
Administrative Draft

Austin Residence
Initial Study/Mitigated Negative Declaration
EA2022-0004

Lead Agency:

City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

Prepared by:

The Altum Group
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Palm Desert, CA 92260



January 2023

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Appendix B	Historical/Archaeological Resources Survey Report Assessor's Parcel Numbers 658-170-003 and -010, CRM TECH, March 28, 2022.
Appendix C	Austin Residence Toe of Slope Exhibit, 77-600 Avenida Fernando, La Quinta, CA 92253, Essi Engineering, September 30, 2021.
Appendix D	Tennis Court Photometric Austin Residence, 77-600 Avenida Fernando, La Quinta, CA 92253, HSA Design Group, April 20, 2022.

Acronyms

AB	Assembly Bill
AMSL	Above Mean Sea Level
APN	Assessor's Parcel Number
ACBCI	Agua Caliente Band of Cahuilla Indians
AQMP	Air Quality Management Plan
BMPs	Best Management Practices
CA EPA	California Environmental Protection Agency
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	Chlorofluorocarbons
CH ₄	Methane
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CVMSHCP	Coachella Valley Multiple Species Habitat Conservation Plan
CVWD	Coachella Valley Water District
dB	Decibel
dBA	A-weighted decibels
DSUSD	Desert Sands Unified School District
DTSC	California Department of Toxic Substances Control
DU/AC	Dwelling Unit per Acre
e.g.	Exempli gratia which means "for example"
EIC	Eastern Information Center
EPA	Environmental Protection Agency
FTA	Federal Transit Administration
GHG	Greenhouse Gas
In/sec	Inches per second
IS	Initial Study

ITE	Institute of Engineers
Lbs/day	Pounds per Day
Leq	Equivalent Continuous Sound Pressure Level
LST	Localized Significance Threshold
Mgd	Million gallons per day
MLD	Most Likely Descendant
MMTCO ₂ e	Million Metric Tons of CO ₂ Emitted
MRZ-3	Mineral Resources Zone 3
MWD	Metropolitan Water District of Southern California
N ₂ O	Nitrous Oxides
NAHC	Native American Heritage Commission
NO	Nitric Oxide
NO ₂	Nitrogen Dioxide
NOx	Nitrogen Oxide
NPDES	National Pollution Discharge Elimination System
PDPD	Palm Desert Police Department
PM	Particulate Matter
PM ₁₀	Particulate Matter Equal to or less than 10 Microns in Diameter
PM _{2.5}	Particulate Matter Equal to or less than 2.5 Microns in Diameter
PPM	Parts per Million
PPV	Peak Particle Velocities
PRC	Public Resources Code
PSI	Pounds per square inch
PSUSD	Palm Springs Unified School District
RCALUC	Riverside County Airport Land Use Commission
RCFD	Riverside County Fire Department
RCRA	Resource Conservation and Recovery Act
RCS/SCS	Regional Transportation/Sustainable Communities Strategy
RMS	Root Mean Square
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Associations of Government
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SIP	State Implementation Plan
SO ₂	Sulfur dioxide

SoCal Gas	Southern California Gas
SOI	Sphere-of-Influence
SRA	Source Receptor Area
SRA	State Responsibility Area
SSAB	Salton Sea Air Basin
STC	Sound Transmission Class
SWPPP	Stormwater Pollution Prevention Plan
UCR	University of Riverside
USACE	United States Army Corps of Engineers
UWMP	Urban Water Management Plan
VdB	Vibration decibels
VMT	Vehicle Miles Traveled
WMP	Water Management Plan
WQMP	Water Quality Management Plan
WRP 10	Wastewater Treatment Plant 10

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Chapter 1 Introduction

1.1 Overview

Prest Vuksic Greenwood Architects (hereafter, “Applicant”) is proposing to develop the Austin Residence Project (hereafter, “Project”), which will add a private tennis court, spa grotto, and landscaping to the existing Austin residence at 77600 Avenida Fernando in the City of La Quinta (City), in Riverside County, California. The construction of the new tennis court, spa grotto, and landscaping will take place on Assessor Parcel Numbers (APNs) 658-170-010 (0.91 acres) and a portion of 658-170-003 (4.14 acres). The existing residence is located on APN 658-170-011 (0.85 acres). The project site is bordered by mountain slopes to the north and east, vacant land and an existing residence to the west, and Avenida Fernando to the south.

The proposed Project will require a Conditional Use Permit and Site Development Permit to allow for the development of a private tennis court and spa grotto and associated improvements.

1.2 Authority

The City of La Quinta is the lead agency for the proposed Project. The City Council is the governing body for the approval of the Project and adoption of the Mitigated Negative Declaration. Because the Project involves a change to the existing site, the City Council’s consideration of the Project and its potential environmental effects is a discretionary action that is subject to the California Environmental Quality Act (CEQA). This Subsequent Initial Study (IS) and its appendices have been prepared in accordance with CEQA (Statute), the State’s Guidelines for Implementation of CEQA (Guidelines) (as amended, 2018), and the City’s CEQA Guidelines for preparation of an IS. This IS, when combined with the Notice of Intent to Adopt a Mitigated Negative Declaration, serves as the environmental document for the proposed Project pursuant to the provisions of CEQA (Public Resources Code 21000 et seq.) and the CEQA Guidelines (California Code of Regulations Section 15000, et seq.).

1.3 Scope of Environmental Review

The IS evaluates the proposed Project’s potential environmental impacts on the following topics:

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

1.4 Impact Assessment Terminology

The Environmental Checklist identifies potential impacts using four levels of significance as follows:

- No Impact. A finding of no impact is made when it is clear from the analysis that the proposed Project would not affect the environment.
- Less than Significant. A finding of less than significant is made when it is clear from the analysis that the proposed Project would cause no substantial adverse change in the environment and no mitigation is required.
- Less than Significant with Mitigation Incorporated. A finding of less than significant with mitigation incorporated is made when it is clear from the analysis that the proposed Project would cause no substantial adverse change in the environment when mitigation measures are successfully implemented by the project proponent.
- Potentially Significant. A finding of potentially significant is made when the analysis concludes that the proposed Project could have a substantially adverse impact on the environment related to one or more of the topics listed in the previous section, *Scope of the Initial Study*.

1.5 Organization of the Initial Study

The content and format of this IS meet the requirements of CEQA. This IS contains the following sections:

- Chapter 1 Introduction. This chapter provides a brief summary of the proposed Project, identifies the lead agency, summarizes the purpose and scope of the IS, and identifies documents incorporated by reference.
- Chapter 2 Project Description. This chapter provides a Project overview including a description of the regional location and Project vicinity, including exhibits; and provides a description of the Project elements, e.g., dimensions of the Project, and identifies other agencies that may have permitting authority over the Project.
- Chapter 3 Environmental Checklist. This chapter provides a copy of the City's Environmental Checklist and responses to each question posed in the checklist. This chapter also provides a brief description of the sources used to evaluate the proposed Project, a brief description of the existing conditions for each topic and an analysis of potential environmental impacts. Mitigation measures are also identified where necessary.
- Chapter 4 List of Preparers. This chapter identifies City staff and consultants who were responsible for the preparation of the IS and implementation of the Project.

1.6 Documents Incorporated by Reference

As allowed by CEQA Guidelines Section 15150, a Mitigated Negative Declaration may incorporate by reference all or portions of another document that is generally available to the public. The document used must be available for public review for interested parties to access during public review of the Subsequent Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration for this Project. The following documents are incorporated by reference.

- City of La Quinta General Plan
- Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan

1 INTRODUCTION

These documents are also available for review at the La Quinta City Hall at 78-495 Calle Tampico, La Quinta, CA 92253. The Project specific reports are attached to the Subsequent Initial Study as appendices. The General Plan is located on the City's website at: <https://www.laquintaca.gov/business/design-and-development/planning-division/2035-la-quinta-general-plan>.

Chapter 2 Project Description

2.1 Project Location and Setting

As detailed in Exhibit 2-1 *Regional Location*, and Exhibit 2-2, *Project Vicinity*, the Project site is located at 77600 Avenida Fernando in the City of La Quinta (City), in Riverside County, California. The Project site encompasses APN 658-170-010 and a portion of APN 658-170-003. The existing property occupies APN 658-170-011.

Existing General Plan Designation

The Project site is designated as “Natural Open Space” under the City’s General Plan 2035 Land Use Map. The Natural Open Space designation permits little development. Ephemeral streams, manmade flood control channels and the Coachella Valley Stormwater Channel are designated Natural Open Space. Lands purchased by conservation organizations for the Coachella Valley Multiple Species Habitat Conservation Plan can be included in this designation.

Existing Zoning Designation

The Project site is zoned “Open Space (OS)” and within the Hillside Conservation (HC) Overlay Area” per the City’s Official Zoning Map. Per the City’s Municipal Code Section 9.110.050, the purpose of the “OS” zoning designation is to provide for the protection and preservation of sensitive environmental areas such as areas with significant cultural resources, threatened or endangered plant and wildlife species habitat, scenic resources, and significant topographical constraints. Per Section 9.110.070, the purpose of the HC Overlay is to ensure safe development that would provide minimal disturbance of the existing terrain and natural habitat, and that the natural hillside characteristics will be retained wherever practicable.

Surrounding Land Uses

The Project site is bordered by Avenida Fernando, followed by the La Quinta Resort; mountain slopes are located immediately to the north and east; and an existing residence to the west. See Table 1, *Surrounding Land Uses*, for the existing General Plan land use and zoning designations surrounding the property.

Table 1 Surrounding Land Uses

Direction	General Plan Designation	Zoning	Existing Land Use
North	Open Space – Natural	Open Space	Mountain slope
South	Low Density Residential	Low Density Residential	Austin residence
East	Open Space – Natural	Open Space	Mountain slope
West	Low Density Residential	Low Density Residential	Single-family residential home

2.2 Project Description

As shown in both Exhibit 2-3, *Site Plan*, the proposed Project involves residential development improvements in the Open Space land use designation and zone, including a private tennis court located at the northwest corner of the site and a spa located on the central eastern portion of the site, just east of the existing pool. The Applicant also proposes associated site improvements, which include landscaping, utility infrastructure, a seating area, a boulder water spring, and two lawns – one containing a water feature and a fire feature. Retention basins would be constructed to the east and north of the proposed tennis court and south/southwest of the proposed spa site, to collect and store storm runoff generated during the 100-year design storm per City of La Quinta drainage ordinance requirements.

2.3 Project-Related Approvals

The discretionary approvals required by the City include:

- Conditional Use Permit 2022-0004
- Site Development Permit 2022-0005
- Adoption of Austin Residence IS/MND (EA2022-0006)

