavoidable impacts, the City has determined that these impacts are acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the

proposed project outweigh its significant effects on the environment, as described in the Statement of Overriding Considerations.

2. Additional Residential

Additional alternatives considered and rejected include designated existing commercial land uses within the City to residential uses, thus permitting residential uses within the undeveloped properties in the City. Although this alternative would result in various housing opportunities in the City, the alternative would result in increased VMT impacts. Impacts related to VMTs would be significant and unavoidable if this scenario was chosen, similar to the proposed GPU. Therefore, this alternative was rejected. (Draft EIR pg. 7-3)

Finding

The City finds that an additional residential alternative would result in increased VMT impacts in the City. For significant and unavoidable impacts, the City has determined that these impacts are acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment, as described in the Statement of Overriding Considerations.

C. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project. Table 7-2, *Comparison of Alternatives and Project*, in Chapter 7, *Alternatives*, of the Draft EIR, identifies how each of the alternatives selected for further analysis compare to the Proposed Project.

1. No Project–Current General Plan Buildout Alternative

According to CEQA Guidelines Section 15126.6 (e) the analysis of alternatives must include the specific alternative of “no project.” The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed GPU with the impacts of not approving the proposed GPU. Since it is not likely that the vacant parcels within the GPU Planning Area would remain vacant, this Alternative analyzes the buildout of the current General Plan. Therefore, the No Project / Current General Plan Alternative would develop the land uses currently designated within the General Plan. The Current General Plan allows for 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs. This Alternative proposes the same number of residential units as the proposed GPU. However, the nonresidential space and number of jobs generated by Alternative 1 is less than the proposed GPU. (Draft EIR pg. 7-4)

Impacts

The No Project / Current General Plan Buildout Alternative (Alternative 1) would develop remaining vacant and infill parcels within the City. Development would be consistent with the existing land use designations for the sites, as established by the current General Plan. As described above, Alternative

1 would reduce impacts associated with construction and operation related to air quality, energy resources (petroleum consumption), greenhouse gas emissions, hydrology and water quality, land use and planning, noise, population and housing (employment), transportation, and utilities, compared to the proposed project.

Finding

Although Alternative 1 reduces impacts compared to the proposed project, it does not meet any of the objectives of the proposed project because it would not involve development of the site. Alternative 1 would not: develop a diverse set of land uses including employment-generating land uses that create new jobs and ensure long-term economic benefits and stability for the City of Indian Wells, because 8.31 acres would remain a golf course use, instead of a more income-generating use, such as resort commercial, as proposed by the GPU. CEQA Guidelines Section 15126.6(e)(2) states that if the No Project / Current General Plan Buildout Alternative is identified as the environmentally superior alternative, then an environmentally superior alternative should be identified among the other alternatives. As a result, specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible this project alternative for the reasons identified in the Final EIR.

2. Medical Offices and Convalescent Homes Alternative

Under Alternative 2, the City would adopt the updated General Plan policy document, but with a community commercial (or professional office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue. This area is proposed for Resort Commercial land uses and zoning in the proposed GPU. Alternative 2 would provide medical offices on 14 acres on the western-most parcel, west of Miles Avenue, and nursing homes/congregate/convalescent housing on 16 acres on the parcels east of Miles Avenue. Alternative 2 would result in more employment compared to the proposed project. (Draft EIR pg. 7-19)

Impacts

Alternative 2 (Medical Offices and Nursing Home/Convalescent Housing Alternative) would be the environmentally superior alternative because it would cause incremental reductions with respect to impacts related to all of the environmental topics except agricultural resources, biological resources, cultural and tribal cultural resources, geology and soils, hazards, hydrology, land use and planning, population and housing, public services, and recreation where the impacts are expected to be similar to those resulting from the proposed project because of similar land disturbance. Although impacts would be similar under Alternative 2 compared to the proposed project, policies and actions would still be required to reduce impacts to aesthetics, agricultural resources, biological resources, cultural and tribal cultural resources, geology and soils, hazards, hydrology, land use and planning, public services, and recreation. Alternative 2 would result in reduced impacts to air quality, energy resources (petroleum use), greenhouse gas emissions, noise (traffic noise), and transportation, due to the reduced VMTs generated by Alternative 2. Alternative 2 could result in an increase in utility uses, such as water and wastewater. Although Alternative 2 reduces VMTs, compared to the project, it is still considered a significant and unavoidable impact.

Finding

Alternative 2 meets all of the objectives proposed for the project. Specifically, Alternative 2 accommodates a range of land uses (commercial, residential, open space, and public uses); maintains adequate sites to accommodate the City's Regional Housing Needs Allocation (RHNA); develops a diverse set of land uses including employment-generating land uses that create new jobs and ensure long-term economic benefits and stability for the City of Indian Wells; promotes the development of a connected community that is enhanced by sidewalks, shade from trees, pedestrian benches, safe pedestrian crossings, and landscaping along streets, and providing buffers between surrounding uses; encourages the development of a multimodal circulation network that provides a safe and efficient level of connectivity for vehicles, bicyclists, pedestrians, and transit users; and provides adequate infrastructure, services, and utilities to meet the needs of the community by requiring new developments to pay their fair share for required improvements. Alternative 2 also meets the objective of maintaining the City's residential-resort lifestyle. Alternative 2 would continue to maintain the City's residential-resort lifestyle by providing housing (nursing home/convalescent housing) on approximately 16 acres and medical offices on approximately 14 acres in the City. However, Alternative 2 achieves this objective to a lesser degree compared to the proposed project, because the proposed GPU would allow the development of resort commercial uses on approximately 30 acres in the City, while Alternative 2 would contribute 14 acres to offices. Therefore, because Alternative 2 does not meet the City's objective of maintaining the residential-resort lifestyle to the same extent as the project, the Alternative is rejected.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

An EIR must identify an "environmentally superior" alternative and where the No Project / Current General Plan Buildout Alternative is not identified as environmentally superior, the EIR is then required to identify an environmentally superior alternative from among the others evaluated. Based on the analysis contained within the Draft EIR, the Medical Offices and Convalescent Homes Alternative has been identified as the "environmentally superior" to the Proposed Project.

The Medical Offices and Convalescent Homes Alternate has been identified as the environmentally superior alternative. This alternative would lessen impacts associated with VMTs, while still meeting the project objectives. The remaining impacts are generally the same as the Proposed Project.

CEQA does not require the lead agency (the City of Indian Wells) to choose the environmentally superior alternative. Instead, CEQA requires the City to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the Proposed Project, and make findings that the benefits of those considerations outweigh the harm. "Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts" (CEQA Guidelines Section 15126.6[c]).

The City Council rejects the No Project / General Plan Buildout Alternate on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) this alternative does not avoid the Project's significant and unavoidable impacts on the environment; and

(2) this alternative meets the Project objectives to a lesser extent than the proposed Project. Therefore, the No Project / General Plan Buildout Alternative is eliminated from further consideration.

V. ADDITIONAL CEQA CONSIDERATIONS

A. SIGNIFICANT IRREVERSIBLE CHANGES DUE TO THE PROJECT

Section 15126.2(c) of the State CEQA Guidelines requires that an EIR describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented. See pages 5-1 to 5-3 of Chapter 5.0, Other CEQA Sections, of the PDEIR. Specifically, the State CEQA Guidelines state:

“Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highways improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources are not justified (e.g., the project involves the wasteful use of energy).

Determining whether the proposed GPU would result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed such that there would be little possibility of restoring them. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Consumption of Nonrenewable Resources

Consumption of nonrenewable resources refers to the loss of physical features within the natural environment, including the conversion of agricultural lands, loss of access to mining reserves, and nonrenewable energy use. The Indian Wells Planning Area has multiple nonrenewable resources, including biological resources, water resources, and energy resources.

One of the objectives of the proposed GPU is to conserve natural resources within the Planning Area. Many of these policies and actions, aimed at preserving natural resources, are contained within the Resource Management Element, and have been identified throughout this EIR. Additionally, the

proposed GPU directs most new development to infill areas, and areas surrounding existing neighborhoods and urbanized areas. As a result, the proposed GPU will minimize the potential for impacts to the nonrenewable resources in the Planning Area, including biological resources, water resources, and energy resources, to the greatest extent feasible. More detailed and focused discussions of potential impacts to these nonrenewable resources are contained throughout this PDEIR.

Nonrenewable energy resources such as electricity, natural gas, gasoline, and diesel would be consumed during the construction and operation of development projects contemplated under the GPU buildout. The proposed GPU includes a variety of policies that seek to conserve, protect, and enhance energy resources. These policies focus on energy efficiency in the design, materials, construction, and use of buildings, the use of alternative energy systems, and alternative transportation modes.

Irretrievable Commitments/Irreversible Physical Changes

Implementation of the proposed GPU would result in a commitment of land uses designated for the foreseeable future. Land use and development consistent with the GPU would result in irretrievable commitments by introducing development onto sites that are presently undeveloped. The conversion of agricultural lands to urban uses would result in an irretrievable loss of agricultural land, wildlife habitat, and open space. Additionally, development will physically change the environment in terms of aesthetics, air emission, noise, traffic, open space, and natural resources. These physical changes are irreversible after development occurs. Therefore, the proposed GPU would result in changes in land use within the Planning Area that would commit future generations to these uses.

Irreversible Effects (Significant and Unavoidable)

In summary, the proposed GPU includes an extensive policy framework that is designed to address land use and environmental issues to the greatest extent feasible, while allowing growth and economic prosperity for the City. However, even with the policies and actions that will serve to reduce potential significant impacts, the proposed GPU will result in significant irreversible changes. This impact is considered a significant and unavoidable impact under CEQA.

B. GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT

Pursuant to Section 15126(d) and 15126.2(d) of the State CEQA Guidelines, this section is provided to examine ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Section 15126.2 (e) of the CEQA Guidelines requires that an EIR evaluate the growth-inducing impacts of a proposed action. See pages 5-3 to 5-6 of Chapter 5.0, Other CEQA Sections, of the PDEIR. A growth-inducing impact is defined by the CEQA Guidelines as:

The way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth. It is not assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

Based on the CEQA Guidelines, growth inducement is any growth that exceeds planned growth of an area and results in new development that would not have taken place without implementation of the project. A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a project, for example, involved construction of new housing. A project would have indirect growth inducement potential if it established substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it would involve the construction of infrastructure or a utility that allows additional growth to follow.

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service.

The General Plan is a long-term plan intended to accommodate projected population, housing, and employment growth, including the appropriate balance among these factors with the necessary public services and infrastructure. The proposed GPU would serve as a comprehensive, long-term plan for the physical development of Indian Wells. Projected growth is described in Section 4.13, Population and Housing, and the environmental consequences related to the potential growth are fully assessed in each topical section. By definition, the proposed GPU is intended to provide for and address future growth in the City.

Because the proposed GPU provides a framework for development through its Land Use Map, land use designations, goals, policies, and actions, it would directly induce population and employment growth in the Indian Wells Planning Area by designating land for development that is more intense, in some instances, than current designations allow. The analysis of the indirect growth-inducing impacts for the proposed GPU focuses on the following factors: inducement of unanticipated population

growth; encouragement of economic growth that leads to jobs and housing growth; elimination of obstacles to population growth; and resulting service, facility, or infrastructure demands in excess of existing and planned growth.

The GPU accommodates future growth in Indian Wells, including new businesses and the expansion of existing businesses. Infrastructure and services would need to accommodate future growth. The General Plan is oriented toward the economic growth of the City, with emphasis given to encouraging development of a broader array of businesses and increasing local employment opportunities as necessary to serve economic growth. The cumulative development scenario addressed in this PDEIR is the maximum projected development that could occur within the existing City limits and the Planning Area, if every parcel in the City and the Planning Area developed at or near the higher end of densities and intensities allowed under the proposed GPU.

As described in Chapter 3.0, Project Description, the City currently includes 4,694 single family units and 349 multifamily units, for a total of 5,043 residential units; 1,546,833 square feet of nonresidential space (i.e., office, sports, commercial, etc.); and offers 1,509 jobs within the City. Buildout of the proposed GPU would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan). Depending on growth rates, the actual growth during the life of the General Plan could be lower or higher, but would not exceed the theoretical maximum buildout described in Chapter 3.0.

Given the historical and current population, housing, and employment trends, growth in the City, as well as the entire State, is inevitable. The primary factors that account for population growth are natural increase and net migration. The average annual birth rate for California is expected to be 20 births per 1,000 population. Additionally, California is expected to attract more than one third of the country's immigrants. Other factors that affect growth include the cost of housing, the location of jobs, the economy, the climate, and transportation. While these factors would likely result in growth in Indian Wells during the planning period of the proposed GPU, growth will continue to occur based primarily on the demand of the housing market and demand for new commercial and other non-residential uses. As future development occurs under the proposed GPU, new roads, infrastructure, and services would be necessary to serve the development and this infrastructure would accommodate planned growth. However, growth under the proposed GPU would remain within the general growth levels projected statewide and would not be anticipated to exceed any applicable growth projections or limitations that have been adopted to avoid an environmental effect. The proposed GPU is intended to accommodate the City's fair share of statewide housing needs, based on regional numbers provided by the California Department of Housing and Community Development on a regular basis (every five to eight years).

The City is responsible for accommodating its fair share of regional growth, as identified in the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and Regional Housing Needs Assessment (RHNA) (see Section 4.13, Population and Housing, for a detailed discussion). Therefore, the GPU serves to accommodate and manage any growth, consistent with regional plans, in an orderly manner that would benefit the future of the community.

According to SCAG's growth forecasts, the City of Indian Wells will reach a population of 6,400 people by 2045. When compared to the City's population of 5,403 in 2020, it is predicted that approximately 1,000 more people will reside in the City. Additionally, according to the RTP/SCS, the number of households in the City of Indian Wells is projected to increase approximately 19 percent between 2016 and 2045.

SCAG is responsible for identifying future housing needs in each jurisdiction, including the City of Indian Wells. To meet this mandate, SCAG develops the RHNA to establish the projected need for housing and the fair share distribution of the projected need. A local jurisdiction's "fair share" of regional housing need is the number of additional dwelling units that will need to be constructed to accommodate the forecast growth, to replace expected demolitions and conversion of dwelling units to non-dwelling uses, and to achieve a vacancy rate that allows for healthy functioning of the housing market. The allocation is divided into four income categories: Very Low, Low, Moderate, and Above Moderate. The allocation is further adjusted to avoid an over-concentration of lower-income households in any one jurisdiction. It has been determined that the City must be able to accommodate 382 dwelling units, representing a 7 percent increase in the number of units in the City.

The proposed GPU includes policies and actions that mitigate environmental impacts associated with growth, such as air quality, noise, traffic, water supply, and water quality. Additionally, this PDEIR identifies General Plan policies and actions, where appropriate, that would serve to reduce or eliminate potentially significant impacts associated with specific environmental issues associated with growth. Sections 4.1 through 4.17 provide a discussion of environmental effects associated with development allowed under the proposed GPU.

With implementation of GPU policies and actions intended to guide growth to appropriate areas and provide services necessary to accommodate growth, the land uses allowed under the proposed GPU, the infrastructure anticipated to accommodate proposed land uses, and the goal and policy framework would not induce growth that would exceed adopted thresholds. Therefore, population and housing growth associated with the proposed GPU would result a less than significant impact.

