INDIO	**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

Project Title:	Indio Gateway
Case No.	23-03-35
Assessor's Parcel No.	606-060-002, 606-080-005, 691-190-035
Lead Agency Name and Address:	City of Indio 100 Civic Center Mall Indio, CA 92201
Project Location:	North of the intersection of Indio Boulevard and Jefferson Street and south of the Southern Pacific Railroad and I-10
Project Sponsor's Name and Address:	Majestic Realty Co. c/o Phillip Brown 13191 Crossroads Parkway North, 6th Floor City of Industry CA 91746
General Plan Designation(s):	Workplace Employment District (WEP)
Zoning:	Light Industrial (IL)
Contact Person:	Kendra Reif, Principal Planner
Phone Number:	760-391-4086
Date Prepared:	April 29, 2024

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APPENDICES

CHAPTER 1: INTRODUCTION

Project Location

The Indio Gateway Project (hereafter "the Project") is located in the City of Indio. The City of Indio (hereafter, "City") is located in central Riverside County, California, south of San Bernardino County, north of San Diego and Imperial counties, and east of Orange County. Surrounding cities include Coachella to the southeast and La Quinta to the southwest. The cities of Palm Desert and Indio Wells occur further to the west and southwest. Properties in unincorporated Riverside County not yet incorporated into a city boundary are scattered in the area. The general area is known geographically as the Coachella Valley, a northwest-southeast trending desert valley that constitutes the western end of the Colorado Desert and which is surrounded by the Santa Rosa Mountains to the southwest, the San Bernardino Mountains and the San Gorgonio pass to the northwest, the Little San Bernardino Mountains to the north and northeast, and the San Jacinto Mountains to the west.

Access to the Project site is provided by Interstate 10 (I-10), with the nearest on- and off-ramps being at I-10/Jefferson Street approximately 0.3-mile to the northwest. Approximately 0.1-mile to the west is the Bermuda Dunes Airport. The regional and local vicinity of the Project site are depicted on Figure 1, *Regional Map*, and Figure 2, *Vicinity Map*. Specifically, the Project site is vacant and undeveloped and is located to the north of the intersection of Indio Boulevard and Jefferson Street and south of the Union Pacific Railroad and I-10. Union Pacific Railroad and the I-10 freeway are located to the north and east, beyond which is vacant land and residential development. The Indio Boulevard/Jefferson Street intersection is located to the south, beyond which is primarily vacant land and commercial development. The Bermuda Dunes Airport and residential development is located to the west. The Project site consists of Assessor's Parcel Numbers (APNs) 606-060-002, 606-080-005, 691-190-035. The Project site is in Section 16, Township 5 South Range 7 East, San Bernardino Baseline and Meridian.

The Project site is designated as Workplace Employment District (WED) on the City's General Plan land use map and is zoned Light Industrial (IL) with a maximum permitted floor area ratio (FAR) of 1.0. The WED land use designation is intended to provide an area for a wide variety of employment-generating activity, including but not limited to industrial, light manufacturing, research and development, office, and supportive commercial.

Project Description

The proposed Project entails a Tentative Parcel Map application to subdivide the ±19.09-acre Project site into four numbered parcels and two lettered parcels and a Design Review application for the proposed development of a General Plan-conforming and zone-conforming workplace complex. In addition, a Conditional Use Permit (CUP) is required for a proposed convenience market, gas station, and car wash. Specifically, the proposed Design Review calls for the development of a 7-Eleven convenience store/gas station/car wash, a Quinn Cat retail facility, and a 6-building multi-tenant light industrial park. Associated improvements to the Project site would include ornamental landscaping,

drive aisles, utility infrastructure, passenger vehicle parking, bicycle parking, and two water retention basins, with one basin located on the northwest portion of the site and the other basin located on the southeast portion of the site.

Vehicle access to the Project site would be provided from four driveways: 1) a full access driveway is proposed connecting with Jefferson Street at the signalized intersection of Jefferson Street and Indio Boulevard; 2) a right in/right out driveway connecting with Indio Boulevard located between Jefferson and Burr Street; 3) a full access driveway connecting with Indio Boulevard at the intersection of Indio Boulevard and Burr Street; and 4) a right in/right out driveway connecting with Indio Boulevard located to the east of Burr Street.

The individual components of the proposed Project are described below. All of the proposed buildings and site improvements are required to be compliant with the California Green Building Standards Code (CALGreen) and all applicable federal, State, and local laws and requirements pertaining to construction and operation of the Project are required and assumed as an inherent part of the Project's implementation.

7-Eleven Convenience Store, Gas Station, and Car Wash

The 7-Eleven convenience store would be a ±4,925 square-foot (s.f.) building located on the western side of the Project site. The 7-Eleven would also include a ±6,108 s.f. fuel canopy and 16 fuel pumps. The gas pumps and underground storage tanks would include California Air Resources Board (CARB)-required vapor recovery systems that would control vapor releases during refueling and would minimize driver and employee exposure to gasoline odors and fumes. A ±980 s.f. car wash would be located on the east side of the parking lot. The 7-Eleven site would provide a total of 45 automobile parking spaces for employees and visitors, including three handicap spaces. The building would be single-story, with a maximum height of approximately 18 feet, 8 inches, and the top of the building at 61.17 feet above mean sea level (amsl). The fuel canopy would have a maximum height of 17.5 feet and would be 59.9 feet amsl. The building's exterior color palette would be comprised of a shade of tan stucco and brick cement board, with clear float glass on the front and an aluminum canopy over the entryway.

Quinn Cat

The Quinn Cat building would be a ±34,685 s.f. building, located in the central portion of the Project site, to be used for heavy equipment retail, service, and repair. Office spaces would be provided on the southwest side of the building to support the operations. The building would be two-stories with a maximum height of 36 feet. The current elevation of the ground is 41.2 feet above mean sea level (amsl); therefore, the top of the building would be at 77.2 feet amsl. The building would be constructed of tilt-up concrete and finished steel metal. A display patio is designed to be located next to the office on the west side of the building. To the north of the structure would be a paved lot for vehicle storage, an exterior dock fuel island with a 500-1000 gallon above-ground fuel tank capacity, and a 17-foot-high covered wash bay. The building's exterior color palette would be comprised of shades of gray and tan. The site is designed to provide 73 automobile parking spaces for employees and visitors. Security gates would be located on the west and east sides of the parcel and a

combination of walls and fencing compliant with the Indio Unified Development Code would be provided around the property for security.

Six-Building Light Industrial

Six multi-tenant light industrial buildings are proposed in the eastern portion of the site. The Project Applicant is proposing the buildings on a speculative basis, meaning that the future tenants/users of the buildings are unknown at this time. The largest building is designed as a ±26,700 s.f. building to be occupied by a light industrial user type. The building would be approximately 34 feet in height with two stories and would be constructed of concrete tilt-up panels and low-reflective glass. Office space would be provided in select corners of the building to support the operations. Loading docks would be positioned on the north-facing side of the building, facing I-10, totaling eight dock doors. The site is designed to provide 66 automobile parking spaces for employees and visitors, and an additional parking area for trailers.

Five smaller buildings would range between approximately ±7,560 and ±10,745 s.f. to be occupied by light industrial user types. The buildings would be approximately 34 feet in height and would be constructed of concrete tilt-up panels and low-reflective glass. Office spaces would be provided in select corners of the buildings to support the operations. Loading docks would be positioned on the north sides of the buildings facing I-10, totaling four dock doors per building. The site is designed to provide 105 automobile parking spaces for employees and visitors and an additional parking area for trailers.

Detention Basins

Two retention basins are proposed, at the easternmost and westernmost corners of the Project site. The easternmost basin would be approximately 2.07 acres and the westernmost basin would be approximately 0.81-acre. Refer to the Project's Preliminary Drainage Study (*Technical Appendix I*) for more information.

Utilities and Service Providers

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

1. Water: Indio Water Authority (IWA)
2. Sanitary Sewer: Coachella Valley Water District (CVWD)
3. Electricity: Imperial Irrigation District (IID)
4. Gas: Southern California Gas Company (SoCal Gas)
5. Telephone: Spectrum
6. Trash disposal: Burrtec Waste and Recycling Services

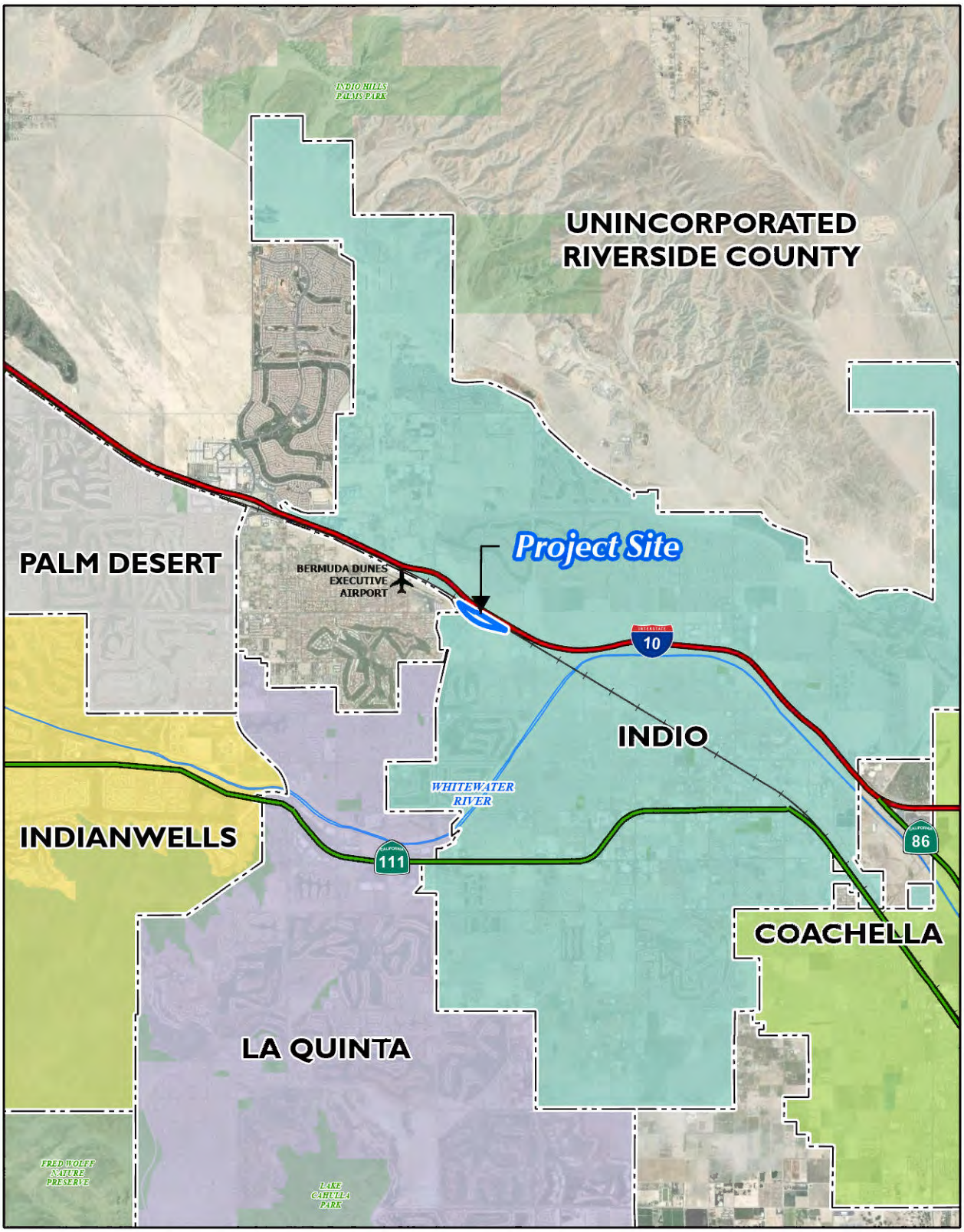
Surrounding Land Uses:

North: Southern Pacific Railroad, I-10, Vacant Land, Residential
South: Jefferson Street/Indio Boulevard, Vacant Land, Commercial

East: Southern Pacific Railroad, I-10, Vacant Land
West: Jefferson Street, Country Club Drive, Bermuda Dunes Airport, Residential

Other public agencies whose approval is required.

1. Regional Water Quality Control Board (NPDES Permit)
2. CVWD (sewer line and connection point approvals)
3. IWA (water line and connection point approvals)
4. IID (electrical service system and connection point approvals)
5. South Coast Air Quality Management District (potential permits to construct and permits to operate)
6. Riverside County Department of Environmental Health (for the gas station fuel storage tanks, a Hazardous Waste Generator Permit and an Underground Storage Tank Permit)
7. State Department of Alcohol Beverage Control (liquor license for sale of alcoholic beverages at the 7-Eleven convenience store)

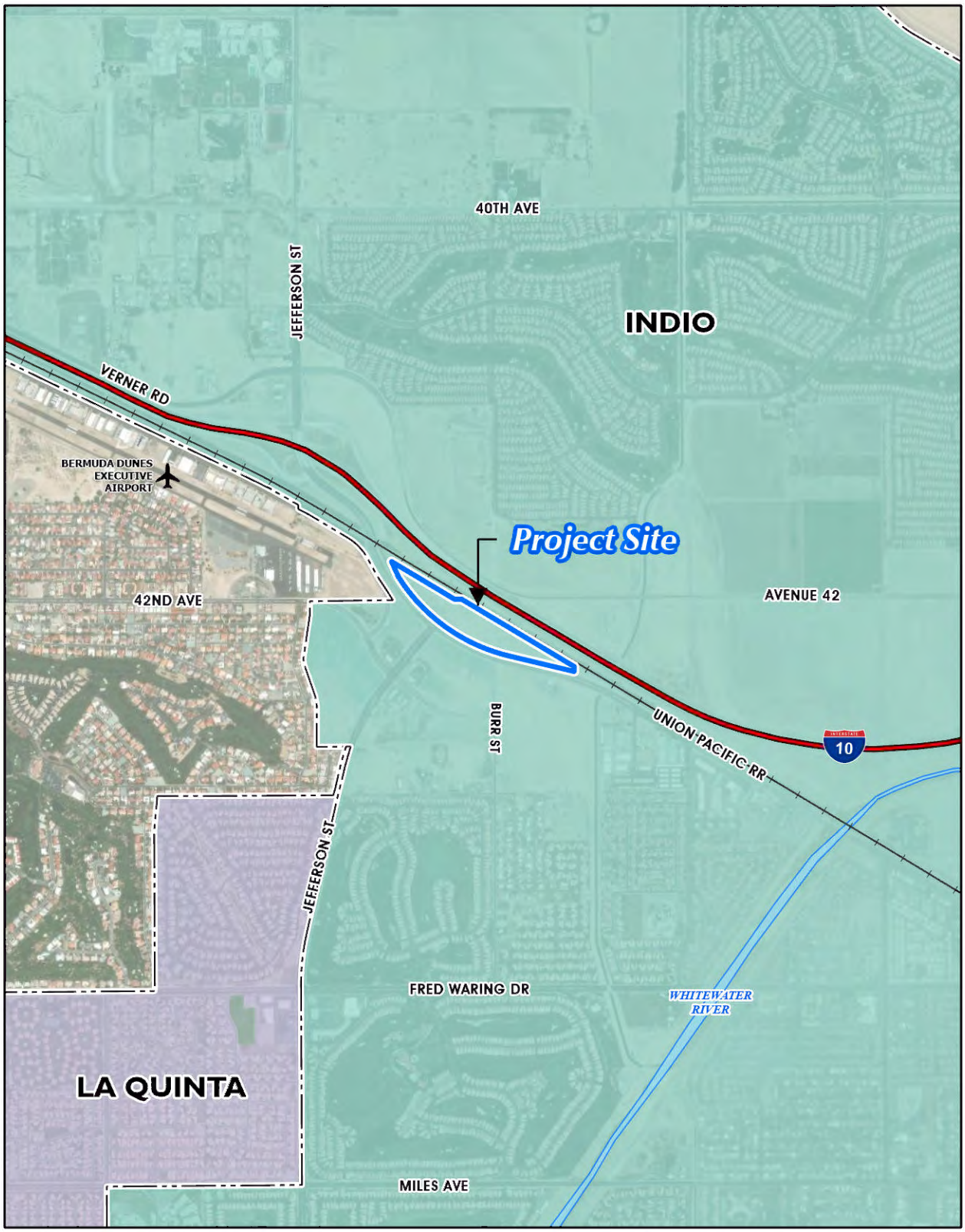


Source(s): ESRI, RCIT (2023)

Figure 1

0 0.375 0.75 1.5 Miles

Regional Map



Source(s): ESRI, RCIT (2023)

0 500 1,000 2,000 Feet

Figure 2

Vicinity Map

Source(s): Commerce Construction Co. (April 2024)

Figure 3

Not to Scale

Project Site Plan

Environmental Factors Potentially Affected:

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

☒ Aesthetics	☐ Greenhouse Gas Emissions	☒ Public Services
☐ Agriculture and Forestry Resources	☒ Hazards & Hazardous Materials	☐ Recreation
☒ Air Quality	☐ Hydrology/Water Quality	☐ Transportation
☒ Biological Resources	☐ Land Use/Planning	☒ Tribal Cultural Resources
☒ Cultural Resources	☐ Mineral Resources	☐ Utilities/Service Systems
☐ Energy	☐ Noise	☐ Wildfire
☒ Geology/Soils	☐ Population/Housing	☒ Mandatory Findings of Significance

CHAPTER 2: ENVIRONMENTAL ANALYSIS AND DETERMINATION

DETERMINATION: The City of Indio Planning Department finds

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	Date
Printed Name	For

PURPOSE OF THIS INITIAL STUDY

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

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to Projects like the one involved (e.g., the Project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a Project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as Project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.
    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures

Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a Project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

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

Sources: FEIR for the City of Indio General Plan Update, dated June 2019; Google Earth; California Department of Transportation State Scenic Highway Map; US Census Bureau Urbanized Area Reference Map.

Environmental Setting

The Project site is located on the western side of the City of Indio, which is located in the Coachella Valley, between the Santa Rosa and San Jacinto Mountains National Monument to the southwest and Joshua Tree National Park to the northeast. The Project site is located immediately north of and adjacent to Jefferson Street/Indio Boulevard, and immediately south of and adjacent to the Southern Pacific Railroad. Interstate 10 (I-10) is located approximately 175 feet to the north using a straight line measurement method from the closest point of the Project site boundary.

Scenic resources visible from public viewpoints adjacent to the Project site include the Santa Rosa Mountains, located to the southwest of the Project site; the San Jacinto Mountains, located west of the Project site; the Little San Bernardino Mountains, located north of the Project site, and the Indio Hills, located northeast of the Project site. There are no State-designated scenic highways in the City of Indio; however, the County of Riverside Western Coachella Valley Area Plan (WCVAP) identifies I-10 and Dillon Road as County-eligible scenic highways. (Indio, 2019b, 4.1-2)

The Project site is vacant and undeveloped, appears from surrounding public roadways as a flat and gently sloping property and contains no discernable scenic features.

Discussion of Impacts

a) Less Than Significant Impact. Under existing conditions, the Project site is vacant and does not serve as a scenic vista or contribute to a scenic vista. The Final Environmental Impact Report for the City of Indio General Plan Update does not identify any scenic vistas or scenic corridors on the Project site or in the vicinity of the Project. (Indio, 2019b, 4.1-2)

Scenic resources visible or partially visible from public viewpoints adjacent to the Project site include the Santa Rosa Mountains (approximately 18.1 miles to the southwest), the San Jacinto Mountains (approximately 24.4 miles to the west), the Little San Bernardino Mountains (approximately 16.2 miles to the north) and the Indio Hills (approximately 7.5 miles to the northeast).

The Project entails subdividing the ±19.09-acre Project site and developing a 7-Eleven convenience store with fuel islands and a car wash, ±18 feet 8 inches in height, a Quinn Cat building, ±36 feet in height, and six light industrial buildings, ±34 feet in height. Other vertical features (fences, landscaping, etc.) would be shorter and have substantially less physical mass than the buildings, so the buildings are considered to have the greatest potential to affect a scenic vista.

The Project's buildings would be set back from Indio Boulevard and the intersections of Indio Boulevard with Jefferson Street and Burr Street, the public viewing areas that have the potential to be affected by the Project, by a minimum of 20 feet. Due to the orientation of the Santa Rosa Mountains and the San Jacinto Mountains to the Project Site (the mountains are located south and west of the Project site and Indio Boulevard, respectively), implementation of the Project would not alter views of the mountains from Indio Boulevard because the Project would not result in any improvements/alterations to the south or west sides of Indio Boulevard. From Indio Boulevard, looking north and northeast, the Project would partially obstruct foreground views of the Little San Bernardino Mountains and the Indio Hills, but the higher elevations of these topographic features would remain visible beyond the Project site. At a maximum height of 36 feet, the proposed buildings would not be so tall so as to obstruct public views or otherwise detract from public views of the higher elevations of the Little San Bernardino Mountains or Indio Hills in the distance due to the heights of the of the landform's features reaching to approximately 5,814 feet and 1,744 feet, respectively, in elevation. Distant mountain and hillside views would still be visible looking north and northeast beyond the boundary of the Project site.

Based on the foregoing analysis, the Project would not have a substantial adverse effect on scenic vistas, and impacts would be less than significant.

b) **No Impact.** The Project site is not located within or adjacent to a designated State scenic highway corridor and does not contain scenic resources, such as trees of scenic value, rock outcroppings or historic buildings. The nearest designated scenic highway to the Project site is State Route 74 (SR 74), located approximately 7.5 miles west of the Project site (Google Earth, 2023; Caltrans, 2018). Accordingly, there is no potential for the proposed Project to adversely impact the viewshed within a scenic highway corridor. No impact would reasonably occur.

c) **No Impact**. The United States Census Bureau defines "urbanized area" as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents, and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. The Project site is located within the boundaries of the Census-defined Indio-Cathedral City urban area (USCB, 2012); therefore, the Project would be considered to result in a significant adverse impact under this threshold only if the Project design would conflict with applicable zoning and other regulations governing scenic quality. The Project site is designated as Workplace Employment District (WED) on the City's General Plan land use map and is zoned Light Industrial (IL) with a maximum permitted floor area ratio (FAR) of 1.0. The Project and its design as shown on the Project's application materials on file with the City of Indio are General Plan-conforming and zone-conforming. The Project does not conflict with zoning or other regulations governing scenic quality and thus no impact would occur.

d) **Less Than Significant Impact with Mitigation Incorporated.** Under the existing conditions, the Project site contains no sources of artificial lighting. Street lights are present along the Project site's frontage on Indio Boulevard where street lights occur in the median. Headlights from vehicles traveling on I-10, Indio Boulevard, and on Jefferson Avenue and Burr Street approaching Indio Boulevard also cast light onto the site. The Project Applicant proposes to develop the site with a retail/light industrial employment center and would introduce additional lighting elements on the site to illuminate the parking areas, truck docking areas, building entrances, and public roadway frontage.