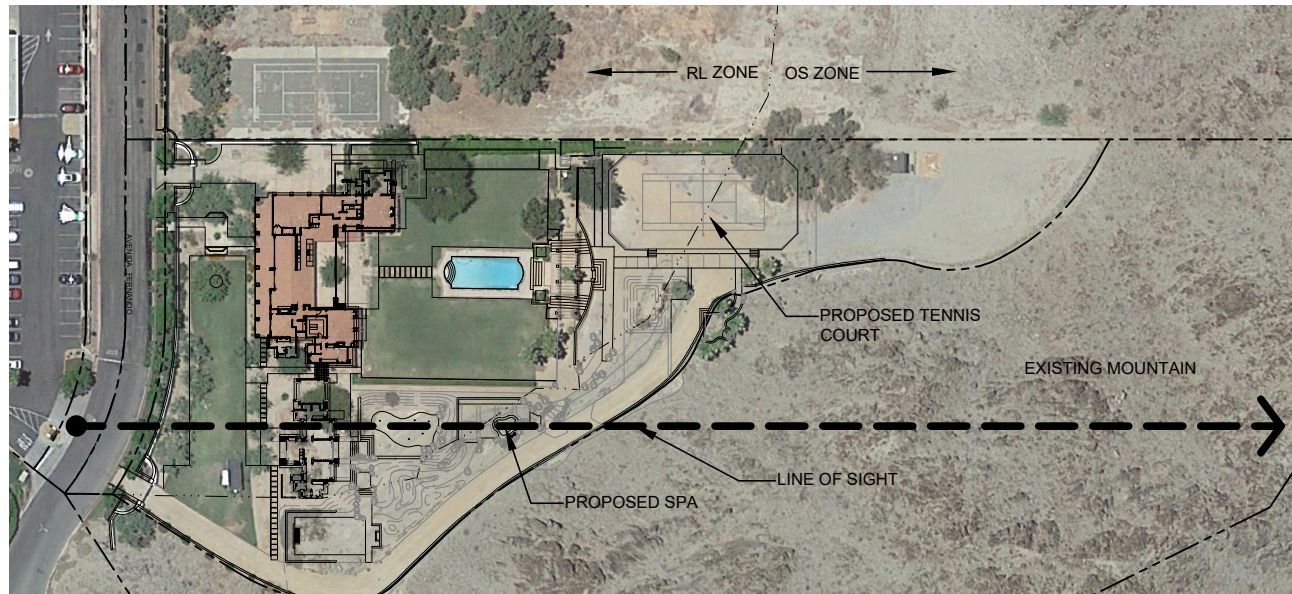


1 in = 5.17 miles

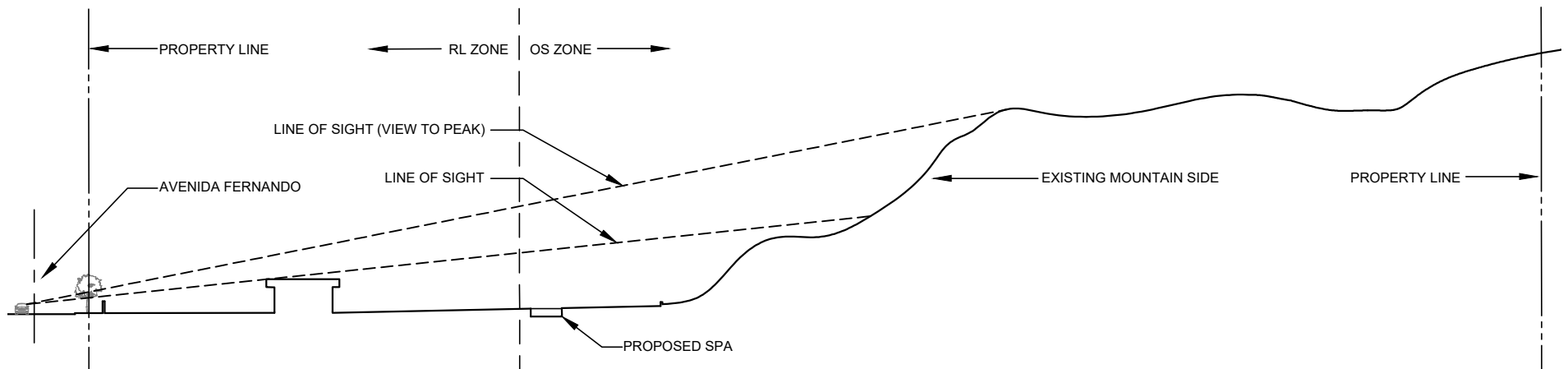


1 in = 0.87 miles





PLAN VIEW - NTS



LINE OF SIGHT SECTION A - NTS

AUSTIN RESIDENCE VIEWSHED ANALYSIS

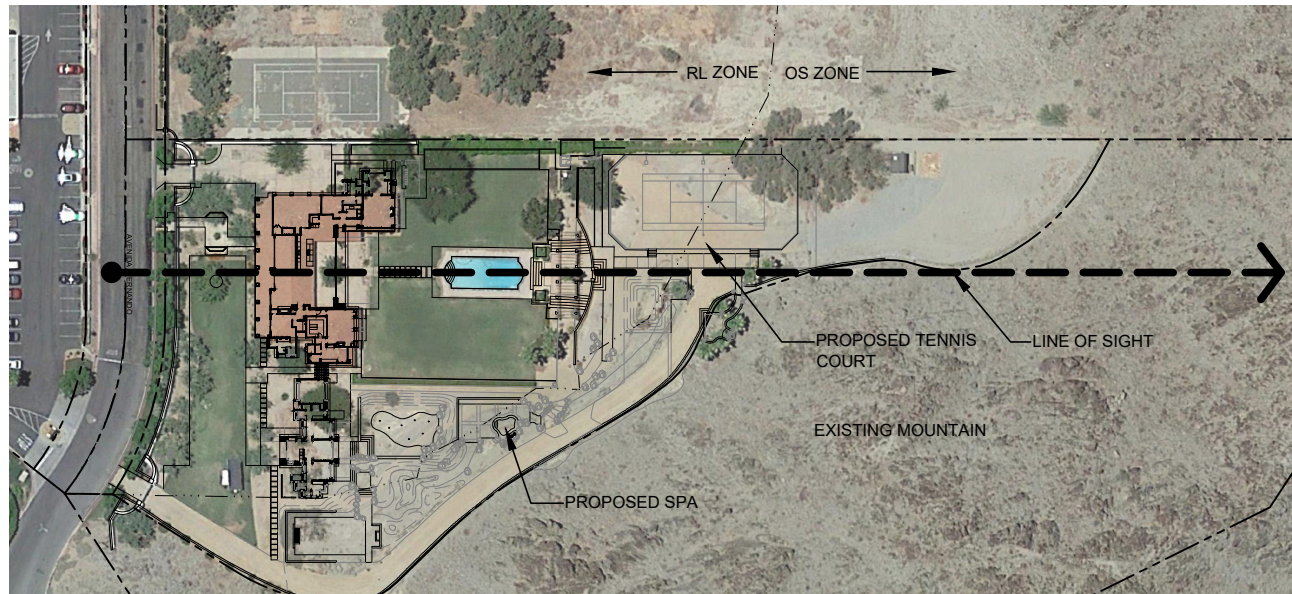
DATE : June 13, 2022

JOB NO. _____

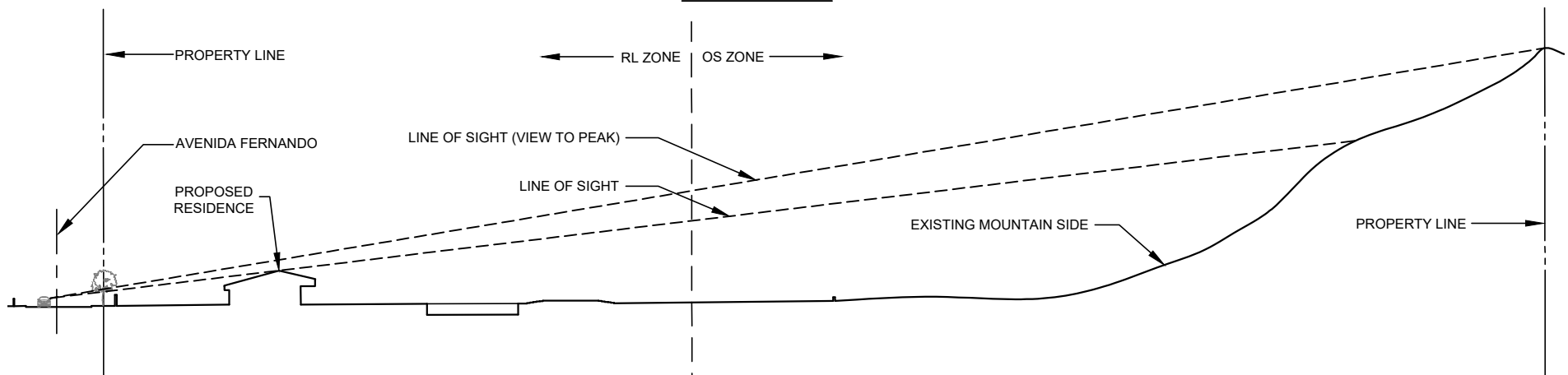


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PLAN VIEW - NTS



LINE OF SIGHT SECTION B - NTS

AUSTIN RESIDENCE VIEWSHED ANALYSIS

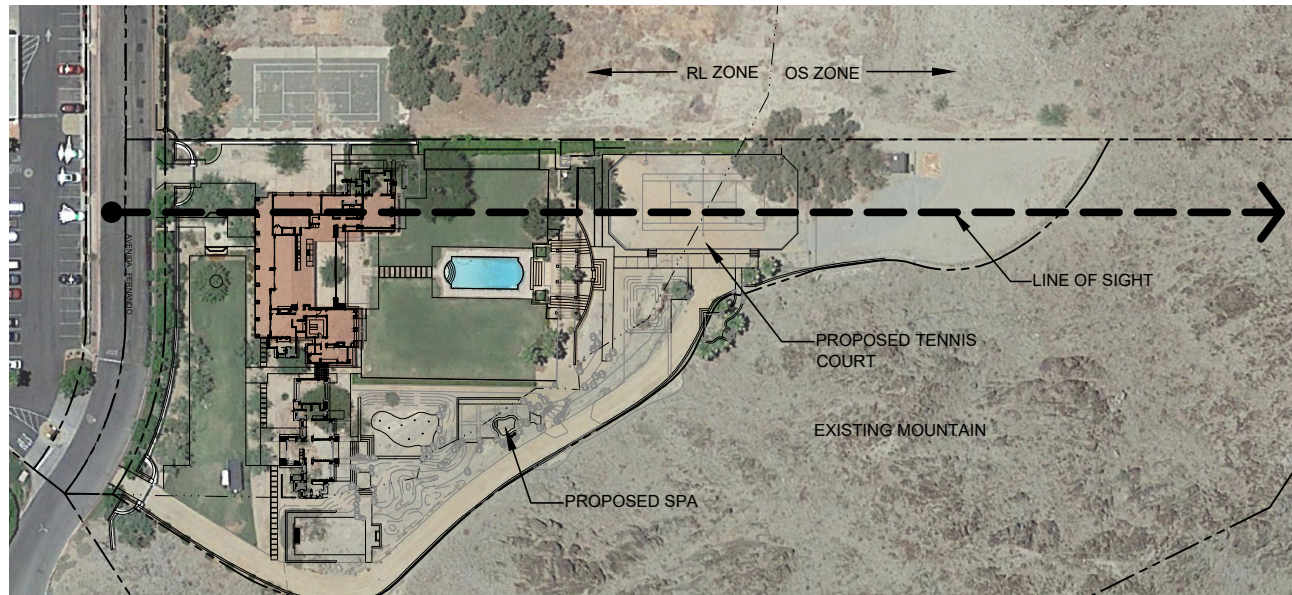
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JOB NO. _____

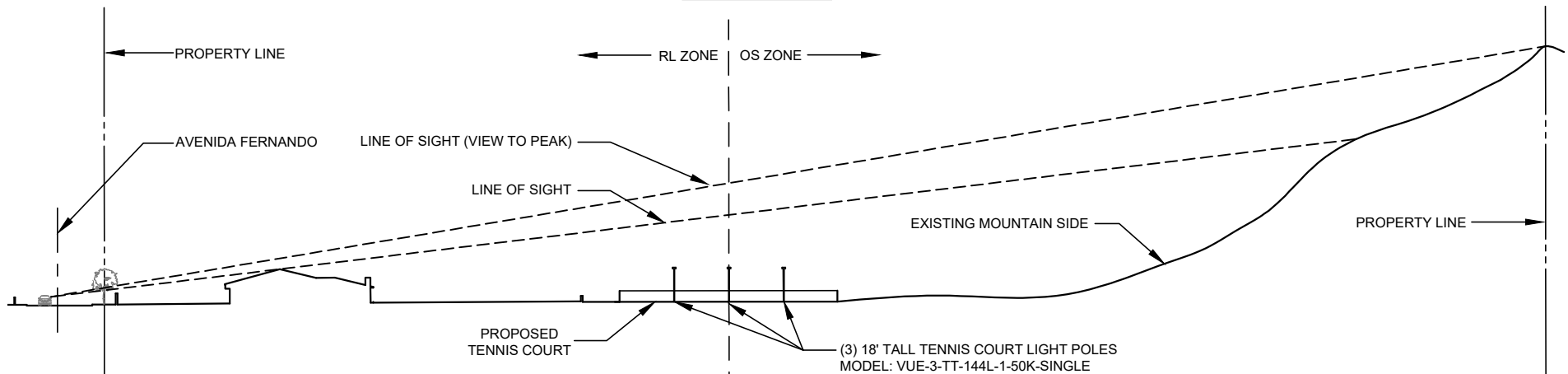


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PLAN VIEW - NTS



LINE OF SIGHT SECTION C - NTS

AUSTIN RESIDENCE VIEWSHED ANALYSIS

DATE : August 12, 2022

JOB NO. _____



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LA QUINTA, CA
C/O PFG ARCHITECTS
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DAVID PREST
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ESSI SHAHMANCHI, ess.shahmanchi@esscompany.com

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PFG ARCHITECTS
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PALM DESERT, CA 92260
(760) 779-5383
DAVID PREST
david@pfgarchitects.com

BASIS OF BEARINGS:

CENTERLINE OF AVENIDA FERNANDO
N 89°52'30" W, PER RS 93/5

UTILITY PURVEYORS:

SEWER/WATER: COACHELLA VALLEY WATER DISTRICT (760) 398-2651
GAS: THE GAS COMPANY (213) 244-1200
ELECTRIC: IMPERIAL IRRIGATION DISTRICT (760) 398-5811
TELEPHONE: FRONTIER (888) 669-9034
CABLE: SPECTRUM (855) 988-4918

LANDSCAPE ARCHITECT:

RSA DESIGN GROUP
43-035 MELANE PLACE #101
PALM DESERT, CA 92211
(760) 341-1515 OFFICE
(760) 773-9315 FAX
michael@rsadesigngroup.com

LEGAL DESCRIPTION:

THAT PORTION OF THE SE 1/4 OF SECTION 36, TOWNSHIP 5 SOUTH,
RANGE 8 EAST, SAN BERNARDINO MERIDIAN, IN THE CITY OF LA QUINTA,
PORTIONS OF SURVEYS MADE BY JLT, DATED FEBRUARY 1948
AND APRIL 1964 AS DELINEATED IN RECORD OF SURVEY RECORDED IN
BOOK 83 OF SURVEYS AT PAGE 5, OFFICIAL RECORDS OF RIVERSIDE
COUNTY, CALIFORNIA

SITE ADDRESS:

77-600 AVENIDA FERNANDO
LA QUINTA, CA 92253

ASSESSOR'S PARCEL NUMBER:

608-170-003, 010, 011

THOMAS BROS. REFERENCE:

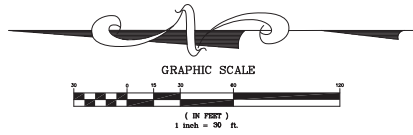
PAGE 5530 GRID E-7 (LATEST EDITION)

MAP REFERENCES:

RS 93/5

TOPOGRAPHY:

TOPOGRAPHIC FIELD SURVEY IN MAY 2020 PREPARED BY
JVA ENGINEERS
43-035 MONTEREY AVENUE, SUITE 7
PALM DESERT, CA 92260
(760) 345-1352 OFFICE
(760) 772-6518 CELL
SCOTT JONES
scott@jvaengineers.com



APN 658-170-014
ZONE: OS

ZONE: OS

APN 658-170-003
ZONE: OS

APN 658-170-010

ZONE: RL

APN 658-170-011

APN 658-170-001
ZONE: CT

APN 658-170-002
ZONE: RL

LINE/CURVE	LENGTH	BEARING/DELTA	RADIUS	TANGENT
C1	30.77'	27°02'37"	80.00'	15.68'
C2	33.58'	48°06'18"	40.00'	17.88'
C3	34.72'	38°09'51"	55.00'	17.88'
C4	19.20'	27°29'56"	40.00'	9.79'
C5	32.42'	33°48'38"	55.00'	16.70'
C6	10.57'	48°30'28"	13.00'	5.60'
C7	21.44'	22°20'18"	55.00'	10.88'
C8	20.18'	33°01'58"	35.00'	10.38'
C9	17.28'	21°31'34"	46.00'	8.74'
C10	54.04'	32°15'05"	96.00'	27.76'
C11	47.88'	17°18'34"	207.00'	24.09'
C12	61.03'	0°18'34"	11303.00'	30.51'
C13	15.12'	54°09'18"	18.00'	8.18'
C14	12.88'	92°55'32"	8.00'	8.42'
C15	26.83'	19°15'38"	100.00'	13.40'
C16	10.77'	24°41'30"	25.00'	5.47'

