



ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE PORCUPINE CREEK RETREAT SPECIFIC PLAN

INTRODUCTION:

This document is an Addendum to the Environmental Impact Report (EIR) prepared for the Porcupine Creek Retreat project (State Clearinghouse No. 2020070474), which was certified by the City of Rancho Mirage in 2021 (Certified EIR). The Porcupine Creek Retreat consists of a 191-acre retreat within the boundaries of the 230-acre Porcupine Creek private estate in the City of Rancho Mirage. On March 11, 2021, the Rancho Mirage City Council approved and adopted Resolution No. 2021-PC-01, certifying the Final Environmental Impact Report (EIR), and approving and adopting the Mitigation Monitoring and Reporting Program, the statutory Development Agreement, General Plan Zoning Map Amendment, Specific Plan, and Preliminary Development Plan, making the findings set forth therein. Under the Previously Certified EIR, the retreat proposed a total of up to 50 studio, single-bedroom, and multi-bedroom units (“keys”) (including 27 new keys), a modified main house, a new restaurant, dining deck, upgraded spa complex, additional retreat related facilities, and a rerouted 18-hole golf course. The retreat is being built out in phases and is currently operational. In accordance with the California Environmental Quality Act (CEQA), this Addendum analyzes proposed minor modifications to the Porcupine Creek Retreat project and demonstrates that all of the potential environmental impacts associated with the proposed modifications would be within the envelope of impacts already evaluated in the Certified EIR.

CEQA AUTHORITY FOR ADDENDUM:

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that: The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162 of the CEQA Guidelines requires a Subsequent EIR when an MND has already been adopted or an EIR has been certified and one or more of the following circumstances exist:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

California Public Resources Code Section 21166 also states:

When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

- (b) *Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.*
- (c) *New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.*

As described in the analysis below, the minor modification to the Project would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated impacts. The minor changes to the project also do not require major revisions to the previously-certified EIR. Based on this, the City of Rancho Mirage, California, a municipal corporation, does hereby prepare, make declare, and publish the Addendum to an adopted Environmental Impact Report for the following described project and finds that the modified project does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

PROJECT DESCRIPTION AND MODIFICATION ANALYSIS:

In the certified Porcupine Creek Retreat EIR, the Project Description references the existing private water well that is also located adjacent to and south of the Whitewater River Channel (west of the proposed new well site property described below). See Certified EIR, at p. 3-14. At the time the EIR was written, additional extensions were not proposed or intended. However, the Project Description should be revised to include the following text:

“Additional improvements include a proposed private redundant well, pipeline and associated electrical and fiber optic infrastructure to ensure a reliable supply of non-potable water for the golf course and other outdoor irrigation. The new well site will be located approximately 0.41 miles east of the existing private well site that currently provides water to the Porcupine Creek private estate. The new redundant well site will connect to the existing well site via 2,272 linear feet of 12-inch underground PVC pipeline. The pipeline will occur along an existing access road and public trail located immediately to the south of the Whitewater River Channel, as shown on the attached exhibits at pages 3-5. Currently, an existing lake supply line connects to the existing well site and travels west and then south approximately 2,540 linear feet within CVWD’s drainage channel and under the Highway 111 bridge (114 linear feet), and 4,900 linear feet along the CVWD drainage channel adjacent to Mirage Road, and a private paved road along the western Boundary of the Porcupine Creek property. From the existing well site to the Porcupine Creek property, the proposed pipeline will be installed alongside the existing pipeline to connect to Lake #16. In total, the project proposes 9,845 linear feet of pipeline. All areas impacted by the underground/trenching activities will be returned to their original condition. The new well site will be privately owned by the project applicant.”

The Project Description discussion in the Previously Certified EIR also discussed upgrades and “expansion to the onsite electrical distribution system to better serve the property, including installation of an electrical substation near the maintenance area in the northern portion of the project property. The substation will be a slab with surrounding walls, with a footprint of approximately 33 feet by 70 feet.” See page 3-18 of the Certified EIR. At the time the EIR was written, offsite electrical improvements were not required. However, the function of the proposed redundant well site requires electric power and fiber optic connection. Therefore, the Project Description should state “as a part of the well site improvements, the project proposes the well site’s connection to existing power and communications facilities located along San Jacinto Drive via underground conduit. The conduit will extend approximately 430 feet east/southeast along San Jacinto Drive and then continue north/northeast along the paved, unnamed road at the southeastern extent of the Rancho Mirage Community Park, to the proposed well site. As previously stated, the conduit will occur underground and within the existing disturbed rights-of-way. Once construction is complete, the rights-of-way will be restored to its existing condition.”

Utilities

The Porcupine Creek Retreat EIR also concluded that the project would not require the construction of new or expanded water facilities that could cause a significant environmental effect because “[n]o new or expanded off-site water ... facilities will need to be constructed or relocated.” See Certified EIR at p. 4.15-1. While that statement and conclusion were accurate at the time, the proposed redundant well improvements require a minor revision to the EIR to update this statement and evaluate whether the redundant well improvements will have any new or substantially more severe significant environmental effects than were analyzed in the certified EIR.

As previously stated, all of the proposed improvements would occur within existing disturbed areas. The pipeline, extending from the new private well site to Lake #16 within Porcupine Creek, will result in temporary disturbance associated with trenching activities. However, once the pipeline is constructed, the area will be restored to its original condition. The new well site is proposed to occur within existing disturbed areas at the eastern extent of the Rancho Mirage Community Park. As discussed previously, the well site will include the well, a pump panel, and utility switch gear, and will be surrounded by a block wall. Access to the well site will occur at a 3-foot man gate, or a 12-foot gate for vehicles/equipment. The well site will occur within a portion of previously disturbed property along the Whitewater River Channel, which the applicant is purchasing from the City Housing Authority. Approximately 9,845 linear feet of 12-inch PVC pipeline will connect the new well site to Lake #16, via existing and new City easements and CVWD encroachment permits along the Whitewater River and CVWD’s storm channel and drainage channel. The well site and pipeline will be developed compliant with the CVWD Development Design Manual (Section 5.6.1, Well Sites).