The proposed Project would be required to adhere to the lighting requirements as set forth in the Indio Unified Development Code (Section 3.02.11). The Unified Development Code provides standards for outdoor lighting that applies to all new development. The submittal of a lighting plan is required as part of a development application or land use permit and the Project's lighting plan is on file with the City that shows the proposed number and locations of light fixtures, their wattage, and illumination levels in compliance with City requirements. Mandatory compliance with the Unified Development Code Section 3.02.11 would ensure that the Project would not introduce any permanent lighting features that would adversely affect day or nighttime views in the area. Nonetheless, should the Project not comply with the lighting requirements set forth in the Indio Unified Development Code (Section 3.02.11), a potentially significant impact would occur.

With respect to glare, the proposed 7-Eleven building would have a stucco finish and the proposed Quinn Cat and light industrial building walls would consist of concrete tilt-up panels, which are low-reflective. Although the buildings would incorporate some glass elements, which would have the potential to result in minor glare effects, such effects would not adversely affect daytime views of surrounding properties, including motorists along adjacent roadways, because the glass proposed for the Project would be low-reflective and proposed landscaping would provide a buffer between all proposed glass surfaces and the public rights of way. Any solar panels that may be proposed on building roofs would require review and approval by the Riverside County Airport Land Use Commission (ALUC) to ensure that glare would not adversely affect operations at the Bermuda Dunes Airport. Thus, glare impacts from proposed building elements would be less than significant. Nonetheless, should the Project's construction plans not specify the use of low-reflective glass and proposed landscaping to buffer proposed glass surfaces from public rights of way, or if solar panels are proposed on building roofs, potentially significant impacts glare impacts would occur.

Mitigation Measures:

AES-1 The Project shall comply with the Indio Unified Development Code (Section 3.02.11, Outdoor Lighting) which requires the submittal of a lighting plan as part of a development application or land use permit, showing the proposed number and locations of light fixtures, their wattage, and illumination levels in compliance with City requirements. Among other requirements, all outdoor lighting shall be designed, located, installed, directed downward or toward structures, fully shielded, and maintained in order to prevent glare, light trespass, and light pollution and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the project site intended to be illuminated.

AES-2 Glass used in building designs shall be low-reflective and landscaping shall be installed to provide a buffer between any proposed reflective glass surface and the public rights of way in accordance with Indio Unified Development Code (Section 3.02.09, Landscaping).

AES-3 Should solar panels be proposed on building plans, and prior to the issuance of any permit allowing the installation of solar panels, the Project Applicant shall submit and receive approval of a solar glare study from the Riverside County Airport Land Use Commission (ALUC) to ensure that glare would not adversely affect operations at the Bermuda Dunes Airport.

Monitoring:

AES-A Prior to the issuance of any building permit, the City of Indio shall assure compliance with Indio Unified Development Code (Section 3.02.11, Outdoor Lighting), Indio Unified Development Code (Section 3.02.09, Landscaping), and assure that glass proposed for installation is non-reflective.

Responsible Parties: Developer/Permit Applicant, City of Indio Community Development Department.

AES-B Prior to the approval of any solar panel installation, the City of Indio shall assure that the Riverside County ALUC has reviewed and approved a solar glare study and that any ALUC conditions of approval are implemented.

Responsible Parties: Developer/Permit Applicant, Riverside ALUC, City of Indio Community Development Department.

II. AGRICULTURAL AND FORESTRY RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

Sources: FEIR for the City of Indio General Plan Update, dated June 2019; California Department of Conservation Important Farmland Finder.

Environmental Setting

No forest lands are located in the City of Indo. Throughout the City's history, the agricultural industry has played an important factor in the local economy. The combination of climate and soil types in the City allow for the cultivation of a variety of specialty crops, including grapes, citrus, dates, and other fruit and vegetable crops.

Prime Farmland areas in the City are located primarily north of I-10 and along the southern border of the City limits, south of Avenue 50. Unique Farmland is located in an area that was a historic date farm, in the northeastern portion of the City. Locally Important Farmland areas are located in the central and southern portions of the City. (Indio, 2019b, pp. 4.2-1 to 4.2-3)

The Project site contains no trees that contribute to a forest. The Project site is not currently farmed or used for any other agricultural purpose.

Discussion of Impacts

a) **No Impact.** According to Farmland Mapping and Monitoring Program mapping information available from the California Department of Conservation, the Project site does not contain any soils mapped as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance" (CDC, 2022). As such, implementation of the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. No impact would occur.

b) **No Impact.** The Project site is not subject to a land conservation (Williamson Act) contract

(Indio, 2019b, p. 4.2-4). In addition, the Project site is zoned for "Light Industrial (IL)" land uses; therefore, implementation of the Project has no potential to conflict with existing zoning for an agricultural use. No impact would occur.

c) **No Impact.** The Project site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. Therefore, implementation of the Project has no potential to conflict with or cause the rezoning of any areas zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur.

d) **No Impact.** The Project site does not contain a forest and is not designated as forest land. Thus, implementation of the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact would occur.

e) **No Impact.** "Farmland" is defined in Section II(a) of Appendix G of the CEQA Guidelines to mean "Prime Farmland," "Unique Farmland" or "Farmland of Statewide Importance." As noted above in Response 4.2(a), the Project site does not contain any soils mapped by the Department of Conservation as "Farmland." Additionally, as described above in Responses 4.2(c) and 4.2(d), the Project site and surrounding areas do not contain forest lands or areas designated for forest land uses. Thus, implementation of the Project would not result in the conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. No impact would occur.

Mitigation Measures: None required.

Monitoring: None required.

III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?		✓		

c)	Expose sensitive receptors to substantial pollutant concentrations?			✓	
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Sources: Air Quality Impact Analysis, prepared by Urban Crossroads, dated July 12, 2023 (*Appendix A1*); Health Risk Assessment, prepared by Urban Crossroads, dated July 12, 2023 (*Appendix A2*).

Environmental Setting

The Project site is located within the Salton Sea Air Basin (SSAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SSAB (also referred to herein as "the Basin") is aligned in a north-west-southwest orientation stretching from Banning Pass to the Mexican border. The regional climate, as well as the temperature, wind, humidity, precipitation, and amount of sunshine substantially influence the air quality in the Basin. (Urban Crossroads, 2023a, p. 8)

The climate of the Coachella Valley is a continental, desert-type climate, with hot summers, mild winters, and very little annual rainfall. Precipitation is less than six inches annually and occurs mostly in the winter months from active frontal systems and in the late summer months from thunderstorms. Almost all of the annual rainfall comes from the fringes of mid-latitude storms from late November to early April with summers often being completely dry. Temperatures exceed 100 degrees Fahrenheit (°F), on the average, for four months each year, with daily highs near 110 °F during July and August. Summer nights are cooler with minimum temperatures in the mid-70s. During the winter season, daytime highs are quite mild, but the dry air is conducive to nocturnal radiational cooling, with early morning lows around 40 °F. (Urban Crossroads, 2023a, p. 8)

The U.S. Environmental Protection Agency (EPA) has established National Ambient Air Quality Standards (NAAQS) for six of the most common air pollutants: carbon monoxide (CO), lead (Pb), ozone ($O_{3)}$, particulate matter (PM_{10} and $PM_{2.5}$), nitrogen dioxide ($NO_{2)}$, and sulfur dioxide ($SO_{2)}$ which are known as criteria pollutants. The SSAB exceeds State and federal standards for ozone (8-hr) and PM_{10}, and exceeds state standards for ozone (1-hr). (Urban Crossroads, 2023a, p. 19)

The Project's projected construction and operational air quality emissions, discussed below, were calculated using the California Emissions Estimator Model (CalEEMod) Version 2022.1.1.12. A primary purpose of this model is to calculate construction-source and operational-source criteria air pollutants (volatile organic compounds (VOCs), NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$) from direct and indirect sources. (Urban Crossroads, 2023a, p. 27)

Discussion of Impacts

a) **No Impact.** The Project site is located within the SSAB and is subject to the SCAQMD's *2022 Air Quality Management Plan* (*2022 AQMP*) and the *2003 Coachella Valley (CV) PM_{10} State Implementation Plan* (*SIP*). The SCAQMD has jurisdiction over an approximately 10,743 square-

mile area consisting of the four-county Basin and the Los Angeles County and Riverside County portions of what used to be referred to as the Southeast Desert Air Basin. In these areas, the SCAQMD is principally responsible for air pollution control, and works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, as well as state and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet California and federal ambient air quality standards. (Urban Crossroads, 2023a, p. 44)

The *2022 AQMP* incorporates scientific and technological information and planning assumptions, including the SCAG's *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (*RTP/SCS*), a planning document that supports the integration of land use and transportation to help the region meet the federal Clean Air Act (CAA) requirements.[1]

SCAG adopted the *2020-2045 RTP/SCS* as a planning document that supports the integration of land use and transportation to help the region meet the federal metropolitan planning organization (MPO) requirements under the Sustainable Communities and Climate Protection Act. The proposed Project conforms to City of Indio's Workplace Employment District (WED) land use designation and Light Industrial (IL) zoning designation and thus is compliant with the *2020-2045 RTP/SCS* which relies in part on locally-adopted General Plans.[1] The two consistency criteria for determining compliance with the *2022 AQMP* are as follows.

> *Consistency Criterion No. 1: The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*
>
> Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards (CAAQS) and NAAQS. CAAQS and NAAQS violations would occur if local significant thresholds (LSTs) or regional significance thresholds were exceeded. As evaluated under Response III(c), below, the Project's regional and localized construction-source emissions would not exceed applicable regional and local significance thresholds. As such, a less than significant impact would occur (Urban Crossroads, 2023a, p. 45). Also, the Project would not exceed the applicable regional and local significance thresholds for operational activity (see response III(c), below). As such, the Project would not have the potential to result in a significant impact with respect to this criterion and the Project would be consistent with the *2022 AQMP*. (Urban Crossroads, 2023a, p. 45)
>
> *Consistency Criterion No. 2: The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.*

[1] It is acknowledged that SCAG adopted the *2024-2050 RTP/SCS* in April 2024. However, the 2022 AQMP is reliant upon the *2020-2045 RTP/SCS*.

> Growth projections from local general plans adopted by cities in the jurisdiction of the SCAQMD are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the City of Indio General Plan 2040 is considered to be consistent with the AQMP (Urban Crossroads, 2023a, pp. 45-46).
>
> The City of Indio General Plan 2040 designates the Project Site for WEP land uses. The WEP designation allows for a wide variety of employment-generating activity, including, but not limited to, industrial, light manufacturing, research and development, office, and supportive commercial with a maximum FAR of 1.0.
>
> The Project entails the development of a ±4,925 s.f. convenience market with a ±980 s.f. car wash, and a 16-vehicle pump gas station; a ±34,685 s.f. Quinn CAT building; and a ±73,804 s.f. six building light industrial park, with buildings ranging from ±7,560 s.f. to ±26,700 s.f., consistent with the Project site's WEP land use designation. Because the Project's proposed land use is consistent with the City's General Plan and because the Project's construction and operational-source air pollutant emissions would not exceed the regional or localized significance thresholds, the Project is determined to be consistent with the second criterion. (Urban Crossroads, 2023a, p. 46)

The Project would not result in or cause NAAQS or CAAQS violations. Additionally, the proposed Project is consistent with the City's designated WEP land use designation. As such, the Project is therefore considered to be consistent with the *2022 AQMP*.

b) **Less Than Significant Impact with Mitigation Incorporated**. The proposed Project has the potential to generate air pollutant concentrations during both construction activities and long-term operation. The following analysis is based on the applicable significance thresholds established by the SCAQMD for regional criteria pollutant emissions (as summarized in Table 3-1 of *Appendix A1*). This analysis assumes that the proposed Project would comply with applicable, mandatory regional air quality standards, including: SCAQMD Rule 403, "Fugitive Dust," SCAQMD Rule 1113, "Architectural Coatings," SCAQMD Rule 461, "Gasoline Transfer and Dispensing," and SCAQMD Rule 1401, "New Source Review of Toxic Air Contaminants."

For a detailed description of the health effects of air pollutants refer to the Project's Mobile Source Health Risk Assessment (*Appendix A2*). The potential for the Project to result in substantial adverse health effects from toxic air contaminant emissions is addressed in Response III(c), below.

Impact Analysis for Construction Emissions

For purposes of the construction emissions analysis, construction is assumed to occur between June 2024 and March 2026 as shown in Table 1, *Construction Duration*. If construction commences later than these dates, the construction-related air pollutant emissions would be the same or less as reported herein, as regulatory requirements become more stringent over

time and construction fleets cycle out older, more polluting equipment and introduce newer, less polluting equipment. The duration of construction activity and associated equipment relied upon for the analysis represents reasonable approximations of the expected construction timeline and equipment fleet as required per CEQA Guidelines. The construction duration for the architectural coating and paving phases were conservatively estimated to overlap with the building construction phase of Project construction. (Urban Crossroads, 2023a, p. 28) During construction activities and in accordance with applicable provisions of SCAQMD Rule 403 and Rule 403.1, a fugitive dust control plan (a PM_{10} Plan) would be required to be prepared, submitted, and implemented by the grading contractor prior to the start of physical construction of the Project (SCAQMD, 2005) (SCAQMD, 2004). Should a fugitive dust control plan not be prepared and implemented, particulate matter emissions during construction have the potential to be significant.

Table 1 Construction Duration

Phase Name	Start Date	End Date	Days
Site Preparation	6/3/2024	8/16/2024	55
Grading	8/19/2024	11/15/2024	65
Building Construction	11/18/2024	3/31/2026	357
Paving	4/1/2025	10/31/2025	154
Architectural Coating	2/3/2025	7/31/2025	129

Source: (Urban Crossroads, 2023a, Table 3-3)

CalEEMod calculates maximum daily emissions for summer and winter periods. The estimated maximum daily construction emissions without mitigation are summarized on Table 2, *Overall Construction Emissions Summary*. As shown, air pollutant emissions resulting from the Project's construction would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant. (Urban Crossroads, 2023a, p. 29)

Impact Analysis for Operational Emissions

Operational activities associated with the Project are expected to generate air pollutant emissions from the operation of motor vehicles (including trucks), operation of on-site equipment, on-site maintenance activities, and the consumption of energy resources.

CalEEMod utilizes summer and winter EMFAC2021 emission factors in order to derive vehicle emissions associated with Project operational activities, which vary by season. As such, operational activities for summer and winter scenarios are presented in Table 3, *Summary of Peak Operational Emissions*. Project operational activities would not exceed the numerical thresholds of significance established by the SCAQMD for emissions of any criteria pollutant. As such, operational impacts would be considered less than significant. (Urban Crossroads, 2023a, p. 33)

Table 2 Overall Construction Emissions Summary

Year	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer (Smog Season)						
2024	4.59	42.68	37.15	0.06	8.16	4.82
2025	8.31	20.75	32.52	0.05	1.88	1.03
Winter						
2024	4.03	37.76	32.58	0.06	4.72	2.68
2025	7.08	19.58	27.62	0.04	1.73	0.97
2026	1.34	11.36	16.56	0.03	1.13	0.55
Maximum Daily Emissions	**8.31**	**42.68**	**37.15**	**0.06**	**8.16**	**4.82**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2023a, Table 3-5)

In 2022, CARB released the Gasoline Service Station Industrywide Risk Assessment Technical Guidance report which provides emission factors for loading, breathing, fueling, spillage and hose permeation for gasoline dispensing. The proposed Project will include a 7-Eleven convenience store with gasoline pumps. For operational VOC emissions calculation purposes, the annual gasoline throughput was estimated to be 4,192,000 annually or 11,485 gallons/day, which was calculated by averaging nine similar 7-Eleven gas stations in the nearby cities of Indio, Cathedral City, Banning, Calimesa, and Moreno Valley. Based on this throughput estimate, the Project is anticipated to emit an additional 5.10 lbs/day VOC emissions for gasoline dispensing. Thus, the total daily VOC emissions from operational emissions estimated by CalEEMod as well as VOCs from gasoline dispensing would be 26.93 lbs/day (17.02 lbs/day + 5.10 lbs/day), which does not exceed the SCAQMD Regional threshold of 55 lbs/day. Regardless, SCAQMD Rule 461 requires an enhanced vapor recovery system to reduce possible emissions from gasoline transfer to and from underground storage tanks and dispensing from surface fueling stations. Gasoline dispensing emission calculations are provided in Appendix 3.3 of *Appendix A1*.

c)Less Than Significant Impact. The following provides an analysis of the Project's potential to expose sensitive receptors in the immediate vicinity of the Project site to substantial pollutant concentrations during Project construction and long-term operation. Exposure to air pollution has adverse effects on human health, such as heart problems, respiratory illness, increased susceptibility to infections, depressed immune systems, eye/nose/throat irritations, nausea, cancer, and other health concerns. Refer to Table 2-1 in *Appendix A1* for more detail regarding human health effects associated with criteria pollutants and refer to *Appendix A2* for more detail regarding human health effects associated with diesel particulate matter (DPM). The following analysis is based on the applicable significance thresholds established by the SCAQMD.

Table 3 Summary of Peak Operational Emissions

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer (Smog Season)						
Mobile Source	18.31	14.72	64.90	0.16	8.97	2.45
Area Source	3.37	0.04	4.76	0.00	0.01	0.01
Energy Source	0.02	0.40	0.34	0.00	0.03	0.03
On-Site Equipment Source	0.12	0.38	16.44	0.00	0.03	0.03
Fueling Station Source	5.10	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	**26.93**	**15.53**	**86.45**	**0.16**	**9.04**	**2.52**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter						
Mobile Source	14.29	15.68	57.21	0.15	8.97	2.45
Area Source	2.59	0.00	0.00	0.00	0.00	0.00
Energy Source	0.02	0.40	0.34	0.00	0.03	0.03
On-Site Equipment Source	0.12	0.38	16.44	0.00	0.03	0.03
Fueling Station Source	5.10	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	**22.12**	**16.46**	**73.99**	**0.15**	**9.03**	**2.51**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2023a, Table 3-8)

Impact Analysis for Construction Localized Emissions

Table 4, *Localized Construction Source Emissions* identifies the localized impacts at the nearest receptor location in the vicinity of the Project. Without mitigation, localized construction emissions would not exceed the applicable SCAQMD LSTs for emissions of any criteria pollutant. For analytical purposes, emissions associated with peak site preparation and grading activities are considered for purposes of LSTs since these phases represents the maximum localized emissions that would occur. Any other construction phases of development that overlap would result in less emissions and consequently lesser impacts than what is disclosed herein. (Urban Crossroads, 2023a, p. 39)

Impact Analysis for Operational Localized Emissions

The Project's estimated operational localized emissions are presented in Table 5, *Localized Significance Summary of Operations*. As shown, the Project's operational emissions would not exceed the LST thresholds and therefore, are considered to have a less than significant localized impact during operational activity. (Urban Crossroads, 2023a, p. 42)

Table 4 Localized Construction Source Emissions

Construction Activity	Year	Emissions (lbs/day)			
		NO_X	CO	PM_{10}	$PM_{2.5}$
Site Preparation	**Maximum Daily Emissions**	**42.51**	**35.31**	**7.91**	**4.76**
	SCAQMD Localized Threshold	300	2,975	187	88
	Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Grading	**Maximum Daily Emissions**	**37.57**	**31.37**	**4.44**	**2.61**
	SCAQMD Localized Threshold	319	3,216	191	91
	Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2023a, Table 3-11)

Table 5 Localized Significance Summary of Operations

On-Site Emissions	Emissions (lbs/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	**8.09**	**62.57**	**1.59**	**0.48**
SCAQMD Localized Threshold	359	3,696	48	23
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2023a, Table 3-13)

Impact Analysis for Construction-Source Diesel Particulate Matter

The land use with the greatest potential exposure to Project construction-source diesel particulate matter (DPM) emissions is backyard of a residential home on Avenida Camarillo approximately 1,311 feet north of the Project site and north of I-10. At the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is calculated at 0.30 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were calculated to be <0.01, which would not exceed the applicable threshold of 1.0. Because all other receptors are located further from the Project site, they would be exposed to lower concentrations of DPM during Project construction, and therefore less risk than the MEIR identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. Refer to *Appendix A2* for detailed analytical information. (Urban Crossroads, 2023, p. 23)

Impact Analysis for Operational-Source Diesel Particulate Matter

The residential land use with the greatest potential exposure to Project operational-source DPM emissions is the residential home on Avenue 43 located approximately 1,862 feet south of the Project site. At the MEIR, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is calculated to be 0.06 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks

were calculated to be <0.01 which would not exceed the applicable significance threshold of 1.0. Although this location is not the nearest receptor, it would experience the highest concentrations of DPM during Project operation due to meteorological conditions (wind speed and direction) in the Project vicinity. As such, all other receptors would experience less risk than what is identified for the MEIR identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project operational activity. Refer to *Appendix A2* for detailed analytical information. (Urban Crossroads, 2023, p. 24)

The worker receptor land use with the greatest potential exposure to Project operational-source DPM emissions is at the Del Taco located approximately 643 feet south of the Project site. At the maximally exposed individual worker (MEIW), the maximum incremental cancer risk impact is 0.02 in one million which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were calculated to be 0.004, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent workers. Refer to *Appendix A2* for detailed analytical information. (Urban Crossroads, 2023, p. 24)

There are no schools located within a ¼ mile of the Project site. The nearest school to the Project site is Carrillo Ranch Elementary School, located approximately 3,100 feet (over ½ mile) to the southeast. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than ¼ mile from the air pollution source, the Project would not cause a significant human health or cancer risk to nearby school children. Refer to *Appendix A2* for detailed analytical information. (Urban Crossroads, 2023, p. 25)

Impact Analysis for Combined Construction and Operational-Source Diesel Particulate Matter

The land use with the greatest potential exposure to Project construction-source and operational-source DPM emissions is a residential home located approximately 1,862 feet south of the Project site. At the MEIR, the maximum incremental cancer risk attributable to Project construction-source and operational-source DPM emissions is calculated to be 0.27 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were calculated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to nearby residences. Refer to *Appendix A2* for detailed analytical information. (Urban Crossroads, 2023, p. 25)

Impact Analysis for CO "Hot Spots"

An adverse CO concentration, known as a "hot spot," would occur if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur (Urban Crossroads, 2023a, p. 42). The ambient 1-hr and 8-hr CO concentration within the

Project study area is calculated to be 0.8 ppm and 0.4 ppm, respectively. Due to the low CO concentration and the Project's traffic volumes being substantially less than would be needed to increase CO concentrations above significance thresholds, the Project has no reasonable potential of being capable of resulting in a CO "hot spot" at any study area intersections (Urban Crossroads, 2023a, p. 43). A project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour (vph)—or 24,000 vph where vertical and/or horizontal air does not mix—in order to generate a significant CO impact. The Project's anticipated traffic volume is only 1,518 trips per day (PCE). Therefore, CO "hot spots" are not an environmental impact of concern for the Project and the impact would be less than significant. (Urban Crossroads, 2023a, pp. 43-44)

Specific Human Health Consequences

In December 2018, in the case of Sierra Club v. County of Fresno (2018) 6 Cal.5th 502, the California Supreme Court held that an air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. SCAQMD concluded that it "does not currently know of a way to accurately quantify ozone-related health impacts caused by NO_X or VOC emissions from relatively small projects." Additionally, the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) found that "the tonnage of PM-forming precursor emissions in an area does not necessarily result in an equivalent concentration of secondary PM in that area." The disconnect between the amount of precursor pollutants and the concentration of ozone or PM formed makes it difficult to determine potential health impacts, which are related to the concentration of ozone and PM experienced by the receptor rather than levels of NO_X, SO_X, and VOCs produced by a source. Because it is impracticable to accurately isolate the exact cause of a human disease (for example, the role a particular air pollutant plays compared to the role of other allergens and genetics in cause asthma), existing scientific tools cannot accurately estimate health impacts of the Project's air emissions without undue speculation. The LST analysis above determined that the Project would not result in emissions exceeding SCAQMD's LSTs. Therefore, the proposed Project would not be expected to exceed the most stringent applicable federal or State ambient air quality standards for emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$. Furthermore, because the Project's emissions would comply with federal, State, and local air quality standards, the proposed Project's emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level and would not provide a reliable indicator of health effects if modeled.

d) **Less Than Significant Impacts.** The Project could produce odors during proposed construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. Accordingly, the proposed

Project would not create objectionable odors affecting a substantial number of people during construction, and short-term impacts would be less than significant. (Urban Crossroads, 2023a, p. 47)

During long-term operation, the Project would include employment land uses, consisting of convenience, retail and light industrial operations, which are not typically associated with objectionable odors. With respect to operation of the gas station, gas pumping activities are expected to generate odors associated with gasoline fumes. The gas pumps and underground storage tanks would include CARB-required vapor recovery systems that would control VOC vapor releases during refueling and would minimize driver and employee exposure to gasoline odors and fumes. Thus, gasoline odors are not expected to adversely affect adjacent land uses. The temporary storage of refuse associated with the proposed Project's long-term operational use could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the proposed Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation. As such, long-term operation of the proposed Project would not create objectionable odors affecting a substantial number of people. (Urban Crossroads, 2023a, p. 47)

Mitigation Measures:

Although impacts would be less than significant, a mitigation measure is provided below to assure compliance with the applicable provisions of SCAQMD Rule 403 and Rule 403.1.