LINE/CURVE	LENGTH	BEARING/DELTA	RADIUS	TANGENT
C17	11.27'	18°28'35"	35.00'	5.68'
C18	33.84'	40°09'31"	48.00'	17.55'
C19	8.16'	12°38'24"	37.00'	4.10'
C20	2.98'	56°59'41"	3.00'	1.63'
C21	4.89'	46°41'01"	6.00'	2.59'
C22	19.49'	1°24'36"	792.00'	9.74'
C23	4.48'	17°07'04"	15.00'	2.36'
C24	15.21'	32°16'14"	27.00'	7.81'
C25	27.10'	8°23'40"	185.00'	13.58'
C26	32.95'	31°27'47"	60.00'	16.90'
C27	78.64'	31°17'22"	144.00'	40.33'
C28	28.01'	18°02'05"	89.00'	14.12'
C29	3.80'	22°02'35"	10.00'	1.95'
C30	118.20'	38°17'23"	178.37'	61.92'
L1	212.30'	N11°48'38"W		
L2	185.78'	N41°47'48"E		

LINE/CURVE	LENGTH	BEARING/DELTA	RADIUS	TANGENT
L3	49.73'	N87°11'01"E		
L4	30.48'	S41°12'09"W		
L5	17.98'	S42°23'59"E		
L6	8.52'	N88°44'43"E		
L7	223.02'	S0°04'27"W		
L8	126.88'	N69°14'51"W		
L9	156.03'	N66°36'42"W		
L10	260.11'	N26°16'17"W		
L11	130.02'	N17°38'31"W		
L12	593.89'	S0°04'27"W		
L13	25.00'	S0°04'27"W		
L14	112.84'	S89°52'32"E		
L16	0.00'	???		
L17	42.21'	N87°11'01"E		

TOE OF SLOPE (BREAK FROM 20%+):
THE TOE OF THE SLOPE WHERE THE SLOPE EXCEEDS
20% (L-1) WAS DETERMINED FROM THE AERIAL
TOPOGRAPHY FLOWN ON 5-8-2020 BY ARROWHEAD
MAPPING CORPORATION, 1887 BUSINESS CENTER DRIVE,
SUITE 5A, SAN BERNARDINO, CA 92408 AND FIELD
DATA BY JVA ENGINEERS INC., 43-035 MONTEREY
AVENUE, SUITE 7 PALM DESERT, CA 92260. EXISTING
DRAINAGE CATCHMENTS AND RETENTION BASINS LIE
BOTH INSIDE AND OUTSIDE OF THE EXISTING OS ZONE
AND THE DEVELOPABLE RL ZONE.

*Disturbance to slopes 10% and over
would be avoided. No grading or
improvements would occur on the spaces
above the toe of the slope.



		APPROVED BY	DATE		77970 SPRINGFIELD LANE, SUITE "C" PALM DESERT, CA 92211 (760) 772-8400 OFFICE (760) 772-8421 FAX CIVIL AND STRUCTURAL ENGINEERING - PLANNING - SURVEYING	IN THE CITY OF LA QUINTA, RIVERSIDE COUNTY, CALIFORNIA TOE OF SLOPE EXHIBIT FOR 77-600 AVENIDA FERNANDO RS 93/05 THE AUSTIN RESIDENCE APN'S 658-170-003, 010, 011 IN THE SE 1/4 OF SECTION 36, T5S, R8E, SPM FOR AUSTIN	SHEET No. 1 OF 1 SHEETS FILE # E-1 20200120_CZ CITY REG. NO.
		PREPARED UNDER THE DIRECT SUPERVISION OF: ESSI SHAHMANCHI REG. NO. 47834	DATE 9-30-2021				

Chapter 3 Environmental Evaluation

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

DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as describe 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

3.1 Aesthetics

3.1.1 Sources

- *City of La Quinta, City of La Quinta 2035 General Plan, Adopted February 19, 2013.*
- *City of La Quinta, Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*
<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>
- *California Department of Transportation, California State Scenic Highway System Map, 2019.*
- *Coachella Valley Conservation Commission, Joint Project Review, January 2022*
- *Google Earth, 2022.*

3.1.2 Environmental Setting

Scenic views from the Project site consists of the San Bernardino (north, northeast, and northwest), Santa Rosa (southwest), and San Jacinto (west) Mountain Ranges. The San Bernardino, Santa Rosa, and San Jacinto Mountains Ranges rise over the valley floor at elevations consisting of 8,716 feet (2,657 meters), 8,011 feet (2,442 meters), and 11,489 feet (3,502 meters), respectively.

3.1.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
AESTHETICS – Would the project:				
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?	☐	☒	☐	☐

- a. **Less than Significant Impact.** The Project site does not contain a scenic vista. However, a scenic vista consisting of scenic views of the San Jacinto Mountains is located immediately north and east of the Project site and 0.5-mile of the west of the Project site. As shown in Exhibit 4, 5, and 6 *Viewshed Study A*, *Viewshed Study B*, and *Viewshed Study C* respectively, the vertical height of the proposed improvements to the existing home in the residential zone would not be taller than the existing home. Therefore, these improvements would not obscure views of the hillside immediately east of the Project site. In addition,

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the proposed tennis court (which would include three 18-foot tall lights), spa, seating areas, lawns, and landscaping in the open space zone would not consist of vertical height sufficient to impact viewshed, and thus would have no impact to the views of the immediate hillside to the east. In conclusion, the proposed Project would not have a substantial adverse effect on scenic vistas and impacts would be less than significant.

- b. **No Impact.** According to the California Scenic Highway Program, the nearest scenic highway is SR-74, which is located approximately 5.3 miles west of the Project site, and is classified as an Officially-Designated Scenic Highway. Due to the distance and mountains between the Project site and SR-74, the Project site is not visible to vehicles driving along SR-74. In addition, there are no historic buildings nor any unique geologic or topographic features such as rock outcrops, bodies of water, ridges or canyons that would be impacted from implementation of the Project. Therefore, due to topography and avoidance of any unique geologic or topographic features, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.
- c. **Less than Significant Impact.** The Project site is located in an urbanized area. Under existing conditions, the entire Project site consists of a residential home with areas of vacant, undeveloped land. The Project site is bordered by Avenida Fernando, followed by the La Quinta Resort; mountain slopes are located immediately to the north and east; and an existing residence to the west. Implementation of the Project would result in home improvements including a new tennis court, spa, seating areas, lawns, and landscaping. The Project would be required to comply with the applicable development standards and design guidelines in the City of La Quinta Zoning Code, which regulates the visual quality of new development and ensures that new development does not detract from any scenic attributes/qualities in the surrounding area. Specifically, the Project would be required to comply with Zoning Code Section 9.140.040, *Hillside Conservation Regulations*, which applies to all land within the City designated in the General Plan as “Open Space.” According to Exhibit 6, *Toe of Slope Map*, the Project would not disturb slopes 10% and over, and all improvements would occur on the space above the toe of the slope; therefore, the Project would be consistent with the Hillside Conservation regulations. Because the Project is located in an urbanized area and because the Project would not conflict with applicable zoning and other regulations governing scenic quality, a less-than-significant impact would occur from implementation of the Project.
- d. **Less than Significant Impact with Mitigation Incorporated.** Under existing conditions, the Project site contains no sources of artificial lighting. The Project would introduce new sources of lighting, including tennis court lighting (see Appendix D, Tennis Court Photometric Austin Residence). The proposed Project would somewhat increase lighting and glare. However, all light sources will be designed with internal baffles to direct the lighting towards the ground and the developed areas and have a zero-side angle cut off to the horizon. Therefore, lighting will not result in impacts that extends beyond the development footprint boundary. Additionally, due to the Project’s adjacency to the Santa Rosa and San Jacinto Mountains Conservation Area (SRSJM), the Project will be required to comply with the Land Use Adjacency Guidelines of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and the recommendations of the Coachella Valley Conservation Commission (CVCC), which require that all ambient lighting of landscape features shall be oriented facing away from the mountainside and into the property so that the surrounding conservation area is not impacted by unnatural light sources as described in Mitigation Measure (MM) AES-1 below.

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Subject to City review and approval, all Project lighting would be required to conform to regulations, guidelines, and standards established under the City's Municipal Code Section 9.100.150, Outdoor Lighting, which ensures adequate lighting for public safety while also minimizing light pollution and glare and public nuisances. Mandatory compliance with the City's Zoning Code would ensure that the Project would not introduce any permanent design features that would adversely affect day or nighttime views in the area. With the implementation of MM AES-1, impacts would be less than significant with mitigation incorporated.

3.1.4 Mitigation

AES-1 The Project developer shall ensure that all ambient lighting of landscape features are oriented facing away from the mountainside and into the property so that the surrounding conservation area is not impacted by unnatural light sources.

3.1.5 Level of Significance after Mitigation

With implementation of MM AES-1, impacts on aesthetics would be less than significant.

3.2 Agriculture and Forestry Resources

3.2.1 Sources

- *Riverside Map My County, 2022.*
https://gis1.countyofriverside.us/Html5Viewer/?viewer=MMC_Public.

3.2.2 Environmental Setting

The Project site is presently vacant and the ground surface is covered with scattered desert brush, weeds, and minor debris. The Project site has an existing ground surface elevation range from about 35 to 42 feet above mean sea level (amsl). The Farmland Mapping and Monitoring Program (FMMP) designates the Project site as Urban and Built-Up Land and Other Land.

3.2.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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. Would the Project:				

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	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?	☐	☐	☐	☒

a-e. No Impact. According to mapping information available from the California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project site is classified as Urban and Built-Up Land and Other Land. Accordingly, the Project site does not contain any lands mapped by the FMMP as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland); therefore, the Project would not convert such Farmland to non-agricultural use. Furthermore, the Project site is not located within a Williamson Act contract. Lastly, the Project site is zoned for Open Space under existing conditions; therefore, the Project would not conflict with zoning for agricultural use or result in the loss of forest land or convert forest land or timberland to non-forest land. Therefore, no impacts would occur.

3.2.4 Mitigation

No mitigation is required.

3.2.5 Level of Significance after Mitigation

Not applicable.

3.3 Air Quality

3.3.1 Sources

- *South Coast Air Quality Management District, Final 2016 Air Quality Management Plan, March 2017.* www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=15

3.3.2 Environmental Setting

The Project site is within the Salton Sea Air Basin (SSAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is one of the 35 air quality regulatory agencies in the State of California and all development within the SSAB is subject to SCAQMD's 2016 Air Quality Management Plan (2016 AQMP) and the 2003 Coachella Valley PM10 State Implementation Plan (2003 CV PM10 SIP). The SSAB exceeds state and federal standards for fugitive dust (PM10) and ozone (O3), and is in attainment/unclassified for PM2.5. Ambient air quality in the SSAB, including the Project site, does not exceed state and federal standards for carbon monoxide, nitrogen dioxides, sulfur dioxide, lead, sulfates, hydrogen sulfide, or Vinyl Chloride.

3.3.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
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?	☐	☐	☐	☒

- a. **No Impact.** The SCAQMD has established the *AQMP* to achieve State and Federal air quality standards. On June 30, 2016, the SCAQMD released its *Draft 2016 AQMP*. The Plan was approved by the California Environmental Protection Agency (CA EPA) on June 15, 2017. Therefore, the applicable air quality plan for the Project is the SCAQMD *2016 AQMP*. The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A project should be considered to be consistent with the *AQMP* if it furthers one or more policies and does not obstruct other policies. The pollutant reducing mechanisms in the AQMP are based, in part, on urban growth projections estimated by the SCAG. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

1. Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

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2. Whether the project will exceed the assumptions in the AQMP in 2016 or increments based on the year of project buildout and phase.

Below, Criterion 1 and Criterion 2 are discussed.

Criterion 1 - Increase in the Frequency or Severity of Violations?

The proposed Project consists of a tennis court and spa grotto which do not have operation air quality impacts. The anticipated period of construction requiring fossil-fuel powered equipment would be approximately 2-4 weeks. Equipment would include the use of a backhoe, bobcat, or similar equipment, which generate nominal carbon emissions that are well below the SCAQMD screening threshold of 3,000 MTCO₂e per year. In addition, long-term operational impacts would not result in impacts based on the SCAQMD local and regional thresholds of significance. Therefore, the Project will not increase the frequency or severity of existing air quality violations or cause or contribute to new violations.

Based on the information provided above, the proposed Project would be consistent with the first criterion.

Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the proposed Project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the proposed Project are based on the same forecasts as the AQMP. The AQMP is developed through use of the planning forecasts provided in the *Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* and Federal Transportation Improvement Program (FTIP). The RTP/SCS is a major planning document for the regional transportation and land use network within Southern California. The RTP/SCS is a long-range plan that is required by federal and state requirements placed on SCAG and is updated every four years. The FTIP provides long-range planning for future transportation improvement projects that are constructed with state and/or federal funds within Southern California. Local governments are required to use these plans as the basis of their plans for the purpose of consistency with applicable regional plans under CEQA. For this Project, the City of La Quinta General Plan's Land Use Plan defines the long range land use assumptions that are represented in AQMP.

The Project has a current land use and zoning classification of Open Space with a Hillside Conservation Overlay according to the City of La Quinta General Plan and Official Zoning Map. The proposed Project is to develop the site with a tennis court and spa grotto, which may be permitted in the Open Space Zone and Hillside Conservation Overlay. Therefore, the proposed Project would not result in an inconsistency with the land use designation in the City's General Plan. Therefore, the proposed Project is not anticipated to exceed the AQMP assumptions for the Project site and is found to be consistent with the AQMP for the second criterion.