In addition to CVWD approved improvements, the project proposes to extend existing SCE electric power and Spectrum fiber optic facilities to the well site via approximately 1,251 linear feet of underground conduit. The project's electric and fiber optic point of connection is proposed from a utility box located north of San Jacinto Drive, west of the Rancho Mirage Amphitheater. The proposed conduit will connect to the existing electric facility, continue along San Jacinto Drive approximately 430 feet to the east/southeast, and continue north/northeast (approximately 800 feet) along the unnamed, paved driveway east of the Rancho Mirage Community Park. The SCE conduit and Spectrum fiber optic facilities will occur underground within previously disturbed rights-of-way. Once construction is completed, the rights-of-way will be restored to their previous condition. The electrical improvements will comply with the SCE's Electrical Service Requirement Manual.

With the project's compliance with CVWD and SCE development manuals, and improvements occurring within existing disturbed easements and rights-of-way, the redundant well site project will not result in the construction of new expanded water or electric facilities which would cause a significant environmental effect. Impacts are less than significant.

Cultural Resources

Section 4.5 of the Certified EIR analyzed the project's impact on cultural resources. Based on the buried site sensitivity model (BSSM) conducted for the site, the project area was determined to be moderately sensitive for buried archaeological resources, applying to sediments deeper than 5-10 feet below the ground surface. Thus, Mitigation Measure CUL-2 in the Certified EIR required an approved Agua Caliente Tribal Resources Monitor be present on site if excavations are deeper than 5-10 feet below ground surface in previously disturbed areas. See pages 4.5-13 and 4.5-14 of the Certified EIR. Although Mitigation Measure CUL-2 was specific to the golf course areas of the Porcupine Creek property because that is where additional development activities were proposed, the measure can and should be extended to the previously disturbed areas that will be impacted by the redundant well site project to ensure proper monitoring for Tribal cultural resources if excavations are deeper than 5-10 feet below ground surface.

Development of the redundant well site, pipeline, and SCE conduit are not anticipated to require trenching and excavation of depths between and greater than 5-10 feet. Nevertheless, an approved Agua Caliente Tribal Cultural Resource Monitor shall be present onsite during any excavation activities greater than 5-10 feet below ground surface. With the implementation of this mitigation measure, the redundant well site and pipeline and SCE underground conduit will result in less than significant impacts to cultural resources.

Overall, the Private Wellsite, pipeline and SCE/Spectrum improvements will not result in additional or significant environmental impacts. Construction of the well site and pipeline will occur within existing disturbed areas. The pipeline easement area has been

previously disturbed and duals as an access easement and trail path. Construction of the pipeline will result in temporary disturbance to the easement, however, once construction of the pipeline is complete, the easement will be restored to its original condition and continue to operate as an access road easement and trail path. Therefore, impacts of the Private Wellsite and pipeline improvements will be less than significant.

The SCE conduit and Spectrum fiber optic facilities will occur within existing disturbed rights-of-way (San Jacinto Drive and the unnamed, paved road east of the Rancho Mirage Community Park). Construction of the SCE/Spectrum improvements will result in temporary disturbance to the rights-of-way, however, once construction of the underground conduit is complete, the rights-of-way will be restored to its original condition and continue to operate as paved roads. Therefore, impacts of the SCE/Spectrum improvements will be less than significant.

Project-related impacts regarding aesthetics, noise, traffic, etc. during construction will be temporary and occur within existing, disturbed areas. Construction of the well site and pipeline will be compliant with the standards and guidelines in CVWD's Development Design Manual. Construction of the electrical infrastructure will be compliant with the standards and guidelines of the SCE Electrical Service Requirement Manual. Therefore, impacts would be less than significant, and no new impacts are expected. Operation of the well would occur on a portion of the well site that will be surrounded by a 6- to 8-foot block wall. Access will be restricted to maintenance employees via a man gate and vehicle/equipment gate. Maintenance of the redundant well site during operation will be infrequent, like the existing maintenance activities associated with the existing private well site. The well site would be visible to those utilizing the easement and public trail, but the block wall will be similar in appearance to other perimeter block walls in the area and visible from the public trail. Therefore, impacts would be less than significant, and no new impacts are expected.

The City of Rancho Mirage is the CEQA lead agency responsible for the project. Under CEQA Guidelines Section 15164[a], the lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred (*i.e.*, a new significant environmental effect or a substantial increase in the severity of a previously identified significant effect). The addendum need not be circulated for public review (CEQA Guidelines Section 15164[c]) but is to be considered along with the previously certified EIR by the decision-making body prior to deciding on the revised project (CEQA Guidelines Section 15164[d]).

This addendum to the Previously Certified EIR demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the EIR remain substantively unchanged by the revised project description detailed herein and supports the findings that the additional redundant private well, pipeline, and ancillary electrical improvements do not raise any new issues and do not exceed the level of impacts identified in the

previous EIR. Accordingly, the Addendum fully satisfies the requirements of CEQA for the additional well and related infrastructure work required to serve the Porcupine Creek Retreat project. Upon approval by the City of Rancho Mirage, this Addendum and the Previously Certified EIR can also be relied upon by both CVWD and SCE to grant the necessary approvals and easement, and to carry out all work associated with the approved Porcupine Creek Retreat project.