AIR -1 Prior to the issuance of a grading permit and start of earth moving activities, the Developer/Permit Applicant or its grading contractor shall prepare and receive approval a Fugitive Dust Control Plan from the SCAQMD Executive Officer in accordance with the applicable requirements of SCAQMD Rule 403 "Fugitive Dust" and Rule 403.1 "Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources." Construction contractors shall be obligated by their contracts to adhere to the approved Fugitive Dust Control Plan and permit inspection of the construction site by the City of Indio, SCAQMD, and its designees to ensure compliance.

Monitoring:

AIR-A Prior to the issuance of any permit to allow ground disturbance on the site, the Developer/Permit Applicant or its grading contractor shall furnish the City with a Fugitive Dust Control Plan approved by the SCAQMD Executive Officer.

Responsible Parties: Developer/Permit Applicant, SCAQMD, City of Indio Community Development Department

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

Sources: Biological Resources Update Memo, prepared by Rocks Biological Consulting, dated August 25, 2022 (*Appendix B*); FEIR for the City of Indio General Plan Update, dated June 2019.

Environmental Setting

Within the City of Indio, native vegetation primarily occurs in the northwest and northeast portions of the City, north of I-10. Historically, 12 sensitive vegetation communities, seven sensitive plant species, and 17 sensitive wildlife species have been known to occur within the City. (Indio, 2019b, pp. 4.4-4 to 4.4-9)

The Project site was surveyed for biological resources by Rocks Biological Consulting in 2022. The site is reported to be undeveloped and does not contain any climax plant communities, indicating that the site has been heavily altered from its natural conditions. The entire Project site supports disturbed stabilized shielded desert sand fields, which are characterized by interrupted/shielded sand transport systems, resulting in sand accumulations that are stabilized by vegetation and lack dune formation. Sand hummocks are present throughout the Project site. A mix of native shrub species are interspersed across the Project site and several disturbance-related non-native species are also present. (Rocks Biological Consulting, 2022, p. 2)

Discussion of Impacts

a) Less Than Significant Impact with Mitigation Incorporated.

Special-Status Plants

No special-status plants were observed during field surveys conducted by Rocks Biological Consulting biologists in 2022 and no sensitive plants have a reasonable potential to occur due to the disturbed nature of the Project site and proximity to development. Because special-status plant species have low or no potential for occurrence, the Project would result in no impacts to special-status plant species. (Rocks Biological Consulting, 2022, p. 3)

Special-Status Wildlife Species

No special-status wildlife species were observed on the Project site during field surveys conducted by Rocks Biological Consulting biologists in 2022. Due to the disturbed nature of the Project site and proximity to development, the Project site provides only marginal habitat for sensitive wildlife species. Four special-status bird species have moderate potential to occur or forage on the Project site, including burrowing owl (*Athene cunicularia)*, Le Conte's thrasher (*Toxostoma lecontei)*, loggerhead shrike (*Lanius ludovicianus)*, and vermillion flycatcher (*Pyrocephalus rubinus)*. No other wildlife species have moderate or high potential to occur on the Project site due to lack of suitable habitat and proximity to urban development. (Rocks Biological Consulting, 2022, pp. 4-10)

Pursuant to the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC Sections 3503.5 to 3513), take of a protected species individual, their egg(s), or their nest is prohibited and the Project Applicant would be required to comply with MM BR-1 through MM BR-3, provided below, to ensure compliance with the respective regulations. MM BR-1 through MM BR-3 would reduce potential impacts to the nesting birds to less than significant levels by

ensuring that pre-construction surveys are conducted to determine the presence or absence of nesting birds on or adjacent to the Project site prior to the commencement of construction activities. If active bird nests are present, these mitigation measures provide performance criteria that requires avoidance of the nests until it can be determined the nest is no longer active or that the juveniles from the occupied nests are capable of surviving independently of the nest. Potential impacts would be less than significant with mitigation.

b) **No Impact**. Based on field surveys conducted by Rocks Biological Consulting, the entire Project site is classified as disturbed stabilized shielded desert sand fields and no riparian habitat or other sensitive natural community is present on the Project site. Implementation of the Project would not have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in the local or regional plans, policies, or regulations by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS) because no such resources exist. No impact would occur. (Rocks Biological Consulting, 2022, p. 10)

c) **No Impact**. The Project site does not contain any protected wetlands or aquatic resources. As such, the Project would not 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. No impact would occur. (Rocks Biological Consulting, 2022, p. 10)

d) **No Impact.** The Project site is bound by a railroad corridor and I-10 to the north and Indio Boulevard and Jefferson Street to the south. The Project site does not function as part of a regional or local wildlife corridor. While there are some undeveloped tracts of land south of the Project site, those areas also contain minimal vegetation, are isolated from larger landscapes of natural habitat, and receive frequent disturbances from surrounding land uses. Collectively, the Project site and other isolated undeveloped parcels in the project vicinity are unlikely to be used by wildlife species as refuge between larger areas of naturally occurring habitat. Additionally, the Project site does not occur within any areas identified as biological corridors or linkages within the Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP). (Rocks Biological Consulting, 2022, pp. 10-11)

The Project site does not contain natural, surface drainage/watercourse or ponding features. Additionally, there are no water bodies on or adjacent to the Project site that could support fish. Therefore, there is no potential for the Project to interfere with the movement of native resident or migratory fish. The Project site also does not serve as a wildlife corridor nor is it connected to an established corridor, and there are no native wildlife nurseries on or adjacent to the Site. (Rocks Biological Consulting, 2022, pp. 10-11) Therefore, there is no potential for the Project to impede the use of a native wildlife nursery site. Accordingly, the Project would result in no impact to any native resident or migratory fish, established wildlife corridor, or native wildlife nursery sites.

e) **Less-than-Significant Impact with Mitigation Incorporated**. There are no local policies

applicable to the Project site's biological resources other than the Coachella Valley MSHCP (discussed below under Item f). As such, no impacts would occur pertaining to compliance with local policies.

f) **Less-than-Significant Impact**. The Project site is located within the boundaries of the Coachella Valley MSHCP fee area, but is not within a conservation area. The Project would result in impacts to land that could support MSHCP-covered species, including avian species; however, impacts will be offset by the payment of the Coachella Valley MSHCP Local Development Mitigation Fee. The Local Development Mitigation Fee is a component of the MSHCP to provide funding of the acquisition and long-term management of conservation land within the MSHCP boundary. With the mandatory fee payment, impacts would be less than significant.

Mitigation Measures:

BIO-1 As a condition of the Project's grading permit and pursuant to the Coachella Valley MSHCP Section 5.2.1.1, Local Development Mitigation Fee, the Project Applicant is required to pay a mitigation fee. The fee is subject to annual adjustment and is $7,225.00 per acre as of July 1, 2023.

BIO-2 As a condition of the Project's grading permit and no less than 14 days prior to the onset of construction activities, the Project Applicant shall retain a qualified biologist (Designated Biologist) to survey the construction limits and a 500-foot buffer for the presence or absence of burrowing owls and occupied nest burrows. A second survey shall be conducted within 24 hours prior to the onset of construction activities. The surveys shall be conducted in accordance with the most current CDFW survey methods. The Project Applicant shall submit at least one burrowing owl pre-construction survey report to the satisfaction of the City of Indio to document compliance. For the purposes of this mitigation measure, 'qualified biologist' is a biologist who meets the requirements set forth in the CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012). If burrowing owls are not observed during the clearance survey, no additional conditions will be required and ground disturbance may commence. If burrowing owl is documented on the site or in the 500-foot buffer area:

a. Occupied burrowing owl burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either the birds have not begun egg laying and incubation, or that juveniles from the occupied burrows are foraging independently and capable of independent survival.

b. Disturbance buffers shall be implemented by a qualified biologist in accordance with the recommendations included in the Staff Report on Burrowing Owl Mitigation (CDFW 2012).

c. A biologist shall perform monitoring during all construction activities approximately every other day. The definitive frequency and duration of monitoring shall be dependent on whether it is the breeding versus non-breeding season and the efficacy of the exclusion buffers, as determined by a qualified biologist and in coordination with CDFW.

d. If burrowing owl is observed during the non-breeding season (September 1 through January 31) or confirmed to not be nesting, a non-disturbance buffer between the project activities and the occupied burrow shall be installed by a qualified biologist in accordance with the recommendations included in the Staff Report on Burrowing Owl Mitigation (CDFW 2012).

e. If avoidance is not possible, either directly or indirectly, a Burrowing Owl Relocation and Mitigation Plan (Plan) shall be prepared and submitted for approval by CDFW. Once approved, the Plan would be implemented to relocate non-breeding burrowing owls from the project site. The Plan shall detail methods for relocation of burrowing owls from the project site, provide guidance for the monitoring and management of the replacement burrow sites and associated reporting requirements, and ensure that a minimum of two suitable, unoccupied burrows are available off site for every burrowing owl or pair of burrowing owls to be relocated.

BIO-3 In order to ensure compliance with the MBTA and California Fish and Game Code, prior to grading or any other initial ground-disturbing activities a nesting bird survey shall be conducted by a qualified Dedicated Biologist no more than 3 days prior to the ground-disturbing activities. If birds are found to be nesting inside or within 250 feet (500 feet for raptors) of the proposed ground-disturbing activity area, construction shall be postponed at the discretion of a qualified biologist, until it is determined that the nest is no longer active.

a. The applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.

b. Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of ground-disturbing activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey

duration shall take into consideration the size of the proposed disturbance area; density and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.

c. When an active nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers.

Monitoring:

BIO-A Prior to the issuance of any permit to allow ground disturbance on the site, the Developer/Permit Applicant shall furnish the City with completed pre-construction surveys for burrowing owl and nesting birds. If ground disturbance pauses for more than 30 days and then recommences, the burrowing owl survey shall be repeated before ground disturbing activities resume. If construction activities pause for more than 4 days during the migratory bird nesting season (February 1 – September 15), nesting bird surveys shall be repeated if there is vegetation within the construction area or within 250 feet of the construction area, before construction activity resumes.

Responsible Parties: Developer/Permit Applicant, Project biologist, Planning Department, City Engineer

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

Sources: Update to Historical/Archaeological Resources Study, prepared by CRM Tech, dated February 13, 2023 (*Appendix C*).

Environmental Setting

CRM Tech conducted a Phase I cultural resources survey and a Phase II archaeological testing and evaluation program on the Project site in 2007-2008, as well as an update to these studies in 2017 and 2023. As a result of the 2007-2008 studies, two archaeological sites of prehistoric, Native American, origin were identified within the Project site. Site 33-009499 was originally recorded in 1999 as a sparse surface scatter of ceramic shreds, but no cultural remains were found at its reported location either on the surface or through subsurface excavations in 2007-2008 or in 2017. Site 33-016252 was first discovered during the 2007-2008 studies and consisted of human cremation remains as well as various ceramic, lithic, and faunal artifacts. The human remains were removed from the site and repatriated to the Cabazon Band of Mission Indians. In 2017, additional prehistoric ceramic shreds were found on the Project site. (CRM Tech, 2023, pp. 1 and 4)

At the completion of the 2007-2008 and 2017 studies, it was concluded that Site 33-009499 did not represent a true archaeological site or that the site was no longer extant. During the 2007-2008 studies, Site 33-016252 was determined not to be eligible for listing in the California Register of Historic Resources due to the disturbed conditions of the deposits and the resulting lack of archaeological data potential. The additional studies in 2017 and 2023 did not alter that conclusion. Accordingly, neither of the identified sites met the CEQA definition of historical resources. (CRM Tech, 2023, p. 4)

Discussion of Impacts

a, b) Less than Significant Impact with Mitigation Incorporated. CRM Tech conducted a field inspection of the Project site and reviewed historical records databases to identify the presence or absence of historic resources on the Project site.

Eastern Information Center (EIC) Records Search

According to an Eastern Information Center (EIC) records search conducted on August 30, 2021, the 2007-2008 and 2017 CRM Tech studies were the only systematic cultural resources studies that covered the Project site in its entirety. Outside of project boundaries but within a half-mile radius, at least four additional surveys were reported to the EIC since 2017. Despite this additional research, no further historical/archaeological sites or isolates have been recorded within the radius of the records search. (CRM Tech, 2023, p. 4)

Historical Background Research

Historical maps from the 1856-1980 era indicate that three buildings were constructed along the southern edge of the Project site between 1941 and 1959 and subsequently survived at least into the 1970s. Aerial and satellite images confirm that the presence of the buildings, along with a small orchard, within the Project site by 1953, and show that the orchard was removed sometime before 1972. The buildings on the Project site were then removed sometime between 1972 and 1996. Since then, the entire Project site has remained vacant and undeveloped to the present time. (CRM Tech, 2023, p. 5)

Field Inspection

CRM Tech conducted a field inspection of the Project site on October 7, 2021. The survey was completed at an intensive level by walking a series of parallel north-south transects spaced 15 meters (approximately 50 feet) apart. Visibility of the native ground surface varied from poor (10%) to fair (70%) at the time of the survey due to the scattered vegetation growth and the presence of piles of soil, rock, and landscaping waste. (CRM Tech, 2023, p. 5)

During the field inspection, prehistoric artifacts were observed on the surface at or near both of the sites previously recorded on the Project site, 33-009499 and 33-016252. While no cultural remains were found at Site 33-009499 in 2007-2008 and in 2017, 11 ceramic sherds were noted on the surface during this survey, possibly the result of the artifacts being exposed by natural erosion due to wind or rainstorm runoff. (CRM Tech, 2023, p. 5)

At Site 33-016252, approximately 30 buffware ceramic sherds, two complete or nearly complete projectile points, and two burnt bone fragments were noted on the surface, along with charcoal, lithic flakes, and additional faunal remains in blowout areas. The burnt bone fragments were consistent in appearance with cremated human remains, and they were found in the general vicinity of the cremation remains collected during the archaeological testing program in 2007-2008, which was visited by the Riverside County Sheriff-Coroner's Office and blessed by Native American representatives at the time. However, neither fragment was diagnostic enough to be positively identified as human remains. Following standard procedures established according to advice from the Riverside County Sheriff-Coroner's Office, the bone fragments were not collected. Neither were any of the other artifacts collected during the field inspection. (CRM Tech, 2023, pp. 5-6)

Additionally, two previously undocumented archaeological sites and two isolates (i.e., localities

with fewer than three artifacts) were discovered on the Project site and recorded into the California Historical Resources Inventory under the temporary designations of 3857-1H to 3757-4H, pending the assignment of permanent identification numbers by the EIC. Both of the isolates date to the historic period. Isolate 3757-1H consists of a railroad spike measuring 4.3x0.4x0.3 inches, with a heavily rusted exterior. Isolate 3757-2H consists of a complete beer bottle of brown glass. The base of the bottle bears a maker's mark from the Glenshaw Glass Company that dates to the 1950s. (CRM Tech, 2023, p. 6)

Site 3757-3 is prehistoric in origin and consists of a light ceramic scatter measuring roughly 20 x 7 meters. A total of 18 buffware sherds were found on the ground surface at the site, including one rim sherd and one base sherd. Site 3757-4H, a small historic period refuse scatter over an approximately 26 x 18-foot area, contains two flat-top beverage cans, three brown beer bottles with maker's marks, and one green squirt bottle fragment dating to the early 1950s. (CRM Tech, 2023, pp. 6-7)

Summary

Four archaeological sites and two isolates were identified within the Project site. The isolates, which occur without any depositional context, do not qualify as archaeological sites by definition. As such, Isolates 3757-1H and -2H are not considered potential "historical resources" and require no further consideration under CEQA provisions. (CRM Tech, 2023, p. 7)

Among the four archaeological sites, 33-009499 and 33-016252 were previously determined not to qualify as "historical resources," primarily because of the disturbed state of the deposits and the resulting lack of potential for important archaeological data. Other than the possible human cremation remains, the newly discovered artifacts at these sites belong to common types that are frequently found at prehistoric sites in the Coachella Valley, and they do not add substantially to the data potential of the sites. The possible human remains, if confirmed, would be culturally significant to the local Native American community, but unfortunately neither of the two specimens is diagnostic enough to be identified positively as human remains. As a result, the artifacts discovered at 33-009499 and 33-016252 do not alter the previous evaluation of these sites. (CRM Tech, 2023, p. 7)

Similarly, the two newly recorded sites, 3757-3 and 3757-4H, both consist of very common artifacts, namely prehistoric ceramic sherds at 3757-3 and domestic refuse at 3757-4H, and both occur in an extensively disturbed setting. As such, neither site demonstrates potential for important archaeological data for the study of national, state, regional, or local history, nor are they known to be closely associated with any persons or events of recognized historic significance. Based on these considerations, Sites 3757-3 and 3757-4H are not eligible for the California Register of Historical Resources and thus do not meet CEQA definition of "historical resources." (CRM Tech, 2023, p. 8)

Implementation of the Project would entail ground disturbance during grading and construction across the surface of the Project site. In the northwestern and southeastern

portions of the Project site where the retention basins are proposed, cut depths would reach up to approximately 20 feet in depth but more typical cut depths would be less than 4 feet deep, with some areas of the site receiving up to 8 feet of fill. Regardless, the entire surface of the Project site would be disturbed to implement the Project and there is a potential that significant prehistoric resources may be discovered during ground-disturbing construction activities, which are not feasible to discover or identify at this time, until ground-disturbing activities occur. With implementation of mitigation measure CR-1 through CR-6, impacts to four known prehistoric sites and additional sites that may be discovered during ground-disturbing construction activities would be reduced to less than significant.

c) Less than Significant Impact with Mitigation Incorporated. Field surveys conducted on the Project site by CRM Tech in 2007-2008 identified the presence of cremated human remains, which were repatriated to the Cabazon Band of Mission Indians. There is a high likelihood that additional human remains will be unearthed during grading and excavation activities associated with Project construction. If/when human remains are unearthed during Project construction, compliance with California Health and Safety Code, § 7050.5, "Disturbance of Human Remains" is required. According to § 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code § 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants are to complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code § 5097.94(k), the NAHC is authorized to mediate disputes, if any, arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.

For the remains already discovered on the Project site, compliance with California Health and Safety Code, § 7050.5 has already occurred. For any future discoveries and for final disposition of the previously discovered remains, mandatory compliance with the requirements of California Health and Safety Code § 7050.5 and California Public Resources Code § 5097.98, in addition to mitigation measure CR-7 below would be required to reduce the Project's impacts to human remains less than significant.

Mitigation Measures:

CR-1 Retain a Qualified Archaeologist: Prior the issuance of a grading permit, the Developer/Permit Applicant shall retain and enter into a monitoring and mitigation service contract with a qualified archaeologist ("Archaeological Monitor") for mitigation monitoring services, and to implement a Cultural Resource Monitoring Program (CRMP). Principal Archaeological Monitor personnel shall meet the U.S. Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified. At least 30 days prior to issuance of grading permits, a copy of the agreement between the Developer/Permit Applicant and the Archaeological Monitor shall be submitted to the City of Indio Planning Department for verification that the agreement is in place.

CR-2 Native American Monitor: Prior to the issuance of a grading permit, the Developer/Permit Applicant shall offer to enter into agreements with tribes that consulted during the AB 52 consultation process for a Native American Monitor. One Tribe may defer to the other or the Tribes can decline if they do not wish to enter into a monitoring agreement. In conjunction with the Archaeological Monitor, a Native American Monitor shall attend a pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel involved in ground-disturbing construction activities. In addition, the Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the Project site including clearing, grubbing, grading, and trenching. In conjunction with the Archaeological Monitor, the Native American Monitor shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. The Developer/Permit Applicant shall submit an executed copy of the monitoring agreement(s) to the City of Indio Planning Department for verification that the agreement is in place, or shall submit verification that the Tribes have declined to enter into an agreement.

CR-3 Preparation of a CRMP: The Archaeological Monitor required pursuant to Mitigation Measure CR-1 shall prepare a Cultural Resources Monitoring Plan (CRMP) to guide the procedures and protocols of an archaeological mitigation monitoring program that shall be implemented during all Project-related ground-disturbing activities. The CRMP shall include, but not be limited to, the Project grading and development schedule; approved Project cultural resources mitigation measures and conditions of approval; monitoring procedures; protocols for the identification, assessment, collection, and analysis of any resource(s) observed during grading; curation guidelines; and coordination with Project personnel, City staff, and participating Native American tribe(s). The final CRMP shall be submitted to the City Planning Department and/or inspector, the appropriate Project supervisor/engineer/etc., and monitoring Native American tribe(s), if any.

CR-4 Preconstruction Meeting: The Archaeological Monitor shall participate in a preconstruction meeting with construction personnel involved in ground-disturbing activities and monitoring Native American tribal representatives, if any. The attending archaeologist shall review the provisions of the CRMP with construction personnel and answer any applicable questions.

CR-5 Construction Monitoring: Full-time monitoring shall occur throughout the entire Project-related disturbance area during ground-disturbing activities. Full-time monitoring shall continue until the Archaeological Monitor required pursuant to Mitigation Measure CR-1 determines that the overall sensitivity of the Project area has been reduced from high to low as a result of mitigation monitoring. Should the monitor(s) determine that there is no reasonable potential for additional cultural resources to be discovered within the Project site, monitoring may cease.