VI. FINDINGS ON RESPONSES TO COMMENTS ON THE DRAFT EIR AND REVISIONS TO THE FINAL EIR

The Final EIR contains response to comments, clarifications, revisions, and corrections to the Draft EIR. The focus of the response to comments is on the disposition of significant environmental issues as raised during the comment period or during internal review, as specified by State CEQA Guidelines Section 15088(b). The City received four comment letters during the public comment period from public agencies. Responses to the comment letters are provided in Chapter 2 of the Final EIR, pursuant to State CEQA Guidelines Section 15088(b). Revisions and corrections to the Draft EIR are found in Chapter 3 of the Final EIR.

City staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the Draft EIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity

of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the CEQA Guidelines.

VII. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (State CEQA Guidelines Section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (State CEQA Guidelines Section 15093 [b]). The agency’s statement is referred to as a Statement of Overriding Considerations.

The following provides a description of the project’s significant and unavoidable adverse impact and the justification for adopting a statement of overriding considerations.

A. SIGNIFICANT AND UNAVOIDABLE IMPACTS

Although most potential project impacts have been substantially avoided or mitigated, as described above, there remain two project impacts for which complete mitigation is not feasible. The EIR identified the following significant unavoidable adverse impacts of the project, which would continue to be applicable upon implementation of the Proposed Project:

1. Agricultural Resources

- **Impact 4.2 a&c.** Conversion of agricultural-designated land to urban land uses is a significant and unavoidable impact. There are no feasible mitigation measures that would reduce the GPU’s significant impacts to agricultural resources to levels that would be less than significant. The GPU would result in the direct loss of 43 acres of Prime Farmland. None of the mitigation measures considered by the City would feasibly be able to reduce the significant impacts to levels less than significant, and impacts would be *significant and unavoidable*.

2. Transportation

- **Impact 4.16 b.** Implementation of the GPU would result in VMTs that exceed thresholds established by CVAG. The GPU VMT per capita of 22.6 exceeds the 14.0 threshold, resulting in a significant impact according to CEQA Guidelines Section 15064.3(b). Meeting this threshold would require a 40% reduction in VMT per capita, which is not feasible. GPU policies and actions propose to expand transit, bicycle, pedestrian, and complete street networks and implement transportation demand management strategies, which could reduce VMT further. However, the effectiveness of these policies is uncertain. Therefore, with respect to consistency with CEQA Guidelines Section 15064.3, subdivision (b), the VMT impact of the Project related to VMT/capita would be significant and unavoidable. Impact 4.16 b would be *significant and unavoidable*.

B. PROJECT BENEFITS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

The following section describes the benefits of the Proposed Project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the project acceptable even though the FEIR has indicated that there will be seven significant project impacts despite mitigation measures being implemented for the Proposed Project. Accordingly, this Statement of Overriding Considerations regarding potentially significant adverse environmental impacts resulting from the Proposed Project, as set forth below, has been prepared. Pursuant to CEQA Guidelines Section 15093(c), the Statement of Overriding Considerations will be included in the record of the project approval and will also be noted in the Notice of Determination. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the Proposed Project.

Having reduced the potential effects of the Proposed Project through all feasible mitigation measures as described previously herein, and balancing the benefits of the Proposed Project against its potential unavoidable adverse impacts on agricultural resources and transportation, the City finds that the following legal requirements and benefits of the Proposed Project individually and collectively outweigh the potentially significant unavoidable adverse impacts for the following reasons:

1. Implements the Objectives Established for the Proposed Project

The Proposed Project would implement the vision shaped by the following objectives:

- Maintain the City's residential-resort lifestyle.
- Accommodate a range of land uses (commercial, residential, open space, and public uses).
- Maintain adequate sites to accommodate the City's Regional Housing Needs Allocation (RHNA).
- Develop a diverse set of land uses including employment-generating land uses that create new jobs and ensure long-term economic benefits and stability for the City of Indian Wells.
- Promote the development of a connected community that is enhanced by sidewalks, shade from trees, pedestrian benches, safe pedestrian crossings, and landscaping along streets, and providing buffers between surrounding uses.
- Encourage the development of a multimodal circulation network that provides a safe and efficient level of connectivity for vehicles, bicyclists, pedestrians, and transit users.
- Provide adequate infrastructure, services, and utilities to meet the needs of the community by requiring new developments to pay their fair share for required improvements.

2. Goals That Achieve Objectives

The GPU sets forth the goals, policies, and actions the City will take in managing its future to reflect the desires and vision of Indian Wells' residents, businesses, the General Plan Advisory Committee,

Planning Commission, City Council, and other decision-makers for the future development and operation in Indian Wells. It is the blueprint for development and a guide to achieving the long-term, citywide vision, which is to develop a resort-residential community. Buildout of the City would include connections between land uses via streets, multimodal forms of transportation, and pedestrian pathways. The City would continue to be a world class destination, which would provide tax revenue for the City to continue improvements to infrastructure and streets. The revenue generated by the resort community outweighs the significant and unavoidable VMT and agricultural impacts. The GPU would implement policies and actions to achieve the following goals outlined in the GPU:

- GOAL CD-1 ORDERLY LAND USE DEVELOPMENT: Existing and future development maintains the well-established residential and resort character of Indian Wells.
- GOAL CD-2 COMMUNITY IMAGE AND DESIGN: A visually attractive community that helps create a unique sense of place in the Coachella Valley and reinforces the image of Indian Wells as a prestigious community and international resort destination.
- GOAL CD-3 HEALTHY LIFESTYLES: A community environment that fosters opportunities for people of different ages, incomes, and abilities living and working in Indian Wells to enjoy healthy lifestyles and active living.
- GOAL CD-4 COMMUNITY ENGAGEMENT: An engaged community with a sense of neighborly pride and civic responsibility.
- GOAL M-1 A SAFE AND EFFICIENT STREET SYSTEM: A safe and efficient street system that contributes to the community's quality of life, minimizes impacts on the environment, and links the City to the region for the movement of people and goods.
- GOAL M-2 MULTI-MODAL MOBILITY NETWORK: A variety of travel modes are provided to residents, workers and visitors.
- GOAL M-3 PARKING: Parking supply that adequately and efficiently meets demand.
- GOAL M-4 FUNDING: A fiscally sound transportation system that utilizes a variety of financing methods.
- GOAL RM-1 BIOLOGICAL RESOURCES: Important biological habitats are conserved, and significant natural resources are protected.
- GOAL RM-2 NATURAL OPEN SPACE RESOURCES: Natural open space areas are protected and balanced with recreation, scenic enjoyment, and protection of natural resources and features.
- GOAL RM-3 PARKS AND RECREATION: Parks and recreation facilities are dispersed throughout the community and provide a range of opportunities that meet the varying needs of residents.

- GOAL RM-4 HISTORIC, CULTURAL AND PALEONTOLOGICAL RESOURCES: Significant historical, cultural, and paleontological resources are preserved and respected.
- GOAL RM-5 INFRASTRUCTURE PLANNING: Essential public services are adequately supported through well-planned and maintained infrastructure.
- GOAL RM-6 WATER SUPPLY: A safe and adequate water supply that can sustainably meet the City's demand for water.
- GOAL RM-7 SOLID WASTE: Integrated solid waste facilities are sufficiently supported and able to sustainably treat waste from Indian Wells.
- GOAL RM-8 TELECOMMUNICATIONS: Telecommunication facilities and infrastructure within Indian Wells provide fast, secure, and reliable services.
- GOAL RM-9 AIR QUALITY AND GREENHOUSE GAS EMISSIONS: Air quality is preserved and improved upon to protect the health and welfare of the community.
- GOAL RM-10 ENERGY AND MINERAL RESOURCES: Energy efficient design and renewable energy are incorporated in both the public and private sectors and mineral resources are appropriately managed.
- GOAL PS-1 EMERGENCY OPERATIONS: Emergency response service agencies are prepared to effectively respond to natural and man-made disasters.
- GOAL PS-2 FIRE SAFETY: A City that is safe and adequately prepared for fire emergencies.
- GOAL PS-3 FLOODING: Life and property are safe from flooding hazards and damage is prevented to the greatest extent possible.
- GOAL PS-4 SEISMIC AND GEOLOGIC HAZARDS: Life and property are guarded from seismic and seismic-induced hazards to the greatest extent possible.
- GOAL PS-5 HAZARDOUS WASTE AND MATERIALS: Hazardous materials are properly maintained to reduce potential public threats to the greatest extent possible.
- GOAL PS-6 NOISE: The impact of noise-generating activities on residential and other sensitive land uses is minimized.
- GOAL PS-7 CLIMATE CHANGE AND RESILIENCY PLANNING: A resilient and sustainable community where risks to life, property, the economy, and the environment resulting from climate hazards, including extreme weather events, are prevented or minimized.
- GOAL ED-1 A STABLE AND RESILIENT ECONOMY: A City with a strong economic base that promotes economic stability and resiliency.

- **GOAL ED-2 BUSINESS COMMUNITY SUPPORT:** A community that supports and promotes local businesses.
- **GOAL ED-3 DEVELOP A UNIQUE DESTINATION EXPERIENCE:** A community that fosters a unique sense of place through regional-serving amenities and attractions.
- **GOAL ED-4 WORKFORCE ATTRACTION AND RETENTION:** A community that provides opportunities to both live and work in Indian Wells.
- **GOAL ED-5 FISCAL SUSTAINABILITY:** A City with fiscal diversity, security, and sustainability.

The policies and actions that support these goals are discussed throughout the Draft EIR in Chapter 4, Sections 4.1 through 4.17. The goals listed above, and their associated policies and actions (described in Section 4.1 through 4.17 in the PDEIR), would ensure impacts to the environment are reduced to less than significant levels. The goals protecting biological resources, the noise environment, air quality, parks and recreation, and community image and design would ensure that the City maintains their status as a world-class resort destination. As mentioned above, the continued popularity as a world class destination would provide tax revenue for the City to continue improvements to infrastructure and streets within the City. The revenue generated by the resort community outweighs the significant and unavoidable VMT and agricultural impacts, and would provide improvements to streets to reduce impacts to the greatest extent feasible.

3. Provides Employment Opportunities and Economic Benefits

Buildout of the GPU would develop 5,159,667 square feet of non-residential space (27,563 square feet more than the Current General Plan) and introduce up to 6,310 jobs (93 more jobs than the Current General Plan). The additional non-residential space will provide additional amenities and services within the City, while encouraging jobs within the City. The Proposed Project offers a timely opportunity to attract regional and neighborhood-serving amenities that are consistent with the existing developed character of the City. The non-residential space, which would develop resort and commercial uses, would provide an opportunity to capture sales tax revenue that could be used to improve public services and facilities. This would have a positive economic impact and would result in job creation in Indian Wells.

C. Conclusion

The City Council hereby declares that, pursuant to the State CEQA Guidelines section 15093, the City Council has balanced the benefits of the Proposed Project against any unavoidable environmental impacts in determining whether to approve the Proposed Project. Pursuant to the State CEQA Guidelines, if the benefits of the Proposed Project outweigh the Proposed Project's unavoidable adverse environmental impacts, those impacts may be considered "acceptable."

Having reduced the adverse significant environmental effect of the Proposed Project to the extent feasible by adopting the Mitigation Measures contained in the EIR, the Mitigation Monitoring and Reporting Program (MMRP), and this Resolution; having considered the entire administrative record

on the Proposed Project; and having weighed the benefits of the Proposed Project against its unavoidable adverse impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Proposed Project, described above, separately and individually outweigh the Proposed Project's potential unavoidable adverse impacts and render those potential adverse environmental impacts acceptable.

VIII. MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program ("MMRP") attached as Exhibit "C." Implementation of the mitigation measures contained in the MMRP is hereby made a condition of approval of the Project. In the event of any inconsistencies between the mitigation measures set forth herein and the MMRP, the MMRP shall control.

IX. CERTIFICATION

The City Council finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines and that the EIR reflects the independent judgment and analysis of the City Council.

The City Council declares that no evidence of new significant impacts as defined by State CEQA Guidelines section 15088.5 has been received by the City Council after circulation of the Draft EIR which would require recirculation.

Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.

X. ATTACHMENT I: INDEX

Threshold Impact	Found in Section	Impact
<i>Aesthetics</i>		
4.1 a. Adverse effect on a scenic resource	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.1 b. Scenic resources in a state scenic highway	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.1 c. Impacts to visual character or scenic quality	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.1 d. Create a new source of substantial light	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
<i>Agriculture and Forestry Resources</i>		
4.2 a&c. Convert Prime, Unique, or Statewide Farmland or agricultural use to non-agricultural use	E. Significant and Unavoidable Impacts that Cannot be Mitigated to Below the Level of Significance	SI
4.2 b. Conflict with existing zoning for agricultural use or a Williamson Act Contract	B. No Environmental Impacts and Not Requiring Mitigation	NI
<i>Air Quality</i>		
4.3 a. Obstruct implementation of an air quality plan	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.3 b. Cumulatively considerable net increase of a criteria pollutant	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.3 c. Expose sensitive receptors to substantial pollutant concentrations	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.3 d. Result in other emissions, such as those leading to odors	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Biological Resources</i>		
4.4 a. Substantial adverse effect on a candidate, sensitive or special status species	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.4 b. Substantial adverse effect on any riparian habitat	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.4 c. Substantial adverse effect on state or federally protected wetlands	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.4 d. Movement of native or migratory fish or wildlife species	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.4 e. Conflict with local policies protecting biological resources	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.4 f. Conflict with a habitat conservation plan, natural community conservation plan, or local, regional, or state conservation plan	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Cultural and Tribal Cultural Resources</i>		
4.5 a. Historical Resources	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.5 b. Archaeological Resources	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.5 c. Human remains	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.5 d. Tribal Cultural Resources	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM

<i>Energy Resources</i>		
4.6 a. Wasteful, inefficient or unnecessary consumption of energy resources	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.6 b. Obstruct a state or local plan for energy efficiency	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Geology and Soils</i>		
4.7 a(i). Rupture of a known fault	B. No Environmental Impacts and Not Requiring Mitigation	NI
4.7 a(ii). Strong seismic shaking	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.7 a(iii). Seismic-related ground failure	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.7 a(iv). Landslides	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.7 b. Soil erosion	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.7 c. Location on unstable soil or geologic unit	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.7 d. Expansive soil	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.7 e. Soils incapable of adequately supporting the use of septic tanks	B. No Environmental Impacts and Not Requiring Mitigation	NI
4.7 f. Paleontological Resources	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
<i>Greenhouse Gas Emissions</i>		
4.8 a. Generate significant GHG emissions	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.8 b. Conflict with an applicable plan	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Hazards and Hazardous Materials</i>		
4.9 a&b. Transport, use, disposal of hazardous materials, or foreseeable accident or release of hazardous materials	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.9 c. Located one-quarter mile from a school	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.9 d. Located on a site compiled pursuant to Government Code Section 65962.5	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.9 e. Located within an airport land use compatibility plan area resulting in a safety hazard or excessive noise associated with airports	B. No Environmental Impacts and Not Requiring Mitigation	NI
4.9 f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan	B. No Environmental Impacts and Not Requiring Mitigation	NI
4.9 g. Wildland fire effects	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Hydrology and Water Quality</i>		
4.10 a. Surface and groundwater quality	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS

4.10 b. Groundwater management	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.10 c(i). Erosion or siltation	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.10 c(ii). Flooding on- or off-site	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.10 c(iii). Stormwater drainage or polluted runoff	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.10 c(iv). Impede or redirect flood flows	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.10 d. Flood hazard, tsunامي, or seiche zone	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.10 e. Water quality or groundwater plan	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Land Use and Planning</i>		
4.11 a. Divide an established community	B. No Environmental Impacts and Not Requiring Mitigation	NI
4.11 b. Conflict with applicable land use or zoning plans	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Mineral Resources</i>		
a&b. Result in the loss of or availability of a known mineral resource	B. No Environmental Impacts and Not Requiring Mitigation	NI
<i>Noise</i>		
4.12 a. Excessive noise	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.12 b. Groundborne vibration	D. Findings on Significant Environmental Impacts that can be Reduced to Less than Significant	LTSM
4.12 c. Excessive noise levels due to proximity to an airport or private airstrip	B. No Environmental Impacts and Not Requiring Mitigation	NI
<i>Population and Housing</i>		
4.13 a. Induce substantial unplanned growth	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.13 b. displace housing or people	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Public Services</i>		
4.14 a. Impact public services	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Recreation</i>		
4.15 a.	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.15 b.	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Transportation</i>		
4.16 a. Conflict with program or plan addressing circulation system	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.16 b. VMT's	E. Significant and Unavoidable Impacts that Cannot be Mitigated to Below the Level of Significance	SI
4.16 c. Hazards due to a geometric design feature	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.16 d. Inadequate emergency access	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Utilities and Service Systems</i>		

4.17 a. Relocation or construction of utilities	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.17 b. Sufficient water supplies	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.17 c. Wastewater capacity	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
4.17 d. Solid waste	C. Findings on Less than Significant Environmental Impacts that Continue to be Less than Significant	LTS
<i>Wildfire</i>		
a-d. Impair an adopted emergency response plan or emergency evacuation plan; exacerbate wildfire risks; require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing environmental impacts; or expose people or structure to significant risks as a result of post-fire slope instability or drainage change	B. No Environmental Impacts and Not Requiring Mitigation	NI

Indian Wells General Plan Update Mitigation Monitoring and Reporting Program

Potential Impacts on the Environment	Level of Significance after Mitigation	General Plan Policies and Actions / Mitigation Measures	Responsible for Monitoring	Timing	Level of Significance after Mitigation
4.1 Aesthetics					
a. Have a substantial adverse effect on a scenic vista?	Potentially Significant	<p>Policies</p> <p>RM-2.1 Open Space Preservation. Designate and preserve the City's open space and scenic resources including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.</p> <p>RM-2.2 Scenic Vista Preservation. Locate and site development to preserve public and private views of hillside areas, the Santa Rosa Mountains, and other scenic vistas of the San Jacinto and San Geronimo Mountain Ranges.</p> <p>RM-2.3 Open Space Character. Establish and maintain greenbelts and open space amenities which enhance the open space character of the City and serve the needs of residents.</p> <p>RM-2.4 Tourism Support. Support resort tourism by preserving, restoring, creating, and maintaining public open space, scenic views from public rights-of-way, and low impact recreational opportunities.</p> <p>Actions</p> <p>RM-2a Enforce the Hillside Management Ordinance to ensure the environmental integrity of the hillsides.</p> <p>Mitigation Measures</p> <p>None Required.</p>	City Planning Commission / City Council City Planning Department	Project review and approval	Less than Significant
b. Substantially damage scenic resources within a state scenic highway?	Less than Significant	<p>Policies</p> <p>RM-2.3 Open Space Character. Establish and maintain greenbelts and open space amenities which enhance the open space character of the City and serve the needs of residents.</p>	City Planning Commission / City Council	Project review and approval	Less than Significant

		RM-2.4 Tourism Support. Support resort tourism by preserving, restoring, creating, and maintaining public open space, scenic views from public rights-of-way, and low impact recreational opportunities. Mitigation Measures None Required.	City Planning Department		
c. Substantially degrade the existing visual character or quality of public views or conflict with applicable zoning and other regulations governing scenic quality?	Less than Significant	Policies CD-2.1 Design Features. Enhance the City's identity with attractive high-quality gateways, city entry signs and design features, cohesive street signs, and other design features at public gathering spaces and other areas, that contribute to the quality of life and enhance the premiere residential-resort community character of Indian Wells. CD-2.2 Standards and Guidelines. Develop and enforce development standards and objective design guidelines that provide clear direction for achieving quality community design in new development and redevelopment projects. CD-2.4 Site Planning. Identify and preserve, as feasible, the significant features of a site, such as viewsheds, heritage trees, and rock outcroppings, during the design and development of new projects. CD-2.7 Streetscapes. Promote drought tolerant landscaping, tree planting, and tree preservation along City streets as a means of improving aesthetics, making neighborhoods more pedestrian-friendly, and providing environmental and economic benefits. CD-2.8 Arts in Public Places. Continue to implement the Arts in Public Places program to provide a diverse and culturally rich environment for Indian Wells residents and visitors. RM-2.1 Open Space Preservation. Designate and preserve the City's open space and scenic resources including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks. RM-2.2 Scenic Vista Preservation. Locate and site development to preserve public and private views of hillside areas, the Santa Rosa	City Planning Commission / City Council City Planning Department Future developers / project applicants	Project review and approval	Less than Significant

		<p>Mountains, and other scenic vistas of the San Jacinto and San Gorgonio Mountain ranges.</p> <p>RM-2.3 Open Space Character. Establish and maintain greenbelts and open space amenities which enhance the open space character of the City and serve the needs of residents.</p> <p>Actions</p> <p>CD-2a Continue the Art in Public Places program, including the identification of funding sources and potential sites for public art display. The program may include, but is not limited to, City entry monumentation, streetscape treatments (including street signs), and other public area improvements.</p> <p>CD-2b Prepare and adopt objective design standards for multifamily and mixed-use projects and require all development in the City to comply with approved design standards, including but not limited to, architecture, landscaping, site design, and other development related regulations intended to enhance and promote the image of Indian Wells.</p> <p>CD-2c Continue to preserve the community characteristics of scale, good site design, and sensitivity to neighboring sites in single-family residential districts by requiring approval by the City's Design Review Committee for new homes, additions, and exterior remodeling.</p> <p>RM-2a Enforce the Hillside Management Ordinance to ensure the environmental integrity of the hillsides.</p> <p>Mitigation Measures None Required.</p>			
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Potentially Significant	<p>Policy</p> <p>RM-2.7 Lighting and Glare. Protect scenic enjoyment by encouraging outdoor lighting that is directed appropriately and avoid the creation of regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light.</p> <p>Action</p>	<p>City Planning Commission / City Council</p> <p>City Planning Department</p>	Project review and approval	Less than Significant

		RM-2b Adopt a Dark Sky Ordinance to limit residents' exposure to artificial light during their outdoor nighttime activities while providing adequate light levels to ensure safety and security. RM-2c Create and implement development design standards to reduce regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light. Mitigation Measures None Required.	Future developers / project applicants		
4.2 Agricultural and Forestry Resources					
a/e. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or involve other changes in the existing environment which, due to their location or nature, could result in a conversion of farmland, to non-agricultural use?	Potentially Significant	Policies CD-1.9 Agricultural Uses. Allow and support the continuation of agricultural operations on lands within the City limits that are designated for development uses, until such time as new development is proposed for the land. Mitigation Measure None Required.	City Planning Commission / City Council City Planning Department	Buildout of City	Significant and Unavoidable
4.3 Air Quality					
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 the	Less than Significant	Policies RM-9.1 Reduce Greenhouse Gas Emissions. Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality. RM-9.2 Zero-Emission and Low-Emission Vehicle Use. Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.	City Planning Commission / City Council City Planning Department Future developers / project applicants	Buildout of City	Less than Significant

applicable federal or state ambient air quality standard?		<p>RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.</p> <p>RM-9.4 Regional Air Quality. Participate in air quality improvement efforts in the Riverside County area, including those organized through SCAQMD, ICAPCD, the Coachella Valley Association of Governments (CVAG), and the California Air Resource Board (CARB).</p> <p>Actions</p> <p>RM-9a Consider giving preference to contractors and service providers who use reduced emission equipment for City construction projects and service contracts.</p> <p>RM-9b Evaluate the purchase of low-emission vehicles for the City’s fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.</p> <p>RM-9c As applicable, review development projects during the CEQA process for potential air quality impacts to residences and other sensitive receptors. Ensure that mitigation measures and best management practices (BMPs) are implemented to reduce significant emissions of criteria pollutants.</p> <p>RM-9d Review development, infrastructure, and planning projects for consistency with SCAQMD and ICAPCD requirements during the CEQA review process. Require project applicants to prepare air quality analyses to address SCAQMD, ICAPCD, and General Plan requirements, as appropriate, which include analysis and identification of:</p> <ol style="list-style-type: none"> 1. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions. 2. Potential exposure of sensitive receptors to toxic air contaminants. 			
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		<p>3. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.</p> <p>4. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.</p> <p>RM-9e Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD construction emission thresholds. Where construction emissions from individual projects exceed SCAQMD and ICAPCD thresholds, the following actions should be incorporated as necessary to minimize impacts. These measures do not exclude the use of other, equally effective mitigation measures as determined by a project specific Air Quality Assessment.</p> <ul style="list-style-type: none"> • Require all off-road diesel equipment greater than 50 horsepower (hp) to meet U.S. EPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board Certified Level 3 Diesel Particulate Filter (DPF) or equivalent. The DPF reduces diesel particulate matter and NOx emissions during construction activities. • Require a minimum of 50 percent of construction debris be diverted for recycling. • Require building materials to contain a minimum 10 percent recycled content. • Require materials such as paints, primers, sealants, coatings, and glues to have a low volatile organic compound concentration compared to conventional products. If low VOC materials are not available, architectural coating phasing should be extended sufficiently to reduce the daily emissions of VOCs. 			
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		<p>RM-9f Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD operational emission thresholds. For projects where operational emissions exceed regulatory thresholds, the following measures may be used to reduce impacts. Note the following measures are not all inclusive and developers have the option to add or substitute measures that are equally or more appropriate for the scope of the project.</p> <ul style="list-style-type: none"> • Provide onsite solar/renewable energy in excess of regulatory requirements. • Require that owners/tenants of non-residential or multi-family residential developments use architectural coatings that are 10 grams per liter or less when repainting/repairing properties. • Require dripless irrigation and irrigation sensor units that prevent watering during rainstorms. <p>RM-9g Consider creating dust control measures and coordinating with the Salton Sea Air Basin in implementing strategies proposed in the Air Quality Management Plan to improve regional air quality.</p> <p>RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.</p> <p>RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.</p> <p>RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.</p> <p>Mitigation Measure None Required.</p>			
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c. Expose sensitive receptors to substantial pollutant concentrations?	Less than Significant	<p>Policies</p> <p>RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.</p> <p>Actions</p> <p>RM-9g Consider creating dust control measures and coordinating with the Salton Sea Air Basin in implementing strategies proposed in the Air Quality Management Plan to improve regional air quality.</p> <p>RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.</p> <p>RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.</p> <p>RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.</p> <p>Mitigation Measures None Required.</p>	<p>City Planning Commission / City Council</p> <p>City Planning Department</p> <p>Future developers / project applicants</p>	Buildout of City	Less than Significant
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than Significant	<p>Policies</p> <p>RM-9.2 Zero-Emission and Low-Emission Vehicle Use. Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.</p> <p>RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.</p> <p>Mitigation Measures None Required.</p>	<p>City Planning Commission / City Council</p> <p>City Planning Department</p> <p>Future developers / project applicants</p>	Buildout of City	Less than Significant
4.4 Biological Resources					

<p>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 CDFG or USFWS?</p> <p>b. Have a substantial adverse effect of any riparian habitat or other sensitive natural community identified in local or regional plans, policies regulations or by CDFW?</p> <p>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?</p>	<p>Potentially Significant</p>	<p>Policies</p> <p>RM-1.1 Biodiversity. Preserve biological communities that contribute to the region's biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements.</p> <p>RM-1.6 Sensitive Biological Habitat. Direct development away from areas of sensitive biological habitat unless effective mitigation measures (such as preconstruction biological surveys to identify whether candidate, sensitive, and/or special-status species occur onsite) to reduce potential impacts can be implemented.</p> <p>RM-1.7 Pre-Development Review. Require development proposals to identify significant biological resources and provide mitigation to reduce impacts, including through the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques, and other appropriate impact reduction measures.</p> <p>RM-1.8 Riparian Preservation. Encourage the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels through the development review process.</p> <p>Actions</p> <p>RM-1a Develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall continue to strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.</p> <p>RM-1d Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees,</p>	<p>City Planning Commission / City Council</p> <p>City Planning Department</p> <p>Future developers / project applicants</p>	<p>Buildout of City</p>	<p>Less than Significant</p>
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		<p>narrow endemic surveys, riparian/riverine policy, and other applicable surveys.</p> <p>RM-1e Where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City of Indian Wells Planning Department prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a 300-foot buffer around the active nest. For listed raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure the nesting behavior is not adversely affected by construction activity, pursuant to the Migratory Bird Treaty Act (MBTA). Prior to the commencement of construction activities and the issuance of any permits, results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Indian Wells Planning Department, California Department of Fish and Wildlife (CDFW), and other appropriate agencies.</p> <p>RM-1f Review each development proposal as it is submitted to the City to assure that the potential impacts on the natural environment are minimized in accordance with the provisions of CEQA.</p> <p>RM-1g Prior to the approval of any development proposed in areas of “high ecological sensitivity,” require the applicant to prepare a biological study for the area.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
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d. Interfere substantially within 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?	Less than Significant	Actions RM-1d Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. RM-1g Prior to the approval of any development proposed in areas of “high ecological sensitivity,” require the applicant to prepare a biological study for the area. Mitigation Measures None Required.	City Planning Commission / City Council City Planning Department Future developers / project applicants	Buildout of City	Less than Significant
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant	Actions RM-1d Cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the Coachella Valley Multiple Species Habitat Conservation Plan to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the CVMSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. Mitigation Measures None Required.	City Planning Commission / City Council City Planning Department Future developers / project applicants	Buildout of City	Less than Significant
4.5 Cultural and Tribal Cultural Resources					
a. Cause a substantial adverse change in the significance of a historical resources pursuant to 15064.5?	Potentially Significant	Policies RM-4.1 Preservation. Protect areas containing significant historic, archaeological, paleontological and tribal cultural resources, as defined by the California Public Resources Code.	City Planning Commission / City Council	Buildout of City	Less than Significant