Based on the above, the proposed Project would not result in an inconsistency with the SCAQMD AQMP. Therefore, a less-than-significant impact would occur in relation to implementation of the AQMP.

- b-c. Less than Significant Impact.** The Project consists of a tennis court and spa grotto. The anticipated period of construction requiring fossil-fuel powered equipment would be approximately 2-4 weeks. Equipment would include the use of a backhoe, bobcat, or similar equipment, which generate nominal carbon emissions that are well below the SCAQMD screening threshold of 3,000 MTCO₂e per year. The Project would not 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, and the

Project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

- c. **No Impact.** Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are of short-term in nature and the odor emissions are expected cease upon the drying or hardening of the odor producing materials. Diesel exhaust and VOCs would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the proposed Project.

The SCAQMD recommends that odor impacts be addressed in a qualitative manner. Such an analysis shall determine whether the Project would result in excessive nuisance odors, as defined under the California Code of Regulations and Section 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality.

There would be no odors being emitted during the on-going operations of the proposed Project due to the nature of the Project as a tennis court and spa grotto. Furthermore, the Applicant would be required to comply with SCAQMD's Rule 402, which would ensure no significant odor impacts.

3.3.4 Mitigation

No mitigation is required.

3.3.5 Level of Significance after Mitigation

Not applicable.

3.4 Biological Resources

3.4.1 Sources

- *Coachella Valley Conservation Commission, Coachella Valley Multiple Species Habitat Conservation Plan, August 2016*
- *Coachella Valley Conservation Commission, Joint Project Review, January 2022*
- *ELMT Consulting, Biological Resources Report for the Austin Residence Project Located in the City of La Quinta, Riverside County, California, January 12, 2022 (Appendix A)*

3.4.2 Environmental Setting

The City offers unique natural habitats to a range of plants and wildlife due to its climate and natural topography. The City recognizes the value of the wildlands and wildlife and has carefully planned to protect, preserve, and enhance the regions valuable biological resources. The City is located within the Coachella Valley Multiple Species Conservation Plan (CVMSHCP). This is a regional plan that is implemented throughout the Coachella Valley in an effort comply with federal and State endangered species laws.

3 ENVIRONMENTAL EVALUATION

A literature review and records search for the site was conducted by ELMT Consulting. The literature search identified 16 special-status plant species, 23 special-status wildlife species, and one special-status plant community as having potential to occur within the La Quinta City quadrangle.

ELMT also conducted a field survey of the site. The area where the proposed Project activities will occur ranges in elevation from 50 to 55 feet above mean sea level (amsl). The hillside, within the parcel boundaries, outside of the proposed limits of disturbance raises sharply from the disturbed area and increases in elevation to approximately 180 feet amsl.

No special-status plants were observed on the Project site during the field investigation. No fish, amphibians, or hydrogeomorphic features that would provide suitable habitat for fish or amphibians would be observed on or within the vicinity of the Project site. The Project site provides suitable foraging and cover habitat for reptilian species adapted to routine human disturbance and desert environments. The only reptilian species observed during the field investigation were Great Basin whiptail (*Aspidoscelis tigris tigris*) and western side-blotched lizard (*Uta stansburiana elegans*). The Project site provides suitable foraging and nesting habitat for avian species adapted to routine human disturbance and desert environments. Bird species detected during the field investigation include mourning dove (*Zenaida macroura*), common raven (*Corvus corax*), great-tailed grackle (*Quiscalus mexicanus*), white-crowned sparrow (*Zonotrichia leucophrys*), northern mockingbird (*Mimus polyglottos*), American kestrel (*Falco sparverius*), and rock pigeon (*Columba livia*), and verdin (*Auriparus flaviceps*). The Project site provides suitable foraging and denning habitat for mammalian species adapted to routine human disturbance and desert environments. However, most mammal species are nocturnal and are difficult to observe during a diurnal field visit. Mammals detected and/or sign observed during the field investigation include desert cottontail (*Sylvilagus audubonii*), and coyote (*Canis latrans*). No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted outside of the breeding season. Although subjected to routine disturbance, the ornamental vegetation found on-site has the potential to provide suitable nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that area adapted to urban environments. No raptors are expected to nest on-site due to lack of suitable nesting opportunities. Lastly, the Project site is not located within a federally designated Critical Habitat.

3.4.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
BIOLOGICAL RESOURCES – Would the project:				
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	☐	☐	☐	☒

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Department of Fish and Game or U.S. Fish and Wildlife Service?				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☒	☐	☐

- a. **Less than Significant with Mitigation Incorporated.** According to the City's General Plan, the Project site is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), which aims to conserve over 240,000 acres of open space and protect 27 plant and animal species. The Coachella Valley Conservation Commission (CVCC) is a joint powers authority tasked with overseeing the implementation of the CVMSHCP. The Project abuts the Santa Rosa and San Jacinto Mountains Conservation Area (SRSJM), and a small portion of the Project will extend into the SRSJM boundary (see Figure 2 of Coachella Valley Conservation Commission Joint Project Review). Furthermore, approximately 0.75 acres of the Project will take place within the SRSJM, rounded to the nearest quarter-acre. The SRSJM provides Essential Habitat for Peninsular big horn sheep. Peninsular bighorn sheep are a fully protected species under the California Endangered Species Act. Due to the Project's location within the SRSJM and its potential to impact a Peninsular bighorn sheep habitat, the CVCC recommends Mitigation Measure BIO-1, which is outlined below, and requires the installation of fencing either at project buildout or through granting to CVCC an easement for the future construction of such a fence to separate the Project from the SRSJM. With implementation of this mitigation measure, impacts on the SRSJM and Peninsular bighorn sheep will be less than significant.

Special-Status Vegetation Communities & Critical Habitat Analysis

According to the field survey conducted by ELMT Consulting, the Project site supports two land cover types that would be classified as disturbed and developed. The disturbed areas on the Project site occur throughout the proposed limits of disturbed in association with areas that have been graded and maintained as part of existing residential activities. These areas are unvegetated or vegetated with a limited variety of hardy native and non-native plant species such as Mediterranean grass, barbwire

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Russian thistle, and puncture vine. The developed portions of the Project site coincide with the existing residential development and landscaping. Based on observations made during the field survey, the Project would not impact any special-status vegetation community.

According to literature review, one special-status plant community was identified as having potential to occur within the La Quinta quadrangle: Desert Fan Palm Oasis Woodland. However, based on the results of the field survey above, no special-status plant community was observed on-site; therefore, no special-status plant community would be impacted by Project implementation.

The Project site is also not located within a federally designated Critical Habitat. The nearest designated Critical Habitat to the site is located approximately 0.75-mile to the southwest for Peninsular bighorn sheep (*Ovis canadensis nelsoni*). Therefore, the Project would not cause loss or adverse modification of a Critical Habitat and impacts would be less than significant.

Special-Status Plant Species Analysis

According to literature review, 16 special-status plant species were identified as having potential to occur within the La Quinta quadrangle. Species determined to have a potential to occur within the general vicinity of the site are presented in Attachment C of *Appendix A*. No special-status plants were observed on the Project site during the field survey. Based on habitat requirements for specific species, the availability and quality of on-site habitats, and the isolation of the site and adjacent open space from nearby habitats, it was determined that the Project site does not have potential to support any of the special-status plant species known to occur in the vicinity of the site and all are presumed to be absent. In addition, the Project site is located outside of the known elevation ranges for the majority of the special-status plant species known to occur in the area. Therefore, Project impacts to special-status plant species would be less than significant.

Special-Status Wildlife Species Analysis

According to literature review, 23 special-status wildlife species were identified as having potential to occur within the La Quinta quadrangle. Species determined to have a potential to occur within the general vicinity of the site are presented in Attachment C of *Appendix A*. No special-status wildlife species were observed on-site during the field investigation. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project site has a moderate potential to support prairie falcon (*Falco mexicanus*) and black-tailed gnatcatcher (*Polioptila melaneura*). It was further determined that all other special-status wildlife species known to occur in the vicinity of the site do not have potential to occur and are presumed to be absent.

None of the aforementioned special-status wildlife species are state or federally listed as threatened or endangered. In order to ensure impacts to these avian species do not occur from implementation of the Project, a pre-construction nesting bird clearance survey shall be conducted prior to ground disturbance as described in Mitigation Measure (MM) BIO-2, below. With implementation of MM BIO-2, impacts to special-status avian species would be less than significant.

No fish, amphibians, or hydrogeomorphic features that would provide suitable habitat for fish or amphibians would be observed on or within the vicinity of the Project site. The Project site provides suitable foraging and cover habitat for reptilian species adapted to routine human disturbance and desert environments. The only reptilian species observed during the field investigation were Great Basin whiptail (*Aspidoscelis tigris tigris*) and western side-blotched lizard (*Uta stansburiana elegans*). The Project site provides suitable foraging and nesting habitat for avian species adapted to routine human disturbance

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and desert environments. Bird species detected during the field investigation include mourning dove (*Zenaida macroura*), common raven (*Corvus corax*), white-crowned sparrow (*Zonotrichia leucophrys*), northern mockingbird (*Mimus polyglottos*), American kestrel (*Falco sparverius*), rock pigeon (*Columba livia*), red-tailed hawk (*Buteo jamaicensis*), and house finch (*Haemorrhous mexicanus*). The Project site provides suitable foraging and denning habitat for mammalian species adapted to routine human disturbance and desert environments. However, most mammal species are nocturnal and are difficult to observe during a diurnal field visit. Mammals detected and/or sign observed during the field investigation include desert cottontail (*Sylvilagus audubonii*), which is not a special-status species. In conclusion, impacts to reptiles and mammals would be less than significant.

No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted outside of the breeding season. Although subjected to routine disturbance, the ornamental vegetation found on-site and the vegetation on the rocky slopes have the potential to provide suitable nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that area adapted to urban environments. However, with implementation of MM BIO-2, impacts to migrating songbirds would be less than significant. No raptors are expected to nest on-site due to lack of suitable nesting opportunities.

Therefore, with implementation of MM BIO-1 and BIO-2, impacts will be less than significant.

- b/c. No Impact.** No jurisdictional drainage and/or wetland features were observed on the Project site during the field survey. Furthermore, no blueline streams have been recorded on the Project site and there is no evidence that the Project contained any streams, riparian habitat, marshes, protected wetlands, vernal pools or sensitive natural communities that would be protected by the California Department of Fish and Wildlife (CDFW) or by the U.S. Army Corps of Engineers (USACE). Therefore, no impact would occur.
- d. Less than Significant with Mitigation Incorporated.** The northern boundary of the Project site is located within the Santa Rosa and San Jacinto Mountains Conservation Area. The Santa Rosa and San Jacinto Mountains Conservation Area provides essential habitat for Peninsular bighorn sheep. Even though the northern portion of the Project site is located within the Santa Rosa and San Jacinto Mountains Conservation Area, the site is located at the edge of the Conservation Area and is bordered by existing development to the south and west, which reduces, if not eliminates potential wildlife movement opportunities across the Project site. As such, implementation of the proposed Project is not expected to impact wildlife movement opportunities. Therefore, impacts to wildlife corridors or linkages are not expected to occur.

However, nesting birds have the potential to occur given the ornamental vegetation found on site and the vegetation on the rocky slopes. The Project's future construction could adversely affect nesting birds if construction was to occur while they are present or adjacent to the Project site, through direct mortality or abandonment of nest. If this was to occur it would be a violation of the MBTA and CFGC 3503, and a potentially significant impact. However, implementation of MM BIO-2 would require a pre-construction nesting bird survey to mitigate any potential impacts to protect migratory nesting birds. The pre-construction survey shall be conducted by a biologist prior to any ground disturbing activities and/or removal of any vegetation. In the event that a raptor nest is observed personnel will be notified and no ground disturbing activities will occur until the avian biologist has confirmed the breeding/nesting is completed and the young have fledged the nest. Therefore, through implementation of MM BIO-2, impacts would be reduced to less than significant.

- e. **No Impact.** The City has not adopted any ordinances regarding tree preservation. As observed during the field survey, the Project site mainly consists of small and medium size shrubs. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance and no impact would occur.
- f. **Less than Significant with Mitigation Incorporated.** As discussed in section 3.4.3a, the Project site is located within the Coachella Valley Multiply Species Habitat Conservation Plan (CVMSHCP), which aims to conserve over 240,000 acres of open space and protect 27 plant and animal species. Due to the Project's location within the SRSJM and its potential to impact a Peninsular bighorn sheep habitat, the CVCC recommends Mitigation Measure BIO-1, which is outlined below, and requires the installation of fencing either at project buildout or through granting to CVCC an easement for the future construction of such a fence to separate the Project from the SRSJM. The Project will comply with all provisions of the CVMSHCP. Additionally, the Project would be subject to payment of the Development Mitigation fee per Chapter 3.34, *Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan Mitigation Fee*, as described as MM BIO-3. The fee would mitigate potential impacts to covered species within the CVMSHCP. With implementation of MM BIO-1 and MM-BIO 2, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and impacts would be less than significant.

3.4.4 Mitigation

- BIO-1** The Project developer shall ensure the installation of Peninsular bighorn sheep (PBS) fence, either at project buildout or through granting to Coachella Valley Conservation Commission an easement for the future construction of such a fence, and further, that if an easement is to be granted, it shall be recorded prior to the issuance of any grading permits. Upon recordation of a fence easement and establishment of a financial instrument (or plans for fence construction at the time of project buildout), as well as revision of the lighting plan (outlined in Mitigation Measure AES-1), this Project may be considered fully consistent with the CVMSHCP. If, during subsequent review of the Project, it is determined that any of the above conditions have not been met, or that the Project impacts differ significantly from those reviewed in the Joint Project Review (including a fence alignment above the toe of slope), this consistency determination shall be rendered null and void
- BIO-2** If unavoidable Project construction activities must begin during the nesting bird season (February 1st through August 31st), a pre-construction nesting bird survey shall be conducted no more than 14 days prior to initiation of ground disturbance and vegetation removal activities. The nesting pre-construction bird survey shall be conducted by a biologist familiar with identification of avian species known to occur in Riverside County. The nesting bird survey shall be conducted on foot inside the project boundary, including a 300-foot buffer for passerines (song birds) and 500-foot buffer for raptors in areas of suitable habitat. Inaccessible areas will be surveyed using binoculars to the extent practical. If nests are found, an avoidance buffer (dependent upon species, the proposed work activity, the existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. If a raptor nest is observed in a tree proposed for removal, the applicant must consult with CDFW. All construction personnel be notified of the existence of the buffer zone and to avoid entering the buffer zone during nesting season. No ground disturbing activities shall occur within this buffer area until the avian biologist has confirmed the breeding/nesting is completed

and the young have fledged. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

- BIO-3** The Applicant shall pay the CVMSHCP Local Development Mitigation Fee prior to building permit issuance.