CR-6 Treatment of Discoveries: If cultural resources are encountered during construction, if evidence of an archaeological/historical site is observed, or if other suspected significant historic or prehistoric resources are encountered, all ground-disturbing activity shall cease within 100 feet of the resource and the Developer/Permit Applicant, property owner, City of Indio Planning Department, and monitoring Native American tribe(s) shall be notified. Work may continue on other parts of the project while evaluation takes place. Potentially significant cultural resources could consist of, but are not limited to: stone, bone, fossils, wood, or shell artifacts or features, including structural remains, historic dumpsites, hearths, and middens. Midden features are characterized by darkened soil and could conceal material remains, including worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials and special attention should always be paid to uncharacteristic soil color changes. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance under all applicable regulatory criteria. The Archaeological Monitor in consultation with monitoring Native American tribe(s) shall determine whether the identified resource comprises a unique resource as defined under § 15064.5 of the State CEQA Guidelines, and the appropriate treatment (documentation, recovery, avoidance, etc.) for the identified resource. Resource evaluations shall be limited to nondestructive analysis. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along with subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the culturally affiliated Native American tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes. Further ground disturbance shall only resume within the area of the discovery after the appropriate

treatment has been accomplished to mitigate potential impacts to the resource to below a level of significance as determined by the Archaeological Monitor with concurrence by the City of Indio Planning Department.

CR-7 Disposition of Native American Human Remains: If Native American human remains are discovered and with approval from the Developer/Permit Applicant and land owner, the Most Likely Descendant(s) as identified by the NAHC shall determine the location for reburial of remains beneath the Project site, in conjunction with the Project's grading operation. Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods is not permitted to be disclosed and is not governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code Section 6254 (r), parties, and Lead Agencies, are obliged to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

CR-8 Final Report: The results of the mitigation monitoring program shall be incorporated into a final report and submitted to the City of Indio Planning Department for review and approval. Upon approval by the Lead Agency, the final report, including any associated DPR 523 Forms, shall be submitted to the Developer/Permit Applicant and land owner, the Eastern Information Center (EIC), and the monitoring tribe(s), if any.

Monitoring:

CR-A Within 30 days of the completion of ground disturbing activities on the Project site, a report of findings shall be filed with the City. The report will summarize the methods and results of the monitoring program, including an itemized inventory and a detailed analysis of recovered artifacts, upon completion of the field and laboratory work. The report should include an interpretation of the cultural activities represented by the artifacts and a discussion of the significance of all archaeological finds, and describe the treatment practices that were undertaken to reduce impacts to significant cultural resources to below a level of significance.

Responsible Parties: Project Applicant, Archaeological Monitor, Tribal Monitor(s), Planning Department, City Engineer.

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

Sources: Indio Gateway Energy Analysis, prepared by Urban Crossroads, dated July 12, 2023 (*Appendix D*).

Environmental Setting

According to the United States Energy Information Administration's (EIA), in 2021, California used approximately 247,250 gigawatt hours of electricity, approximately 200,871 million therms of natural gas, and the total system electric generation was 277,764 gigawatt hours (GWh). California is one of the nation's leading energy-producing states, and California's per capita energy use is among the nation's most efficient. (Urban Crossroads, 2023c, pp. 7-8)

The Project site is located within the electricity service area of Imperial Irrigation District (IID) and within the natural gas service area of Southern California Gas (SoCalGas). Because the site is undeveloped, no energy resources are currently consumed by the Project site.

Discussion of Impacts

a) Less Than Significant Impact.

Energy Use During the Project's Construction

The Project's construction process would consume electricity and fuel. Project-related construction activities would represent a "single-event" demand and would not require on-going or permanent commitment of energy resources. Project-related construction activities are estimated to consume approximately 181,812 Kilowatt-hour (kWh) of electricity, approximately 88,978 gallons of diesel fuel from operation of construction equipment, 6,950 gallons of diesel fuel from construction vendor and hauling trips, and 15,280 gallons of fuel from construction worker trips (Urban Crossroads, 2023c, pp. 25-31). The amount of energy and fuel use anticipated by the Project's construction activities are typical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive. Furthermore, construction equipment would be required to conform to the applicable CARB emissions standards, acting to promote

equipment fuel efficiencies. For example, CCR Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. As supported by the preceding discussion, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (Urban Crossroads, 2023c, pp. 31-32)

Energy Use During the Project's Operation

Project operations are estimated to consume 230,469 gallons of fuel on an annual basis (Urban Crossroads, 2023c, Table 4-9). The Project proposes conventional workplace land uses (convenience, retail, and light industrial) reflecting contemporary energy efficient/energy conserving designs and operational programs. The Project does not include proposed uses that are inherently energy intensive and the energy demands in total would be comparable to other uses of similar scale and configuration. The proposed gas station would be servicing a fuel need and would not be generating the need. Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per mile traveled. The location of the Project site proximate to regional and local roadway systems tends to reduce vehicle miles traveled within the region, acting to reduce regional vehicle energy demands. Based on the foregoing, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (Urban Crossroads, 2023c, p. 36)

Building operations and site maintenance activities associated with the Project would result in the consumption of natural gas and electricity. Natural gas would be supplied to the Project by SoCalGas; electricity would be supplied to the Project by IID. Energy demands resulting from Project operations are estimated at 1,484,997 kilo-British thermal units (kBTU) per year of natural gas and 3,266,930 kWh per year of electricity (Urban Crossroads, 2023c, Table 4-11). The Project includes contemporary energy efficient/energy conserving designs and operational programs. Uses proposed by the Project are not inherently energy intensive, and the Project energy demands in total would be comparable to, or less than, other workplace projects of similar scale and configuration. Additionally, the Project would be required to comply with the CALGreen Title 24 standards, which would ensure that the Project's energy demand would not be considered inefficient, wasteful, or otherwise unnecessary (Urban Crossroads, 2023c, pp. 36-37).

b) **Less Than Significant Impact.** The following section analyzes the Project's consistency with the applicable federal and State regulations.

Construction Activities Consistency

The proposed Project would result in energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment, and the use of electricity for buildings, lighting, and other sources. California Code of Regulations Title

13, Sections 2449 and 2485, limit idling from both on- road and off-road diesel-powered equipment and are enforced by the CARB. The Project's construction activities are required to comply with these regulations. There are no policies at the local level applicable to energy conservation specific to the construction phase. Thus, it is anticipated that construction of the proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, construction- related energy efficiency and renewable energy standards consistency impacts would be less than significant. (Urban Crossroads, 2023c, p. 40)

Operational Activities Consistency
California's Renewable Portfolio Standard (RPS) establishes a goal of renewable energy for local providers to be 44 percent by 2040. Similarly, the State of California is promoting renewable energy targets to meet the 2022 Scoping Plan's greenhouse gas emissions reduction goals. The Project would result in the use of approximately 3,266,930 kWh of electricity and 1,484,997 kBTU/year of natural gas annually. (Urban Crossroads, 2023c, p. 41)

The Project is required to be constructed to comply with CALGreen's Title 24 energy efficiency standards. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building. For example, the Title 24 Lighting Power Density requirements define the maximum wattage of lighting that can be used in a building based on its square footage. Title 24 standards are widely regarded as the most advanced energy efficiency standards, would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation. (Urban Crossroads, 2023c, p. 41)

Compliance with the aforementioned mandatory measures would ensure that the Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, operational energy efficiency and renewable energy standards consistency impacts would be less than significant. (Urban Crossroads, 2023c, p. 41)

Mitigation Measures: None required.

Monitoring: None required.

VII. GEOLOGY AND SOILS **Would the Project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?			✓	
iii) Seismic related ground failure, including liquefaction?			✓	
iv) Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

Sources: Geotechnical Update, prepared by Sladden Engineering, dated January 14, 2021 (*Appendix E1*); Infiltration Testing for On-Site Stormwater Management, prepared by Sladden Engineering, dated February 3, 2021 (*Appendix E2*); FEIR for the City of Indio General Plan Update, dated June 2019; Unified Development Code of the City of Indio; Google Earth; Riverside County Map My County.

Environmental Setting

The Project site is located in the Coachella Valley, which is bounded by the Little San Bernardino Mountains to the north and northeast, the foothills of the San Bernardino Mountains to the northwest, the San Jacinto Mountains to the west, and the Santa Rosa Mountains to the southwest. The Coachella Valley is the northwestern-most extension of the Colorado Desert geomorphic

province. The Salton Trough is a prominent feature of the province, which is a northwest-trending depression that extends from the Gulf of California to the San Gorgonio (Banning) Pass and contains several thousand feet of Miocene to Holocene sedimentary deposits. The City of Indio is located within this geologic Salton Trough and within the site of ancient Lake Cahuilla in the Lower Colorado River drainage basin. (Indio, 2019b, p. 4.6-1)

The geologic units beneath the Project site consist of Alluvium (Qal) and Dune Sand (Qds). The alluvial deposits range from coarse-grained sand and gravel to silts and some clays. Typically, the alluvial deposits are loose and unconsolidated. The dunes consist predominantly of very loose, fine-grained sand. These Qds deposits are typically subject to reworking and/or transport by wind if not adequately stabilized. (Indio, 2019b, p. 4.6-3)

Discussion of Impacts

a, i) **No Impact.** The Project site is not located within or adjacent to any fault or included in any Alquist-Priolo Earthquake Fault Zone. The nearest earthquake fault is the San Andreas Fault (Coachella Section) which is located approximately 2.8 miles northeast of the site (CDC, 2022). This fault can generate earthquakes of magnitude 7.2. Fault rupture is not expected on the Project site because it does not occur in a Fault Zone. No impacts associated with fault rupture would occur.

a, ii) **Less Than Significant Impact**. The Project site is located in a seismically active area of southern California and is expected to experience moderate-to-severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other similar properties in the southern California area and is considered adequately mitigated to protect public health, safety, and welfare if buildings are designed and constructed in conformance with applicable building codes and sound engineering practices. As a mandatory Project condition of approval, the proposed buildings would be required to be constructed in accordance with the California Building Standards Code (CBSC) (Title 24 of the California Code of Regulations) and the Indio Unified Development Code Section 156.035 to provide collapse-resistant design. The CBSC and Indio Unified Development Code provide standards that have been specifically tailored for California earthquake conditions and regulate the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures in order to safeguard life or limb, health, property, and public welfare. In addition, the CBSC (Chapter 18) requires development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems, to preclude adverse effects resulting from strong seismic ground-shaking. The Project Applicant retained a professional geotechnical firm, Sladden Engineering, to prepare such a geotechnical report for the Project site which is included as *Appendix E*. With mandatory compliance with the CBSC and the Indio Municipal Code, as well as the standard and Project-specific design and construction recommendations set forth in the Project's geotechnical report, the proposed buildings would

be constructed to withstand seismic ground shaking sufficiently to preclude a substantial risk to people or structures related to strong seismic ground shaking. Impacts involving strong seismic ground shaking would be less than significant.

a, iii) Less than Significant Impact. Seismic-related ground failure includes, but is not limited to, liquefaction. Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to fluids when subject to a high-intensity seismic event. Liquefaction occurs when three general conditions coexist: 1) shallow groundwater, 2) low-density non-cohesive (granular) soils, and 3) high-intensity ground motion. According to available mapping data, the Project site is located in an area with a moderate liquefaction susceptibility (Riverside County, 2023). As a mandatory Project condition of approval, the proposed buildings would be required to be constructed in accordance with the California Building Standards Code (CBSC) (Title 24 of the California Code of Regulations) and the Indio Municipal Code Section 156.035 to provide collapse-resistant design. In addition, the CBSC (Chapter 18) requires development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems, to preclude adverse effects resulting from strong seismic ground-shaking, including induced ground failure and liquefaction. The Project Applicant retained a professional geotechnical firm, Sladden Engineering, to prepare such a geotechnical report for the Project site which is included as *Appendix E*. With mandatory compliance with the CBSC and the Indio Municipal Code, as well as the standard and Project-specific design and construction recommendations set forth in the Project's geotechnical report, the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.

a, iv) No Impact. The Project site is located in a relatively flat area on the Coachella Valley floor and contains no substantial natural or man-made slopes under existing conditions. Additionally, there are no substantial natural or man-made slopes in the Project site vicinity. The nearest hillside slopes are the Indio Hills located approximately 3.0 miles northeast of the subject property (Google Earth, 2023). Accordingly, development on the subject property would not be exposed to landslide risks, and the Project would not pose a landslide risk to surrounding properties. No impact would occur.

b) Less Than Significant Impact. Development of the Project site has the potential to result in the erosion of soils during site preparation, grading, and building construction. However, the Developer/Permit Applicant and its construction contractors will be required to adhere to erosion control measures imposed by the City of Indio through grading and building permit regulations, including adherence to SCAQMD Rule 403.1, that requires a fugitive dust control plan. In addition, and pursuant to the requirements of the Colorado River RWQCB and Indio Municipal Code Chapter 55, the Developer/Permit Applicant is required to obtain coverage under a National Pollutant Discharge Elimination System (NPDES) permit for construction

activities, including proposed grading. The NPDES permit is required for all projects that include construction activities such as clearing, grading, and/or excavation that disturb at least one acre of total land area. In addition, the Developer/Permit Applicant or Project site owner would be required to comply with the *Water Quality Control Plan for the Colorado River Basin Region*. Compliance with the NPDES permit and the *Water Quality Control Plan for the Colorado River Basin* involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

All grading activities would require grading permits from the Indio Public Works Department and would be required to comply with the standards imposed by the City to limit potential erosion impacts.

At buildout, there would be a low potential for soil erosion due to the predominantly level topography and the construction of buildings, impervious roads and stabilized landscaped areas. Impacts would less than significant.

c) **Less than Significant Impact.** Surface soils of the Project site consist of Coachella fine sand, 0 to 2 percent slopes and Myoma fine sand, 0 to 5 percent slopes, which are not considered unstable soils or geologic units. Also, the site is not highly susceptible to on- or off-site landslide, lateral spreading, or collapse due to the distance from mountainous slopes and foothills, and is moderately susceptible to liquefaction due to depth of the groundwater. To address potential liquefaction, as a mandatory Project condition of approval, the proposed buildings would be required to be constructed in accordance with the California Building Standards Code (CBSC) (Title 24 of the California Code of Regulations) and the Indio Municipal Code Section 156.035 to provide collapse-resistant design, and follow the recommendation provided in the geotechnical report prepared for the Project site that is included as *Appendix E*. With mandatory compliance with the CBSC and the Indio Municipal Code, as well as the standard and Project-specific design and construction recommendations set forth in the Project's geotechnical report, impacts would be less than significant.

d) **No Impact.** Expansive soils typically contain large amounts of clay that expand when water is absorbed and shrink when they dry. According to the Project's geotechnical report, the soil on the Project site is non-expansive and falls within the "very low" expansion category in accordance with the CBSC classification criteria (Sladden Engineering, 2021a, p. 2). Therefore, no impact associated with expansive soils is expected to occur.

e) **No Impact**. The Project site is vacant and the Project is designed to connect with the Coachella Valley Water District (CVWD) municipal wastewater conveyance system. The Project does not include septic tanks or alternative wastewater disposal systems. Accordingly, implementation of the Project would result in no impact related to the use of or performance of septic tanks and/or alternative wastewater systems.

f) **Less Than Significant Impact with Mitigation Incorporated.** The Project would not impact any known paleontological resource or unique geological feature. However, the Project Site is located in an area with a high sensitivity for paleontological resources (Riverside County, 2023). Accordingly, construction activities on the Project Site have the potential to unearth and adversely impact paleontological resource that may be buried beneath the ground surface. Implementation of the Project would entail ground disturbance during grading and construction across the surface of the Project site. In the northwestern and southeastern portions of the Project site where retention basins are proposed, cut depths would reach up to approximately 20 feet in depth but more typical cut depths would be less than 4 feet deep, with some areas of the site receiving up to 8 feet of fill. Should significant paleontological resources be encountered during ground-disturbing grading or trenching activities, impacts to these resources would be considered significant if not properly identified and treated.

Implementation of mitigation measures GEO-1 through GEO-4 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the proposed Project. With implementation of MM GEO-1 through MM GEO-4, the Project's potential impacts to paleontological resources would be reduced to less than significant.

Mitigation Measures:

GEO-1 Prior to the issuance of a grading permit, the Developer/Permit Applicant shall provide evidence to the City of Indio that a qualified paleontologist ("paleontologist") has been retained to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

GEO-2 The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed late Pleistocene old alluvial fan deposits starting at a depth of 5 feet below the existing ground surface. The paleontologist shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.

GEO-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens

into the collections of the Riverside County Historical Commission, shall be required for discoveries of significance as determined by the paleontological monitor.

GEO-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Indio prior to issuance of the first occupancy permit.

Monitoring:

GEO-A Prior to the issuance of any permit to allow ground disturbance on the site, the Developer/Permit Applicant shall submit a paleontological resource impact mitigation program to the City of Indio for review and approval including the requirements specified in mitigation measures GEO-1 through GEO-4.

Responsible Parties: Project Developer/Permit Holder, Project Paleontologist, Planning Department, City Engineer

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

Sources: Indio Gateway Greenhouse Gas Analysis, prepared by Urban Crossroads, dated July 12, 2023 (*Appendix F*).

Environmental Setting

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases (GHGs) in the earth's atmosphere, including carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases, which can have environmental and human health consequences. (Urban Crossroads, 2023d, pp. 11 and 17)

The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Based upon the 2022 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2020 GHG emissions period, California emitted an average 369.2 million metric tons of CO_2e

per year ($MMTCO_2e/yr$) or 369,200 Gg CO_2e (6.17% of the total United States GHG emissions). (Urban Crossroads, 2023d, p. 19)

The City of Indio Climate Action Plan (CAP) (adopted September 2019) establishes GHG emission reduction programs and regulations that correlate with and support evolving State GHG emissions reduction goals and strategies. The CAP includes forecasts that would occur throughout 2020, 2030 and 2040 (time horizon of the General Plan) while also assessing forecasted local emissions against the per capita equivalent of statewide emissions targets. The CAP addresses the SB 32 target of reducing GHG emissions 40% below 1990 levels by 2030 and the GHG emission target set in EO S-3-15 for 2050 (i.e., 80% below 1990 levels by 2050). Pursuant with CEQA Guidelines Section 15183.5(b), the CAP is considered a qualified GHG reduction strategy that will allow development projects to tier off and streamline the GHG analyses under CEQA. The CAP relies on the California Air Pollution Control Officers Association (CAPCOA) Guidance report which references a 900 $MTCO_2e$ as a conservative threshold for determination when further analysis is required. Projects that are above the 900 $MTCO_2e$ threshold would be required to complete the Climate-Ready Development Review Checklist. (Urban Crossroads, 2023d, pp. 44-45)

To evaluate consistency with the CAP, the City of Indio has implemented Development Review Checklist to determine a project's effectiveness at reducing GHG emissions attributable to certain design and construction measures incorporated in development projects. Projects that complete the Development Review Checklist and determine compliance with the CAP are considered to be consistent with the GHG emissions reduction quantities anticipated in the City of Indio GHG Technical Report and support the GHG emissions reduction targets established under the CAP. (Urban Crossroads, 2023d, p. 45)

Discussion of Impacts

a) Less Than Significant Impact with Mitigation Incorporated. An individual project like the proposed Project cannot generate enough GHG emissions to affect a discernible change in global climate. However, the proposed Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC. Because these changes worldwide may have serious environmental consequences, the analysis below evaluates the potential for the proposed Project to contribute to a significant effect upon the environment as a result of its potential contribution to the greenhouse effect. (Urban Crossroads, 2023d, p. 11)

As stated above, the City of Indio CAP identifies and mitigates significant greenhouse emissions at a programmatic level, allowing development projects that meet certain requirements to refer to this CAP for general environmental analysis. The GHG emissions generated by the proposed Project during its construction and operational phases were projected using computer modeling from the California Emissions Estimator Model (CalEEMod) Version 2022.1.1.12 (Urban Crossroads, 2023d, p. 48). The annual GHG emissions

associated with the Project are summarized in Table 6, *Project GHG Emissions*. Construction and operation of the Project would generate a net total of approximately 2,987.01 $MTCO_2e$/yr. The proposed Project would exceed the City's screening threshold of 900 $MTCO_2e$/yr. Thus, the Project would have the potential to result in a cumulatively considerable impact with respect to GHG emissions. Since the Project exceeds the 900 $MTCO_2e$/yr threshold, the Project is required to demonstrate compliance with the Development Review Checklist contained in the City's CAP. (Urban Crossroads, 2023d, p. 55)

Table 6 Project GHG Emissions

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	R	Total CO_2e
Amortized Construction Emissions	36.09	1.39E-03	7.12E-04	1.02E-02	36.35
Mobile Source	2253.34	0.13	0.26	2.56	2335.27
Area Source	1.60	0.00	0.00	0.00	1.60
Energy Source	467.65	0.06	0.01	0.00	470.86
Water Usage	24.60	0.82	0.02	0.00	51.08
Waste	12.01	1.20	0.00	0.00	42.03
Refrigerants	0.00	0.00	0.00	2.44	2.44
On-site equipment	0.00	0.00	0.00	0.00	47.37
Total CO_2e (All Sources)	**2,987.01**				

Source: (Urban Crossroads, 2023d, Table 3-6)

Implementation of measures listed in the Development Review Checklist would ensure that the Project will achieve GHG emissions levels and GHG emissions reductions targets consistent with those identified in the City's CAP. Refer to Table 7, *Development Review Checklist for CAP Compliance*, below, for a discussion of Project consistency. The Project is demonstrated to be consistent with the CAP and would have a less than significant impact. (Urban Crossroads, 2023d, pp. 3-4)

Table 7 Development Review Checklist for CAP Compliance

Project Design Feature	Project Consistency
City of Indio CAP Consistency	
Will the project include bicycle facilities (e.g. bike lanes, parking)?	Yes. Bicycle parking facilities will be provided on the site in compliance with CALGreen requirements. Also, a Class II bicycle lane is provided on Indio Boulevard along the Project site's frontage.
Will the project include sidewalks along all roadways?	Yes. The Project design includes sidewalk along its frontage with Indio Boulevard where a sidewalk does not currently exist.

Project Design Feature	Project Consistency
Will the project support bike sharing or rental programs?	Potentially. The 7-Eleven and Quinn CAT uses are not good candidates for bike sharing, as bike sharing to and from a gas station and large equipment sales/maintenance business is very unlikely. The tenants/users of the Project's light industrial buildings are not known at this time. There is potential for the future building tenants/users to offer or participate in bike sharing programs.
Will there be transit stop within ¼ mile of the project?	Not Available. SunLine Transit Agency's closest bus route to the Project site is Route 6, which runs along Fred Waring Drive, 1 mile south of the Project site.
Will the install provide traffic calming elements?	Yes. A traffic signal is already installed at the Project site's frontage intersection of Indio Blvd. and Jefferson Street. An additional signal would be installed at the intersection of Burr Street and Indio Blvd., to which the Project Applicant will make a fair share contribution. The Project site will have right-in right-out private driveways along Indio Blvd.
Will the project's pedestrian and/or bicycle infrastructure connect to the external network?	Yes. Indio Blvd. along the Project site's boundary is designated with a Class II bicycle lane. The Project design includes new sidewalk along its frontage with Indio Blvd. where sidewalk does not currently exist, connecting to the existing public street sidewalk system.
If the project provides streets, will the streets meet the City's Complete Streets standards?	Yes. The Project design complies with City standards for frontage improvements along Indio Blvd.
Will the project include high-density housing? A range of housing types? Affordable housing? Be mixed-use?	Not applicable. The Project does not propose housing and is not designated for housing. The Project site is designated as Workplace Employment District (WED) on the City's General Plan land use map and is zoned Light Industrial (IL).
Will the project provide shared or reduced parking?	Not applicable. The Project is designed to meet City parking requirements and as a workplace land use, opportunities for reducing parking at the site below City standards are not feasible. The required number preferred carpool spaces will be provided in accordance with CALGreen requirements.
Will the project be designed to maximize solar orientation?	Yes. The optimum orientation for solar heat gain is an elongated building on the east-west axis. Seven of the Project's eight buildings are oriented southwest to northeast, which maximizes solar orientation.
Will the buildings be designed to incorporate passive solar design?	Yes. The roofs of the light industrial buildings will be solar-ready. The building envelopes will be as air-tight as possible and have high-performance windows.