<p>b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p>		<p>RM-4.2 Tribal Consultation. Consult with Native American tribes whose tribal cultural resources may be impacted by proposed development, as necessary, and in accordance with state, local, and tribal intergovernmental consultation requirements, to mitigate or avoid significant effects to resource(s).</p> <p>RM-4.3 Historic Resources. Identify, designate, and protect buildings, districts, eligible properties and sites of historic importance within Indian Wells.</p> <p>RM-4.4 Funding. Identify funding programs to assist private property owners in the preservation of historic resources.</p> <p>Actions</p> <p>RM-4a Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).</p> <p>RM-4b For structures that potentially have historic significance, the City shall require that a study be conducted by a professional archaeologist or historian to determine the actual significance of the structure and potential impacts of the proposed development in accordance with CEQA Guidelines Section 15064.5. The City may require modification of the project and/or mitigation measures to avoid any impact (including visual impacts) to a historic structure, when feasible.</p> <p>RM-4c For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts, or require mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.</p>	<p>City Planning Department</p> <p>Native American Tribes</p> <p>Qualified archaeologist</p> <p>Future developers / project applicants</p>		
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		<p>RM-4d The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable palaeontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation.</p> <p>RM-4e The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.</p> <p>RM-4f In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to</p>			
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		<p>make a recommendation within 24 hours after being granted access to the site.</p> <p>RM-4g Prior to adopting any general plan, specific plan, or any amendment thereto, the City shall notify appropriate tribes of the opportunity for consultation for the purpose of preserving, or mitigating impacts to, cultural places located on land within the City's jurisdiction that may be affected by the proposed plan or amendment.</p> <p>RM-4h Prior to the adoption or substantial amendment of a general plan or specific plan, the City shall refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the City's jurisdiction for a 45-day comment period.</p> <p>RM-4i Prior to designating open space, the City shall consult with tribes if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code section 65092.</p> <p>RM-4j Develop and implement programs and/or incentives to private property owners to help preserve, restore, or reuse historic structures while enhancing their historical significance and integrity.</p> <p>RM-4k Conduct a historic properties inventory that takes into consideration buildings, neighborhoods, tribal cultural resources, eligible properties and other features of historic, architectural, or cultural significance and pursue official designation as warranted.</p> <p>Mitigation Measures None Required.</p>			
c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	Potentially Significant	<p>Actions</p> <p>RM-4f In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or</p>	<p>City Planning Department</p> <p>Native American Tribes</p> <p>Future developers /</p>	Buildout of City	Less than Significant

		<p>disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.</p> <p>Mitigation Measures None Required.</p>	project applicants		
<p>d. Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in PRC Section 21074, that is:</p> <p>i. Listed or eligible for listing in the CHHR, or in local register of historical resources as defined in PRC Section 5020.1(k) or;</p> <p>ii. A resource determined by a Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c)</p>	Potentially Significant	<p>Policies</p> <p>RM-4.2 Tribal Consultation. Consult with Native American tribes whose tribal cultural resources may be impacted by proposed development, as necessary, and in accordance with state, local, and tribal intergovernmental consultation requirements, to mitigate or avoid significant effects to resource(s).</p> <p>Actions</p> <p>RM-4a Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).</p> <p>RM-4c For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts, or require mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.</p>	<p>City Planning Commission / City Council</p> <p>City Planning Department</p> <p>Qualified Archaeologist</p> <p>Native American Tribes</p> <p>Future developers / project applicants</p>	Buildout of City	Less than Significant

<p>of PRC Section 5020.1, the lead agency shall consider the significance of the resource too California Native American.</p>		<p>RM-4e The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.</p> <p>RM-4f In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.</p> <p>RM-4g Prior to adopting any general plan, specific plan, or any amendment thereto, the City shall notify appropriate tribes of the opportunity for consultation for the purpose of preserving, or mitigating impacts to, cultural places located on land within the City's jurisdiction that may be affected by the proposed plan or amendment.</p> <p>RM-4h Prior to the adoption or substantial amendment of a general plan or specific plan, the City shall refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the City's jurisdiction for a 45-day comment period.</p>			
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		<p>RM-4i Prior to designating open space, the City shall consult with tribes if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code section 65092.</p> <p>RM-4k Conduct a historic properties inventory that takes into consideration buildings, neighborhoods, tribal cultural resources, eligible properties and other features of historic, architectural, or cultural significance and pursue official designation as warranted.</p> <p>Mitigation Measures None Required.</p>			
4.6 Energy Resources					
<p>a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</p> <p>b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</p>	Less than Significant	<p>Policies</p> <p>RM-10.1 Green Building Standards Code. Ensure that new construction and major redevelopment complies with the most current version of the California Green Building Standards Code.</p> <p>RM-10.2 Energy Conservation. Promote energy conservation by residents and businesses in existing structures, in close coordination with other agencies and local energy providers, including Southern California Edison and Southern California Gas Company.</p> <p>RM-10.3 Energy Efficient Design. Encourage energy efficient design including site planning techniques, building orientation, and building methods that reduce energy use, conserve non-renewable energy and materials, and promote water efficient landscaping to support energy conservation.</p> <p>RM-10.4 Conditions of Approval. Require all new development projects obtaining discretionary action by the City to comply with energy related conditions of approval.</p> <p>RM-10.5 Retrofitting. Encourage energy-efficient retrofitting of existing buildings, including homes, throughout the City.</p>	<p>City Planning Commission / City Council</p> <p>City Planning Department</p> <p>Future developers / project applicants</p>	Buildout of City	Less than Significant

		<p>RM-10.6 Public Education. Improve public dissemination of information for possible energy conservation solutions.</p> <p>RM-10.7 Renewable Energy. Encourage the use of renewable energy and non-traditional energy sources such as wind, hydrologic, and solar to reduce dependence on traditional energy sources.</p> <p>RM-10.8 Solar Design. Encourage the use of active or passive solar design whenever feasible.</p> <p>RM-10.9 Solar Access. Continue to protect solar access in accordance with the Solar Rights Act.</p> <p>RM-10.10 Multi-Jurisdictional Efforts. Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.</p> <p>RM-10.11 Municipal Buildings and Vehicles. Continue efforts to reduce dependency on fossil fuels in all municipal buildings and vehicles.</p> <p>RM-9.2 Zero-Emission and Low-Emission Vehicle Use. Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.</p> <p>M-1.9 Safe Routes to School. Work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School.</p> <p>M-2.1 Multi-Modal Streets. Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities.</p> <p>M-2.2 Alternative Modes. Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.</p>			
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		<p>M-2.3 Connectivity. Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.</p> <p>M-2.4 New Development. Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.</p> <p>M-2.5 Citywide Bicycle Plan. Implement construction of the bike network system by requiring new development to provide bike lanes on public roads and update the plan as needed.</p> <p>M-2.6 Bicyclist and Pedestrian Safety. Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.</p> <p>M-2.7 CV Link Users. Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.</p> <p>M-2.8 Bus Stops. Work with SunLine and other providers to improve bus stop amenities.</p> <p>M-2.9 Rail and Air Travel. Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.</p> <p>Actions</p> <p>RM-10a Establish an education program, in partnership with relevant agencies and community organizations, to improve public dissemination of information for possible energy conservation solutions to residents, businesses, and the building industry.</p> <p>RM-10b Provide the public with current information on energy grants, incentives and energy conservation programs.</p>			
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		<p>RM-10c Encourage the Home Energy Assistance Link (HEAL) program, a monetary incentive program, that assists Indian Wells residents purchase energy and water efficient appliances.</p> <p>RM-10d Develop a green building resource guide that will encourage the following:</p> <ul style="list-style-type: none"> • Reduction or elimination of toxic and harmful substances within buildings and their surrounding environments. • Selection of materials and products based on their life-cycle environmental impacts and use of materials and products with recycled content. <p>RM-10e Audit existing City facilities and operations to identify energy efficiency improvements and seek grant funding to implement these improvements.</p> <p>RM-10f Investigate incorporating sustainable materials and construction elements into the Capital Improvement Program.</p> <p>RM-10g Continue the City's program for recycling green waste from City maintained landscape areas and the Golf Resort into mulch for use as ground cover.</p> <p>RM-10h Utilize LED light fixtures and motion detectors at City Hall to reduce the demand on electrical power.</p> <p>RM-10i Pursue Leadership in Energy and Environmental Design (LEED) certification for future construction of affordable housing at City Housing Authority properties.</p> <p>RM-10j Incorporate into City codes, when feasible, planning and building standards which minimize consumption of non-renewable resources, such as natural gas and fossil fuels.</p> <p>RM-10k Permit the use of solar panels to maximize energy efficiency provided the panels are in accordance with the City's/State's</p>			
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		<p>design guidelines contained in the Zoning Code and establish a program to waive permit fees for solar installation.</p> <p>RM-10l Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.</p> <p>RM-10m Coordinate with Coachella Valley Association of Governments (CVAG) to hold workshops on the use of renewable energy and the local development associated industries in the Coachella Valley.</p> <p>M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.</p> <p>M-1f Consider streetscape improvements such as landscaping, sidewalks, paths, lighting, and other pedestrian-oriented features in the City.</p> <p>RM-9b Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.</p> <p>Mitigation Measures None Required.</p>			
4.7 Geology and Soils					
<p>a. Expose people or structures to potential substantial adverse effects involving:</p> <p>ii. Strong Seismic Shaking</p> <p>iii. Seismic-related ground failure, including liquefaction</p> <p>iv. Landslides</p>	Potentially Significant	<p>Policies</p> <p>PS-4.1 Geologic Hazard Reduction. Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.</p> <p>PS-4.2 Sensitive Site Location. Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.</p>	<p>Qualified Soils Engineer</p> <p>City Planning, Engineering & Public Works Department</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant

<p>b. Substantial Soil Erosion or loss of topsoil</p> <p>c. Located on an Unstable Geologic Unit</p> <p>d. Located on Expansive Soil</p> <p>e. Inadequate soils to support septic tanks</p>		<p>PS-4.3 Map Maintenance. Maintain the City's geologic and seismic hazards map in concert with updates from the California Geologic Survey and local surveys and update as appropriate.</p> <p>PS-4.4 Building Codes. Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.</p> <p>Actions</p> <p>PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.</p> <p>PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.</p> <p>PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.</p> <p>PS-4d Update building, zoning, and grading codes as needed to ensure adopted standards mitigate potential seismic hazards and comply with the Alquist-Priolo Act.</p>			
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		<p>PS-4e Develop a structural hazards reduction program (per Section 8875 of the Government Code) for the upgrading of seismically hazardous buildings.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
<p>a. Expose people or structures to potential substantial adverse effects involving:</p> <p>iii. Seismic-related ground failure, including liquefaction</p> <p>iv. Landslides</p> <p>c. Located on an Unstable Geologic Unit</p> <p>d. Be located on Expansive Soil creating substantial direct or indirect risks to life or property</p>	Potentially Significant	<p>Policies</p> <p>PS-4.1 Geologic Hazard Reduction. Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.</p> <p>PS-4.2 Sensitive Site Location. Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.</p> <p>PS-4.4 Building Codes. Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.</p> <p>Actions</p> <p>PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.</p> <p>PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.</p> <p>PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as</p>	<p>Qualified Soils Engineer</p> <p>City Planning, Engineering & Public Works Department</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant

		<p>earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.</p> <p>Mitigation Measures None Required.</p>			
b. Substantial Soil Erosion or loss of topsoil	Potentially Significant	<p>Actions</p> <p>PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.</p> <p>Mitigation Measures None Required.</p>	<p>Qualified Soils Engineer</p> <p>City Planning, Engineering & Public Works Department</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant
f. Destroy a unique paleontological resource or site or unique geologic feature	Potentially Significant	<p>Policies</p> <p>PS-4.1 Geologic Hazard Reduction. Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.</p> <p>Actions</p>	<p>Qualified Paleontological Monitor</p> <p>City Planning Department</p>	Buildout of City	Less than Significant

		<p>PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.</p> <p>RM-4d The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable paleontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation.</p> <p>Mitigation Measures None Required.</p>	Future Project Applicant/ Developer		
4.8 Greenhouse Gas Emissions					
<p>a. Generate GHG Emissions that may Significantly Impact the Environment</p> <p>b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases</p>	Less than Significant	<p>Policies</p> <p>CD-1.1 Land Use Pattern. Promote an appropriate land use plan that fosters and enhances community livability and public health; sustains economic vitality; relates to the City's resort industry; promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in this Element and Land Use Map.</p> <p>CD-1.8 Prohibited Development Types. Prohibit undesirable development types, including linear or strip commercial development, heavy polluting industry, and billboards.</p>	<p>City Planning Department</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant

		<p>M-1.1 Development-Related Traffic Impacts. Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.</p> <p>M-1.2 LOS Standards. Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.</p> <p>M-1.3 Traffic Distribution. Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.</p> <p>M-1.4 Efficient Circulation. Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs like the Coachella Valley Sync program, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.</p> <p>M-1.5 Transportation Management System. Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.</p> <p>M-1.6 Intersection Configurations. Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.</p> <p>M-1.7 Minimize Environmental Impacts. Manage the circulation system to minimize congestion and improve flow and air quality.</p> <p>M-1.8 Local and Regional Collaboration. Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.</p>			
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		<p>M-1.9 Safe Routes to School. Work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School.</p> <p>M-1.10 Residential Streets Traffic Calming. Continue implementing traffic calming measures to discourage speeding and cut-through traffic on residential streets, where appropriate.</p> <p>M-1.11 ADA Accessibility. Ensure the City's transportation network is safe, accessible, and consistent with the Americans with Disabilities Act (ADA), to allow mobility-impaired users, such as disabled persons and seniors, to safely travel within and beyond the city.</p> <p>M-1.12 Truck Routes. Maintain a network of truck routes to facilitate goods movement to regional roads and to discourage the use of residential roads.</p> <p>M-2.1 Multi-Modal Streets. Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.</p> <p>M-2.2 Alternative Modes. Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.</p> <p>M-2.3 Connectivity. Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.</p> <p>M-2.4 New Development. Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.</p>			
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		<p>M-2.5 Citywide Bicycle Network. Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.</p> <p>M-2.6 Bicyclist and Pedestrian Safety. Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.</p> <p>M-2.7 CV Link Users. Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.</p> <p>M-2.8 Bus Stops. Work with SunLine and other providers to improve bus stop amenities.</p> <p>M-2.9 Rail and Air Travel. Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.</p> <p>M-2.10 The Living Desert. Coordinate with The Living Desert to ensure Indian Wells residents have access to the reserve's nature walks and hiking trails.</p> <p>RM-9.1 Reduce Greenhouse Gas Emissions. Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.</p> <p>RM-9.2 Zero-Emission and Low-Emission Vehicle Use. Encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles.</p> <p>RM-9.3 Sensitive Receptors. Buffer and protect residential areas and other sensitive receptors, such as schools and care facilities, from areas of heightened air quality pollution.</p> <p>RM-9.4 Regional Air Quality. Participate in air quality improvement efforts in the Riverside County area, including those organized through SCAQMD, ICAPCD, the Coachella Valley Association of Governments (CVAG), and the California Air Resource Board (CARB).</p>			
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		<p>Actions</p> <p>M-1a Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:</p> <ul style="list-style-type: none"> ▪ On-site transportation facilities: streets, curbs, traffic control devices; ▪ Access improvements: street extensions, widening, turn lanes, signals, etc.; ▪ Street widening for streets fronting the development property as shown on the Circulation Plan map; ▪ Right-of-way landscaping; and ▪ Off-site roadway and intersection improvements. <p>M-1b Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements.</p> <p>M-1c Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.</p> <p>M-1d Evaluate opportunities to implement alternative roadway design elements, including but not limited to, roundabouts, traffic</p>			
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		<p>circles, and chicanes, as traffic control, considering safety, traffic calming, cost and maintenance.</p> <p>M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.</p> <p>M-1f Consider streetscape improvements such as landscaping, , sidewalks, paths, lighting, and other pedestrian-oriented features in the City.</p> <p>M-1g Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal.</p> <p>RM-9a Consider giving preference to contractors and service providers who use reduced emission equipment for City construction projects and service contracts.</p> <p>RM-9b Evaluate the purchase of low-emission vehicles for the City's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of City services based on operating requirements and financial feasibility.</p> <p>RM-9c As applicable, review development projects during the CEQA process for potential air quality impacts to residences and other sensitive receptors. Ensure that mitigation measures and best management practices (BMPs) are implemented to reduce significant emissions of criteria pollutants.</p> <p>RM-9d Review development, infrastructure, and planning projects for consistency with SCAQMD and ICAPCD requirements during the CEQA review process. Require project applicants to prepare air quality analyses to address SCAQMD, ICAPCD, and General Plan requirements, as appropriate, which include analysis and identification of:</p> <ol style="list-style-type: none"> 1. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions. 			
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		<p>2. Potential exposure of sensitive receptors to toxic air contaminants.</p> <p>3. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.</p> <p>4. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.</p> <p>RM-9e Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD construction emission thresholds. Where construction emissions from individual projects exceed SCAQMD and ICAPCD thresholds, the following actions should be incorporated as necessary to minimize impacts. These measures do not exclude the use of other, equally effective mitigation measures as determined by a project specific Air Quality Assessment.</p> <ul style="list-style-type: none"> • Require all off-road diesel equipment greater than 50 horsepower (hp) to meet USEPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board Certified Level 3 Diesel Particulate Filter (DPF) or equivalent. The DPF reduces diesel particulate matter and NOx emissions during construction activities. • Require a minimum of 50 percent of construction debris be diverted for recycling. • Require building materials to contain a minimum 10 percent recycled content. • Require materials such as paints, primers, sealants, coatings, and glues to have a low volatile organic compound concentration compared to conventional products. If low VOC materials are not available, architectural coating 			
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		<p>phasing should be extended sufficiently to reduce the daily emissions of VOCs.</p> <p>RM-9f Future development projects will be required to demonstrate consistency with SCAQMD and ICAPCD operational emission thresholds. For projects where operational emissions exceed regulatory thresholds, the following measures may be used to reduce impacts. Note the following measures are not all inclusive and developers have the option to add or substitute measures that are equally or more appropriate for the scope of the project.</p> <ul style="list-style-type: none"> • Provide onsite solar/renewable energy in excess of regulatory requirements. • Require that owners/tenants of non-residential or multi-family residential developments use architectural coatings that are 10 grams per liter or less when repainting/repairing properties. • Require dripless irrigation and irrigation sensor units that prevent watering during rainstorms. <p>RM-9i Require all new development and redevelopment projects, including construction operations, to conform with the City's PM10 Ordinance as a condition of issuance of grading permits. Evaluate the need for permanent control devices in particularly windy areas to be installed prior to project grading.</p> <p>RM-9j Require construction sites, and trucks hauling dirt to and from the sites, to comply with the City's PM10 standards.</p> <p>RM-9k Schedule regular maintenance for the City fleet vehicles to reduce fuel consumption resulting in less air pollution and decrease fuel purchases.</p> <p>Mitigation Measures None Required.</p>			
4.9 Hazards and Hazardous Materials					

<p>a/b. Create a significant hazard to the to the public or the environment due to routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	<p>Less than Significant</p>	<p>Policies</p> <p>PS-5.1 Hazardous Ordinances. Enforce existing Federal, State, and local ordinances regulating the use, manufacture, sale, transport, treatment, storage, and disposal of hazardous substances.</p> <p>PS-5.2 Regional Consistency. Utilize the Riverside Countywide Integrated Waste Management Plan to ensure that local regulation and practices are consistent with the policy direction and action programs that the County recommends.</p> <p>PS-5.3 Multi-Jurisdictional Coordination. Work with RCFD and other responding agencies to ensure that emergency personnel respond safely and effectively to a hazardous materials incident in the City.</p> <p>PS-5.4 Public-Private Coordination. Require that developers coordinate with the Riverside County Department of Environmental Health to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe.</p> <p>PS-5.5 Hazardous Waste. Promote the proper disposal of hazardous waste, including paint, tires, medications, medical sharps, infectious waste, asbestos waste, construction waste, and electronic waste, through education, monitoring, and enforcement of proper use, storage, handling, and disposal.</p> <p>PS-5.6 Household Hazardous Waste Disposal. Support the sitting waste and recycling service provider to continue the free Household Hazardous Waste (HHW) pick-up program for residents. Coordinate with the City's waste service provider and the County of Riverside to increase public awareness about proper disposal related to household hazardous waste; inform the Indian Wells community regarding relevant services and programs to address issues related to hazardous waste and materials; and discourage household storage of hazardous materials.</p> <p>Actions</p> <p>PS-5a As part of the development review process, determine the potential for the production, use, storage, transport, and/or</p>	<p>City Planning Department Future Project Applicant/ Developer</p>	<p>Buildout of City</p>	<p>Less than Significant</p>
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		<p>disposal of hazardous materials and provide for reasonable controls and mitigation measures on such hazardous materials as to protect both the residents and the environment, and to mitigate the risks to an acceptable level.</p> <p>PS-5b Review development proposals to ensure the proximity between users and transporters of substantial hazardous materials and sensitive uses, such as schools and residential neighborhoods, remains at or above safe and acceptable levels, regardless of growth and new development.</p> <p>PS-5c Require the submittal of information regarding hazardous materials manufacturing, storage, use, transport, and/or disposal by existing and proposed businesses and developments to RCFD.</p> <p>PS-5d Advertise the Household Hazardous Waste Collection Program, established by the City's waste service provider. Provide informational materials at public locations and links on the City's website about the City's Household Hazardous Waste Collection Program, the County's Antifreeze, Batteries, Oil, and Paint (ABOP) program, collection facilities, drop-off centers, and the 24-hour Household Hazardous Waste hotline.</p> <p>PS-5e Amend the Municipal Code to require that, prior to issuance of any grading or building permit (whichever occurs first) for a project on a site identified on any list of hazardous materials compiled pursuant to Government Code Section 65962.5, a formal Phase I Environmental Site Assessment (ESA) shall be prepared in accordance with ASTM Standard Practice E 1527-05 or the Standards and Practices for All Appropriate Inquiry (AAI) and submitted to the City's Community Development Department. The Phase I ESA shall identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified Hazardous Materials Specialist with Phase II/site characterization experience prior to demolition, and/or construction. The Hazardous Materials Specialist shall identify proper remedial activities appropriate to the hazardous material(s) found (e.g., removal and disposal; bio-</p>			
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		remediation; pump and treat; soil vapor extraction, and in situ oxidation), as necessary. Mitigation Measures None Required.			
c. Emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school?	Less than Significant	Actions PS-5b Review development proposals to ensure the proximity between users and transporters of substantial hazardous materials and sensitive uses, such as schools and residential neighborhoods, remains at or above safe and acceptable levels, regardless of growth and new development. Mitigation Measures None Required.	City Planning Department Future Project Applicant/Developer	Buildout of City	Less than Significant
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?	Less than Significant	Policies PS-5.4 Public-Private Coordination. Require that developers coordinate with the Riverside County Department of Environmental Health to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe. Actions PS-5e Amend the Municipal Code to require that, prior to issuance of any grading or building permit (whichever occurs first) for a project on a site identified on any list of hazardous materials compiled pursuant to Government Code Section 65962.5, a formal Phase I Environmental Site Assessment (ESA) shall be prepared in accordance with ASTM Standard Practice E 1527-05 or the Standards and Practices for All Appropriate Inquiry (AAI) and submitted to the City's Community Development Department. The Phase I ESA shall identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified Hazardous Materials Specialist with Phase II/site characterization experience prior to demolition, and/or construction. The Hazardous Materials Specialist shall identify proper remedial activities appropriate to	City Planning Department Future Project Applicant/Developer	Buildout of City	Less than Significant

		<p>the hazardous material(s) found (e.g., removal and disposal; bio-remediation; pump and treat; soil vapor extraction, and in situ oxidation), as necessary.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less than Significant	<p>Policies</p> <p>PS-2.1 Building Fire Codes. Require that all buildings and facilities comply with local, state, and federal regulatory standards such as the California Building and Fire Codes as well as other applicable fire safety standards.</p> <p>PS-2.2 Urban Fire Risks. Work with CAL FIRE/RCFD to maintain an ongoing fire inspection program to reduce fire hazards associated with multifamily development, critical facilities, public assembly facilities, industrial buildings, and nonresidential buildings.</p> <p>PS-2.3 Fire Hazard Identification. Coordinate with CAL FIRE/RCFD to identify any changes in regional fire hazard severity zones to further reduce fire hazards in the community the community.</p> <p>PS-2.4 Fire-Prone Building Materials. Restrict, after appropriate public hearings, the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk.</p> <p>PS-2.5 Public Education. Work with RCFD to disseminate educational programs for residents on fire hazard risks and fire safety measures, including evacuation routes, with a special focus on at-risk populations such as seniors.</p> <p>PS-2.6 Fire Protection Plans. Uphold locally and regionally adopted fire protection plans, including the City of Indian Wells Local Hazard Mitigation Plan, and regularly renew such plans as new information becomes available.</p> <p>Actions</p>	<p>City Planning Department</p> <p>CAL Fire / Riverside County Fire Department</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant

		<p>PS-2a Mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.</p> <p>PS-2b Review and revise the City LHMP at least every 5 years to reflect current community needs, and to ensure the City continues to receive federal FEMA mitigation assistance.</p> <p>PS-2c Require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers.</p> <p>PS-2d Work with Riverside County to develop a comprehensive fire plan which forecasts future personnel and equipment needs and require new development to pay its pro-rata share of costs for fire services.</p> <p>PS-2e Upgrade older water mains in the City as needed to ensure adequate water pressure for firefighting.</p> <p>Mitigation Measure None Required.</p>			
4.10 Hydrology and Water Quality					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than Significant	<p>Policies</p> <p>RM-6.1 Regional Cooperation. Actively participate in regional activities to assure (a) the effective management of water resources, and (b) the development of water policies at the County, State and Federal level that are favorable to the Coachella Valley.</p> <p>RM-6.7 Education. Strengthen education programs related to water protection and conservation.</p> <p>RM-2.1 Open Space Preservation. Designate and preserve the City's open space and scenic resources, including hillside open space, mature</p>	City Planning Department Future Project Applicant/Developer	Buildout of City	Less than Significant

		<p>trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.</p> <p>Mitigation Measure</p> <p>None Required.</p>			
<p>b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p> <p>e. Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>	Less than Significant	<p>Policies</p> <p>RM-6.2 Groundwater Management. Protect the underlaying water basin from overextraction by encouraging sustainable groundwater recharge and management.</p> <p>RM-6.3 Conservation. Encourage the use of water conserving appliances and fixtures in all new developments, as required by state law.</p> <p>RM-6.4 Water-Saving Design. Incorporate water-wise native landscaping or alternative water saving materials (i.e. artificial turf) whenever feasible within the City.</p> <p>RM-6.5 Non-Potable Waterlines. Continue to support the extension of non-potable waterlines for irrigation use, especially to Highway 111, local businesses, and Homeowners Associations.</p> <p>RM-6.6 Reclaimed Water. Encourage water-intensive land uses, such as golf courses, to utilize reclaimed water, where feasible for landscaping and irrigation needs.</p> <p>Actions</p> <p>RM-6a Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.</p> <p>RM-6b Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.</p> <p>RM-6c Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.</p> <p>RM-6d Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.</p>	<p>City Planning Department</p> <p>City Engineer</p> <p>CVWD</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant

		<p>RM-6e Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.</p> <p>RM-6f Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.</p> <p>RM-6g Work with CVWD and private developers to encourage water conservation in the following ways:</p> <ul style="list-style-type: none"> • Implementing aquifer and groundwater recharge programs • Participating in water conservation programs operated by the local and regional water districts • Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness. • Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17. • Developing education materials and programs that encourage and facilitate water conservation throughout the community. • Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements. • Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments. • Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects. 			
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		<p>RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.</p> <p>RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:</p> <ul style="list-style-type: none"> • Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7. • If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development. • Ensure the project applicant has paid the required fees prior to occupancy of any new development. • Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities. <p>RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.</p> <p>RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.</p> <p>Mitigation Measure None Required.</p>			
ci. Substantially decrease groundwater supplies or interfere substantially with	Less than Significant	Policies	City Planning Department City Engineer	Buildout of City	Less than Significant

<p>groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p>		<p>RM-6.4 Water-Saving Design. Incorporate water-wise native landscaping or alternative water saving materials (i.e. artificial turf) whenever feasible within the City.</p> <p>RM-6.5 Non-Potable Waterlines. Continue to support the extension of non-potable waterlines for irrigation use, especially to Highway 111, local businesses, and Homeowners Associations.</p> <p>Actions</p> <p>RM-6a Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.</p> <p>RM-6b Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.</p> <p>RM-6c Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.</p> <p>RM-6d Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.</p> <p>RM-6e Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.</p> <p>RM-6f Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City, A water saving audit will be conducted after one year of the completing of the replacement units.</p> <p>RM-6g Work with CVWD and private developers to encourage water conservation in the following ways:</p> <ul style="list-style-type: none"> • Implementing aquifer and groundwater recharge programs • Participating in water conservation programs operated by the local and regional water districts 	<p>CVWD Future Project Applicant/ Developer</p>		
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		<ul style="list-style-type: none"> Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness. Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17. Developing education materials and programs that encourage and facilitate water conservation throughout the community. Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements. Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments. Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects. <p>RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.</p> <p>RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:</p> <ul style="list-style-type: none"> Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7. If requested by CVWD or the City Engineer, require proposed developments to include a water quality 			
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		<p>assessment as part of the application materials, and implement identified mitigation measures during construction and development.</p> <ul style="list-style-type: none"> • Ensure the project applicant has paid the required fees prior to occupancy of any new development. • Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities. <p>RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.</p> <p>RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.</p> <p>Mitigation Measure None Required.</p>			
<p>cii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</p> <p>ciii. 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?</p>	Less than Significant	<p>Policies</p> <p>PS-3.1 Maintain Stormwater Infrastructure. Preserve the quality and function of the Whitewater River/Coachella Valley Stormwater Channel, and subsequent flood control facilities, by proactively planning for improvements, regularly performing maintenance, and limiting development within the flood plain and flood way.</p> <p>PS-3.2 Comply with National & State Flood Programs. Maintain and periodically update floodplain management ordinances, response plans, building and safety codes, and multi-jurisdictional efforts, to reflect, and comply with, applicable Federal and State law, and National Flood Insurance Program requirement. Coordinate with FEMA to ensure that Federal Insurance Rate Maps correctly depict flood hazards in the City.</p> <p>PS-3.3 NPDES. Adhere to requirements of the Riverside County Flood Control and Water Conservation District's NPDES/Municipal Stormwater Management Program.</p>	<p>City Planning Department</p> <p>City Engineer</p> <p>CVWD</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant

<p>civ. Impede or redirect flood flows?</p> <p>d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</p>		<p>PS-3.4 Regional Coordination. Maintain communication with RCFCFCD regarding regional flood facilities and the potential future need to expand the capacity of flood control facilities based on changing flood conditions associated with climate change and extreme weather.</p> <p>PS-3.5 Municipal Code. Implement the standards and requirements defined in the Municipal Code to reduce flood hazards and address flood-prone areas within Indian Wells.</p> <p>PS-3.6 Development within Watercourse Designations. Limit development within watercourse designations to improvements proven to not substantially impede the flow of water or result in any increase in flood levels during the occurrence of the one hundred (100) year flood discharge; improvements must be approved by CVWD.</p> <p>PS-3.7 Building Codes. Adhere to the latest building, site, and design codes in the California Building Code and FEMA flood control guidelines to avoid or minimize the risk of flooding hazards in the community.</p> <p>PS-3.8 Natural Drainage and Habitat Preservation. Minimize the alteration of natural drainage patterns and conserve riparian habitat when implementing flood control maintenance activities to hinder contamination and enhance the overall health of the Whitewater River/Coachella Valley Stormwater Channel.</p> <p>PS-3.9 Reduce Stormwater Runoff. Limit the amount of impervious surfaces in new developments and redevelopments as feasible; developments that add impervious surfaces should integrate low impact development best management practices to reduce stormwater runoff.</p> <p>PS-3.10 Mitigation. Require that all new development and redevelopment in areas susceptible to flooding incorporate mitigation measures designed to reduce flood hazards.</p> <p>Actions</p>			
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		<p>RM-6a Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.</p> <p>RM-6b Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.</p> <p>RM-6c Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption, gated communities' common area and existing individual businesses.</p> <p>RM-6d Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.</p> <p>RM-6e Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.</p> <p>RM-6f Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.</p> <p>RM-6g Work with CVWD and private developers to encourage water conservation in the following ways:</p> <ul style="list-style-type: none"> • Implementing aquifer and groundwater recharge programs • Participating in water conservation programs operated by the local and regional water districts • Monitoring citywide water usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness. • Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17. • Developing education materials and programs that encourage and facilitate water conservation throughout the community. 			
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		<ul style="list-style-type: none"> • Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements. • Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments. • Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects. <p>RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.</p> <p>RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:</p> <ul style="list-style-type: none"> • Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7. • If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development. • Ensure the project applicant has paid the required fees prior to occupancy of any new development. • Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities. 			
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		<p>RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.</p> <p>RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary.</p> <p>Mitigation Measure None Required.</p>			
4.11 Land Use and Planning					
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?	Less than Significant	<p>Policies</p> <p>CD-1.1 Land Use Pattern. Promote an appropriate land use plan that fosters and enhances community livability and public health; sustains economic vitality; relates to the City's resort industry; promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in this Element and Land Use Map.</p> <p>CD-1.2 Plan for New Development. Ensure that new development corresponds to the provision of infrastructure, public services, and community facilities, and that new development funds and constructs its fair share of improvements in accordance with City requirements.</p> <p>CD-1.3 Housing for All Incomes. Assist in the development of adequate housing to meet the needs of very low, low, and moderate income households through implementation of the Housing Program set forth in the Housing Element.</p> <p>CD-1.4 Senior Resident Land Use Needs. Promote land uses and policies that support the needs of Indian Wells' senior community, including those with mobility, sensory and other limitations or who need assistance with activities of daily living.</p>	City Planning Department Planning Commission / City Council Future Project Applicant/ Developer	Buildout of City	Less than Significant

		<p>CD-1.5 Public Services for Quality of Life. Maintain appropriate sites for institutional and public facility uses that can accommodate the infrastructure and facilities needed to serve the community.</p> <p>CD-1.6 Residential Clustering. Encourage clustering of residential uses to minimize impacts from noise, flooding, slope instability, and other environmental hazards, or to achieve other desirable City objectives.</p> <p>CD-1.7 Transitions and Buffering. Require the use of appropriate transitions and buffering to help ensure that non-residential uses do not affect the integrity and enjoyment of adjacent residential neighborhoods.</p> <p>CD-1.8 Prohibited Development Types. Prohibit undesirable development types, including linear or strip commercial development, heavy polluting industry, and billboards.</p> <p>Actions</p> <p>CD-1a Amend the City's Municipal Code to reflect zoning designations and standards consistent with land use designations included in the General Plan Element.</p> <p>CD-1b At least biennially, review the City's Municipal Code, including the Zoning Code and Subdivision Code, and update as appropriate to reflect goals, policies, and actions included in the Community Development Element.</p> <p>CD-1c Ensure all projects are reviewed and processed per California Environmental Quality Act (CEQA) Guidelines.</p> <p>CD-1d Through the development review process, evaluate development proposals for land use and transportation network compatibility with existing surrounding or abutting development or neighborhoods.</p> <p>CD-1e Analyze land use compatibility through the development review process to require adequate buffers and/or architectural enhancements that protect sensitive receptors from intrusion of development activities that may cause unwanted nuisances and health risks.</p>			
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		<p>CD-1f As part of development review process, ensure that residential and non-residential developments fall within the minimum and maximum density requirements and/or allowed floor-area-ratios stipulated on the Land Use Map and included within the Land Use Descriptions. Projects shall also be reviewed for consistency with the development standards and density requirements established by any applicable Specific Plan governing the area in question.</p> <p>CD-1g Conduct proactive outreach to property owners and developers to encourage the development of new projects that provide public benefits on vacant parcels. Specifically focus on developing vacant areas located at the intersection of Miles Avenue and Washington Street, adjacent to the Indian Wells Tennis Garden and the intersection of Miles Avenue and Highway 111.</p> <p>CD-1h Assist in the consolidation of contiguous smaller parcels for development purposes.</p> <p>Mitigation Measures None Required.</p>			
4.12 Noise					
a. Generation of 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?	Potentially Significant	<p>Policies</p> <p>PS-6.1 Noise Exposure. Consider the noise compatibility of existing and future development when making land use planning decisions. Require development and infrastructure projects to be consistent with the noise standards in this element and the Indian Wells Municipal Code to facilitate acceptable noise exposure levels for existing and future development.</p> <p>PS-6.2 Noise Mitigation. Require new developments or the expansion of existing developments to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials, to reduce noise levels at sensitive uses, including</p>	<p>City Planning Department</p> <p>Acoustic Professional</p> <p>Future Project Applicant/Developer</p>	Buildout of City	Less than Significant

		<p>residential uses, to 65 dB CNEL or less in outdoor activity areas and 45 dB CNEL or less in interior living spaces.</p> <p>PS-6.3 Acoustical Studies. Require acoustical studies for new discretionary developments and transportation improvements that have the potential to affect existing noise-sensitive uses such as schools, hospitals, libraries, care facilities, and residential areas; and for projects that would introduce new noise-sensitive uses into an area where existing noise levels may exceed the thresholds identified in this element. For projects that are required to prepare an acoustical study, the study shall include mitigation measures to attain the noise standards in this element and the City's Noise Ordinance.</p> <p>PS-6.4 Roadway Noise. Encourage the development of alternative travel options including bus transit, and bicycle, golf cart, and pedestrian paths to minimize single-occupancy vehicle trips and the implementation of noise sensitivity measures in the public realm, including traffic-calming road design, lateral separation, natural buffers, and setback to decrease excessive motor vehicle noise.</p> <p>PS-6.5 Commercial Noise. Require the use of noise attenuation measures, including screening and buffering techniques, for all new or expansion of existing commercial developments expected to produce excess noise; in existing cases where the City's noise standards are exceeded, work with Code Enforcement to require compliance.</p> <p>PS-6.6 Short-Term Noise. Require construction activities and other short-term noise events (i.e., concerts, sporting events) to reduce noise impacts on adjacent uses and comply with the City's Noise Ordinance.</p> <p>PS-6.7 Vibration Studies. Require vibration impact studies for new discretionary development and transportation improvements whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings.</p>			
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		<p>PS-6.8 California Building Code. Adhere to the latest standards related to noise in the most current edition of the California Building Code to avoid or minimize noise pollution in the community.</p> <p>PS-6.9 Interjurisdictional and Multiagency Coordination. Coordinate with neighboring jurisdictions and transportation providers such as Caltrans, Coachella Valley Association of Governments (CVAG), and Riverside County Transportation Commission (RCTC) to minimize noise conflicts between land uses along the City's boundaries.</p> <p>Actions</p> <p>PS-6a Review new development and transportation projects for compliance with the noise requirements established in this General Plan, including the standards established in the Indian Wells Municipal Code. Where necessary, require new development to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials such as rubberized asphalt.</p> <p>PS-6b Require acoustical studies for all new discretionary projects, including those related to development and transportation, which have the potential to generate noise impacts which exceed the standards identified in this element. The studies shall include representative noise measurements, estimates of existing and projected noise levels, and mitigation measures necessary to ensure compliance with this element and the City's Noise Ordinance.</p> <p>PS-6c Actively enforce the standards identified in the City's Noise Ordinance in order to reduce impacts to the extent feasible. Update and amend the Noise Ordinance as appropriate.</p>			
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		<p>PS-6d Coordinate with CVAG to reduce the speed limit on Highway 111, in concert with synchronized intersections, to reduce noise levels along the corridor.</p> <p>PS-6e Implement provisions of the Highway 111 Specific Plan which establishes special noise attenuation standards to maintain the corridor's quiet residential character. A minimum 50-foot landscaped parkway in residential areas shall be required along both sides of the corridor, which will be augmented by walls, berms, and other structures which will attenuate ambient noise levels.</p> <p>PS-6f Prohibit residential development in areas of greater than 65 Community Noise Equivalent Level (CNEL) unless effective mitigation measures can be incorporated into the project design to reduce noise levels to 65 CNEL in outdoor activity areas and 45 CNEL in indoor areas.</p> <p>PS-6g Truck traffic shall be limited to specific routes and designated hours of travel, as defined by the City Planning and Engineering Departments.</p> <p>PS-6h Use cul-de-sacs in new residential developments to discourage through traffic in residential neighborhoods.</p> <p>PS-6i Review the locations of proposed projects with the potential to generate stationary noise in relation to sensitive receptors through the discretionary project review process. Require that automobile and truck access to commercial properties be located adjacent to residential parcels be located at the maximum practical distance from the residential parcel.</p> <p>PS-6j Require vibration impact studies for all new discretionary projects, including those related to development and transportation, whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. The studies shall include a detailed mitigation plan to avoid any potential significant impacts to existing structures due to groundborne vibrations, based on the California</p>			
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		<p>Department of Transportation's Construction Vibration Guidance Manual.</p> <p>PS-6k Monitor changes in the California Building Code and other federal and State laws and regulations related to noise and incorporate necessary changes into the Municipal Code and building codes as required.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
b. Generation of excessive groundborne vibration or groundborne noise levels?	Potentially Significant	<p>Policies</p> <p>PS-6.7 Vibration Studies. Require vibration impact studies for new discretionary development and transportation improvements whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings.</p> <p>Actions</p> <p>PS-6j Require vibration impact studies for all new discretionary projects, including those related to development and transportation, whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. The studies shall include a detailed mitigation plan to avoid any potential significant impacts to existing structures due to groundborne vibrations, based on the California Department of Transportation's Construction Vibration Guidance Manual.</p> <p>Mitigation Measures</p> <p>None Required.</p>	<p>City Planning Department</p> <p>Acoustic Professional</p> <p>Future Project Applicant/ Developer</p>	Buildout of City	Less than Significant
4.13 Population and Housing					
a. Induce the substantial unplanned population growth in an area, either directly or indirectly?	Less than Significant	<p>Policies</p> <p>1.1 Continue enforcement of the codes and regulations establishing minimum construction standards.</p> <p>1.2 Encourage maintenance and repair of existing housing to prevent deterioration within the City.</p>	<p>City Planning Department</p> <p>Future Project Applicant / Developer</p>	Buildout of City	Less than Significant

		<p>1.3 Monitor the status of at-risk affordable rental housing units, proactively work with potential nonprofit purchasers/managers as appropriate and explore funding sources available to preserve the at-risk units.</p> <p>2.1 Maintain adequate capacity to accommodate the City's unmet Regional Housing Needs Allocation (RHNA) for all income categories throughout the planning period.</p> <p>2.2 Continue to provide affordable housing opportunities in Indian Wells through a density bonus incentive for the development of lower and moderate-income units.</p> <p>2.3 Encourage private entities (both non-profit and for-profit) to participate in attaining housing goals.</p> <p>2.4 Encourage residential development that provides a range of housing types in terms of cost, density, unit size, and configuration.</p> <p>2.5 Continue to allow accessory dwelling units and junior accessory dwelling units as a means of providing additional affordable rental housing opportunities.</p> <p>2.6 Assist with the development of housing that targets the needs of special populations, including the elderly, disabled, farmworkers, and homeless.</p> <p>2.7 Allow by-right approval for housing developments proposed for non-vacant sites included in one previous housing element inventory and vacant sites included in two previous housing elements, provided that the proposed housing development consists of at least 20 percent lower income and affordable housing units.</p> <p>3.1 Continue to utilize zoning standards and overlay districts that facilitate the development of affordable housing units.</p> <p>3.2 Provide reasonable accommodation for housing for persons with disabilities.</p>			
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		<p>3.3 Periodically review City development standards to ensure consistency with the General Plan and to ensure high-quality affordable housing.</p> <p>3.4 Monitor State and federal housing-related legislation, and update City plans, ordinances, and processes as appropriate to remove or reduce governmental constraints.</p> <p>3.5 Regularly identify and evaluate the impact of nongovernmental constraints on housing development and implement programs to reduce negative impacts.</p> <p>4.1 Promote fair housing practices throughout the City.</p> <p>4.2 Promote a variety of housing types to meet the special needs of persons with physical and developmental disabilities, elderly households, and others who may need specialized residential living arrangements.</p> <p>4.3 Strengthen opportunities for participation in the approval process for all housing projects, including affordable housing.</p> <p>4.4 Assist in affirmatively furthering and enforcing fair housing laws by providing support to organizations that provide outreach and education regarding fair housing rights, receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than Significant	<p>Policies</p> <p>1.1 Continue enforcement of the codes and regulations establishing minimum construction standards.</p> <p>1.2 Encourage maintenance and repair of existing housing to prevent deterioration within the City.</p> <p>1.3 Monitor the status of at-risk affordable rental housing units, proactively work with potential nonprofit purchasers/managers</p>	City Planning Department Future Project Applicant / Developer	Buildout of City	Less than Significant

		as appropriate and explore funding sources available to preserve the at-risk units.			
		Mitigation Measures None Required.			
4.14 Public Services					
a. Fire	Less than Significant	Policies RM-5.1 Fair Share. Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. RM-5.2 Capital Improvements. Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements. PS-1.1 Service Agreements. Maintain contracted essential service agreements through established State and county agencies, including CAL FIRE, RCFD, and RCSD. PS-1.2 Emergency Plan. Enforce, and periodically update, local emergency plans, such as the City EOP and LHMP, to ensure the most current information is reflected. PS-1.3 Emergency Response Service. Provide sufficient levels of all emergency response services to protect the health, safety, and welfare of all persons and to protect property in the City. PS-1.6 School Emergency Planning. Coordinate with the Desert Sands Unified School District to ensure the highest levels of safety and emergency preparedness are instilled in their programs and practices. PS-1.7 Regional Support System. Continue to participate in automatic and mutual aid agreements with adjacent service providers and regional agencies, such as Coachella Valley Association of Governments (CVAG) and the Cove Commission, to ensure efficient and adequate resources, facilities, and support	City Planning Department CAL FIRE Riverside County Fire Department Riverside County Sheriffs Department Future Project Applicant / Developer	Buildout of City	Less than Significant