3.4.5 Level of Significance after Mitigation

With implementation of MM BIO-1, BIO-2 and BIO-3, impacts on biological resources would be less than significant.

3.5 Cultural Resources

3.5.1 Sources

- CRM TECH, *Historical/Archaeological Resources Survey Report Assessor's Parcel Numbers 658-170-003 and -010*, March 28, 2022. (Appendix B)

3.5.2 Environmental Setting

The Project area lies on the northwestern edge of the La Quinta City limits but close to the historical center of development in the community, being directly across Avenida Fernando from the La Quinta Resort. More specifically, it is situated at the southern base of a steep finger ridge of the Indio Mountain, a part of the Santa Rosa-San Jacinto mountain range. Other than the La Quinta Resort, the surrounding land use is primarily residential in character.

Elevations in the Project area range around 50-60 feet above mean sea level, and the terrain is relatively level with a gradual incline towards the north. The ground surface has been extensively disturbed by past construction and landscaping activities associated with the adjacent property as well as construction and improvements that were previously undertaken within the Project boundaries. Native vegetation on the property has been largely cleared and replaced with introduced landscaping plants, such as a few palms and small tamarisks along the northern and western Project boundaries. Other than these, the remaining vegetation is limited to scattered growth of small desert shrubs and grasses such as brittlebush and tumbleweed, along with several palo verde trees.

3.5.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☒	☐	☐

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☒	☐	☐

a/b. Less than Significant with Mitigation Incorporated. A literature review and records search were conducted by the Eastern Information Center (EIC) on January 20, 2022. No cultural resources were previously recorded within the Project boundaries. During a 2006 update to the citywide historical resources survey, the existing property at the Project site (APN 658-170-011) was noted as being historical in age but no longer retaining sufficient original character to relate to its period of construction. Due to extensive alterations in the modern era and the resulting loss of historic integrity, it was not considered a potential historical resource.

Within the half-mile scope of the records search, EIC records identify at least 20 area-specific studies on various tracts of land and linear features, including the adjacent property to the north and east. These studies resulted in the recordation of 18 historical/archaeological sites and three isolates (i.e., localities with fewer than three artifacts) within the half-mile radius. Four of the sites and all three of the isolates were prehistoric—i.e., Native American—in origin. The sites consisted of bedrock milling features such as mortars and grinding slicks, while each of the isolates was a single brownware ceramic sherd. These prehistoric cultural resources were recorded primarily to the north of the Project location, along the base of the foothills.

The other 14 sites dated to the historic period consisted of buildings, such as the original La Quinta Resort from the 1926-1927 era, along with some refuse deposits. As mentioned above, the resort is located to the south of Avenida Fernando, across from the Project location. None of the other sites and isolates previously recorded within the scope of the records search in the immediate vicinity of the Project area demonstrate any potential to be impacted by the proposed Project, either directly or indirectly. In addition, based on its depiction in the historical maps and aerial photographs, the Project area has low sensitivity for cultural resources from the historic period.

The field survey conducted by CRM TECH on February 18, 2022 produced completely negative results for potential “historical resources,” and no buildings, structures, objects, sites, features, or artifacts of prehistoric or historical origin were encountered within the Project site. Although the residence at the property is known to date to the late historic period, the related landscaping, driveways, light fixtures, and structures are all clearly modern in age. As noted above, most of the Project site has been extensively disturbed in the past, especially the recent past. As such, the property appears to be relatively low in sensitivity for subsurface archaeological deposits of either prehistoric or early historic origin.

In addition, the Native American Heritage Commission (NAHC) did not identify any sites of traditional cultural value in the Project vicinity, and no notable cultural features are known to have been present in the Project area throughout the historic period. Based on these findings, and in light of the criteria listed above, the present study concludes that no “historical resources” exist within the Project site.

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Notwithstanding, during earth disturbing activities of the Project, there is a remote chance that subsurface cultural resources could be discovered. Through implementation of Mitigation Measure CUL-1, if buried cultural materials are discovered during the earth-moving operations, all work within 50 feet of the discovery will be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds and if necessary develop a treatment plan in consultation with the City La Quinta. Therefore, with the incorporation of Mitigation Measure CUL-1, impacts relating to significant historical and archaeological resources would be reduced to less-than-significant levels.

- c. **Less than Significant Impact with Mitigation Incorporated.** The Project site is developed with a residential structure and does not contain any cemeteries or human remains under existing conditions. However, there is always the possibility that human remains could be uncovered during ground disturbing activities. In the unexpected event that human remains are found during ground disturbing activities, those remains would require proper treatment in accordance with all applicable laws. Through the implementation of Mitigation Measure CUL-2, all construction work taking place within the vicinity of the discovered remains must cease and the necessary steps to ensure the integrity of the immediate area must be taken. The State of California Health and Safety Code 7050.5 and the California Public Resources Code (PRC) Section 5097.98 states that the County Coroner must be notified within 24 hours of the discovered human remains. If the remains discovered are determined by the coroner to be of Native American descent, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would, in turn, contact the Most Likely Descendant (MLD) who would determine further action to be taken. The MLD would have 48 hours to access the site and make a recommendation regarding disposition of the remains. Therefore, with incorporation of Mitigation Measure CUL-2, impacts would be less than significant.

3.5.4 Mitigation

- CUL-1** A qualified archaeologist monitor shall be present during any ground disturbing activities during the project construction phase. In the case that archaeological materials are encountered during ground disturbing activities, all work within 50 feet of the discovery shall cease and any deposits shall be treated according to federal, State, and local guidelines. No further grading is permitted in the area of the discovery until the City approves the appropriate measure to protect the discovered resources.
- CUL-2** In the event that human remains are uncovered during ground disturbing activities on the project site, no further disturbance shall occur and all work shall cease until the County Coroner has made a determination of the origin and disposition of the remains. Ground disturbing activities and excavations shall not resume until the County Coroner has been contacted and determined that no investigation to the cause of death is required. If the County Coroner determines that the remains are of Native American decent, the Coroner must notify Native American Heritage Commission (NAHC), which will then determine the Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98.

3.5.5 Level of Significance after Mitigation

With the incorporation of Mitigation Measures CUL-1 and CUL-2, impacts to cultural resources would be reduced to less than significant.

3.6 Energy

3.6.1 Sources

- California Energy Commission, *2019 Building Energy Efficient Standards for Residential and Nonresidential Buildings*, December 2018
https://www.energy.ca.gov/sites/default/files/2021-06/CEC-400-2018-020-CMF_0.pdf

3.6.2 Environmental Setting

Electricity

Southern California Edison (SCE) provides electricity to the City of La Quinta, including the Project site. SCE utilizes a combination of coal, natural gas, wind, hydroelectric, and geothermal power sources, most of which are located outside the Valley.

Natural Gas

Natural gas for the Project site is provided by the Southern California Gas Company (SoCalGas). Natural gas supplies are transported from Texas to the Coachella Valley through three east-west trending transmission lines, which cross the Valley near and parallel to Interstate-10 and continue west to Los Angeles. The pipelines include one 30-inch line and two 24-inch lines, with pressures of 2,000 pounds per square inch (psi).

3.6.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Energy – Would the project:				
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?	☐	☐	☐	☒

a. Less than Significant Impact.

Energy Use During 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. The amount of energy and fuel use anticipated by the Project's construction activities are typical for the type of scale of construction proposed by the Project and 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. Based on the foregoing, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Impacts during Project construction would be less than significant.

Energy Use During Operation

Building operations associated with the proposed spa would result in the consumption of electricity. The Project provides a private tennis court and spa, which are not inherently energy intensive. The facility would require power for lighting of the tennis court and landscaping, and power for the spa. Total energy demands for the Project would not be significant. Furthermore, the Project would be required to comply with Title 24 standards, which would ensure that the Project's energy demand would not be considered inefficient, wasteful, or otherwise unnecessary. Impacts during Project operation would be less than significant.

- b. **No Impact.** The Project's proposed tennis court and spa would be required to comply with the City's building codes, Zoning Ordinance, and other standards, including the County's Climate Action Plan provisions. Therefore, the Project would have no impact on plans for energy efficiency.

3.6.4 Mitigation

No mitigation is required.

3.6.5 Level of Significance after Mitigation

Not applicable.

3.7 Geology and Soils

3.7.1 Sources

- *Riverside Map My County, 2022.*
https://gis1.countyofriverside.us/Html5Viewer/?viewer=MMC_Public
- *City of La Quinta General Plan, February 19, 2013.*
- *Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*
<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>

3.7.2 Environmental Setting

The Project site is located in the Coachella Valley portion of the Salton Trough physiographic province and is a geologic, structural depression resulting from large scale regional faulting. The trough is bounded by the San Andreas fault and Chocolate Mountains on the northeast and the Peninsular Range and faults of the San Jacinto Fault Zone on the southwest. The Salton Trough represents the northward extension of the Gulf of California, containing both marine and non-marine sediments since the Miocene Epoch. Tectonic activity that formed the trough continues at a high rate as evidenced by deformed young sedimentary deposits and high levels of seismicity.

The surrounding regional geology includes the Peninsular Ranges (Santa Rosa and San Jacinto Mountains) to the south and west, the Salton Sea Basin to the southeast, and the Transverse Ranges (Little San Bernardino and Orocopia Mountains) to the north and east. Hundreds of feet to several thousand feet of Quaternary fluvial, lacustrine, and Aeolian soil deposits underlie the Coachella Valley. The southeastern part of the Coachella Valley lies below sea level. In the past, the ancient Lake Cahuilla submerged the area. Calcareous tufa deposits may be observed along the ancient shoreline as high as an elevation of 45 to 50 feet above mean

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sea level (amsl) along the Santa Rosa Mountains from La Quinta southward. Lacustrine (lake bed) deposits comprise the subsurface soils over much of the eastern Coachella Valley with alluvial outwash along the flanks of the valley.

The Project site is located in Southern California, which is a seismically active area. The type and magnitude of seismic hazards affecting the site are dependent on the distance of causative faults, the intensity, and the magnitude of the seismic event. Existing ground surface elevations range from 35 to 42 feet amsl.

3.7.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known 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 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?	☐	☒	☐	☐

a-i. No Impact. There are no known active faults crossing or projecting through the Project site. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone, or within a fault zone identified by

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the County of Riverside GIS data. Therefore, ground rupture due to faulting is considered unlikely at this site. No impact 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. As a mandatory condition of Project approval, Project construction would be done in accordance with the California Building Standards Code (CBSC), also known as California Code of Regulations (CCR), Title 24 (Part 2), and the City of La Quinta Building Code, which is based on the CBSC with local amendments. The CBSC and City of La Quinta Building Code (Chapter 8.02) provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures, and have been specifically tailored for California earthquake conditions. With mandatory compliance with these standards and site-specific design and construction measures set forth in the CBSC and the City's Building Code, potential impacts related to seismic ground shaking would be less than significant. As such, implementation of the Project would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking. Impacts would be less-than-significant.
- a-iii. Less than Significant Impact.** According to Riverside Map My County, the majority of the Project site is located within an area with low liquefaction susceptibility and the top northern portion of the site is not located within a liquefaction susceptibility zone. In addition, prior to issuance of a grading permit, a geotechnical report would be required to be submitted for approval. The Project Applicant would be required to comply with the grading and construction recommendations contained within the geotechnical report for the Project to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of 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. Less than Significant Impact.** The Project site is generally flat and contains no substantial natural or man-made slopes under existing conditions. There are natural slopes located immediately north and east of the Project site. However, according to the slope analysis provided by Essi Engineering (*Appendix C*) and Exhibit 6, the Project would not impact the toe of the slope. 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. Impacts would be less than significant.
- b. Less than Significant Impact.** During construction of the proposed Project, soils would be disrupted during grading activities due to exposure of uncovered soils, thereby increasing the potential for wind or water-related erosion and sedimentation until construction is completed. The Project would be required to comply with SCAQMD Rule 403 to minimize water and windborne erosion. Long-term operation of the Project as a tennis court and spa would not result in substantial soil erosion or loss of topsoil. Therefore, with adherence to SCAQMD Rule 403, the proposed Project would result in less-than-significant-impacts related to soil erosion.
- c. Less than Significant.** The Project site does not contain substantial natural or man-made slopes under existing conditions. However, there are hillsides immediately north and east of the Project site with a potential to expose the site to landslide hazards. According to *Appendix C* and Exhibit 6, the Project would not impact the toe of the slope. Therefore, no impact would occur related to landslides.

Lateral spreading is primarily associated with liquefaction hazards. As previously mentioned in Section 3.7.3(a)(ii), above, the Project site is located within a low liquefaction susceptibility zone. In addition, the Project Applicant would be required to submit a geotechnical report prior to issuance of a grading permit and comply with the grading and construction recommendations contained within that geotechnical report to further reduce the risk of seismic-related ground failure due to liquefaction. The Project Applicant also would be required to comply with the site-specific ground preparation and construction recommendations contained in the geotechnical report for the Project site, which would attenuate the site's settlement potential. Therefore, impacts associated with liquefaction, lateral spreading, shrinkage/subsidence, and collapse would be less than significant.