Project Design Feature	Project Consistency
Will the project include transportation demand management measures?	Not applicable. The 7-Eleven and Quinn Cat uses are not good candidates for TDM, as limiting vehicle trips to and from a gas station and large equipment sales/maintenance business is very unlikely. The tenants/users of the Project's light industrial buildings are not known at this time. However, the number of people occupying these buildings would be limited due to Bermuda Dunes Airport restrictions, As such, these buildings are also not good candidates for TDM programs. The future building tenants/users could voluntarily develop and participate in TDM programs, although such programs are not required.
Will the project provide electric vehicle charging stations?	Yes. Electric charging stations will be provided on the Project site as required by CALGreen.
Will the project pre-wire for electric vehicle charging stations to be added at a later date?	Yes. The proposed buildings will have appropriately sized electrical rooms in anticipation of panel needs for EV charging and raceway conduit is proposed to be installed to areas of the site planned for EV charging stations.
Will the project use all electric appliances and HVAC systems?	Yes. Other than emergency generators and other systems that must operate if the electrical system fails, a large majority of the buildings' operational systems will be electric powered.
Will the project seek LEED or similar green building certification?	Potentially. The Project's buildings will be constructed as required by CALGreen. LEED certification by the U.S. Green Building Council is not proposed at this time but could be pursued during Project construction when additional, specific details become available during the construction document preparation phase of Project implementation.
Will the project increase the number of trees on site?	Yes. Under existing conditions, vegetation on the site is minimal. The Project's landscaping plan proposes to add a substantial number of trees and other plant materials to the Project site as part of the site's development.
Will renewable energy systems be installed as part of the project?	Yes. The roofs of the light industrial buildings will be solar ready and the buildings' electrical rooms will be appropriately sized to accommodate the panel needs for rooftop solar systems.
Will construction waste and debris be diverted from the landfill consistent with City requirements?	Yes. All City requirements pertaining to waste diversion will be followed during Project construction and operation.
Will the project collect recycling? Compost?	Yes. All recycling requirements for hard recyclables and green waste will be followed during the Project's construction and operation.
Will the project use low-water or drought-tolerant species for landscaping?	Yes. Refer to the Project's landscaping plan for a list of the low water use and drought-resistant plant materials that will be incorporated into the Project's landscape design.
Will the project use smart irrigation?	Yes. A smart irrigation system is planned to be installed as part of the Project's landscape design.
Will rainwater be captured on site?	Yes. The Project includes two retention basins for the purpose of retaining onsite storm water and filtering it into the groundwater basin.

Project Design Feature	Project Consistency
Will all units have separate water and energy meters? Or be sub-metered?	Yes. Each of the Project's eight buildings will have separate water and energy meters.
Will the project be connected to the recycled water system? Does the project use recycled water?	Partial. The proposed 7-Eleven use is designed to include a car wash that will recycle and reuse its water. A recycled water system is not available to the Project site for landscape irrigation.

b) Less Than Significant Impact with Mitigation Incorporated.

2022 Scoping Plan Consistency

The Project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the Project will comply with (through vehicle manufacturer compliance) include: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. Additionally, the Project includes design features related to water and solid conservation that will further reduce Project GHG emissions. As such, the Project would be consistent with the 2022 Scoping Plan. (Urban Crossroads, 2023d, p. 56)

Consistency with the City of Indio CAP

The purpose of the City of Indio CAP in part is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the City. Because the City of Indio CAP addresses GHG emissions reductions and is consistent with the requirements of AB 32, SB 32, and international efforts to reduce GHG emissions, compliance with the CAP fulfills the description of GHG mitigation found in the State CEQA Guidelines. (Urban Crossroads, 2023d, p. 56)

Pursuant to the information given in Table 7, above, mitigation measure GHG-1, the Project will implement the Development Review Checklist which establishes categories of GHG Implementation Measures. With incorporation of MM GHG-1, the Project would be consistent with the CAP and GHG Development Review Process and have a less than significant impact related to GHG emissions. (Urban Crossroads, 2023d, pp. 56-57)

Mitigation Measures:

GHG-1 The Project's design shall implement applicable measures from the Climate-Ready Development Review Checklist contained in the City's CAP. The City shall verify

incorporation of the applicable Development Review Checklist measures as part of the Project building plans and site designs prior to the issuance of each building permit. The City shall verify construction of/implementation of the applicable Development Review Checklist measures prior to the issuance of Certificate(s) of Occupancy.

Monitoring:

GHG-A: Prior to the issuance of building permits and occupancy permits, the City shall verify incorporation of the applicable Development Review Checklist measures.

Responsible Parties: Developer/Permit Applicant, Planning Department.

IX. HAZARDS AND HAZARDOUS MATERIALS **Would the Project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		✓		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		✓		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓

e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?			✓	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Sources: Phase I Environmental Site Assessment, prepared by Nova Group, dated January 8, 2021 (*Appendix G*); FEIR for the City of Indio General Plan Update, dated June 2019; Riverside County Airport Land Use Compatibility Plan, dated October 14, 2004; Airport Land Use Compatibility Assessment, prepared by Johnson Aviation, Inc., dated December 20, 2023 (*Appendix K*).

Environmental Setting

The City of Indio is a mostly urbanized community within the Coachella Valley. Within any urbanized region, the potential for exposure to hazards and hazardous material exists due to the presence of commercial and industrial activities; transportation and distribution of products, and use of hazardous materials. Other hazards to residents include the presence of aviation risks, and the proximity of sensitive land uses to airport activities. (Indio, 2019b, p. 4.8-1)

Goods movement, which may involve hazardous materials, occurs both by rail and by truck. These include petroleum and related products, chorine, sulphuric and other acids, environmental and industrial hazardous waste products, and other hazardous and toxic materials. The Project site is located south of two major transportation routes commonly used for transporting hazardous waste: the Union Pacific Railroad and I-10. (Indio, 2019b, p. 4.8-1)

The Bermuda Dunes Airport, which lies just outside the City's western boundary immediately south of I-10, and west of the Project site serves the Coachella Valley. The airport is a public use airport privately owned by Bermuda Dunes Airport Corporation. The Bermuda Dunes Airport could eventually reach approximately 75,000 annual operations, an 80 percent increase over its estimated present activity level. Activity at Bermuda Dunes Airport is highly seasonal. Airport management records indicate that average days during the peak (winter) season experience twice the number of aircraft operations as the annual average day, and peak days can produce even higher activity levels. (Indio, 2019b, p. 4.8-7)

Discussion of Impacts

a, b) Less Than Significant Impact with Mitigation Incorporated.

Impacts Associated with Existing Site Conditions

The Project site was historically used as an orchard from the mid-1930's to early 1980's. Given that orchards typically employ higher application rates of pesticides, herbicides, and fertilizers, there is a likelihood that agricultural-related chemicals, such as pesticides, herbicides, and fertilizers have been used and/or stored on the Property. (Nova Group, 2021, p. 28)

A petroleum pipeline is located to the northeast of the Project Site, trending from the southeast to the northwest. The pipeline is operated by Kinder Morgan Energy Partners, LP and is recorded as in service. The pipeline is 20-inches in diameter and transports refined petroleum products via the Kinder Morgan Energy Partners Pipeline network, Southern Region Terminal. A subsurface investigation would be required to determine if potential releases from the pipeline have impacted the Project site; however, since the pipeline is reported to be active, it is the responsibility of the pipeline company to respond to releases from its pipelines. (Nova Group, 2021, pp. 28-29)

Approximately 200 piles of dumped debris consisting of soil and construction materials was observed on the central portion of the Project site during field investigations. The source of the illegally dumped materials is unknown; however, no evidence of hazardous materials or petroleum products was observed (Nova Group, 2021, p. 29). Impacts associated with existing site conditions are potentially significant due to the presence of soils with the potential to contain concentrations of pesticides, herbicides, fertilizers, and petroleum.

Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractors, cranes) would be operated on the Project site during construction of the proposed Project. This heavy equipment may be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the proposed Project than what would occur on any other similar construction site. Construction contractors are required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials. With mandatory compliance with applicable hazardous materials regulations, construction of the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. A less than significant impact would occur.

Long-Term Operational Activities

The Project would include a 7-Eleven convenience store, gas station, and car wash, a Quinn Cat retail facility, and a 6-building multi-tenant light industrial park. The proposed gas station and use of a fueling tank on the Quinn Cat site would involve the transport and use of hazardous materials (i.e., gasoline, diesel, diesel exhaust fluids, biodiesel fuels, and oil) during the course of daily operations. The future building occupants of the industrial park are not yet identified and it is possible that hazardous materials could be used in the course of a future building user's daily operations. State and federal Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals in use at local businesses. Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. Hazardous materials associated with the Project would also be subject to regulation by the Department of Environmental Health of the Riverside County Community Health Agency, which oversees hazardous materials programs in the County of Riverside (inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate underground storage tanks, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program). The 7-Eleven, Quinn Cat, and any business that occupies the Project site and that handles hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would require a permit from the Riverside County Fire Department Hazardous Materials Division in order to register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the Riverside County Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material.

With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Based on the foregoing information, potential hazardous materials impacts associated with long-term operation of the Project are regarded as less than significant and no mitigation is required.

c) **No Impact.** The nearest school is Carrillo Ranch Elementary School, located approximately 0.58-mile southeast of the Project site. The implementation of the Project would therefore have no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school. No impacts would occur.

The 7-Eleven includes a proposed gas station that would emit fuel vapors; however, the gas station is approximately 0.9-mile northwest of the school property and no impact would occur

under this threshold. Notwithstanding, emissions from the gas station would not affect students at the school, as the gasoline odors and vapors during filling and fueling activities would dissipate rapidly from the source (i.e., gas pumps and underground storage tank) with an increase in distance. As the Project would feature fueling stations, various standard conditions to minimize hazardous materials impacts related to fueling stations would be applicable to the Project. These standard conditions are monitored by the RCDEH, the State-designated local CUPA managing hazardous materials programs within the City of Indio and throughout Riverside County. In addition to other programs and requirements that may be applicable, as determined by the RCDEH, the following programs may also apply to the fueling stations: Certificate of Disclosure of Hazardous Substances (Business Emergency Plan) which requires businesses to file a chemical inventory in order to prevent or minimize damage to public health from a release into the environment; Hazardous Waste Generator Permit which provides for a safe management system for hazardous wastes; and Underground Storage Tank Permit which requires annual inspections of fuel facilities and ensures all underground storage tanks are compliant with applicable laws and regulations. The operation of the fueling station in compliance with all applicable federal, State, and local regulations would ensure the proper transport, use, and disposal of hazardous substances, and a less than significant impact with respect to this issue.

d) **No Impact**. The Project site is currently vacant. There are no hazardous materials or waste sites located on or near the site, and the site is not included on a list compiled pursuant to Government Code Section 65962.5. The proposed Project would thus not create a significant hazard to the public or environment associated with listed hazardous materials or waste sites. No impact is anticipated.

e) **Less than Significant Impact**. The Bermuda Dunes Airport (UDD) is located approximately 0.1-mile west of the Project site. The Project site is located within the airport influence area in compatibility zones A (active runway) at the far eastern portion of the site where the eastern detention basin is proposed, and B1 (approach surface) for the remainder of the site. According to the Riverside County Airport Land Use Compatibility Plan, structures are prohibited in compatibility zone A and intensity is limited to 25 people per average acre in compatibility zone B1 (Riverside County, 2004, Exhibit BD-10 and p. E2-12).

An Airport Land Use Compatibility Assessment was completed in December 2023 by Johnson Aviation, Inc. and is included as *Appendix K*. The Airport Land Use Compatibility Assessment addresses aviation safety, aircraft noise impacts, aircraft overflight, airspace protection, and the operational risk to people and property in vicinity of the Project site, and it serves as the City's consistency review of the Project with the adopted ALUCP. The Project's land use designation is Workplace and Employment District (WEP), the zoning is Light Industrial (IL), and the Project's proposed use and design complies with the site's General Plan and zoning designations.

The Project is subject to the Bermuda Dunes Airport Land Use Compatibility Plan (ALUCP) adopted in 2004, which provides specific airport land use guidance and is used to evaluate land

use compatibility and development proposals within the vicinity of the airport. The primary compatibility concerns are aircraft noise, the safety of people and property on the ground and in aircraft, the protection of airspace, and concerns related to overflights. The ALUCP includes noise contours and establishes compatibility zones and associated land use criteria to guide development in the vicinity of the airport. A water basin proposed by the Project is located in Compatibility Zone A and the buildings proposed by the Project are located within Compatibility Zone B1, which is the Inner Approach and Departure Zone. Prohibited uses in Zone B1 and regulations regarding hazardous materials storage are listed in Table 1 of *Appendix K*. Additional regulations in Zone B1 include an open land requirement of 30 percent. For the approximately 17.6 acres of the Project site located in Zone B1, approximately 5.3 acres is open land. There is also significant open land north and south of the Project site which aligns with the typical direction of aircraft flight, and which allows the potential for aircraft to descend into these open land areas during an emergency. Accordingly, the Project complies with all use restrictions and open land requirements, as demonstrated in *Appendix K*.

Zone B1 includes limits on the maximum occupancy of residential and non-residential buildings. As shown in Table 2 of *Appendix K*, the total site intensity, the maximum single-acre intensity, and the average people per acre for the Project fall within allowable parameters of the ALUCP.

Federal and state regulations set 65 decibels (dB) as the normally acceptable limit for aircraft noise, especially in urban areas. The Project is mostly located within the 60 CNEL and is also located under the general traffic pattern envelope where approximately 80 percent of aircraft overflights occur. This noise contour is based on 42,000 annual aircraft operations; however, aircraft operations reported for Bermuda Dunes Airport for the 12-month period ending in 2021 were 41 average per day or approximately 14,965 annual operations. Because of the commercial uses proposed and surrounding street and highway noise sources, no aircraft noise impacts are anticipated for the Project as concluded by *Appendix K*.

The Federal Aviation Administration (FAA) is responsible for protecting and preserving airspace from hazards to air navigation. Airspace review is required for objects greater than 35 feet tall in Compatibility Zone B1, and object heights may be restricted to 50 feet. The proposed maximum building height for the convenience store (7 Eleven) located in proposed Parcel 1 is 22 feet to parapet; for the large equipment shop and warehouse (Quinn Cat) located in proposed Parcel 2 is 36 feet to parapet; and for the self-storage buildings located in proposed Parcels 3 and 4 is 34 feet to parapet. The Project is mostly located under the approach surface except for Quinn Cat that extends into the approach surface by 1 foot. Therefore, Federal Aviation Administration (FAA) review was required; the FAA completed an aeronautical study for the Project and issued Determinations of No Hazard for the Project, which are included in *Appendix K*.

As a condition of approval for the Project, development in Zone B1 requires the dedication of an avigation easement to the Bermuda Dunes Airport owner providing the right of flight in the airspace above the property; allowance for the generation of noise and other impacts

associated with aircraft overflight; restriction of the height of structures, trees and other objects; permitted access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and prohibition of electrical interference, glare, and other potential hazards to flight from being created on the property.

f) **No Impact**. The Project site is vacant and undeveloped property and does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation, the proposed Project would be required to maintain adequate emergency access for emergency vehicles. As part of the City's discretionary review process, the City of Indio reviewed the Project's application materials to ensure that appropriate emergency ingress and egress would be available to-and-from the Project site and that the Project would not substantially impede emergency response times in the local area. The Project design includes four driveway connections with Indio Boulevard. Implementation of the Project has no reasonable potential to impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and no impact would occur.

g) **No Impact**. The Project site is located in an urban area and is not located in a wildland fire hazard zone and is not susceptible to wildfires. Therefore, the proposed Project will not expose people or structures to significant risks associated with wildfires. No Project related impact is expected.

Mitigation Measures:

HAZ-1 Locations of soils potentially containing pesticides, herbicides, fertilizers, petroleum, or other soil contaminant(s) shall be noted on grading plans. As a condition of grading permits, and as part of initial ground disturbance, areas of suspected soil contaminants shall be tested by a hazardous materials professional. If contaminant levels are above regulatory limits, they shall be handled and disposed as part of the grading process in accordance with applicable regulatory requirements.

Although airport hazards would be less than significant, the following measure will be required as a condition of approval for the Project.

HAZ-2 Prior to issuance of a building permit, the Project Developer/Permit Applicant shall provide the City of Indio with evidence than an avigation easement to the Bermuda Dunes Airport owner has been provided, providing the right of flight in the airspace above the property; allowance for the generation of noise and other impacts associated with aircraft overflight; restriction of the height of structures, trees and other objects; permitted access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and prohibition of electrical interference, glare, and other potential hazards to flight from being created on the property.

Monitoring:

HAZ-A: Prior to the issuance of grading permits, the City shall verify completion of soil testing. The City will not issue building permits until verification is provided that soil contaminant levels are below regulatory limits for convenience, retail, and light industrial land uses.

Responsible Parties: Developer/Permit Applicant, Planning Department.

HAZ-B: Prior to the issuance of building permits, the City shall verify than an avigation easement has been provided to the owner of Bermuda Dunes Airport.

Responsible Parties: Developer/Permit Applicant, Bermuda Dunes Airport, Planning Department, City Engineer.

X. HYDROLOGY AND WATER QUALITY **Would the Project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			✓	
i) result in substantial erosion or siltation on- or off-site;			✓	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			✓	

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			✓	
iv) impede or redirect flood flows?				✓
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?			✓	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

Sources: Preliminary Drainage Study, prepared by P.B.L.A. Engineering, Inc, dated January 2023 (*Appendix H1*); Preliminary Water Quality Management Plan, prepared by P.B.L.A. Engineering, Inc., dated January 2023 (*Appendix H2*); FEIR for the City of Indio General Plan Update, dated June 2019.

Environmental Setting

The Project site is located within the Whitewater River Watershed, which extends from the San Gorgonio Pass to the Salton Sea. The Whitewater River Watershed drains to four subbasins. The Project site is located in the Coachella Valley Groundwater Basin, Indio Subbasin. The Project site is located within a Federal Emergency Management Agency (FEMA) Zone "X" designation. Zone X is described as an area of "minimal flood hazard." (PBLA Engineering, 2023a, p. 1)

Local drainage facilities generally convey runoff from local streets and lots to the regional facilities. The local storm drain system consists of gutters, engineered storm drains, and channels. The Coachella Canal is located to the east of the Project site. The Coachella Canal, which was constructed as a branch of the All-American Canal, flows in a northwesterly direction through the City, then traverses south approximately parallel with Madison Street to its termination point at the Lake Cahuilla reservoir. (Indio, 2019b, pp. 4.9-1 and 4.9-2)

Water quality in the Coachella Valley is generally good to excellent, although groundwater contamination associated with long-term discharge from septic systems has resulted in some deterioration of water quality in portions of the Coachella Valley. Local drainage facilities generally convey runoff from local streets and lots to the regional facilities. The local storm drain system consists of gutters, engineered storm drains, and channels. (Indio, 2019b, p. 4.9-2)

Discussion of Impacts

a) Less Than Significant Impact.

Construction-Related Water Quality Impacts

Construction of the Project would involve site preparation, grading, paving, utility installation, building construction, and landscaping activities, which have the potential to generate water quality pollutants such as silt, debris, organic waste, chemicals, paints, and solvents. Should these materials come into contact with water that reaches the groundwater table or flows off-site, the potential exists for the Project's construction activities to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction in the absence of any protective or avoidance measures.

Pursuant to the Colorado River RWQCB and Indio Municipal Code Chapter 55, the Project Applicant/Developer or Project site owner(s) would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project Applicant/Developer or Project site owner would be required to comply with the *Water Quality Control Plan for the Colorado River Basin Region*. Compliance with the NPDES permit and the *Water Quality Control Plan for the Colorado River Basin* involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project's construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

Post-Development Water Quality Impacts

Stormwater pollutants that may be produced during Project operation include heavy metals, nutrients, sediment/turbidity, trash/debris, and oil/grease. (PBLA Engineering, 2023b, p. 1-7)

In accordance with Indio Municipal Code Chapter 55 – the Developer/Permit Applicant or Project site owner(s) would be required to prepare and implement a Water Quality Management Plan (WQMP). A WQMP is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The Project's Preliminary WQMP, prepared by PBLA Engineering, is included as *Appendix J* to this IS/MND. As identified in *Appendix J*, the Project is designed to include structural source control BMPs consisting of storm drain inlet stenciling and signage, landscape and irrigation system design, and protection of slopes and channels, and also would implement operational source control BMPs, including but not limited to education for property owners, operators, tenants, occupants, and employees, activity restrictions, irrigation system and landscape maintenance, common area litter control, street sweeping, and drainage facility inspection and maintenance, in order to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows before they are discharged into the City's storm drain system

(PBLA Engineering, 2023b, p. 1-20). Compliance with the Preliminary WQMP would be required as a condition of approval for the Project. Long-term maintenance of on-site water quality features also would be required as a condition of approval to ensure the long-term effectiveness of all on-site water quality features.

Additionally, the NDPES program requires certain land uses, including the workplace land uses proposed by the Project (convenience, retail, and light industrial), to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. Under the currently effective NPDES Industrial General Permit, the Developer/Permit Applicant would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and although the 7-Eleven and Quinn Cat uses are known, the Project's light industrial building users and their operational characteristics are not known at this time, therefore, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the NPDES Industrial General Permit, it is reasonably assured that the Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation.

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less than significant.

b) **Less Than Significant Impact.** The Project would be served with potable water from the Indio Water Authority, and the Project design does not include the proposed use of any wells or other groundwater extraction activities. Therefore, the Project would not directly draw water from the groundwater table. Accordingly, implementation of the proposed Project has no potential to substantially deplete or decrease groundwater supplies and the Project's impact to groundwater supplies would be less than significant.

Development of the Project would increase impervious surface coverage on the Project site, which would, in turn, reduce the amount of water percolating down into the underground aquifer that underlies the Project site and a majority of the City and surrounding areas (i.e., Coachella Valley Groundwater Basin). However, a majority of the groundwater recharge in the Coachella Valley Groundwater Basin is from surface runoff and subsurface inflow. In addition, the Whitewater River spreading grounds northwest of Palm Springs receives Colorado River Aqueduct water and has a maximum capacity of 300,000 af/year. Colorado River water is conveyed into the subbasin via the Coachella Canal, which also supplies a pilot recharge project facility located in the southeastern part of the subbasin. (DWR, 2004, n.p.) The Project site would not physically impact any of the major groundwater recharge facilities in the Basin and, therefore, would not result in substantial, adverse effects to local groundwater levels.