		<p>PS-1.8 Community Coordination. Encourage emergency preparedness to be the combined responsibility of the City, in conjunction with the County, Coachella Valley Association of Governments (CVAG), and the State as well as City residents and the business community.</p> <p>PS-2.1 Building Fire Codes. Require that all buildings and facilities comply with local, state, and federal regulatory standards such as the California Building and Fire Codes as well as other applicable fire safety standards.</p> <p>PS-2.2 Urban Fire Risks. Work with CAL FIRE/RCFD to maintain an ongoing fire inspection program to reduce fire hazards associated with multifamily development, critical facilities, public assembly facilities, industrial buildings, and nonresidential buildings.</p> <p>PS-2.3 Fire Hazard Identification. Coordinate with CAL FIRE/RCFD to identify any changes in regional fire hazard severity zones to further reduce fire hazards in the community the community.</p> <p>PS-2.4 Fire-Prone Building Materials. Restrict, after appropriate public hearings, the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk.</p> <p>PS-2.5 Public Education. Work with RCFD to disseminate educational programs for residents on fire hazard risks and fire safety measures, including evacuation routes, with a special focus on at-risk populations such as seniors.</p> <p>PS-2.6 Fire Protection Plans. Uphold locally and regionally adopted fire protection plans, including the City of Indian Wells Local Hazard Mitigation Plan, and regularly renew such plans as new information becomes available.</p> <p>Actions</p> <p>PS-1a Regularly conduct periodic emergency response exercises to test the effectiveness of City emergency response procedures; coordinate with the County and State where multi-jurisdictional efforts are needed.</p>			
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		<p>PS-1b Coordinate with the County of Riverside to keep the Multi-Jurisdictional Local Hazard Mitigation Plan up to date.</p> <p>PS-1c Maintain an Emergency Operations Plan (EOP) that defines the actions and roles necessary to provide a coordinated response within the City before, during, and following extraordinary emergencies associated with natural, manmade, and technological disasters. An EOP typically has built-in flexibility to allow use in all emergencies and facilitates response and short-term recovery activities. Annually review and update the City's EOP under the provision of the State Emergency Management System format to maximize the efforts of emergency service providers (e.g., fire, medical, and law enforcement) and minimize human suffering and property damage during disasters.</p> <p>PS-1e Provide community education and self-help programs. In cooperation with CVAG and other communities in the Valley, distribute periodic safety publications, that discuss available protective services, to the public. Coordinate with local agencies and organizations to develop and distribute informational brochures and give presentations to civic groups and local schools to educate residents and businesses about appropriate actions to take during an emergency.</p> <p>PS-1g Work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios.</p> <p>PS-2a Mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.</p> <p>PS-2b Review and revise the City LHMP at least every 5 years to reflect current community needs, and to ensure the City continues to receive federal FEMA mitigation assistance.</p> <p>PS-2c Require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers.</p>			
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		<p>PS-2d Work with Riverside County to develop a comprehensive fire plan which forecasts future personnel and equipment needs and require new development to pay its pro-rata share of costs for fire services.</p> <p>PS-2e Upgrade older water mains in the city as needed to ensure adequate water pressure for firefighting.</p> <p>Mitigation Measures None Required.</p>			
Police	Less than Significant	<p>Policies</p> <p>RM-5.1 Fair Share. Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.</p> <p>RM-5.2 Capital Improvements. Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.</p> <p>Actions</p> <p>PS-1a Regularly conduct periodic emergency response exercises to test the effectiveness of City emergency response procedures; coordinate with the County and State where multi-jurisdictional efforts are needed.</p> <p>Mitigation Measures None Required.</p>	<p>City Planning Department</p> <p>Police Department</p> <p>Future Project Applicant / Developer</p>	Buildout of City	Less than Significant
Schools	Less than Significant	<p>Policies</p> <p>RM-5.1 Fair Share. Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.</p> <p>RM-5.2 Capital Improvements. Maintain and finance the capital improvement program to ensure the timely implementation of</p>	<p>City Planning Department</p> <p>School District</p> <p>Future Project Applicant / Developer</p>	Buildout of City	Less than Significant

		<p>the General Plan and the adequate and the timely provision of public facility and municipal improvements.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
Parks	Less than Significant	<p>Policies</p> <p>RM-3.1 Provision of Opportunities. Facilitate recreational opportunities for residents by providing and maintaining needed facilities throughout the City and in cooperation with adjoining jurisdictions.</p> <p>RM-3.2 Parks in Residential Areas. Support the development of local-serving park and recreational facilities (public and private) in residential areas.</p> <p>RM-3.3 Service Area Radius. Focus new park and recreation facilities in areas that are outside 1/4-mile walking radius from an existing or proposed park or trail and enhance options for residents to access these facilities through safe walking and cycling routes.</p> <p>RM-3.4 Golf Courses. Promote the City's municipal and private golf courses as high-quality amenities that serve residents, draw visitors, and make Indian Wells an exceptional destination.</p> <p>RM-3.7 Safety and Compatibility. Consider public safety and compatibility with adjacent uses in park design and development including the location of buildings, activity areas, lighting, and parking.</p> <p>RM-3.8 Parkland Dedication. Require new development or major redevelopment to incorporate parkland, open space, or green space to expand recreational opportunities in the community in accordance with Section 20.36.040, Park dedication requirements, of the Indian Wells Municipal Code.</p> <p>RM-3.9 Maintenance. Require that parks and recreational facilities be well-maintained by the responsible agency/organization.</p> <p>RM-3.10 Accessibility. Require that new park facility construction and existing facility retrofits meet accessibility standards defined by</p>	City Planning Department Future Project Applicant / Developer	Buildout of City	Less than Significant

		<p>the Americans with Disabilities Act (ADA) and playground safety requirements.</p> <p>RM-3.11 Parkland Funding. Actively pursue financing for parkland acquisition and maintenance and allocate sufficient funding to park development to support the community's recreational needs.</p> <p>RM-3.12 Community Support. Collaborate with residents to ensure the City's park and recreation facilities and programs reflect evolving community preferences.</p> <p>RM-5.1 Fair Share. Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.</p> <p>RM-5.2 Capital Improvements. Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.</p> <p>Actions</p> <p>RM-3a Update the Zoning Code to list recreational facilities and support facilities as an allowable use in all residential zones.</p> <p>RM-3b Require developers to dedicate land based upon the park acreage standard of up to five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.</p> <p>RM-3c Pursue available resources to fund recreation facilities and parkland acquisition, development, and maintenance, including but not limited to, State and federal grants, special districts, private donations, gifts, and endowments.</p> <p>RM-3d Conduct regular maintenance assessments for all parks and recreation facilities.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
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Other Public Facilities	Less than Significant	<p>Policies</p> <p>RM-3.5 Facilities for Seniors. Cater to the City's senior population by continuing to provide recreational facilities and activities specifically tailored to meet the needs of older residents.</p> <p>RM-3.6 HOA Collaboration. Collaborate with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities.</p> <p>RM-5.1 Fair Share. Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.</p> <p>RM-5.2 Capital Improvements. Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.</p> <p>Actions</p> <p>RM-3e Conduct periodic assessments of community needs and preferences in recreation programming and services.</p> <p>RM-3f Identify ways to preserve, restore, create, and maintain low impact recreational opportunities and open space experiences for resort visitors such as publishing a trails/bike path brochure for the resorts to distribute.</p> <p>RM-3g Encourage schools and places of worship in the City to create and promote recreation programs and activities for residents.</p> <p>Mitigation Measures</p> <p>None Required.</p>	City Planning Department Future Project Applicant / Developer	Buildout of City	Less than Significant
4.15 Recreation					
a. Increase the use of existing neighborhood and regional parks or	Less than Significant	<p>Policies</p>	City Planning Department	Buildout of City	Less than Significant

<p>other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (LTS)</p>		<p>RM-3.1 Provision of Opportunities. Facilitate recreational opportunities for residents by providing and maintaining needed facilities throughout the City and in cooperation with adjoining jurisdictions.</p> <p>RM-3.2 Parks in Residential Areas. Support the development of local-serving park and recreational facilities (public and private) in residential areas.</p> <p>RM-3.3 Service Area Radius. Focus new park and recreation facilities in areas that are outside 1/4-mile walking radius from an existing or proposed park or trail and enhance options for residents to access these facilities through safe walking and cycling routes.</p> <p>RM-3.5 Facilities for Senior. Cater to the City's senior population by continuing to provide recreational facilities (public and private) in residential areas.</p> <p>RM-3.6 HOA Collaboration. Collaborate with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities.</p> <p>RM-3.7 Safety and Compatibility. Consider public safety and compatibility with adjacent uses in park design and development including the location of buildings, activity areas, lighting, and parking</p> <p>RM-3.8 Parkland Dedication. Require new development or major redevelopment to incorporate parkland, open space, or green space to expand recreational opportunities in the community in accordance with <i>Section 20.36.040, Park dedication requirements</i>, of the Indian Wells Municipal Code.</p> <p>RM-3.9 Maintenance. Require that parks and recreational facilities be well-maintained by the responsible agency/organization.</p> <p>RM-3.10 Accessibility. Require that new park facility construction and existing facility retrofits meet accessibility standards defined by</p>	<p>Future Project Applicant / Developer</p>		
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		<p>the Americans with Disabilities (ADA) and playground safety requirements.</p> <p>RM-3.11 Parkland Funding. Actively pursue financing for parkland acquisition and maintenance and allocate sufficient funding to park development to support the community's recreational needs.</p> <p>RM-3.12 Community Support. Collaborate with residents to ensure the City's park and recreational facilities and programs reflect evolving community preferences.</p> <p>Actions</p> <p>RM-3a Update the Zoning Code to list recreational facilities and support facilities as an allowable use in all residential zones.</p> <p>RM-3b Require developers to dedicate land based upon the park acreage standard of five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.</p> <p>RM-3c Pursue available resources to fund recreation facilities and parkland acquisition, development, and maintenance, including but not limited to, State and federal grants, special districts, private donations, gifts, and endowments.</p> <p>RM-3d Conduct regular maintenance assessments for all parks and recreation facilities.</p> <p>RM-3e Conduct periodic assessments of community needs and preferences in recreation programming and services.</p> <p>RM-3f Identify ways to preserve, restore, create, and maintain low impact recreational opportunities and open space experiences for resort visitors such as publishing a trails/bike path brochure for the resorts to distribute.</p> <p>RM-3g Encourage schools and places of worship in the City to create and promote recreation programs and activities for residents.</p> <p>Mitigation Measures</p>			
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		None Required.			
b. Requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than Significant	<p>Policies</p> <p>RM-3.6 HOA Collaboration. Collaborate with Homeowners Associations to provide local-serving recreational facilities and activities that meet the needs and preferences of all segments of the community, including families, seniors, and persons with disabilities</p> <p>RM-3.8 Parkland Dedication. Require new development or major redevelopment to incorporate parkland, open space, or green space to expand recreational opportunities in the community in accordance with <i>Section 20.36.040, Park dedication requirements</i>, of the Indian Wells Municipal Code.</p> <p>Actions</p> <p>RM-3b Require developers to dedicate land based upon the park acreage standard of five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.</p> <p>Mitigation Measures</p> <p>None Required.</p>	City Planning Department Future Project Applicant / Developer	Buildout of City	Less than Significant
4.16 Transportation					
a. Conflict with an applicable plan or policy addressing the circulation system	Less than Significant	<p>Policies</p> <p>M-1.1 Development-Related Traffic Impacts. Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.</p> <p>M-1.2 LOS Standards. Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.</p> <p>M-1.3 Traffic Distribution. Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.</p>	City Public Works and Engineering, and Planning Departments Future Project Applicant	Buildout of City	Less than Significant

		<p>M-1.4 Efficient Circulation. Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs like the Coachella Valley Sync program, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.</p> <p>M-1.5 Transportation Management System. Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.</p> <p>M-1.6 Intersection Configurations. Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.</p> <p>M-1.7 Minimize Environmental Impacts. Manage the circulation system to minimize congestion and improve flow and air quality.</p> <p>M-1.8 Local and Regional Collaboration. Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.</p> <p>M-2.1 Multi-Modal Streets. Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.</p> <p>M-2.2 Alternative Modes. Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low</p>			
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		<p>speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.</p> <p>M-2.3 Connectivity. Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.</p> <p>M-2.4 New Development. Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.</p> <p>M-2.5 Citywide Bicycle Network. Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.</p> <p>M-2.6 Bicyclist and Pedestrian Safety. Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.</p> <p>M-2.7 CV Link Users. Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.</p> <p>M-4.1 Funding Sources. Leverage existing available funding methods and sources to fund the transportation system in the City while also researching innovative funding sources at the federal, state, regional, and county levels.</p> <p>M-4.2 Development Fees. Ensure that new development projects contribute their appropriate fair share to transportation network improvements.</p>			
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		<p>M-4.3 Monitor Funding. Monitor funding of programmed transportation improvements.</p> <p>M-4.4 Regional Funding. Encourage regional agencies to continue to provide adequate transportation funding to local jurisdictions.</p> <p>Actions</p> <p>M-1a Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:</p> <ul style="list-style-type: none"> • On-site transportation facilities: streets, curbs, traffic control devices; • Access improvements: street extensions, widening, turn lanes, signals, etc; • Street widening for streets fronting the development property as shown on the Circulation Plan map; • Right-of-Way landscaping; and • Offsite roadway and intersection improvements. <p>M-1b Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall</p>			
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		<p>continue to maintain LOS standards for the purposes of planning and designing street improvements.</p> <p>M-1c Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-Wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.</p> <p>M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.</p> <p>M-1g Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal</p> <p>M-2a During project application review, consider requiring new and enhanced transit, bicycle, and pedestrian facilities along arterials and collectors where appropriate.</p> <p>M-4a Develop and support a flexible financing program to fund the construction, maintenance, and improvement of the roadway system.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
b. Inconsistent with CEQA Guidelines section 15064.3, subdivision (b)	Potentially Significant	<p>Policies</p> <p>M-1.1 Development-Related Traffic Impacts. Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.</p> <p>M-1.2 LOS Standards. Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.</p>	<p>City Public Works and Engineering, and Planning Departments</p> <p>Future Project Applicant</p>	Buildout of City	Significant Impact