- d. **Less than Significant Impact.** According to the Web Soil Survey, the Project site consists of desert land comprised of Gilman silt loam. Due to the low clay content in the underlying soil, this near surface soil can be anticipated to have very low expansion characteristics. The Project site is not located in an area known for expansive soil (as defined in Table 18-1-B of the Uniform Building Code (1994)), and the potential for the Project to create substantial risks to life or property, relating to expansive soils, is very low. Therefore, impacts would be less than significant.
- e. **No Impact.** The Project would not involve the use of septic tanks or any other alternative wastewater disposal systems. Therefore, there would be no impacts associated with septic tanks or alternative wastewater systems.
- f. **Less than Significant with Mitigation Incorporated.** According to the City's General Plan EIR and the Riverside Map My County, the Project site is located within a High Paleontological Sensitivity due to Pleistocene sediments and sediments from ancient Lake Cahuilla beds. Therefore, a professional paleontologist would be retained to prepare and implement paleontological monitoring and mitigation plan (PRMMP) as described in Mitigation Measures GEO-1 through GEO-4. Therefore, with implementation of Mitigation Measures GEO-1 through GEO-4, potential impacts to a unique paleontological resource or site or unique geologic feature would be reduced to less than significant.

3.7.4 Mitigation

The following mitigation measures are required:

- GEO-1** Prior to the start of the proposed project activities, all field personnel will receive a worker's environmental awareness training on paleontological resources. The training will provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the project paleontologist. The training will be developed by the project paleontologist and can be delivered concurrent with other training including cultural, biological, safety, etc.
- GEO-2** Prior to the commencement of ground-disturbing activities, a professional paleontologist will be retained to prepare and implement a PRMMP for the proposed project. The PRMMP will describe the monitoring required during excavations that extend into older Quaternary (Pleistocene) age sediments, and the location of areas deemed to have a high paleontological resource potential. Part-time monitoring, or spot checking, may be required during shallow ground-disturbances (< 10

feet below ground surface) to confirm that sensitive geologic units are not being impacted. Monitoring will entail the visual inspection of excavated or graded areas and trench sidewalls.

GEO-3 In the event that a paleontological resource is discovered, the monitor will have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the project paleontologist shall complete the following:

1. Salvage of Fossils. If fossils are discovered, all work in the immediate vicinity should be halted to allow the paleontological monitor, and/or project paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the project paleontologist (or paleontological monitor) should recover them following standard field procedures for collecting paleontological as outlined in the PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.
2. Fossil Preparation and Curation. The PRMMP will identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected will be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens will be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the repository and will be the responsibility of the client.

GEO-4 Upon completion of ground disturbing activity (and curation of fossils if necessary) the project paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

3.7.5 Level of Significance after Mitigation

With implementation of Mitigation Measures GEO-1 through GEO-4, impacts associated with geology and soils would be reduced to less than significant.

3.8 Greenhouse Gas Emissions

3.8.1 Sources

- County of Riverside, *County of Riverside Climate Action Plan Update*, November 2019. [Microsoft Word - Riverside County CAP Final Draft.docx \(rctlma.org\)](#)

3.8.2 Environmental Setting

Constituent gases of the Earth's atmosphere, called atmospheric greenhouse gases (GHG), play a critical role in the Earth's radiation amount by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. Prominent GHGs contributing to this process include carbon dioxide (CO₂), methane (CH₄), ozone, water vapor, nitrous oxide (NO₂), and chlorofluorocarbons (CFCs). Anthropogenic (caused or produced by humans) emissions of these GHGs in excess of natural ambient concentrations have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change. GHG emissions are attributable to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses. Transportation is responsible for 41 percent of the State's GHG emissions, followed by electricity generation. Emissions of CO₂ and NO₂ are byproducts of fossil fuel combustion. Methane, a potent GHG, results from off-gassing associated with agricultural practices and landfills. Sinks of CO₂, where CO₂ is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean.

3.8.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Greenhouse Gas Emissions – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

- a. Less than Significant Impact.** The Project allows for the development of a private tennis court and spa grotto; therefore, the main source of GHG emissions from the Project would come from construction. The anticipated period of construction requiring fossil-fuel powered equipment would be approximately 2-4 weeks. Equipment would include the use of a backhoe, bobcat, or similar equipment, which generate nominal carbon emissions that are well below the SCAQMD screening threshold of 3,000 MTCO₂e per year. In addition, due to the nature of a tennis court and spa, the completed Project would not emit GHG emissions. Therefore, the Project would not exceed the SCAQMD screening threshold of 3,000 MTCO₂e per year. Impacts would be less than significant.
- b. Less than Significant.** The applicable plan for the Project is the City of La Quinta Greenhouse Gas Reduction Plan. The City of La Quinta's Greenhouse Gas Reduction Plan includes a comprehensive inventory of greenhouse gas emissions generated City-wide, including those generated by local government activities. Future emissions of greenhouse gasses are projected, reduction targets set, and policies and programs are proposed as part of the Greenhouse Gas Reduction Plan. SCAQMD has set an interim screening threshold of 3,000 MTCO₂e for residential and commercial land use per year. Projects below this threshold are considered to have less-than-significant GHG emissions. As mentioned in Section 3.8.3(a), the GHG emissions generated by the Project would be below the SCAQMD threshold for residential development of 3,000 MTCO₂e. Based on the foregoing, the Project would not have the potential to conflict with any

applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Impacts would be less than significant.

3.8.4 Mitigation

No mitigation is required.

3.8.5 Level of Significance after Mitigation

Not applicable.

3.9 Hazards and Hazardous Materials

3.9.1 Sources

- *City of La Quinta General Plan, February 19, 2013.*
- *Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*
<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>
- *State Water Resources Control Board, GeoTracker. Accessed August 10, 2021,*
[GeoTracker \(ca.gov\)](http://GeoTracker.ca.gov)

3.9.2 Environmental Setting

The Project site occurs in an area of the City of La Quinta that has undergone gradual urbanization since the later decades of the 1900's. The general area is comprised primarily of residential, recreational, institutional, and commercial development. A unique feature of the City of La Quinta is the inclusion of golf courses within residential neighborhoods. The Project site is bordered by Avenida Fernando followed by the La Quinta Resort; mountain slopes to the north and east; and an existing residence to the west. The site itself is composed of an existing residence and the areas where the proposed improvements would be constructed are flat and undeveloped land.

3.9.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
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 reasonable foreseeable upset and accident condition involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste	☐	☐	☐	☒

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 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?	☐	☐	☐	☒

- a. **Less than Significant Impact.** Proposed construction activities for the development of the Project are very minor due to the nature of the Project and may involve the use and transport of limited hazardous materials, which include but not limited to fuels, gasoline, hydraulic fluid, lubricants, and other liquids associated with the operation of equipment utilized for construction. Additionally, transportation, storage, use and disposal of hazardous materials during construction activities would be required to comply with all applicable federal, State, and local statutes and regulations. This includes the preparation of a SWPPP that would outline specific BMPs that would be administered during the construction of the Project in order to prevent the discharge of construction-related pollutants that could contaminate nearby water sources. The Resource Conservation and Recovery Act (RCRA; 42 USC 6901 et seq.) would require businesses with substantial quantities of hazardous materials to adhere to strict requirements in regards to handlings, transportation, and storing of supplies. Furthermore, the Hazardous Materials Transportation Act, 49 U.S.C. § 5101 et seq. protects against the risk to life, property, and the environment that are associated in the transportation of hazardous materials in intrastate, interstate, and foreign commerce. Upon completion of the proposed construction, all hazardous materials would be removed from the Project site. Therefore, with all applicable regulations in place, impacts associated with accidental release of hazardous substances during construction activities would be less than significant.

Long-term operations of the Project would involve less than significant use of household chemicals, including chemicals to maintain the water quality of the spa and the health of the landscaping. Therefore, no significant impact would occur.

- b. **Less than Significant Impact.** Accidents involving hazardous materials that could pose a significant hazard to the public or the environment would be highly unlikely during the construction and long-term

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operation of the Project and are not reasonably foreseeable. As discussed above under Section 3.9.3(a), the transport, use, and handling of hazardous materials on the Project site during construction is a standard risk on all construction sites, and there would be no greater risk for upset and accidents than would occur on any other similar construction site. Upon buildout, the Project site would operate as a tennis court and spa along with other minor site improvements. Based on the operational characteristics of home improvements, there is limited use of hazardous substances; however, as discussed above under Section 3.9.3(a), the Project Applicant would be required to comply with all applicable local, State, and federal regulations related to the transport, handling, and usage of hazardous material. Accordingly, impacts associated with the accidental release of hazardous materials would be less than significant during both construction and long-term operation of the Project.

- c. **No Impact.** The nearest schools to the Project site are John Adams Elementary School located at 50-800 Desert Club Drive and Benjamin Franklin Elementary School located at 77-800 Calle Tampico. The schools are both within 0.8-mile to the southeast of the proposed Project site. Due to the nature of the proposed use of the Project, there would be limited use of hazardous substances. Therefore, the proposed Project would have a no impact on schools within a quarter mile of the site.
- d. **No Impact.** According to the Department of Toxic Control Substances (DTCS), there are no Federal Superfund sites within the vicinity of the Project site. All environmental cleanups and any permitted hazardous material facilities are listed in the Envirostor database, including Comprehensive Environmental Response, Compensation, and Liability Act (CERLA) sites as well. Additionally, according to the California State Water Resources Control Board's GeoTracker, the Project site is not located within any cleanup sites. The nearest cleanup site is the La Quinta Hotel, located at 49499 Eisenhower Drive, which is approximately 0.2-mile south from the Project site. The La Quinta Hotel contained a potential contaminant of concern: gasoline. However, the case has been closed as of August 25, 1992. Therefore, the Project is not located on or within the vicinity of a site that is listed as a hazardous materials site pursuant to Government Code Section 65962.5. Thus, the Project would not create a significant hazard to the public or the environment. No impact would occur.
- e. **No Impact.** The closest airport to the Project site is the Bermuda Dunes Airport, which is approximately 4.4 miles northeast of the Project site. The Project site is not located within the Airport Influence Area and not within the Airport Land Use Compatibility Zones. Therefore, the Project would not result in a safety hazard for people residing or working in the Project area. No impact would occur.
- f. **No Impact.** The Project site does not contain any emergency facilities under existing conditions nor does it serve as an emergency evacuation route, so there is no potential for the Project to adversely affect an existing emergency response or evacuation plan. During construction and at Project buildout, the proposed Project would be required to maintain adequate emergency access for emergency vehicles as required by the City. As part of the City's discretionary review process, the City of La Quinta would review the Project to ensure that appropriate emergency ingress and egress would be available to-and-from the proposed improvements for public safety. Accordingly, implementation of the proposed Project would not 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.** According to Map My County, the Project site is not located within a State Responsibility Area (SRA) or a Local Responsibility Area (LRA). The Project site and its surrounding areas are not located within a very high fire hazard area. Therefore, the proposed Project would not expose people or structures, either

directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impact would occur.

3.9.4 Mitigation

No mitigation is required.

3.9.5 Level of Significance after Mitigation

Not applicable.

3.10 Hydrology and Water Quality

3.10.1 Sources

- *FEMA Flood Map Service Center, 2022.*
- *Coachella Valley Water District, 2020 Urban Water Management Plan, 2020.*

3.10.2 Environmental Setting

The Project site consists of a residential home under existing conditions. Retention basins would be constructed to the the east and north of the proposed tennis court and south/southwest of the proposed spa site to collect and store storm runoff generated during the 100-year design storm per City of La Quinta drainage ordinance requirements.

3.10.3 Impacts

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

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c.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	☐	☐	☒	☐
c.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?	☐	☐	☒	☐

- a. **Less than Significant Impact.** During construction of the Project and any future development would require that the Project comply with South Coast Air Quality Management (SCAQMD) Rule 403 and 403.1. This rule will assist in reducing fugitive dust and resulting PM10 emissions from made-made sources in the Coachella Valley. Although these rules are intended to protect air quality, they would also assist in supporting with water quality protection by preventing sediment track out and erosion. Therefore, the proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Impacts would be less than significant.
- b. **Less than Significant Impact.** No potable groundwater wells are proposed by the Project and the Project would be served with potable water by Coachella Valley Water District (CVWD). The primary source of water in the Coachella Valley is groundwater extracted by deep wells and replenished with Colorado River Water. The CVWD would provide domestic water service to the Project and is a participant in the Coachella Valley Regional Water Management Group that prepared an Integrated Regional Water Management Plan (WMP) in 2018. The *2018 Integrated Regional WMP* determined that long-term regional demand for potable water is expected to increase; however, with continued conservation measures and replenishment of groundwater, sufficient supplies would be available to meet the projected demand. As such, Project water demands have already been accounted for within the *2018 Integrated Regional WMP* and sufficient water supplies exist to serve the Project.

At Project buildout, nominal amounts water will be used for landscaping, maintenance of the spa, and for maintaining cleanliness of the tennis courts and walkways. The site is connected to an existing water line on Avenida Fernando. No new wells or additional water infrastructure are proposed. The Project would be required to comply with the CVWD's and the City's water-efficiency requirements, such as including the use of drought-tolerant planting materials and limited landscaping irrigation. The Project would also be required to comply with the CVWD's drought restrictions and water reduction measures as applicable. Therefore, compliance and implementation of CVWD and City requirements would ensure that the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Impacts would be less than significant.

- c. i-iv. **Less than Significant Impact.** The Project would involve the construction of a tennis court which would increase impervious surface area which could increase runoff and alter drainage patterns. However, Prior to development of the Project site, the City will review and approve the proposed civil plans to ensure the proposed development is in compliance with the City's Municipal Code, which requires the

Project to retain the runoff volume from a 100-year, 24-hour storm event for the entire Project site. In addition, the Project would be required to comply with SCAQMD Rule 403 and 403.1 as well as all applicable City requirements, which would ensure the design of the Project would not result in erosion or siltation on- or off-site. Therefore, the Project would result in a less-than-significant impact to downstream water bodies.