Additionally, the Project includes design features that would maximize the percolation of on-site storm water runoff into the groundwater basin, such as permeable landscape areas and two retention basins. Accordingly, buildout of the Project with these design features would not interfere substantially with groundwater recharge of the Coachella Valley Groundwater Basin. Impacts would be less than significant.

c) Less Than Significant Impact. The proposed Project would alter existing ground contours of the Project site and install impervious surfaces, which would result in changes to the site's existing, internal drainage patterns. The Project would include retention basins on the northeast and southwest sides of the Project site. The retention basins are designed to receive runoff from the entire site via surface flow and an underground storm drain. The basins are sized to retain and infiltrate the entire developed runoff from the site. (PBLA Engineering, 2023b, p. 1-3)

Erosion and Siltation

Although the Project would alter the subject property's internal drainage patterns, such changes would not result in substantial erosion or siltation on- or off-site. Pursuant to the requirements of the State Water Resources Control Board, the Developer/Permit Applicant or Project site owner would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project would be required to comply with the *Water Quality Control Plan for the Colorado River Basin Region*. Compliance with the NPDES permit and the *Water Quality Control Plan for the Colorado River Basin Region* involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that would be required to be implemented during construction activities to ensure that waterborne pollution, including erosion/siltation, is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Based on the foregoing information, water quality impacts associated with Project construction activities would be less than significant.

During operation of the Project, the Developer/Permit Applicant would be required to prepare and implement a WQMP, which is a site-specific post-construction water quality management program that will be implemented to minimize erosion and siltation, pursuant to Indio Municipal Code Chapter 55. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., BMPs) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP is required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. The Project's preliminary WQMP is included as *Appendix J*. Because the Developer/Permit Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation

would result in less than significant impacts related to soil erosion and sedimentation.

Stormwater Runoff Discharge

The Project's retention basins and storm drain is designed to capture all stormwater runoff originating on the Project site's developed areas. The design basis for outflow from the retention basins are the measured rate of infiltration provided by the Geotechnical Engineer, and an appropriate Factor of Safety. In accordance with Appendix "A" of the Riverside County Low Impact Development Design Handbook, the appropriate factor of safety for this site is three. The measured infiltration rate in the vicinity of the proposed basin A is 4.2 inches per hour (in/hr). Therefore, design infiltration rate for this Project is 4.2/3 = 1.4 in/hr. The measured infiltration rate in the vicinity of the proposed basin B is 5.5 in/hr. Therefore, design infiltration rate for this Project is 5.5/3 = 1.8 in/hr. The preliminary drainage study (included as *Appendix I*) and the related calculations indicate that the proposed development design flows can be conveyed to the proposed retention basins, and those basins are capable of infiltrating the entirety of the developed runoff without exceeding the basin capacity. A final Hydrology and Hydraulics study would be required to accompany final construction documents at the level of detail only available in construction drawings to analyze final basin geometry, provide conveyance element hydraulics for proper pipe sizing, surface drainage facilities and energy dissipation. (PBLA Engineering, 2023a, p. 3)

Stormwater Drainage System Capacity & Polluted Runoff

Based on the Project's proposed stormwater drainage system and two proposed retention basins, implementation of the Project would substantially reduce the amount of runoff from the Project site during peak storm events relative to existing conditions. Accordingly, the Project would not create or contribute runoff that would exceed the capacity of any existing storm water drainage system, and impacts would be less than significant.

As discussed in detail earlier under Threshold "a," the Project's construction contractors would be required to comply with a SWPPP and the Project's owner or operator(s) would be required to comply with a WQMP to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. The Project would not result in substantial additional sources of polluted runoff and impacts would be less than significant.

Flood Flows

According to the FEMA FIRM No. 06065C2232G, the Project site is located in Zone X, which is described as an "area of minimal flood hazard (PBLA Engineering, 2023a, p. 1)." Accordingly, there is no reasonable potential that the Project site could be inundated by flood flows during the lifetime of the Project and the Project, therefore, has no reasonable potential to impede flood flows. No impact would occur.

d) **Less than Significant Impact**. The Pacific Ocean is located over 75 miles southeast of the Project site; there is no potential for the Project site to be impacted by a tsunami as tsunamis typically only reach up to a few miles inland. The Project site also is not subject to flooding hazards

associated with a seiche because the nearest large body of surface water (Salton Sea) is located more than 20 miles southeast of the Project site, which is too far away from the subject property to impact the property with a seiche. The Coachella Canal is located approximately 0.1-mile east of the Project site; however, the canal has the capacity to handle a flow of water up to 1,300 cubic feet per second, allowing nearly 2,600 acre-feet of water to pass through the canal in a 24-hour period (CVWD, n.d.) The risk for over-topping is therefore very low. A less than significant impact is anticipated.

e) **Less than Significant Impact**. The proposed Project is required to comply with all applicable water quality standards and will implement a WQMP approved by the City of Indio and the Regional Water Quality Control Board for both construction activities and long-term operation of the site. The Project has no potential to conflict with or obstruct implementation of a water quality control plan or a sustainable groundwater management plan. The CVWD has been designated an "exclusive" Groundwater Sustainability Agency (GSA) over its service area by the California Department of Water Resources (DWR) in the Indio Subbasin. Desert Water Agency (DWA), Coachella Water Authority (CWA), and Indio Water Authority (IWA), were also designated GSAs in the Indio Subbasin over their respective service areas. The four agencies are working collaboratively to implement the Sustainable Groundwater Management Act (SGMA) in the Indio Subbasin. The 2022 Indio Subbasin Water Management Plan Update was adopted on December 7, 2021, and submitted to DWR on December 29, 2021. (CVWD, n.d.)

Runoff from the Project site would be directed to two proposed retention basins, located on the northwestern and southeastern portions of the site. The retention basins would receive runoff from the entire the Project site via surface flow and underground storm drain. (PBLA Engineering, 2023a, p. 1) Accordingly, the Project's water runoff would infiltrate through the basins into the groundwater table and as such, the Project has no potential to conflict with or obstruct implementation of an applicable water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

Mitigation Measures and Monitoring: None required.

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

or mitigating an environmental effect?				

Sources: Sources: City of Indio General Plan, dated September 18, 2019; City of Indio Unified Development Code, dated October 22, 2022.

Environmental Setting

The area surrounding the Project site includes the Southern Pacific Railroad and I-10 to the north and east, the Jefferson Street/Indio Boulevard intersection and vacant land to the south, and Jefferson Street, Country Club Drive, and the Bermuda Dunes Airport to the west.

The Project site is governed by the policies and land use designations of the Indio General Plan and Zoning Ordinance. The site is designated as Workplace Employment District (WED) on the City's General Plan land use map and is zoned Light Industrial (IL) with minimum 10,000 s.f. lot size requirements and a maximum floor area ratio of 1.0 requirement. The WED designation is intended to provide an area for a wide variety of employment-generating activity, including industrial, light manufacturing, research and development, office, and supportive commercial. (Indio, 2019a, p. 3-16)

As a matter of regional land use policy, the City of Indio participates in the Coachella Valley MSHCP, as discussed under the Biological Resources section of this IS/MND. Also applicable to the Project site is the Riverside County Airport Land Use Compatibility Plan pertaining to the Bermuda Dunes Airport (UDD) that is located approximately 0.1-mile west of the Project site. The Project site is located within the airport influence area in compatibility zones A (active runway) at the far eastern portion of the site where the eastern detention basin is proposed, and B1 (approach surface) for the remainder of the site. According to the Riverside County Airport Land Use Compatibility Plan, structures are prohibited in compatibility zone A and intensity is limited to 25 people per acre in compatibility zone B1.

a) **No Impact**. The Project site is currently vacant and is abutted by the Southern Pacific Railroad and I-10 to the north and east, and Jefferson Street and Indio Boulevard to the south and west. These physical barriers separate the Project site from other parcels. Developments in the vicinity of the Project site operate independently of the subject property and will not be physically divided by the proposed Project. No impact associated with the physical division of an established community would occur.

b) **Less Than Significant Impact**. The primary local land use policies and regulations applicable to the Project adopted for the purpose of avoiding or mitigating environmental effects are the City of Indio General Plan and the City of Indio Unified Development Code. The proposed Project is consistent with the property's WED General Plan designation and the requirements imposed by the City of Indio Unified Development Code for the Light Industrial (IL) zoning as stipulated in Article 2.04. Further, the Project is compliant with the CVMSHCP as demonstrated in the Biological Resources section of this IS/MND. Pertaining to the Riverside County Airport Land Use Compatibility Plan, an Airport Land Use Compatibility Assessment was completed for the

Project which concluded that the Project complies with the requirements and is compatible with the ALUCP. See Section IX, Threshold e, above, for details. As such, impacts associated with potential conflicts with plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects is determined to be less than significant.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: City of Indio 2040 General Plan Update; Final EIR for the City of Indio 2040 General Plan Update.

Environmental Setting

The City's important mineral resources include sand, gravel, and crushed rock (collectively known as aggregate). These minerals are an important component of asphalt, concrete, road base, stucco and plaster, and provide materials for the local economy. (Indio, 2019a, p. 8-6)

Active mines near Indio are located to the north of the City. The majority of City lands, including the Project site, have been classified as Mineral Zone MRZ-1: "areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources." (Indio, 2019a, Figure 8-2)

Discussion of Impacts

a, b) No Impact. The Project site is located within MRZ-1, indicating a low likelihood for significant mineral resources to be present on or beneath the site. Accordingly, the Project site is not located within an area known to be underlain by regionally-important mineral resources. Implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or to the residents of the State of California. No impact would occur.

Mitigation Measures: None required.

Monitoring: None required.

XIII. NOISE **Would the Project result in:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?			✓	

Sources: Indio Gateway Noise and Vibration Analysis, prepared by Urban Crossroads, dated July 25, 2023 (*Appendix I*).

Environmental Setting

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 1,000 feet, which can cause serious discomfort. (Urban Crossroads, 2023e, pp. 7-8)

To describe the existing noise environment in the vicinity of the Project site, noise measurements were collected by Urban Crossroads focusing on the equivalent, or the hourly energy average sound

levels (L_{eq}). The equivalent sound level (L_{eq}) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. Table 8, *Ambient Noise Level Measurements*, below identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise levels at each noise level measurement location.

Table 8 Ambient Noise Level Measurements

Location[1]	Description	Energy Average Noise Level (dBA L_{eq})[2]		CNEL
		Daytime	Nighttime	
L1	Located southeast of the site near the residence at 80708 Foxglove Ln.	58.9	57.1	54.3
L2	Located south of the site near the residence at 80665 Ave 43	64.1	60.8	68.4
L3	Located south of the site near the residence at 80595 Ave 43	63.1	60.4	67.8
L4	Located south of the site near the residence at 80590 Hoylake Dr.	62.4	61.1	68.0
L5	Located south of the Project site within Burr Park.	67.2	64.8	71.9
L6	Located near the Coachella Church of Christ Honey (Prayer Tabernacle) at 80380 Ave 43.	58.6	56.9	64.0
L7	Located southwest of the site near the residence at 42792 Rachel Ct.	77.7	72.2	80.4
L8	Located southwest of the site near the residence at 80019 Ave 42	76.5	72.0	80.1
L9	Located west of the site near the Bermuda Dunes Airport (UDD)	77.2	72.1	80.3
L10	Located within the Project site near the intersection of Indio Blvd and Burr St.	74.6	71.4	78.9

[1] See Exhibit 5-A of the Project's Noise Analysis in *Appendix I* for the noise level measurement locations.
[2] Energy (logarithmic) average levels. The long-term 24-hour measurement worksheets are included in Appendix 5.2 of the Project's Noise Analysis in *Appendix I*.
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Discussion of Impacts

a) **Less Than Significant Impact**. The analysis presented on the following pages summarizes the Project's potential construction noise levels and operational noise levels. The detailed noise calculations for the analysis presented here are provided in *Appendix I*.

The City of Indio General Plan and Municipal Code address construction noise and land use noise compatibility, but do not identify stationary-source (operational) noise level standards for the purpose of a CEQA significance evaluation. For purposes of evaluation in this document, exceeding an exterior noise level limits of 55 dBA L_{eq} during the daytime hours of 7:00 a.m. to 10:00 p.m., and 45 dBA L_{eq} during the noise-sensitive nighttime hours of 10:00 p.m. to 7:00 a.m. at a noise-sensitive use would be considered significant. (Urban Crossroads, 2023e, p. 15)

To analyze noise impacts originating from the construction of the Project, noise from construction activities is typically limited to the hours of operation established under a jurisdiction's Municipal Code. Section 95C.08 of the City of Indio Municipal Code, indicates that construction activity is limited to the following permitted hours:

- Pacific Standard Time: 7:00 a.m. to 6:00 p.m. Mondays to Fridays; 8:00 a.m. to 6:00 p.m. on Saturdays; or
- Pacific Daylight Time: 6:00 a.m. to 6:00 p.m. Mondays to Fridays; 7:00 a.m. to 6:00 p.m. on Saturdays; and
- Between 9:00 a.m. to 5:00 p.m. on Sundays and holidays all year-round.

However, neither the City of Indio General Plan or Municipal Codes establish numeric maximum acceptable construction source noise levels at potentially affected receivers; therefore, a numerical construction threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* was used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA L_{eq} as a reasonable threshold for noise sensitive residential land use with a nighttime exterior construction noise level of 70 dBA L_{eq}. (Urban Crossroads, 2023e, pp. 15-16)

The City of Indio does not identify specific construction vibration level limits; therefore, the Caltrans *Transportation and Construction Vibration Guidance Manual*, was used to assess potential temporary construction-related impacts at adjacent building locations. The nearest noise sensitive buildings adjacent to the Project site can best be described as "older residential structures" with a maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec). (Urban Crossroads, 2023e, p. 16)

Construction Noise Impact Analysis

Construction activities on the Project site are expected to proceed in five stages, primarily during daytime hours: 1) site preparation; 2) grading; 3) building construction; 4) paving; and 5) application of architectural coatings. These activities would create temporary periods of noise when heavy construction equipment is in operation and would cause a short-term increase in ambient noise levels.

To describe the potential off-site Project noise levels, nine receiver locations in the vicinity of the Project site were identified. The selection of receiver locations is based on FHWA guidelines and is consistent with additional guidance provided by Caltrans and the FTA. Other sensitive land uses in the Project study area that are located at greater distances than those identified would experience lower noise levels due to the additional attenuation from distance and the shielding of intervening structures. Distance is measured in a straight line from the project boundary to each receiver location. (Urban Crossroads, 2023e, p. 41)

R1: Location R1 represents the existing noise sensitive residence at 80708 Foxglove Ln, approximately 1,731 feet south of the Project site. Receiver R1 is placed in the private outdoor living areas facing the Project site. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Location R2 represents the existing noise sensitive residence at 80665 Avenue 43,

approximately 1,789 feet south of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R2 is placed at the building façade. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.

R3: Location R3 represents the existing noise sensitive residence at 80595 Avenue 43 approximately 1,862 feet south of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R3 is placed at the building façade. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.

R4: Location R4 represents the existing noise sensitive residence at 80590 Hoylake Dr, approximately 1,971 feet southwest of the Project site. Receiver R4 is placed in the private outdoor living areas facing the Project site. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment. ambient noise environment.

R5: Location R5 represents Burr Park located at 42811 Burr Street, approximately 1,498 feet west of the Project site. Receiver R5 is placed near the outdoor basketball courts. A 24-hour noise measurement was taken near this location, L5, to describe the existing ambient noise environment.

R6: Location R6 represents the Coachella Church of Christ Honey (Prayer Tabernacle) located at 80380 Avenue43, approximately 1,856 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R6 is placed at the building façade. A 24-hour noise measurement was taken near this location, L6, to describe the existing ambient noise environment.

R7: Location R7 represents the existing noise sensitive residence at 42792 Rachel Ct, approximately 2,247 feet southwest of the Project site. Receiver R7 is placed in the private outdoor living areas facing the Project site. A 24-hour noise measurement was taken near this location, L7, to describe the existing ambient noise environment.

R8: Location R8 represents the existing noise sensitive residence at 80019 Avenue 42, approximately 1,284 feet southwest of the Project site. Receiver R8 is placed in the private outdoor living areas facing the Project site. A 24-hour noise measurement was taken near this location, L8, to describe the existing ambient noise environment.

R9: Location R9 represents the existing noise sensitive residence at 80519 Avenida Camarillo, approximately 1,311 feet north of the Project site. Receiver R9 is placed in the private outdoor living areas facing the Project site. The 24-hour noise measurement from location L10, similarly located near the I-10 Freeway and the Union Pacific Railroad, is used to describe the existing ambient noise environment.

Project construction noise levels at nearby, representative sensitive receptor locations are summarized in Table 9, *Construction Equipment Noise Level Summary*. As shown on Table 9, the construction noise levels are expected to range from 43.9 to 54.3 dBA L_{eq} at the nearby

receiver locations. A construction-related daytime noise level threshold of 80 dBA L_{eq} is used as a reasonable threshold to assess the daytime construction noise level impacts. The construction noise analysis shows that the nearest receiver locations will not exceed the 80 dBA L_{eq} significance threshold during Project construction activities. Therefore, the noise impacts due to Project construction noise are considered less than significant.

Table 9 Construction Equipment Noise Level Summary

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})					
	Site Preparation	Grading	Building Construction	Paving	Utilities	Highest Levels[2]
R1	47.7	50.7	48.7	50.7	45.7	50.7
R2	48.9	51.9	49.9	51.9	46.9	51.9
R3	49.2	52.2	50.2	52.2	47.2	52.2
R4	49.2	52.2	50.2	52.2	47.2	52.2
R5	51.3	54.3	52.3	54.3	49.3	54.3
R6	49.9	52.9	50.9	52.9	47.9	52.9
R7	48.4	51.4	49.4	51.4	46.4	51.4
R8	50.7	53.7	51.7	53.7	48.7	53.7
R9	45.9	48.9	46.9	48.9	43.9	48.9

[1] Construction noise source and receiver locations are shown on Exhibit 11-A of *Appendix I*.
[2] Construction noise level calculations based on distance from the construction activity, which is measured from the Project site boundary to the nearest receiver locations. CadnaA construction noise model inputs are included in Appendix 11.1 of *Appendix I*.
Source: (Urban Crossroads, 2023e, Table 11-2)

Nighttime concrete pouring activities would occur as a part of Project building construction activities. Since the nighttime concrete pours will take place outside the hours permitted by Section 95C.08 of the City of Indio Municipal Code, the Developer/Permit Applicant will be required to obtain authorization for nighttime work from the City. Any nighttime construction noise activities are evaluated against the FTA nighttime exterior construction noise level threshold of 70 dBA Leq for noise sensitive residential land use.

As shown on Table 10, *Nighttime Concrete Pour Noise Level Compliance*, the noise levels associated with the nighttime concrete pour activities are estimated to range from 36.7 to 42.4 dBA $L_{eq.}$ The analysis shows that the unmitigated nighttime concrete pour activities would not exceed the FTA 70 dBA L_{eq} nighttime residential noise level threshold at all the nearest noise sensitive receiver locations. Therefore, the noise impacts due to Project construction nighttime concrete pour noise activity are considered less than significant.

Table 10 Nighttime Concrete Pour Noise Level Compliance

Receiver Location[1]	Concrete Pour Construction Noise Levels (dBA L_{eq})		
	Exterior Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R1	38.9	70	No
R2	40.1	70	No
R3	40.3	70	No
R4	40.2	70	No
R5	42.4	70	No
R6	40.9	70	No
R7	39.0	70	No
R8	41.0	70	No
R9	36.7	70	No

[1] Construction noise source and receiver locations are shown on Exhibit 11-A of *Appendix I*.
[2] Nighttime Concrete Pour noise model inputs are included in Appendix 11.2 of *Appendix I*.
[3] Construction noise level thresholds as shown on Table 4-1 of *Appendix I*.
[4] Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (Urban Crossroads, 2023e, Table 11-4)

Operational Noise Impact Analysis

Stationary (on-site) noise sources associated with long-term Project operation are expected to include loading dock activity, parking lot vehicle activities, roof-top air conditioning units, trash enclosure activity, equipment fueling activity, equipment storage, equipment wash, equipment testing, gas station activity, car wash tunnel, and car wash vacuum. The daytime and nighttime stationary noise levels associated with Project operation at nearby sensitive receptor locations (the same receptor locations used for the construction analysis, above) are summarized in Table 11, *Operational Noise Level Compliance*.

As shown in Table 11, the operational noise levels associated with the Project would not exceed the daytime and nighttime exterior noise level standards at the existing nearby noise-sensitive receiver locations. Therefore, the operational noise impacts are considered less than significant.

b) Less Than Significant Impact. Related to potential groundborne vibration or noise, and analysis was conducted for the construction and operational phases of the Project.

Construction Analysis

Construction activities on the Project site would utilize construction equipment that has the potential to generate vibration. Project construction-related vibration levels were calculated at the same nine receiver locations that were described above under XIII Threshold a. As shown in Table 12, *Project Construction Vibration Levels*, construction vibration velocity levels would range from 0.000 to 0.001 in/sec PPV. Based on maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec), the typical Project construction vibration levels would fall below the building damage thresholds at all the sensitive receiver locations. Therefore, the Project-related vibration impacts during construction are considered less than significant.