		<p>M-1.3 Traffic Distribution. Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.</p> <p>M-1.4 Efficient Circulation. Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs like the Coachella Valley Sync program, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.</p> <p>M-1.5 Transportation Management System. Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.</p> <p>M-1.6 Intersection Configurations. Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.</p> <p>M-1.7 Minimize Environmental Impacts. Manage the circulation system to minimize congestion and improve flow and air quality.</p> <p>M-1.8 Local and Regional Collaboration. Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.</p>			
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		<p>M-2.1 Multi-Modal Streets. Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities, where appropriate.</p> <p>M-2.2 Alternative Modes. Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City’s residents, workers and visitors to local and regional destinations.</p> <p>M-2.3 Connectivity. Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.</p> <p>M-2.4 New Development. Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.</p> <p>M-2.5 Citywide Bicycle Network. Support an integrated citywide bicycle network through the construction of new bike lanes and enhancement of existing bike lanes.</p> <p>M-2.6 Bicyclist and Pedestrian Safety. Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.</p> <p>M-2.7 CV Link Users. Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.</p> <p>M-4.1 Funding Sources. Leverage existing available funding methods and sources to fund the transportation system in the City while also</p>			
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		<p>researching innovative funding sources at the federal, state, regional, and county levels.</p> <p>M-4.2 Development Fees. Ensure that new development projects contribute their appropriate fair share to transportation network improvements.</p> <p>M-4.3 Monitor Funding. Monitor funding of programmed transportation improvements.</p> <p>M-4.4 Regional Funding. Encourage regional agencies to continue to provide adequate transportation funding to local jurisdictions.</p> <p>Actions</p> <p>M-1a Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:</p> <ul style="list-style-type: none"> • On-site transportation facilities: streets, curbs, traffic control devices; • Access improvements: street extensions, widening, turn lanes, signals, etc; • Street widening for streets fronting the development property as shown on the Circulation Plan map; • Right-of-Way landscaping; and • Offsite roadway and intersection improvements. 			
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		<p>M-1b Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements.</p> <p>M-1c Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-Wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.</p> <p>M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.</p> <p>M-1g Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal</p> <p>M-2a During project application review, consider requiring new and enhanced transit, bicycle, and pedestrian facilities along arterials and collectors where appropriate.</p> <p>M-4a Develop and support a flexible financing program to fund the construction, maintenance, and improvement of the roadway system.</p> <p>Mitigation Measures No Feasible Mitigation.</p>			
c. Increase hazards due to a geometric design	Less than Significant	Policies	City Public Works and Engineering,	Buildout of City	Less than Significant

feature or incompatible uses?		<p>M-1.1 Development-Related Traffic Impacts. Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.</p> <p>M-1.6 Intersection Configurations. Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.</p> <p>M-1.12 Truck Routes. Maintain a network of truck routes to facilitate goods movement to regional roads and to discourage the use of residential roads.</p> <p>M-2.4 New Development. Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.</p> <p>M-2.5 Citywide Bicycle Plan. Implement construction of the bike network system by requiring new development to provide bike lanes on public roads and update the plan as needed.</p> <p>M-2.6 Bicyclist and Pedestrian Safety. Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.</p> <p>M-2.7 CV Link Users. Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.</p> <p>M-2.8 Bus Stops. Work with Sunline and other providers to improve bus stop amenities.</p> <p>M-2.9 Rail and Air Travel. Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.</p> <p>M-2.10 The Living Desert. Coordinate with The Living Desert to ensure Indian Wells residents have access to the reserve's nature walks and hiking trails.</p>	and Planning Departments Future Project Applicant		
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		<p>Actions</p> <p>M-1d Evaluate opportunities to implement alternative roadway design elements, including but not limited to, roundabouts, traffic circles, and chicanes, as traffic control, considering safety, traffic calming, cost and maintenance.</p> <p>M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.</p> <p>M-1f Consider streetscape improvements such as landscaping, , sidewalks, paths, lighting, and other pedestrian-oriented features in the City.</p> <p>M-2b Consider establishing a low-speed vehicle path system, consistent with the provisions of the California Vehicle Code and the California Highway Design Manual.</p> <p>M-2c Create a promotional campaign to encourage walking, biking, carpooling, and alternative modes of transportation to the automobile to improve air quality.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
d. Result in inadequate emergency access?	Less than Significant	<p>Actions</p> <p>PS-1g Work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios.</p> <p>PS-2a Mitigation, as feasible, existing, non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.</p> <p>M-1a Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:</p>	<p>City Public Works and Engineering, and Planning Departments</p> <p>Future Project Applicant</p>	Buildout of City	Less than Significant

		<ul style="list-style-type: none"> On-site transportation facilities: streets, curbs, traffic control devices; Access improvements: street extensions, widening, turn lanes, signals, etc.; Street widening for streets fronting the development property as shown on the Circulation Plan map; Right-of-way landscaping; and Off-site roadway and intersection improvements. <p>Mitigation Measures</p> <p>None Required.</p>			
4.17 Utilities and Service Systems					
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than Significant	<p>Policies</p> <p>RM-5.1 Fair Share. Ensure that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities.</p> <p>RM-5.2 Capital Improvements. Maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.</p> <p>RM-5.3 Regional Cooperation. Collaborate with the various regional facility and service providers to deliver high levels of service to Indian Wells.</p> <p>RM-5.4 Public/Private Partnerships. Consider public/private partnerships to realize capital infrastructure and public service needs within the City.</p> <p>RM-5.5 Sufficient Capacity. Coordinate with CVWD to ensure wastewater facilities provide sufficient capacity for Indian Wells residents.</p>	City Planning and Public Works Departments CVWD Future Project Applicants	Buildout of City	Less than Significant

		<p>RM-5.6 Monitoring and Maintenance. Coordinate with CVWD to ensure wastewater infrastructure conditions are monitored and facilities are adequately maintained.</p> <p>RM-8.1 Infrastructure and Services. Encourage service providers to make available the highest level of telecommunications infrastructure, along with a wide range of modern telecommunications services for Indian Wells residences, businesses, and institutions.</p> <p>RM-8.2 Improvements and Upgrades. Promote technological improvements and upgrading of telecommunications services.</p> <p>RM-8.3 Utility Siting. Coordinate with service providers in the siting and design of telecommunications facilities to minimize environmental, aesthetic, and safety impacts.</p> <p>RM-8.4 Undergrounding. Require that all new telecommunication lines are installed underground where feasible and promote the undergrounding of existing overhead facilities.</p> <p>Actions</p> <p>RM-5a Maintain and implement public facility master plans, in collaboration with appropriate outside service providers and agencies, to ensure compliance with appropriate regional, State, and federal laws and to identify infrastructure needs, funding sources, and implement improvements for public facilities and services.</p> <p>RM-5b Continue to contract with public and private entities for the provision of public services as long as these services are more economical, more accessible, and/or better serve the needs of residents than City-provided services.</p> <p>RM-5c Periodically survey residents to assess the perceived adequacy of City services and facilities.</p> <p>RM-5d Work with CVWD to upgrade older water mains in the City as needed to ensure adequate water pressure for firefighting.</p>			
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		<p>RM-5e Cooperate with CVWD to update population projections, sewer generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.</p> <p>RM-5f Work with CVWD to expedite the improvement and expansion of sewer facilities when necessary.</p> <p>RM-5g Cooperate with CVWD to evaluate and implement stormwater improvements, including, but not limited to, the need for channel lining, rip-rap, and drop structures as necessary.</p> <p>RM-5h Through the development review process, continue to cooperate with CVWD to ensure adequate wastewater facilities are provided and maintained in the community. Specifically, the City should:</p> <ul style="list-style-type: none"> • Require that sufficient wastewater infrastructure capacity is available to serve the development prior to approval of the project. • Ensure the project applicant has paid the required fees prior to occupancy of any new development. • Periodically review the fee schedules for sewer connections and revise fees as necessary to cover the cost of related services and facilities. <p>RM-8a As part of development review, ensure that telecommunications infrastructure is unobtrusive and screened from public view where possible.</p> <p>RM-8b Actively seek to participate in pilot programs and other opportunities to expand high-speed broadband services within the City. Confer with telecommunications providers regarding major development plans and participation of the extension of utilities.</p> <p>Mitigation Measures</p> <p>None Required.</p>			
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<p>b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?</p>	<p style="text-align: center;">Less than Significant</p>	<p>Policies</p> <p>RM-6.1 Regional Cooperation. Actively participate in regional activities to assure (a) the effective management of water resources, and (b) the development of water policies at the County, State and Federal level that are favorable to the Coachella Valley.</p> <p>RM-6.2 Groundwater Management. Protect the underlying water basin from overextraction by encouraging sustainable groundwater recharge and management.</p> <p>RM-6.3 Conservation. Encourage the use of water conserving appliances and fixtures in all new developments, required by state law.</p> <p>RM-6.4 Water Saving Design. Incorporate water-wise native landscaping or alternative water saving materials (i.e. artificial turf) whenever feasible with the City.</p> <p>RM-6.5 Non-Potable Waterlines. Continue to support the extension of non-potable waterlines for irrigation use, especially to Highway 111, local businesses, and Homeowners Associations.</p> <p>RM-6.6 Reclaimed Water. Encourage water-intensive land uses, such as golf courses, to utilize reclaimed water, where feasible for landscaping and irrigation needs.</p> <p>RM-6.7 Education. Strengthen education programs related to water protection and conservation.</p> <p>Actions</p> <p>RM-6a Periodically review and update, as needed, the City's Water Efficient Landscape Ordinance to optimize conservation and comply with State Assembly Bill 325.</p> <p>RM-6b Recommend the establishment incentives/funding for projects or residences that implement water conservation measures.</p> <p>RM-6c Work with CVWD to establish a historical record of Indian Wells water utilization for existing average home, City consumption,</p>	<p>City Planning and Public Works Departments CVWD Future Project Applicants</p>	<p>Buildout of City</p>	<p style="text-align: center;">Less than Significant</p>
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		<p>gated communities' common area and existing individual businesses.</p> <p>RM-6d Incorporate water-wise native landscaping or alternative water saving materials in recently constructed medians.</p> <p>RM-6e Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.</p> <p>RM-6f Replace irrigation controllers with weather-based irrigation controllers in landscape areas maintained by the City. A water saving audit will be conducted after one year of the completing of the replacement units.</p> <p>RM-6g Work with CVWD and private developers to encourage water conservation in the following ways:</p> <ul style="list-style-type: none"> • Implementing aquifer and groundwater recharge programs • Participating in water conservation programs operated by the local and regional water districts • Monitoring citywide usage on an annual basis and make recommendations to modify or expand water conservation measures to ensure their effectiveness • Informing the public about water conservation techniques and available water conservation programs they can utilize via the city's newsletter, website, and Channel 17. • Developing education materials and programs that encourage and facilitate water conservation throughout the community • Requiring the use of drought resistant plant species in landscaping for public and private areas, including parks and recreational facilities, in accordance with the Water Efficient Landscape Ordinance requirements. 			
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		<ul style="list-style-type: none"> • Whenever feasible, requiring the installation and use of reclaimed water systems for irrigation purposes in new developments. • Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects. <p>RM-6h Whenever feasible, incorporate improved open space and preservation areas in areas used for groundwater recharge and/or drainage detention.</p> <p>RM-6i Through the development review process, continue to cooperate with CVWD to ensure adequate water supply is provided and maintained in the community. Specifically, the City should:</p> <ul style="list-style-type: none"> • Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7. • If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development. • Ensure the project applicant has paid the required fees prior to occupancy of any new development. • Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities. <p>RM-6j Cooperate with CVWD to update population projections, water use generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.</p>			
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		RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary. Mitigation Measures None Required.			
b. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity the project's projected demand in addition to the provider's existing commitments? (LTS)	Less than Significant	Policies RM-6k Work with CVWD to expedite the improvement and expansion of water and reclaimed water facilities when necessary. Mitigation Measures None Required.	City Planning and Public Works Departments CVWD Future Project Applicants	Buildout of City	Less than Significant
d/e. Would the project 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; comply with federal, state, and local management reduction statutes and regulations related to solid waste?	Less than Significant	Policies RM-7.1 Compliance with State Legislation. Comply with local, regional and State regulations regarding waste diversion, source reduction, recycling, and composting. RM-7.2 Solid Waste Collection. Provide adequate waste disposal, recycling, and refuse services for present and future residents and businesses, including programs that improve public access to solid waste collection and recycling facilities. RM-7.3 Fees and Funding. Work with Burrtec to periodically review collection, recycling, and disposal fees to achieve state and federal mandates, meet community expectations, and reflect cost efficiencies or increases for service delivery. Be prepared to fund expansions, operations, or maintenance for regional waste facilities when necessary, including but not limited to the Badlands Landfill and the Lamb Canyon Sanitary Landfill.	City Planning and Public Works Departments Burrtec Future Project Applicants	Buildout of City	Less than Significant

		<p>RM-7.4 Recycled Product Use. Encourage the salvage and reuse of building materials and recycled products in new construction and remodel projects.</p> <p>RM-7.5 Community-Wide Waste Reduction. Continue to foster a sense of personal responsibility among residents for solid waste management particularly in accomplishing waste reduction and recycling goals.</p> <p>RM-7.6 Short-Lived Climate Pollutant Reduction. Continue to implement solid waste plans and programs, such as organic waste recycling and surplus food recovery, that reduce short-lived climate pollutants (SLCP).</p> <p>RM-7.7 Recycling and Composting. Encourage the recycling/composting of all City organic materials including landscape and food waste materials.</p> <p>Actions</p> <p>RM-7a Regularly review the service levels of the Edom Hill Transfer Station. Coordinate with impacted agencies on potential plans for expansions, maintenance, and operations when service levels are determined to be inadequate.</p> <p>RM-7b On an ongoing basis and in compliance with State law, ensure solid waste collection activities completed by franchise solid waste haulers, facility siting and construction of transfer and/or disposal facilities, operation of waste reduction and recycling programs, and household hazardous waste disposal and education programs are consistent with the Riverside County Solid Waste Management Plan.</p> <p>RM-7c Include standard language in requests for services and in City agreements requiring contractors to use best management practices to maximize diversion of waste from the landfill in order to meet the City's specified diversion rates.</p>			
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		<p>RM-7d Encourage the expansion of recycling and reuse programs, such as:</p> <ul style="list-style-type: none"> • Increased participation in residential curbside recycling programs; • Increased participation in commercial and industrial recycling programs for paper, cardboard, and plastics; • Reduce yard and landscaping waste through methods such as composting, grass recycling, and using resource efficient landscaping techniques; and • Encourage local businesses to provide electronic waste (e-waste) drop-off services and encourage residents and businesses to properly dispose of, or recycle, e-waste. <p>RM-7e Continue to enforce and monitor required diversion rates pursuant to the requirements contained in Chapter 16.75. of the Municipal Code.</p> <p>RM-7f Continue the procurement of recycled products and materials utilized in City owned buildings, including building/decorative materials and furnishings, food and beverage service items and office materials.</p> <p>RM-7g Maintain and improve the City of Indian Wells waste diversion rate as mandated by the State of California. Participate in source reduction and recycling techniques to reduce the amount of solid waste sent to landfills and ensure adequate landfill capacity in the region.</p> <p>RM-7h Work with appropriate service providers to collect and compost greenwaste, including landscaping, Christmas trees, composting and mulch, and other sources of organic waste, to distribute for use in parks, medians, and other municipal areas.</p> <p>RM-7i Provide recycling and composting information to residents, commercial businesses, and developers. These educational</p>			
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		programs will inform citizens of the benefits of recycling and composting, and appropriate disposal options and locations.			
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