- d. **No Impact.** The Project site is located within Zone X, which is an area of minimal flood hazard and not within the 100-year nor 500-year flood plain. Furthermore, the Project site is not located within the vicinity of any other water bodies. Due to the Project site location being far away from the ocean and far away from any lakes or dams, there is no possibility of dam failure, tsunami or seiche. Therefore, no impacts would occur.
- e. **Less than Significant Impact.** As described in Section 2.10.3 (b), Project water demand has already been accounted for in the *2018 Integrated Regional WMP* and sufficient water supplies exist to serve the Project. The Project will adhere to all applicable water quality standards for both construction and operational activities. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

3.10.4 Mitigation

No mitigation is required.

3.10.5 Level of Significance after Mitigation

Not applicable.

3.11 Land Use and Planning

3.11.1 Sources

- *City of La Quinta, City of La Quinta 2035 General Plan, Adopted February 19, 2013.*
- *City of La Quinta, Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*

<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>

3.11.2 Environmental Setting

Under existing conditions, the Project site is designated as “Open Space - Natural” per the City’s General Plan 2035 Land Use Map and the Project site is zoned “Open Space (OS)” and within the “Hillside Conservation Overlay” per the City’s Official Zoning Map.

The Project site is bordered by Avenida Fernando followed by the La Quinta Resort; mountain slopes to the north and east; and an existing residence to the west. The site itself is composed of an existing residence and the areas where the proposed improvements would be constructed are flat and undeveloped land.

3.11.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

- a. **No Impact.** Development of the Project would not physically disrupt or divide the arrangement of an established community. The Project site is bordered by Avenida Fernando followed by the La Quinta Resort; mountain slopes to the north and east; and an existing residence to the west. The site itself is composed of an existing residence and the areas where the proposed improvements would be constructed are flat and undeveloped land. No impact would occur.
- b. **Less Than Significant Impact.** The development of the Project would consist of a tennis court, spa, and other associated improvements. Under existing conditions, the Project site is designated as “Open Space – Natural” per the City’s General Plan 2035 Land Use Map and zoned “Open Space” and within the “Hillside Conservation Overlay” per the City’s Official Zoning Map. Although private tennis courts and spas are not listed as permitted uses in the OS Zone/HC overlay, unlisted uses could be permitted in accordance with Section 9.20.040 of the City’s Municipal Code. Therefore, the Project would not conflict with the City’s General Plan or Zoning Code. Additionally, the Project received a determination letter on October 25, 2021 from the Design and Development director for the City of La Quinta to permit these uses per this section.

The Project also would not conflict with any applicable goals, objectives, and policies of the SCAQMD’s AQMP, SCAG’s *Connect SoCal*, and SCAG’s *Regional Comprehensive Plan*. Impacts would be less than significant.

3.11.4 Mitigation

No mitigation required.

3.11.5 Level of Significance after Mitigation

Not applicable.

3.12 Mineral Resources

3.12.1 Sources

- City of La Quinta, *Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*
<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>

3.12.2 Environmental Setting

The majority of the City of La Quinta is located in mineral resource zone 1 (MRZ-1), which indicates that little likelihood exists for the presence of significant mineral resources. The western portion of the City is located in MRZ-3, which are areas containing known or inferred mineral occurrences of undetermined mineral resources significances. According to Exhibit III-11, *Mineral Resource Zone Map*, of the City's General Plan EIR, the Project site is located within MRZ-3.

3.12.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
MINERAL RESOURCES – Would the project:				
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?	☐	☐	☒	☐

- a-b. Less Than Significant Impact.** According to the City's General Plan EIR, the Project site is located in an MRZ-3 zone, which indicates it is located in an area containing known or inferred mineral occurrences of undetermined mineral resources significances. The Project site is currently designated Natural Open Space under the City's General Plan and zoned Open Space. Neither the existing land use or zoning designation allow for mineral production. In addition, the General Plan consists of several policies that would protect mineral resources and prevent land use incompatibility impacts from mining. Furthermore, if a potential mineral extraction operation were to be located within the Project site, it would be incompatible both with the land use designation and surrounding land uses. Therefore, development of the Project would result in a less-than-significant impact relating to mineral resources.

3.12.4 Mitigation

No mitigation required.

3.12.5 Level of Significance after Mitigation

Not applicable.

3.13 Noise

3.13.1 Sources

- *Google Earth, 2022.*
- *City of La Quinta, Municipal Code, 2022.*
https://library.municode.com/ca/la_quinta/codes/municipal_code

3.13.2 Environmental Setting

Noise

Noise has been defined as an 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. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear.

Vibration

According to the Federal Transit Administration (FTA) *Transit Noise Impact and Vibration Assessment Manual*, vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of vibrations include natural or human made causes. In addition, vibration sources may be continuous such as, factory machinery, or transient, such as explosions.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings. Human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration.

3.13.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
NOISE – Would the project result in:				
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?	☐	☐	☒	☐

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒

- a. **Less than Significant Impact.** Construction noise is considered a short-term impact and would be considered significant if construction activities are undertaken outside the allowable times as described in the City's Municipal Code (Section 6.08.050(A)). Construction is anticipated to occur during the permissible hours (7 AM to 7 PM) according to the City's Municipal Code. In addition, the construction would be short in duration and equipment used would consist of a backhoe, bobcat, or small front loader, which would emit minimal amounts of noise. The Project consists of a tennis court and spa grotto, which would result in minimal operational noise levels. Minimal traffic would be generated from the Project and minimal noise would be generated from operational use of the Project. In conclusion, the Project is not expected to generate noise levels beyond the noise ordinance standards and impacts would be less than significant.
- b. **Less than Significant Impact.** The Project does not propose or require uses or activities that would be considered substantive sources of on-going vibration. The Project consists of a tennis court and spa grotto, which would result in nominal construction and operational noise levels. The construction would be short in duration and equipment would consist of a backhoe, bobcat, or small front loader, which would create negligible noise levels. Therefore, the Project would not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise. Impacts would be less than significant.
- c. **No Impact.** The closest airport to the Project site is the Bermuda Dunes Airport, which is approximately 4.4 miles northeast of the Project site. The Project site is not located within the Airport Influence Area and not within the Airport Land Use Compatibility Zones. Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels associated with airports. No impact would occur.

3.13.4 Mitigation

No mitigation is required.

3.13.5 Level of Significance after Mitigation

Not applicable.

3.14 Population and Housing

3.14.1 Sources

- *United States Census Bureau, Quickfacts. July 1, 2019.*
<https://www.census.gov/quickfacts/fact/table/laquintacitycalifornia/PST045219>

3.14.2 Environmental Setting

According to the United States Census Bureau, the City of La Quinta had a population of 41,748 in 2019, and the population increased by 11.4% from 2010. The number of households from 2015-2019 was 15,948 with an average household size at 2.57 persons per household.

3.14.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
POPULATION AND HOUSING – Would the project:				
a) Induce substantial 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?	☐	☐	☐	☒

- a. **No Impact.** The proposed development of a private tennis court and spa at an existing residence would not induce population growth either directly or indirectly. Furthermore, no roads or infrastructure would need to be extended to serve the Project. No impact would occur.
- b. **No Impact.** The proposed development of a private tennis court and spa would be added to an existing residence. No structures or housing would be eliminated as a result of the Project and no persons would be displaced. Therefore, there would be no impacts relating to the displacement of people or housing.

3.14.4 Mitigation

No mitigation is required.

3.14.5 Level of Significance after Mitigation

Not applicable.

3.15 Public Services

3.15.1 Sources

- *City of La Quinta, City of La Quinta 2035 General Plan, Adopted February 19, 2013.*
- *City of La Quinta, Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*
<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>

3.15.2 Environmental Setting

Fire Protection Services

Fire protection is provided through a contract with the Riverside County Fire Department. There are three City-owned fire stations, each staffed with full-time paid and volunteer firefighters: Fire Station No. 32 at 78-111 Avenue 52; Fire Station No. 70 at 54001 Madison Street; and Fire Station No. 93 at 44-555 Adams Street.

Average Fire Department response times are between 5 and 7 minutes. La Quinta has an Insurance Service Office (ISO) of 4, based on a scale of 1 through 10, with 1 being the highest rating. Ratings are reviewed periodically. A variety of criteria are used to determine the ISO rating, such as staffing levels, response times, safety history and building code standards.

Police Protection Services

The City of La Quinta's sheriff station (Riverside County Sheriff's Department) is located at 86-625 Airport Boulevard, Thermal, CA 92274. The Civil Center Community Policing Office is located at 78-495 Calle Tampico, La Quinta, CA 92253.

Schools

There are two school districts providing public education to students in Kindergarten through 12th grade in La Quinta: Desert Sands Unified School District (DSUSD) and Coachella Valley Unified School District (CVUSD). Developers are required to pay school mitigation fees for residential and commercial development, which includes the proposed Project.

Parks

The City of La Quinta currently operates 11 City parks, the Civic Center Campus, and three nature preserve areas. The City of La Quinta also contains one public and 22 privately owned and operated golf courses, seven of which are open and available for public use. The City of La Quinta's designated recreational open space totals approximately 5,259 acres.

3.15.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
PUBLIC SERVICES				

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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:				
i) Fire Protection?	☐	☐	☐	☒
ii) Police Protection?	☐	☐	☐	☒
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

a-i. No Impact. Fire protection services in La Quinta are provided through a contract with the Riverside County Fire Department (RCFD). The nearest fire station (No. 32) is located at 78-111 Avenue 52, approximately 1.3 miles southeast from the Project site. Based on the Project site's proximity to the existing fire station, the Project would be adequately served by fire protection services during construction, and no new or expanded unplanned facilities would be required. No impact would occur.

a-ii. No Impact. The La Quinta Police Department serves under contract by the Riverside County Sheriff's Department. The community policing office is located at 78-495 Calle Tampico, which is approximately 1.2 miles southeast from the Project site. Based on the Project site's proximity to the existing community policing office, the Project would be adequately served by police protection services during Project construction, and no new or expanded unplanned facilities would be required.. No impact would occur.

a-iii. No Impact. The nearest school to the Project site are John Adams Elementary School located at 50-800 Desert Club Drive and Benjamin Franklin Elementary School located at 77-800 Calle Tampico. The schools are both within 0.8-mile to the southeast of the proposed Project site. Due to the nature of the Project, the Project would not increase the number of students at nearby schools. Therefore, no impacts would occur.

a-iv. No Impact. The City of La Quinta requires new developments to dedicate land for recreational purposes or pay in-lieu fees. However, the Project only involves improvements to an existing residence, which would not contribute to any park impacts. No impact would occur.

a-v. No Impact. The Project would not impact other public facilities. The Project would not increase the population that would require the provision of additional public facilities within the City of La Quinta. Access to the Project site is provided by an existing road, Avenida Fernando, and would connect to existing utility infrastructure. New public roads or public transportation facilities, or other public facilities, are not required. No impact would occur.

3.15.4 Mitigation

No mitigation is required.

3.15.5 Level of Significance after Mitigation

Not applicable.

3.16 Recreation

3.16.1 Sources

- *City of La Quinta, City of La Quinta 2035 General Plan, Adopted February 19, 2013.*
- *City of La Quinta, Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*

<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>

3.16.2 Environmental Setting

The City of La Quinta currently operates 11 City parks, the Civic Center Campus, and three nature preserve areas. La Quinta's three nature preserves are also available for public recreation, as they all contain trails for hiking and bicycling. There are also a number of public pocket parks located within existing subdivisions. La Quinta is home to one public and 22 privately owned and operated golf courses, seven of which are open and available for public use. La Quinta's designated recreational open space totals approximately 5,259 acres.

3.16.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
RECREATION				
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?	☐	☐	☒	☐

a/b. Less than Significant Impact. The project is construction of private recreational facilities and their impact is being evaluated in this MND. Additionally, the Project's development of a private tennis court and spa grotto would result in no population increase and no demand for park facilities. There is no potential for the Project to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur, as well as a low potential for

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construction or expansion of recreational facilities which may have an adverse physical effect on the environment. Therefore, the Project would have a less-than-significant impact on recreational facilities within the City.

3.16.4 Mitigation

No mitigation required.

3.16.5 Level of Significance after Mitigation

Not applicable.

3.17 Transportation

3.17.1 Sources

- *Google Earth, 2022.*
- *City of La Quinta Engineering Bulletin #06-13 – Traffic Impact Study Guidelines*
[EB 06-13 Traffic Study Guidelines - Final.pdf \(laquintaca.gov\)](#)

3.17.2 Environmental Setting

Access to the Project site is provided by the existing road, Avenida Fernando. There are no bus stops within the vicinity of the Project site and there is no sidewalk or bike lane along Avenida Fernando.

3.17.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
TRANSPORTATION – Would the project:				
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	☐	☐	☐	☒

a. No Impact.

Trip generation represents the amount of traffic which is both attracted to and produced by a development. Due to the nature of the Project as improvements to the existing residence, the Project

would not generate any trips to the site. As previously mentioned in Section 3.17.2, there are no bus stops, sidewalks, or bike lanes within the vicinity of the Project site.

The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and no impact would occur.

- b. No Impact.** CEQA Guidelines section 15064.3 sets forth guidelines for implementing Senate Bill 743 (SB 743) for reduction of GHG emissions and development of multimodal transportation networks. SB 743 requires amendments to the CEQA Guidelines to provide for an alternative criteria to the LOS methodology for evaluating transportation impacts. Generally, “vehicle miles travelled” or VMT is considered as the most appropriate measurement of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project.

As discussed in sections 3.3.3(b-c), per the City of La Quinta VMT Analysis Policy and screening criteria for development projects, the Project qualifies for small project screening criteria because its facilities would be used primarily by the current residents of the site, would not generate significant additional car trips, would not increase the amount of VMT, and would therefore not emit significant amounts of carbon dioxide equivalent (MTCO₂). Therefore, no impact would occur.

- c/d No Impact.** No traffic would be generated from the Project. In addition, prior to development of the Project site, the City will review and approve the proposed plans to ensure conformance with City design standards and that no hazardous transportation design features would be introduced through implementation of the Project. Accordingly, the Project would not create or substantially increase safety hazards due to a design feature or incompatible use or result in inadequate emergency access. No impact would occur.

3.17.4 Mitigation

No mitigation is required.

3.17.5 Level of Significance after Mitigation

Not applicable.