Table 11 Operational Noise Level Compliance

Receiver Location[1]	Project Operational Noise Levels (dBA (Leq)[2]		Noise Level Standards (dBA Leq)[3]		Noise Level Standards Exceeded?[4]	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	40.8	39.7	55	45	No	No
R2	43.3	42.4	55	45	No	No
R3	43.1	42.0	55	45	No	No
R4	42.7	41.3	55	45	No	No
R5	44.6	43.2	55	-[5]	No	No
R6	43.1	41.3	55	45	No	No
R7	42.1	40.4	55	45	No	No
R8	45.6	43.7	55	45	No	No
R9	45.7	44.6	55	45	No	No

[1] See Exhibit 8-A of *Appendix I* for the receiver locations.
[2] Proposed Project operational noise levels as shown on Tables 10-2 and 10-3 of *Appendix I*.
[3] Exterior noise level standards, as shown on Table 4-1 of *Appendix I*.
[4] Do the estimated Project operational noise source activities exceed the noise level standards?
[5] Burr Park described by receiver location R5 does not represent a noise sensitive nighttime receiver.
"Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.
Source: (Urban Crossroads, 2023e, Table 10-4)

Table 12 Project Construction Vibration Levels

Location[1]	Distance to Const. Activity (Feet)[2]	Typical Construction Vibration Levels PPV (in/sec)[3]						Thresholds PPV (in/sec)[4]	Thresholds Exceeded?[5]
		Small bulldozer	Jackhammer	Loaded Trucks	Large bulldozer	Vibratory Roller	Highest Vibration Level		
R1	1,731'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R2	1,789'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R3	1,862'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R4	1,971'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R5	1,498'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R6	1,856'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R7	2,247'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R8	1,284'	0.000	0.000	0.000	0.000	0.001	0.001	0.3	No
R9	1,311'	0.000	0.000	0.000	0.000	0.001	0.001	1.3	No

[1] Construction noise source and receiver locations are shown on Exhibit 11-A of *Appendix I*.
[2] Distance from receiver building facade to Project construction boundary (Project site boundary).
[3] Based on the Vibration Source Levels of Construction Equipment (Table 11-5 of *Appendix I*).
[4] Caltrans Transportation and Construction Vibration Guidance Manual, April 2020, Table 19, p. 38.
[5] Does the peak vibration exceed the acceptable vibration thresholds?
"PPV" = Peak Particle Velocity
Source: (Urban Crossroads, 2023e, Table 11-6)

Operational Analysis

Under long-term conditions, expected operational activities at the Project site would not include or require equipment, facilities, or activities that would result in perceptible ground-borne vibration. Trucks would travel to and from the Project site on surrounding roadways; however, vibration and groundborne noise levels for heavy trucks operating at the posted speed limits on smooth, paved surfaces as is expected on the Project Site and surrounding roadways is minimal. Accordingly, Project operation would not generate excessive groundborne vibration or groundborne noise levels and impacts would be less than significant.

c) Less Than Significant Impact. The Project site is located approximately 700-feet southeast of the Bermuda Dunes Airport (UDD) and within the Bermuda Dunes Airport Influence Area. The Project is subject to the *Riverside County Airport Land Use Compatibility Plan Policy Document* (RC ALUCP) which outlines policies for determining the land use compatibility of the Project since it is located within one mile of an airport runway. According to the RC ALUCP, the Project's workplace uses consisting of proposed convenience, retail, light industrial, and supporting office space is considered clearly acceptable with exterior noise levels ranging from 50-55 dBA CNEL, normally acceptable with exterior noise levels ranging from 60-70 dBA CNEL, and *marginally acceptable* with exterior noise levels above 70 dBA CNEL. The Project site is located within the 60-70 dBA CNEL noise level contour boundaries and is considered normally acceptable. Therefore, based on the RC ALUCP compatibility criteria, the indicated noise exposure will cause moderate interference with outdoor activities and with indoor activities when windows are open. The land use is acceptable on the condition that outdoor activities are minimal and construction features which provide sufficient noise attenuation are used (e.g., installation of air conditioning so that windows can be kept closed). (Urban Crossroads, 2023e, p. 16) The Project's design does not include an outdoor activity areas other than for parking, loading, and fueling. Also, the Project's buildings are proposed to contain air conditioning. Thus, impacts would be less than significant.

Mitigation Measures: None

Monitoring: None

XIV. POPULATION AND HOUSING **Would the Project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

Sources: 2021 Local Profile Dataset, prepared by Southern California Association of Governments, dated 2021.

Environmental Setting

The City of Indio has experienced rapid population growth over the last two decades. According to the Southern California Association of Governments (SCAG) 2021 Local Profiles Dataset, the City of Indio had a population of 90,804 persons in 2020. This represents a 59.6 percent increase over the population of 49,116 persons in 2000. (SCAG, 2021) According to SCAG's 2024-2050 RTP/SCS Demographics and Growth Forecast Data Report, the City of Indio is expected to grow in employment from approximately 28,300 jobs in 2019 to 35,300 jobs in 2035 to 38,500 jobs in 2050 (SCAG, 2024b, p. 43)

Discussion of Impacts

a) **Less Than Significant Impact**. The Project entails the proposed development of the Project site with employment land uses. The Project is consistent with the City's General Plan WED land use designation and buildout assumptions and therefore is also consistent with Southern California Association of Governments' (SCAG) 2035 and 2050 employment projections for the City of Indio. Project generated jobs would be well within the employment projections for the City of Indio and would be expected to be filled primarily by local job seekers already residing in the Coachella Valley. Operation of the Project would not induce substantial unplanned population growth in the Project area, either directly or indirectly and would not exceed regional or local growth projections. Therefore, impacts would be less than significant.

b) **No Impact.** The Project site does not contain any residential structures and no people live on the site under existing conditions. Accordingly, implementation of the Project would not displace substantial numbers of existing housing or people and would not necessitate the construction of replacement housing elsewhere. No impact would occur.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: City of Indio 2040 General Plan Update; Final EIR for the City of Indio 2040 General Plan Update.

Environmental Setting

Fire Protection

The proposed Project would receive fire protection and emergency medical services from the Indio Fire Department, which serves the City of Indio. The nearest fire station is Fire Station #4, located at 81-025 Avenue 40, approximately 1.1 miles northeast of the Project site. The station is staffed by 10 firefighters, who operate one paramedic fire engine and one paramedic ambulance.

Police Protection

Police protection services in the City of Indio are provided by the Indio Police Department. The Indio Police Station is located at 46-800 Jackson Street, approximately 3.0 miles southeast of the Project site. The police department has various crime programs including a Citizens Online Police reporting system, a police K-9 program, police dispatch, community outreach, and neighborhood watch programs. The department has a staff of approximately 85 sworn officers and 55 professional staff.

Schools

The Project site is located within the Desert Sands Unified School District (DSUSD) boundaries. DSUSD consists of 18 elementary schools, one charter elementary school, six middle schools, one charter middle school, four comprehensive high schools, two continuation high schools, one alternative education school, and preschool.

Parks

The City of Indio has 18 existing parks. The nearest municipal park to the Project site is Burr Park, located at 42811 Burr Street, approximately 0.2-mile south of the Project site.

Discussion of Impacts

a) **Less Than Significant Impact with Mitigation Incorporated.** The construction and operation of the Project would increase the demand for fire protection by introducing eight buildings on the Project site. Service demand in and of itself is not an environmental impact under CEQA unless such demand causes a physical change to the environment. The introduction of primarily concrete tilt-up buildings on the Project site is not anticipated to result in an increase in demand for fire protection services high enough to trigger the need to physically construct new fire protection facilities because Fire Station #4 already exists near the Project site which provides paramedic and fire services. Additionally, the Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the Indio Fire Department. The proposed Quinn Cat building and the six light industrial buildings would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than typical wood-frame construction. The Project would also install fire hydrants on the sites. Lastly, the proposed buildings would feature a fire alarm system.

In accordance with standard City practices, the Fire Department would inspect the Project's construction documents and plans before permits are issued to ensure compliance with all applicable fire and building code standards and to ensure that adequate fire and life safety measures are incorporated into the Project in compliance with all applicable State and City fire safety regulations. Based on the Project site's proximity to an existing fire station, the incremental increase in the demand for Indio Fire Department services would not result in or require new or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

Although the Project would not result in the need for new or expanded fire protection facilities, as a standard condition of approval, the Project Applicant would be required to pay the City's development impact fees (DIF) pursuant to City Municipal Code § 33.068. This fee is designed in part to share the costs of the added demand on services and facilities generate by new development. The Project's payment of DIF fees, as well as increased property tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services. Nonetheless, should the Project Developer not pay the DIF fees as set forth in the Indio Municipal Code § 33.068, significant impacts would occur.

Based on the foregoing, the proposed Project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection facilities would be less than significant with mitigation (payment of DIF) incorporated.

b) **Less Than Significant Impact with Mitigation Incorporated**. The Project would introduce a 7-Eleven, a Quinn Cat retail facility and six light industrial buildings to the Project site, along with employees and visitors to the Project site. This would result in an incremental increase in demand for police protection services. Service demand in and of itself is not an environmental impact under CEQA unless such demand causes a physical change to the environment, and there is no aspect of the Project's construction, design, or operation that would cause the need to construct new police protection facilities. The Project site would be monitored for security by the buildings' tenant/users, would be lit for safety and security, and the loading dock areas of the six light industrial buildings would be secured by walls and fences with secured access gates. The Project is not reasonably expected to generate substantial increases in crime nor would the Project precipitate crime which would necessitate the construction of new or physically altered police facilities.

Although the Project would not result in the need for new or expanded police protection facilities, as a standard condition of approval, the Project Applicant would be required to pay the City's DIF fee pursuant to City Municipal Code § 33.068. This fee is designed in part to fund police department buildings, equipment, and training facilities. Furthermore, property tax revenues generated from development of the Project sites would provide funding to offset potential increases in the demand for police services at Project build-out. Nonetheless, should the Project Developer not pay the DIF fees as set forth in the Indio Municipal Code § 33.068, significant impacts would occur.

Because Project implementation would not result in or require new or expanded police protection facilities and because the Project is required to contribute appropriate DIF fees to offset the Project's increased demand for police protection services, the Project's impacts to police protection services would be less than significant with mitigation (payment of DIF) incorporated.

c) **Less Than Significant Impact with Mitigation Incorporated**. The Project does not include residential land uses and would not directly introduce new school-age children within the Desert Sands Unified School District (DSUSD) boundaries. Furthermore, the Project is not expected to draw a substantial number of new residents to the surrounding area as the result of unplanned population or housing growth and would not, therefore, indirectly increase unplanned enrollment at DSUSD schools. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a direct demand for public school services, the Project Applicant would be required to contribute development impact fees to the DSUSD in compliance with the Leroy F. Greene School Facilities Act of 1998, which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Mandatory payment of school fees would be required prior to the issuance of building permits. Nonetheless, should the Project Developer not comply with the payment of the DIF fees as set forth by the Leroy F. Greene School Facilities Act of 1998, significant impacts

would occur. Impacts to DSUSD schools would be less than significant with mitigation (fee payment) incorporated.

d) **Less Than Significant Impact with Mitigation Incorporated.** The Project does not propose to construct any new on- or off-site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. In addition, the Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Although the Project would not result in the need for new or expanded recreational facilities, as a standard condition of approval, the Project Applicant would be required to pay the City's DIF fee pursuant to City Municipal Code § 33.068. This fee is designed in part to be used for improvements and facilities to park lands for recreation and leisure activities. Accordingly, implementation of the Project would not result in environmental effects related to the construction or expansion of recreational facilities or the increased use or substantial physical deterioration of an existing neighborhood or regional park. Nonetheless, should the Project Developer not comply with the payment of the DIF fees as set forth in the Indio Municipal Code § 33.068, significant impacts would occur. Impacts would be less than significant with mitigation (payment of DIF) incorporated.

e) **Less Than Significant Impact with Mitigation Incorporated.** The Project does not include any residential land uses and, therefore, is not expected to result in a demand for other public facilities/services, including libraries, post offices, public health facilities, and/or animal shelters. Although the Project would not result in the need for new or expanded public facilities/services, as a standard condition of approval, the Project Developer would be required to pay the City's DIF fee pursuant to City Municipal Code § 33.068. This fee is designed in part to be used for public buildings. As such, implementation of the Project would not adversely affect other public facilities or require the construction of new or modified public facilities. Nonetheless, should the Project Developer not comply with the payment of the DIF fees as set forth in the Indio Municipal Code § 33.068, significant impacts would occur. Impacts would be less than significant with mitigation (payment of DIF) incorporated.

Mitigation Measures:

PUB-1 The Project Developer/Permit Applicant shall comply with City of Indio Municipal Code § 33.068 and with the Desert Sands Unified School District School (DSUSD) School Impact/Developer Fee pursuant to the Leroy F. Greene School Facilities Act of 1998 which requires the payment of development impact fees for all development projects to finance the cost of public facilities and improvements reasonably related to development projects.

Monitoring:

PUB-A Prior to issuance of a certificate of occupancy, the Project Developer/Permit Applicant shall provide the City of Indio a DIF payment pursuant to City Municipal Code § 33.074 and shall

provide the DSUSD with a school impact fee payment pursuant to the DSUSD fee schedule for commercial square footage.

XVI. RECREATION **Would the Project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Sources: FEIR for the City of Indio General Plan Update, dated June 2019.

Environmental Setting

The City's Public Works Parks and Facilities Division is responsible for maintaining parks while the Desert Recreation District (DRD) is responsible for providing recreational facilities. The City has a standard ratio of three acres of public parkland per 1,000 residents. The City owns and maintains approximately 63 acres of parkland over 18 parks. (Indio, 2019b, p. 4.14-9)

Discussion of Impacts

a) **No Impact.** The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, thus, no impact would occur.

b) **No Impact.** The Project does not propose to construct any new on- or off-site recreation facilities. Additionally, the Project would not directly or indirectly expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: Indio Gateway Traffic Analysis, prepared by Urban Crossroads, dated February 27, 2024 (*Appendix J1*); Majestic Indio Gateway Vehicle Miles Traveled (VMT) Analysis, prepared by Urban Crossroads, dated May 19, 2023 (*Appendix J2*); Majestic Indio Gateway Safety Evaluation, prepared by Urban Crossroads, dated February 29, 2024.

Environmental Setting

The City of Indio's circulation system consists of roadways, freeways, bus lines, sidewalks, and bike lanes. The different modes of transportation include vehicular travel, public transit, walking, bicycling, and golf carts. (Indio, 2019b, p. 4.15-1)

The Project site is vacant and undeveloped. Existing roadways in the vicinity of the Project site include Jefferson Street, Indio Boulevard, Burr Street, and I-10. Within the vicinity of the Project site, existing bicycle routes are located along Jefferson Street and Indio Boulevard (Urban Crossroads, 2023f, p. 25). Adjacent to the Project site, sidewalks are located along the eastbound side of Indio Boulevard between Jefferson Street and Burr Street. The City is served by Sunline Transit Agency; however, there are currently no transit routes that provide service to the Project Site (Urban Crossroads, 2023f, p. 30).

Urban Crossroads prepared a vehicle miles traveled (VMT) analysis for the proposed Project, dated May 19, 2023 (*Appendix J2*). As the City of Indio does not have their own VMT guidelines, the VMT analysis was prepared in accordance with the County of Riverside *Transportation Analysis Guidelines for Level of Service Vehicle Miles Traveled*.

Urban Crossroads prepared a traffic analysis for the proposed Project in July 2023 (*Appendix J1*). As the City of Indio does not have their own traffic study guidelines, the traffic study was prepared in

accordance with the County of Riverside *Transportation Analysis Guidelines* and consultation with City staff during the traffic study scoping process. In order to develop the traffic characteristics of the proposed Project, trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) were utilized. The traffic modeling and signal timing optimization software package Synchro (Version 11) was utilized to analyze signalized intersections. Unsignalized intersections were evaluated using the methodology described in the 6th Edition Highway Capacity Manual (HCM) as required by City of Indio and the County of Riverside. The information presented in *Appendix J1* and *Appendix J2* is summarized herein for informational purposes. On December 28, 2018, updates to the CEQA Guidelines were approved by the Office of Administrative Law (OAL), which requires an evaluation of transportation impacts based upon VMT, which replaced the Level of Service (LOS) criteria (i.e., automobile delay) that was previously used to evaluate potential effects to transportation under CEQA. Accordingly, pursuant to CEQA Guidelines Section 15064.3(a), "…a project's effect on automobile delay shall not constitute a significant environmental impact."

Discussion of Impacts

a) Less Than Significant Impact.

Proposed Driveway Connections

The Project site is currently vacant and generates no traffic. Existing roadways in the vicinity of the Project site include Jefferson Street, Indio Boulevard, Burr Street, and I-10. Vehicular access to the Project site would be provided via four driveways connecting with Indio Boulevard: Driveway 1, located at the intersection of Jefferson Street and Indio Boulevard, would be full access; Driveway 2, located between Jefferson Street and Burr Street, would be right-in/right-out access only; Driveway 3, located at the intersection of Indio Boulevard and Burr Street, would be full access; and Driveway 4, located east of Burr Street, would be right-in/right-out access only. Regional access to the Project Site would be accommodated primarily from the I-10 Freeway via Jefferson Street and Indio Boulevard.

Project Trip Generation

The proposed Project would result in the development 73,804 square feet of light industrial park use within 6 buildings ranging from 7,560 square feet to 26,700 square feet, in conjunction with a 16-vehicle fueling position super gas station, with convenience market and car wash, and a 34,685 square foot Quinn CAT warehouse building. The Quinn CAT warehouse building would include a sales office, warehouse use and the remaining building space to accommodate eight service bays. The Quinn CAT warehouse building would be utilized for construction equipment sales, storage, and maintenance. The Project is forecast to generate approximately 1,322 two-way trip-ends per day with 155 AM peak hour trips and 130 PM peak hour trips. When weighted for "passenger car equivalent" (PCE), which converts all classifications of vehicles – including heavy trucks with multiple axles – to a single metric, the Project is calculated to generate approximately 1,518 PCE trips per day including 174 PCE AM peak hour trips and 154 PCE PM peak hour trips (Urban Crossroads, 2023f, pp. 35-38).

Roadway System Analysis

Six study area intersections were selected for evaluation as part of the traffic analysis. Under existing conditions, all of the study area intersections are operating at an acceptable LOS during the weekday AM and PM peak hours. The Burr Street/Driveway 3 and Indio Boulevard intersection was calculated to operate at an unacceptable LOS during peak hours with Project traffic. Without Project traffic, two intersections (Jefferson Street and Indio Boulevard, and Burr Street/Driveway 3 and Indio Boulevard) were calculated to operate at an unacceptable LOS. With the addition of Project traffic, there were no additional intersections calculated to operate at an unacceptable LOS during peak hours. The City is considering improvement strategies for the intersections that are anticipated to operate at a deficient LOS with the Project in order to achieve pre-Project delay levels or better. (Urban Crossroads, 2023f, pp. 8-9)

Transportation Programs, Plans, and Policies Consistency Analysis

SCAG Connect SoCal Consistency Analysis

The fundamental goals of SCAG's *Connect SoCal 2024-2050* are focused on mobility, communities, environment, and economy. As indicated below, implementation of the Project would not conflict with the goals and strategies of SCAG's regional planning program that are applicable to the Project and related to mobility, including vehicular and non-vehicular circulation. As such, Project impacts would be less than significant.

System Preservation and Resilience.

The Project entails the development of a site that is served by an existing roadway infrastructure system. Consistent with this goal and strategy, reinvestment in existing infrastructure would occur via the Project's frontage improvements to Indio Boulevard.

Complete Streets; Transit and Multimodal Integration.

Complete Streets are roadways designed to support the safety, comfort and mobility for all road users. Consistent with this goal and strategy, the Project's frontage improvements to Indio Boulevard will include new ADA-compliant sidewalks and will maintain the Class II bike lane located on Indio Boulevard. Transit service is not available to the site. SunLine Transit Agency's closest bus route to the Project site is Route 6, which runs along Fred Waring Drive, 1 mile south of the Project site.

Transportation Systems Management (TSM); Transportation Demand Management (TDM); Technology Integration; Funding the System.

TSM strategies seek to optimize the operation of the existing transportation system and TDM strategies aim to reduce demand for roadway travel. The Project includes roadway frontage improvements along Indio Boulevard, including signal installation and restriping of intersections to optimize the network. The proposed 7-Eleven and Quinn Cat uses are not good candidates for TDM, as limiting vehicle trips to and from a gas station and large equipment sales/maintenance business is very unlikely. The tenants/users of the Project's

light industrial buildings are not known at this time. However, the number of people occupying these buildings would be limited due to Bermuda Dunes Airport restrictions. As such, these buildings are also not good candidates for TDM programs. The future building tenants/users could voluntarily develop and participate in TDM programs, although such programs are not required given the characteristics of the Project and its occupancy restrictions due to being located in safety zones of an airport. The gas tax applied to 7-Eleven is directly related to funding transportation systems including multimodal options.

Safety.
A Safety Evaluation was conducted for the Project and is included as *Appendix J3*. As concluded by the evaluation, the Project's design accommodates travel by vehicle, pedestrian, and bicycle, and no significant transportation safety concerns were identified.

Indio General Plan Consistency Analysis

The following provides an analysis of the Project's consistency with applicable transportation goals and policies of the Indio General Plan. As indicated below, implementation of the Project would not conflict with the goals and policies of the Indio General Plan that are applicable to the Project and related to vehicular and non-vehicular circulation. As such, Project impacts would be less than significant.

Policy ME-2.2: Facility enhancement. Enhance the bicycle and pedestrian facilities as identified in Figure 4-1 (of the Indio General Plan) as part of development, private grants, signing of shared routes, maintenance activities, etc. The City will also complete and continually update a Complete Streets Master Plan which will also assist in enhancing bicycle and pedestrian infrastructure.

The Project would maintain the Class II bike lane located on Indio Boulevard along the Project site's southern boundary, and would provide sidewalk along the Project site frontage with Indio Boulevard. Also, the Project would provide on-site bicycle parking facilities (bike racks) in accordance with CALGreen requirements. Based on the foregoing information, the Project would not conflict with this General Plan policy.

Policy ME-8.4: Bicycle parking. Safe and secure bicycle parking facilities shall be provided with all new development.

The Project would provide on-site bicycle parking facilities (bike racks) in accordance with CALGreen requirements. A total of 17 short-term and 14 long-tern bicycle parking spaces would be provided. Based on the foregoing information, the Project would not conflict with this General Plan policy.

Policy ME-8.1: Off-street parking. Require new developments to provide sufficient off-street parking (or payment of in-lieu fees) to reduce on-street parking congestion and increase

both auto and pedestrian safety. New development shall provide electric vehicle charging stations and preferential parking for carpools, vanpools, and alternative fuel vehicles.

The Project would provide 287 total parking spaces (more than the required 259 parking spaces), including 59 EV charging spaces, Based on the foregoing information, the Project would not conflict with this General Plan policy.

b) **Less than Significant Impact.** To date, the City of Indio has yet to adopted their own VMT guidelines, therefore, the VMT screening evaluation was conducted based on the County of Riverside's Transportation Analysis Guidelines for Level of Service Vehicle Miles Traveled (December 2020). Four County Guidelines screening criteria were identified for their applicability to the Project: Small Projects Screening, High Quality Transit Areas (HQTA) Screening, Local Serving Retail, and Map-Based Screening. (Urban Crossroads, 2023g, pp. 1-2) The Project's screening eligibility was evaluated consistent with the County of Riverside's Adopted VMT Guidelines and thresholds. The Project was found to meet the Local Serving Retail Screening criteria for the gas station, car wash and convenience store components only and the 3,000 MTCO2e Small Project Screening criteria for all components, the Project in its entirety is determined to have a less than significant VMT impact. (Urban Crossroads, 2023g, p. 4)

c) **No Impact**. The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along study area roadways under existing conditions. In addition, all proposed improvements within the public right-of-way would be installed in conformance with City design standards. The City reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced through implementation of the Project. Accordingly, the Project's construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use. No impact would occur.

d) **No Impact**. Vehicular access to the Project site would be provided via four driveways connecting with Jefferson Street/Indio Boulevard: Driveway 1, located at the intersection of Jefferson Street and Indio Boulevard, would be full access; Driveway 2, located between Jefferson Street and Burr Street, would be right-in/right-out access only; Driveway 3, located at the intersection of Indio Boulevard and Burr Street, would be full access; and Driveway 4, located east of Burr Street, would be right-in/right-out access only. All Project construction materials and equipment would be stored/staged on the Project site and would not interfere with emergency vehicles traveling along Jefferson Street and Indio Boulevard. Accordingly, the Project's construction and operation would not result in inadequate emergency access. No impact would occur.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: Update to Historical/Archaeological Resources Study, prepared by CRM Tech, dated February 13, 2023 (*Appendix C*); FEIR for the City of Indio General Plan Update, dated June 2019.