3.18 Tribal Cultural Resources

3.18.1 Sources

- CRM TECH, Historical/Archaeological Resources Survey Report Assessor’s Parcel Numbers 658-170-003 and -010, March 28, 2022. (Appendix B)

3.18.2 Environmental Setting

Today, Native Americans of Pass or Desert Cahuilla heritage are mostly affiliated with one or more of the Indian reservations in and near the Coachella Valley, including Agua Caliente, Cabazon, Torres Martinez, Augustine, and Morongo.

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On December 10, 2021, CRM TECH submitted a request for a records search in the commission's Sacred Lands File (SLF). The results for the SLF were negative. In response to CRM TECH's inquiry, the NAHC states in a letter dated February 8, 2022, that the Sacred Lands File identified no Native American cultural resources in the Project vicinity. Noting that the absence of specific information regarding cultural resources would not necessarily preclude the presence of cultural resources, however, the NAHC recommended that local Native American groups be consulted for further information and provided a referral list of 16 individuals associated with 11 local Native American groups who may have knowledge of such resources.

3.18.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
TRIBL CULTURAL RESOURCES – Would the project:				
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☐

a.i. Less than Significant with Mitigation Incorporated. As previously discussed in Section 3.5.3(a), the City currently does not have any sites listed within the City's incorporated boundaries on the National Register of Historic Places (NRHP) and the site is not listed in the California Register of Historic Resources (CRHR). Mitigation Measure CUL-1 described in 3.5 *Cultural Resources*, will be applied to 3.18 *Tribal Resources*, to ensure the protection of cultural resources. Therefore, with implementation of Mitigation Measure CUL-1, impacts would be less than significant.

a.ii. Less than Significant with Mitigation Incorporated. As previously mentioned in Section 3.18.2, CRM TECH contacted the NAHC on December 10, 2021 for review of the SLF. The NAHC responded stating that the SLF was completed with negative results; however, the NAHC requested that 16 individuals representing 11 Native American tribal groups be contacted to elicit information regarding cultural

resource issues related to the Project. One letter of response was received by the City of La Quinta on September 16, 2022 from the Agua Caliente Band of Cahuilla Indians (ACBCI) stating that the project area is not located within the boundaries of the ACBCI Reservation. However, the ACBCI requestion Mitigation Measures TRI-1 and TRI-2. With the implementation of these mitigation measures, impacts will be less than significant.

3.18.4 Mitigation

- TRI-1** Should human remains be discovered during construction of the proposed project, the project contractor would be subject to either the State law regarding the discovery and disturbance of human remains or the Tribal burial protocol. In either circumstance all destructive activity in the immediate vicinity shall halt and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5. If the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted. The NAHC will make a determination of the Most Likely Descendent (MLD). The City and Developer will work with the designated MLD to determine the final disposition of the remains.
- TRI-2** Should cultural resources be found during construction, work should be stopped until a qualified archaeologist can evaluate the find and the Tribe has been contacted.

See Section 3.5.4 for Mitigation Measure CUL-1.

3.18.5 Level of Significance after Mitigation

With the incorporation of Mitigation Measure CUL-1, impacts to tribal cultural resources would be reduced to less than significant.

3.19 Utilities and Services

3.19.1 Sources

- *City of La Quinta, City of La Quinta 2035 General Plan, Adopted February 19, 2013.*
- *City of La Quinta, Draft Environmental Impact Report (SCH #2010111094) for the City of La Quinta General Plan, July 2012.*
<https://www.laquintaca.gov/home/showpublisheddocument/15858/635338594527270000>

3.19.2 Environmental Setting

Domestic Water

Domestic water for the majority of the City is provided by the Coachella Valley Water District (CVWD). Groundwater is the principal source of municipal water supply in the Coachella Valley. The main groundwater source for the entire valley is the Coachella Valley Groundwater Basin, Indio Subbasin, and the Whitewater River Subbasin. The Whitewater River Subbasin underlies a major portion of the valley floor and encompasses approximately 400 square miles.

Waste Water

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CVWD also provides wastewater and sewage collection and treatment services in the City and Sphere of Influence (SOI). CVWD sewer lines utilize a system of trunk lines ranging in diameter from 4 to 24 inches. There are two CVWD wastewater treatment plants that serve La Quinta. Water Reclamation Plant 7 (WRP-7) is located at Madison Street and Avenue 38, northeast of the City in Indio. It provides wastewater treatment for development in the City north of Miles Avenue. The capacity of WRP-7 is 5 million gallons per day (mgd), and the plant processes approximately 2.8 to 3.0 mgd. It has the capacity to expand to 7.5 mgd. The Mid-Valley Water Reclamation Plant (WRP-4), located in Thermal, serves lands in the City and Sphere that are located south of Miles Avenue. The Mid-Valley plant has a current capacity of just under 10 mgd, and processes approximately 5 mgd.

Solid Waste

Solid waste disposal services in the City of La Quinta are provided by the commercial vendor, Burrtec. Solid waste collected from the City of La Quinta residents and businesses is hauled to the Edom Hill Transfer Station in Cathedral City and is then transported to Lambs Canyon in the City of Beaumont.

3.19.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a-e. Less than Significant Impact.

Domestic Water

CVWD provides domestic water services to the Project site. The Project is going to remain consistent with the designated land use, and CVWD based its water demand calculations for its UWMP on the City's anticipated land use plan. Additionally, the Project would be required to implement all water conservation measures imposed by CVWD under normal as well as drought conditions over the life of the Project. These include requirements of Executive Order B-29-15, mandating reductions in water use by 36% in the Coachella Valley. CVWD has, in response to the Executive Order, adopted restrictions on water use that include limiting days on which landscaping can be irrigated; a prohibition on the use of fountains or water features; a prohibition on irrigation by any means other than drip or micro-spray systems; and a requirement that hotels offer their guests the option of not having towels and linens laundered daily. Should additional restrictions or regulations be implemented, the Project would be required to comply with them also. No new wells or additional water infrastructure or entitlements will be required. Based on the foregoing, CVWD would be able to fulfill the Project's demand during normal and dry years. Impacts would be less than significant.

Waste Water

The Project would not generate any wastewater. The proposed private spa would be a closed loop system, which would contain a filter that would clean the water and allow for the water to circulate.

Stormwater

The City requires on-site retention basins for all new developments to manage surface water flows and reduce runoff from sources such as stormwater and landscape irrigation. The Project complies with this requirement by including on-site retention basins to the east and north of the proposed tennis court and south/southwest of the proposed spa site to ensure stormwater is retained on-site. Additional measures to address onsite stormwater management are described in Section 3.10, *Hydrology and Water Quality*. Project-related impacts to stormwater management systems are expected to be less-than-significant. Therefore, impacts would be less than significant.

Solid Waste

Solid waste disposal service for the City would be provided by Burrtec, which is required to meet all local, regional, state, and federal standards for solid waste disposal. The Project would not generate any solid waste; therefore, no impacts would occur.

3.19.4 Mitigation

No mitigation is required.

3.19.5 Level of Significance after Mitigation

Not applicable.

3.20 Wildfire

3.20.1 Sources

- *California Department of Forestry and Fire Protection (CAL FIRE), Map of CAL FIRE's Fire Severity Zones in Local Responsibility Areas – Western Riverside County, December 24, 2009. Accessed August 13, 2021 https://osfm.fire.ca.gov/media/6754/fhszl_map60.pdf*

- CAL FIRE, *Fire Hazard Severity Zones in SRA*, November 7, 2007. Accessed August 31, 2021
https://osfm.fire.ca.gov/media/6752/fhszs_map60.pdf

3.20.2 Environmental Setting

The Project site is located within an area of the City that is developed. According to CAL FIRE maps, the Project site is not located within a very high fire hazard severity zone or a fire hazard severity zone in a State Responsibility Area (SRA).

3.20.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
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?	☐	☐	☐	☒

a-d. No Impact. The Project site is not located in or near SRA or lands within a very high fire hazard severity zone; therefore, the Project would not exacerbate wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires. As such, no impact would occur.

3.20.4 Mitigation

No mitigation is required.

3.20.5 Level of Significance after Mitigation

Not applicable.

3.21 Mandatory Findings of Significance

3.21.1 Sources

All sources previously listed were used to support the conclusions made in this section.

3.21.2 Environmental Setting

The environmental setting for the Project site is summarized within Sections 2.1 through 2.20 of the Initial Study for each environmental issue.

3.21.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE				
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 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. Throughout this Initial Study, where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less than significant. Accordingly, with incorporation of the mitigation measures imposed throughout this Initial Study, the Project would not substantially 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, substantially reduce the number or restrict the range of a rare or endangered

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plant or animal, or eliminate important examples of the major periods of California history or prehistory. Impacts would be reduced to less-than-significant levels with mitigation incorporated.

- b. Less than Significant with Mitigation Incorporated.** The environmental evaluation of this Initial Study concluded that, with adherence to all mitigation measures the Project's cumulatively considerable impacts would be mitigated to less-than-significant levels.
- c. Less than Significant with Mitigation Incorporated.** The Project could result in environmental impacts to humans directly or indirectly. All Project environmental impacts would be less than significant or less than significant with mitigation incorporated. The Project would therefore not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

3.21.4 Mitigation

- AES-1** The Project developer shall ensure that all ambient lighting of landscape features are oriented facing away from the mountainside and into the property so that the surrounding conservation area is not impacted by unnatural light sources.
- BIO-1** The Project developer shall ensure the installation of Peninsular bighorn sheep (PBS) fence, either at project buildout or through granting to Coachella Valley Conservation Commission an easement for the future construction of such a fence, and further, that if an easement is to be granted, it shall be recorded prior to the issuance of any grading permits. Upon recordation of a fence easement and establishment of a financial instrument (or plans for fence construction at the time of project buildout), as well as revision of the lighting plan (outlined in Mitigation Measure AES-1), this Project may be considered fully consistent with the CVMSHCP. If, during subsequent review of the Project, it is determined that any of the above conditions have not been met, or that the Project impacts differ significantly from those reviewed in the Joint Project Review (including a fence alignment above the toe of slope), this consistency determination shall be rendered null and void
- BIO-2** If unavoidable Project construction activities must begin during the nesting bird season (February 1st through August 31st), a pre-construction nesting bird survey shall be conducted no more than 14 days prior to initiation of ground disturbance and vegetation removal activities. The nesting pre-construction bird survey shall be conducted by a biologist familiar with identification of avian species known to occur in Riverside County. The nesting bird survey shall be conducted on foot inside the project boundary, including a 300-foot buffer for passerines (song birds) and 500-foot buffer for raptors in areas of suitable habitat. Inaccessible areas will be surveyed using binoculars to the extent practical. If nests are found, an avoidance buffer (dependent upon species, the proposed work activity, the existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. If a raptor nest is observed in a tree proposed for removal, the applicant must consult with CDFW. All construction personnel be notified of the existence of the buffer zone and to avoid entering the buffer zone during nesting season. No ground disturbing activities shall occur within this buffer area until the avian biologist has confirmed the breeding/nesting is completed and the young have fledged. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.
- BIO-3** The Applicant shall pay the CVMSHCP Local Development Mitigation Fee prior to building permit issuance.

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- CUL-1** A qualified archaeologist monitor shall be present during any ground disturbing activities during the project construction phase. In the case that archaeological materials are encountered during ground disturbing activities, all work within 50 feet of the discovery shall cease and any deposits shall be treated according to federal, State, and local guidelines. No further grading is permitted in the area of the discovery until the City approves the appropriate measure to protect the discovered resources.
- CUL-2** In the event that human remains are uncovered during ground disturbing activities on the project site, no further disturbance shall occur and all work shall cease until the County Coroner has made a determination of the origin and disposition of the remains. Ground disturbing activities and excavations shall not resume until the following has been addressed:
1. The County Coroner has been contacted and determined that no investigation to the cause of death is required, and
 2. If the County Coroner determines that the remains are of Native American decent, the Coroner must notify Native American Heritage Commission (NAHC), which will then determine the Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98.
- GEO-1** Prior to the start of the proposed project activities, all field personnel will receive a worker's environmental awareness training on paleontological resources. The training will provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the project paleontologist. The training will be developed by the project paleontologist and can be delivered concurrent with other training including cultural, biological, safety, etc.
- GEO-2** Prior to the commencement of ground-disturbing activities, a professional paleontologist will be retained to prepare and implement a PRMMP for the proposed project. The PRMMP will describe the monitoring required during excavations that extend into older Quaternary (Pleistocene) age sediments, and the location of areas deemed to have a high paleontological resource potential. Part-time monitoring, or spot checking, may be required during shallow ground-disturbances (< 10 feet below ground surface) to confirm that sensitive geologic units are not being impacted. Monitoring will entail the visual inspection of excavated or graded areas and trench sidewalls.
- GEO-3** In the event that a paleontological resource is discovered, the monitor will have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the project paleontologist shall complete the following:
1. Salvage of Fossils. If fossils are discovered, all work in the immediate vicinity should be halted to allow the paleontological monitor, and/or project paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the project paleontologist (or paleontological monitor) should recover them following standard field procedures for collecting paleontological as outlined in the

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PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

2. Fossil Preparation and Curation. The PRMMP will identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected will be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens will be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the repository and will be the responsibility of the client.

GEO-4 Upon completion of ground disturbing activity (and curation of fossils if necessary) the project paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

TRI-1 Should human remains be discovered during construction of the proposed project, the project contractor would be subject to either the State law regarding the discovery and disturbance of human remains or the Tribal burial protocol. In either circumstance all destructive activity in the immediate vicinity shall halt and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5. If the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted. The NAHC will make a determination of the Most Likely Descendent (MLD). The City and Developer will work with the designated MLD to determine the final disposition of the remains.

TRI-2 Should cultural resources be found during construction, work should be stopped until a qualified archaeologist can evaluate the find and the Tribe has been contacted.

3.21.5 Level of Significance after Mitigation

With incorporation of the above mentioned mitigation measures, all Project-related impacts in regard to Mandatory Findings of Significance would be reduced to less than significant.

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