Environmental Setting

The Cahuilla are the most recently identifiable native culture to evolve in the Coachella Valley, believed by archaeologists to have migrated to the valley from the north approximately 2,000 to 3,000 years ago. The Coachella Valley was a historical center for Indian Villages, Native American settlements and Rancherias occupied by the Cahuilla people in the mid-19th century. According to their geographic setting, the Cahuilla people are divided into three groups: the Pass Cahuilla of the

San Gorgonio Pass-Palm Springs area, the Mountain Cahuilla of the San Jacinto and the Santa Rosa Mountains and the Cahuilla Valley, and the Desert Cahuilla of the eastern Coachella Valley. (Indio, 2019b, p. 4.5-2)

The Desert Cahuilla established settlements throughout the Coachella Valley. Settlement and hunting and gathering lands were associated with sources of water, as well as permanent and seasonal sources of food and fiber. Ancient Lake Cahuilla was the center of a number of these villages; however, with the natural redirection of the Colorado River to the Sea of Cortez, Lake Cahuilla is believed to have evaporated around 1580 A.D. (Indio, 2019b, p. 4.5-2)

Present day Native Americans of the Pass or Desert Cahuilla heritage are mostly affiliated with one or more of the Coachella Valley Indian Reservations, including Agua Caliente, Morongo, Torrez Martinez, Augustine, and Cabazon. (Indio, 2019b, p. 4.5-2)

Discussion of Impacts

a) **Less Than Significant Impact with Mitigation Incorporated.** Four archaeological sites and two isolates were identified within the Project site, but were determined to not be significant. Implementation of the Project would entail ground disturbance during grading and construction across the surface of the Project site and there is a potential that significant tribal cultural resources may be discovered during ground-disturbing construction activities, which are not feasible to discover or identify at this time, until ground-disturbing activities occur. With implementation of mitigation measure CR-1 through CR-6, potential impacts to tribal cultural resources during ground-disturbing construction activities would be reduced to less than significant.

Field surveys conducted on the Project site by CRM Tech in 2007-2008 identified the presence of cremated human remains, which were repatriated to the Cabazon Band of Mission Indians. There is a high likelihood that additional human remains will be unearthed during grading and excavation activities associated with Project construction. If/when human remains are unearthed during Project construction, compliance with California Health and Safety Code, § 7050.5, "Disturbance of Human Remains" is required. According to § 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code § 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods.

The descendants are to complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code § 5097.94(k), the NAHC is authorized to mediate disputes, if any, arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.

For the remains already discovered on the Project site, compliance with California Health and Safety Code, § 7050.5 has already occurred. For any future discoveries and for final disposition of the previously discovered remains, mandatory compliance with the requirements of California Health and Safety Code § 7050.5 and California Public Resources Code § 5097.98, in addition to mitigation measure CR-7 below would be required to reduce the Project's impacts to human remains less than significant.

Mitigation Measures: **CR-1 through CR-8** as indicated above in Section V apply.

Monitoring: Monitoring for **CR-A through CR-H** as indicated above in Section V applies.

XIX. UTILITIES AND SERVICE SYSTEMS **Would the Project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments?			✓	

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Sources: FEIR for the City of Indio General Plan Update, dated June 2019; Indio Valley Water Authority website; California Legislative Information website; US EPA Estimating 2003 Building-Related Construction and Demolition Materials Amounts; CalRecycle website.

Environmental Setting

Domestic Water

The Project site is located within the Indio Water Authority (IWA) service area for domestic water. IWA's water supply is entirely groundwater pumped from deep aquifers in the Coachella Valley Whitewater Subbasin. Currently, water from the basin is pumped to the surface using 20 groundwater wells spread throughout the City and with pumping capacities from 1,200 gallons per minute (GPM) to 3,500 gpm. IWA average daily demand in 17.4 million gallons. (IWA, n.d.)

Wastewater Treatment Provider and City's Sewer System

Two wastewater treatment plants (WWTP) serve the City: one is owned by Valley Sanitary District (VSD) and one is owned by CVWD. VSD's WWTP treats approximately 96 percent of Indio's wastewater and CVWD's WWTP treats the remainder. The VSD wastewater treatment plant is located at the northeast quadrant of Van Buren Street and Enterprise Way, just southwest of I-10. The CVWD WWTP is located at Avenue 38 and Madison Street in Indio, which is a tertiary treatment facility, and the effluent produced is recycled for non-potable uses for CVWD customers. (Indio, 2019b, p. 4.16-8)

Floodplain Management

In the City of Indio, local drainage facilities generally convey runoff from local streets and lots to the regional facilities. Regional drainage is managed by the CVWD, which maintains the Coachella Canal. The local storm drain system consists of gutters, storm drains, and channels. (Indio, 2019b, pp. 4.16-10 and 4.16-11)

Solid Waste Management

Solid waste services in the City of Indio are provided by Burrtec Waste and Recycling Services. Burrtec collects residential garbage and recyclables on a weekly basis. Trash is taken to the Indio/Coachella Valley Waste Transfer Station in Coachella, which has a permitted maximum tonnage of 1,100 tons per day (tpd) of solid waste and a maximum capacity of 12,685 cubic yards per day. The facility can receive agricultural, construction and demolition, green material, industrial, inert, metal, mixed municipal, and tire wastes. Once waste enters the Indio/Coachella Valley Waste Transfer Station, it enters the Riverside County waste stream, is sorted, and sent to one of the Riverside County landfills

(Badlands, Blythe, Desert Center, El Sobrante, Lamb Canyon, Mecca Landfill II, and Oasis), which have a remaining combined capacity of 181,783,284 cubic yards. (Indio, 2019b, pp. 4.16-9 and 4.16-10)

Discussion of Impacts

a) **Less Than Significant Impact**. The Project would construct an on-site network of water and sewer pipes that would connect to existing water and sewer lines beneath Jefferson Street and Indio Boulevard. Storm drain lines would be installed on the Project site to drain into the proposed retention basins. The Project also would install connections to existing electricity, natural gas, and communications infrastructure that already exist or are planned in the area, and all such connections would be accomplished in conformance with the rules and standards enforced by the applicable service provider. The installation of water and sewer line connections, stormwater drainage facilities, electricity, natural gas, and communications infrastructure as proposed by the Project would result in physical impacts to the environment; however, these impacts are considered to be part of the Project's construction phase and are evaluated throughout this Initial Study/MND accordingly. In instances where significant environmental impacts have been identified for the Project's construction phase, mitigation measures are recommended in each applicable subsection of this Initial Study/MND to reduce impacts to less than significant levels. The construction of utility infrastructure necessary to serve the proposed Project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of this Initial Study/MND or in a separate CEQA compliance document prepared for the utility purveyor. Accordingly, additional mitigation measures for the Project beyond those identified throughout this Initial Study/MND would not be required.

b) **Less Than Significant Impact**. The Indio Water Authority is responsible for supplying potable water to the Project site and its surrounding area. Adequate water supplies are projected to be available to meet the estimated water demand for the IWA's service area through at least 2040 under normal, historic single-dry and historic multiple-dry year conditions (Indio, 2019b, Table 4.16-2). IWA forecasts for projected water demand are based on the population projections of the Southern California Association of Governments (SCAG), which rely on the adopted land use designations contained within the general plans that cover the geographic area within IWA's service. Because the Project would be consistent with the City of Indio General Plan land use designation for the Project site, the water demand associated with the Project was considered in the demand anticipated by the IWA forecasts and analyzed therein. As stated above, the IWA expects to have adequate water supplies to meet all its demands until at least 2040; therefore, the IWA has sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. The Project's impact would be less than significant.

c) **Less Than Significant Impact**. The City of Indio relies on two WWTPs to serve the City, one owned by Valley Sanitary District (VSD) and one owned by CVWD, for collection and treatment of wastewater. Under existing conditions, the Project site is vacant. The Project Applicant would

develop the Project site with a use that is consistent with the site's underlying land use designation; therefore, the wastewater generation estimate associated with the Project was considered in the demand anticipated by the VSD and CVWD. As such, the VSD and CVWD's existing wastewater treatment facilities have adequate capacity to serve the Project's demand in addition to its existing commitments. Impacts would be less than significant.

d) Less than Significant Impact. Solid Waste services would be provided to the Project site by Burrtec Waste and Recycling Services (Burrtec). Solid waste generated by the city is either recycled, reused, transformed at a waste-to-energy facility, or disposed of at one of the Riverside County landfills. The county landfills have a maximum permitted capacity of 266,159,998 cubic yards and a remaining capacity of 181,783,284 cubic yards. (Indio, 2019b, Table 4.16-5)

Implementation of the proposed Project would generate an incremental increase in solid waste volumes requiring off-site disposal during short-term construction and long-term operational activities. Solid waste requiring disposal would be generated by the construction process, primarily consisting of discarded materials and packaging. Based on the size of the Project (i.e., 108,489 s.f. building) and the United States Environmental Protection Agency's (U.S. EPA) construction waste generation factor of 4.34 pounds per s.f. for non-residential uses, approximately 235.4 tons of waste is expected to be generated during the Project's construction phase ([108,489 s.f. × 4.34 pounds per s.f.] ÷ 2,000 pounds per ton = 235.4 tons) (EPA, 2009, Table A-2). California Assembly Bill 939 (AB 939) requires that a minimum of 50% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies); therefore, the Project is estimated to generate approximately 117.7 tons during its construction phase.

Based on a daily waste generation factor of 1.42 pounds of waste per 100 square feet of industrial building area obtained from CalRecycle, long-term, on-going operation of the Project would generate approximately 3.42 tons of solid waste per day ([[1.42 pounds ÷ 100 s.f.] × 108,489 s.f.] ÷ 2,000 pounds = 0.77 tons per day) (CalRecycle, n.d.). Pursuant to AB 939, at least 50 percent of the Project's solid waste is required to be diverted from landfills; therefore, the Project would generate a maximum of 0.39 tons of solid waste per day requiring landfilling (0.77 tons per day × 50% = 0.39 tons per day) (CalRecycle, 2018).

Non-recyclable construction waste generated by the Project would be disposed at the Riverside County Landfills. The landfills receive well below their maximum permitted daily disposal volume; thus, the relatively minimal construction waste generated by the Project is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume. The Riverside County landfills have sufficient daily capacity to accept solid waste generated by the Project's construction and operation phase; therefore, impacts to landfill capacity associated with the Project's near-term construction activities and long-tern operational activities would be less than significant.

e) Less than Significant Impact. The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

In order to assist the City of Indio in achieving the mandated goals of the Integrated Waste Management Act, the Project's building occupant(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Public Resources Code § 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. (CA Legislative Information, 2005) Additionally, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week (CA Legislative Information, 2011). The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant.

Mitigation Measures: None required.

Monitoring: None required.

XX. WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓

Sources: City of Indio 2040 General Plan Update; Final EIR for the City of Indio 2040 General Plan Update; California Governor's Office of Emergency Services – My Hazards.

Environmental Setting

The City of Indio is not prone to any major wildfires due to its desert environment, which does not support large amounts of brush. According to the Riverside County Multi-Jurisdictional Hazard Mitigation Plan (2012), the City of Indio is not affected by wildfires and risk is generally considered "moderate" throughout the City. Based on the City's Local Hazard Mitigation Plan, wildfire probability is low, with moderate severity. (Indio, 2019b, p. 7-2)

Discussion of Impacts

a-d) No Impact. CAL FIRE adopted Fire Hazard Severity Zone (FHSZ) maps for State Responsibility Areas (SRAs) in November 2007. The fire hazard model considers the wildland fuels; fuel is that part of the natural vegetation that burns during the wildfire. The model also considers topography, especially the steepness of the slopes; fires burn faster up-slope. Weather (temperature, humidity, and wind) has a significant influence on fire behavior; the model recognizes that some areas of California have more frequent and severe wildfires than other areas. Finally, the model considers the production of burning fire brands (embers) how far they move, and how receptive the landing site is to new fires. All SRAs are rated moderate, high or very high fire hazard. (CAL FIRE, 2022a)

According to the CAL FIRE FHSZ maps for the Project area, the Project site is not located in or near an SRA or lands classified as very high fire hazard severity zones (CAL FIRE, 2022b). Because the Project site is not located in an SRA, the Project has no potential to result in an environmental impact pursuant to Thresholds 4.20(a) through (d).

Mitigation Measures: None required.

Monitoring: None required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible Project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process. **Does the Project:**	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		

b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?		✓		
c) Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		

a) **Less Than Significant Impact with Mitigation Incorporated.** All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this Initial Study/MND. Throughout this Initial Study/MND, where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less than significant levels. Accordingly, with incorporation of the mitigation measures imposed throughout this Initial Study/MND, the Project would not substantially degrade the quality of the environment and impacts would be less than significant.

b) **Less Than Significant Impact with Mitigation Incorporated**. As discussed throughout this Initial Study/MND, implementation of the proposed Project has the potential to result in effects to the environment that are individually limited, but cumulatively considerable. In all instances where the Project has the potential to contribute to a cumulatively considerable impact to the environment, mitigation measures have been imposed to reduce potential effects to less than significant levels.

Aesthetics

New development on the Project site and in the surrounding area would change the existing character of the Project's viewshed; however, all development in the immediate vicinity of the Project would be required to comply with the development regulations and design standards contained in the City's Unified Development Code, which would ensure that minimum standards related to visual character and quality are met to preclude adverse aesthetic effects (e.g., size, scale, building materials, lighting). Nonetheless, should the Project not comply with the City's Unified Development Code, the Project's aesthetic impacts would be cumulatively considerable. Mitigation measures AES-1 and AES-2 would reduce the Project's cumulative effects to less than significant levels by ensuring that lighting and glare would not adversely affect day or nighttime views in the area in accordance with the City's Unified Development Code.

Agriculture and Forestry Resources

The Project would have no impact on agricultural and forestry resources. Therefore, there is no potential for the Project to contribute to a cumulatively considerable impact under this topic.

Air Quality

Project-related construction and operational emissions would not exceed applicable SCAQMD regional or localized emissions thresholds. A Fugitive Dust Control Plan (PM_{10} Plan) would be required to be prepared, submitted, and implemented by the grading contractor prior to the start of physical construction of the Project; however, should a PM_{10} Plan not be implemented prior to the start of construction, adverse, cumulatively considerable effects to air quality and human health effects associated with air pollutants would occur. Mitigation measure AIR-1 would reduce the Project's cumulative effects to less than significant levels by ensuring that a PM_{10} Plan would be prepared, submitted, and implemented by the grading contractor prior to the start of construction.

Biological Resources

The Project site is located within the Coachella Valley MSHCP but does not support any sensitive plant or wildlife species, riparian, or sensitive natural habitat, or federally-protected wetlands; therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under these resources. Four special-status bird species have moderate potential to occur or forage on the Project site, including burrowing owl (*Athene cunicularia)*, Le Conte's thrasher (*Toxostoma lecontei)*, loggerhead shrike (*Lanius ludovicianus)*, and vermillion flycatcher (*Pyrocephalus rubinus)*. Although the Project site is highly disturbed under existing conditions, there is the potential these or other nesting birds could be present on the Project site prior to construction and there also is the potential that other development projects in the City of Indio could support the bird nests. The Project's potential impact to the nesting birds would be cumulatively considerable. Mitigation measures BR-1 through BR-3 would reduce the Project's cumulative effects to less than significant levels by ensuring that no direct take of nesting birds occurs during construction.

Cultural Resources

Implementation of the Project would impact four prehistoric sites, Sites 33-009499, 33-016252, 3757-3 and 3757-4H, which were determined to be less than significant. There is a potential that additional significant prehistoric resources may be discovered during ground-disturbing construction activities, which are not feasible to discover or identify at this time, until ground-disturbing activities occur. Additionally, human remains have been identified on the Project site and there is a high likelihood that additional human remains will be unearthed during grading and excavation activities associated with Project construction. With implementation of mitigation measures CR-1 through CR-6 impacts to the seven known prehistoric sites and additional sites that may be discovered during ground-disturbing construction activities would be reduced to less than significant. For any future discoveries and for final disposition of the previously discovered remains, mandatory compliance with the requirements of California Health and Safety Code § 7050.5 and California Public Resources Code § 5097.98, in addition to

mitigation measure CR-7 would be required to reduce the Project's impacts to human remains to less than significant. Other development projects in the same traditional tribal territories also have the potential to impact significant cultural resources. The Project's impact is thus considered a significant direct and cumulatively considerable impact, mitigated to less than significant.

Energy

The Project's construction and operation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary and would not obstruct a state or local plan for renewable energy or energy efficiency. In addition, all cumulative projects would also be required to comply with the California Building Standards Code, which establishes standards for energy efficiency and "green" construction. Therefore, implementation of the Project would result in a less-than-significant cumulative impact to energy.

Geology and Soils

Potential effects related to geology and soils are inherently site-specific; therefore, there is no potential for the Project to contribute to a cumulatively considerable impact under this topic. Furthermore, all development proposals would be required to comply with applicable federal, State, and local regulations that are in place to preclude adverse geology and soils effects, including effects related to strong seismic ground shaking, fault rupture, soil erosion, and hazardous soil conditions (e.g., liquefaction, expansive soils, landslides).

Notwithstanding, there is the potential for the Project to contribute to the cumulative loss of important fossil resources in the region. Although development of the Project site would not impact any known paleontological resources, the geologic units beneath the Project site consist of Alluvium (Qal) and Dune Sand (Qds). The alluvial deposits range from coarse-grained sand and gravel to silts and some clays. Typically, the alluvial deposits are loose and unconsolidated. The dunes consist predominantly of very loose, fine-grained sand. These Qds deposits are typically subject to reworking and/or transport by wind if not adequately stabilized. The Project has a low potential of impacting significant paleontological resources in the Holocene surface and near-surface sediments, but the potential is high in the Pleistocene-age deposits potentially present at unknown depths. Other development projects in the region also have the potential to impact paleontological resources from ground-disturbing activities at depth. Therefore, the potential for development on the Project site to impact subsurface paleontological resource deposits is a cumulatively considerable impact. Application of MMs GEO-1 through GEO-4 would reduce the Project's cumulative impacts to less than significant level.

Greenhouse Gas Emissions

Global climate change (GCC) occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines also emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130(f)).

Accordingly, the preceding analysis reflects a cumulative impact analysis of the GHG emissions related to the Project. As concluded under Responses 4.8(a) and (b), the Project would not result in a cumulatively considerable impact related to GHG emissions.

Hazards and Hazardous Materials

Potential effects related to hazards and hazardous materials are inherently site-specific; therefore, there is no potential for the Project to contribute to a cumulatively considerable impact under this topic.

Hydrology and Water Quality

Construction and operation of the Project and other projects in the Whitewater River Watershed would have the potential to result in a cumulative water quality impact, including erosion and sedimentation. However, in accordance with applicable federal, State, and local regulations, all development projects would be required to implement plans during construction and operation (e.g., SWPPP and WQMP) to minimize adverse effects to water quality, which would avoid a cumulatively considerable impact.

The Project and other projects in the Coachella Valley Groundwater Basin, Indio Subbasin would be required to comply with federal, State, and local regulations in order to preclude flood hazards both on- and off-site. Compliance with federal, State, and local regulations would require on-site areas to be protected, at a minimum, from flooding during peak storm events (i.e., 100-year storm) and that proposed development would not expose downstream properties to increased flooding risks during peak storm events. Accordingly, a cumulatively considerable effect related to flooding would not occur.

Land Use and Planning

The Project would not physically divide an established community, or conflict with applicable land use/planning documents; therefore, there is no potential for the Project to contribute to a cumulatively considerable impact related to land use and planning.

Mineral Resources

The Project would have no impact on mineral resources. Therefore, there is no potential for the Project to contribute to a cumulatively considerable impact under this topic.

Noise

Noise levels diminish rapidly with distance; therefore, for a development project to contribute to a noise-related cumulative impact it must be located in close proximity to another development project or source of substantial noise. The proposed Indio Burr Project, located south and southeast of the Project site, is a potential project that could have an overlap in Project-related construction activities. Also, other vacant lands in close proximity of the Project site could potentially be under development at the same time as the proposed Project. During construction and operation, all projects in the City of Indio would be required to comply with the City of Indio Noise Ordinance, regulating noise and levels of vibration. Similarly, projects in

other jurisdictions would be required to comply with the applicable noise ordinance of that jurisdiction. Therefore, through mandatory regulatory compliance, cumulatively considerable impacts related to these issue areas would not occur.

Population and Housing

The Project would not implement land uses that generate new residents and would not require the construction of replacement housing. Accordingly, the City has anticipated – and planned for – the growth that would occur on the Project site and there is no potential for the Project to result in an adverse, cumulatively considerable environmental effect related to population and housing.

Public Services

All development projects in the City of Indio, including the Project, would be required to pay development impact fees, a portion of which would be used by the City for the provision of public services, to offset the incremental increase in demand for fire protection and police protection services. Furthermore, future development would generate an on-going stream of property tax revenue and sales tax revenue, which would provide funds that could be used by the City of Indio for the provision of fire and police protection services. Although the Project would not directly result in the introduction of new residents to the City, should the Project not comply with the payment of development impact fees, cumulatively considerable impacts to resident-serving public facilities such as schools, parks, libraries, and other public facilities or services would occur. Mitigation measure PUB-1 would reduce the Project's cumulative effects to less than significant levels by ensuring payment of development impact fees in accordance with City Municipal Code § 33.068 and the Leroy F. Greene School Facilities Act of 1998, which requires the payment of development impact fees for all development projects within the City to finance the cost of public facilities and improvements reasonably related to development projects.

Recreation

The Project would have no impact to recreation facilities. Therefore, there is no potential for the Project to contribute to a cumulatively considerable impact under this topic.

Transportation

The Project would not contribute to any cumulatively considerable adverse effects to VMT or to the circulation network.

Tribal Cultural Resources

Implementation of the Project would impact potential TCRs including but not limited to cremation remains. With implementation of mitigation measures CR-1 through CR-6 impacts to TCRs during ground-disturbing construction activities would be reduced to less than significant. Other development projects in the same traditional tribal territories also have the potential to impact TCRs. The Project's impact is thus considered a significant direct and cumulatively considerable impact, mitigated to less than significant.

Utilities and Service Systems

The Project would require water and wastewater infrastructure, as well as solid waste disposal for building operation. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of infrastructure plans is intended to ensure that adequate public utility services and resources are available to serve both individual development projects and cumulative growth in the region. Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to the Project and other developments. The Project and other planned projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service improvements (at the time of need). Because of the utility planning and coordination activities described above, cumulatively considerable impacts to utilities and service systems would not occur.

Wildfire

The Project site is not located in an SRA; therefore, no cumulatively considerable impacts associated with wildfire would occur as a result of development of the Project.

c) **Less Than Significant Impact with Mitigation Incorporated**. The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this Initial Study/MND. In no instance does the Project have the potential to result in direct or indirect adverse effects to human beings. With required implementation of project design features and the mitigation measures identified in this Initial Study/MND, construction and operation of the proposed Project would not involve any activities that would result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

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Persons Contributing to Initial Study/MND Preparation

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