

City of Indio
Community Development Department
100 Civic Center Mall
Indio, CA 92202
(760) 391-4120
(760) 391-4027

Environmental Initial Study

Project Title: The Greens – Indio

Case No: Environmental Assessment General Plan Amendment Specific Plan
Tentative Tract Map

**Lead Agency
Name and Address:** City of Indio
Community Development Department
100 Civic Center Mall
P.O. Drawer 1788
Indio, CA 92202

**Property Owner/
Developer:** Can Do LLC

Applicant: Can Do LLC

Consultant: Kimley-Horn and Associates, Inc.
1100 West Town and Country Road, Suite 700
Orange, California 92805

**Contact Person
and Phone Number:** Tom Carpenter; (949) 303-0853

Project Location: Jackson Street and Avenue 42, Indio
APNs: 692-670-001, 692-670-014, and 692-670-017

Zoning: Existing – Regional Commercial (RC) and Parks and Open Space (OS)
Proposed – Regional Commercial (RC)

**General Plan
Designations:** Existing – Regional Commercial and Parks and Open Space
Proposed – Regional Commercial (RC)

PROJECT DESCRIPTION

Project Location and Existing Setting

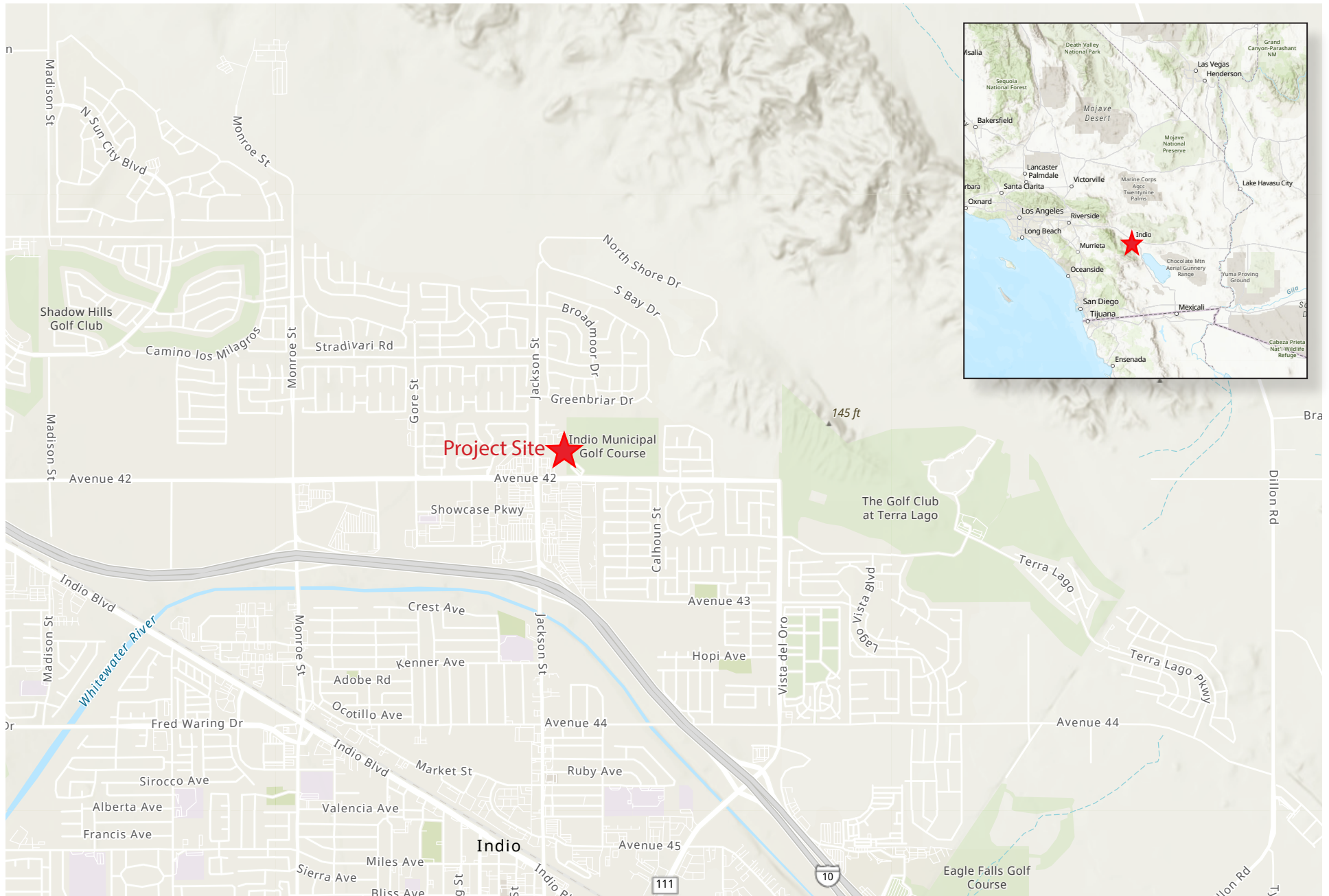
The project site is located at the northeast corner of the Jackson Street at Avenue 42 intersection in the City of Indio, Riverside County, California. The project site is shown in a regional and local context in **Exhibit 1, Regional Vicinity Map** and **Exhibit 2, Local Vicinity Map**. The approximately 6.12-acre project site includes three parcels described as Assessor Parcel Numbers (APNs) 692-670-001, -014, and -017 and 692-040-020 and -007. The property is generally bordered by urban development, with a RV storage facility to the north, the Indio Municipal Golf Course to the east, Indio Town Center to the south, and an existing AutoZone, Arco Gas station and convenience store to the west. Regional access is provided by Interstate 10 (I-10), located approximately 0.4 mile south of the project site. Local access to the project site is provided from Avenue 42 and Jackson Street.

The project site is undeveloped with the exception of an existing surface parking lot associated with the Indio Municipal Golf Course. The site is generally flat with on-site elevations ranging from approximately 13 to 18 feet below sea level¹. The site contains minimal, sparse shrubs and date palm trees within the golf course parking lot. Sidewalks are located along the project site frontage of Avenue 42 and Jackson Street. Aboveground utility poles are located along the project site frontage of Jackson Street north of the AutoZone.

Land uses near the project site are summarized in **Table 1: Surrounding Land Uses**.

Table 1: Surrounding Land Uses			
Direction	On-Site Land Uses	General Plan Land Use	Zone
Northeast	Asphalt repair company and RV storage facility	Suburban Neighborhood High	Suburban Neighborhood High
Northwest	Indio Municipal Golf Course	Suburban Neighborhood High	Suburban Neighborhood High
East	Indio Municipal Golf Course	Parks and Open Space	Parks and Open Space
South	Avenue 42; beyond Avenue 42: commercial center and related surface parking. CVS Pharmacy, insurance agency, and veterinarian office	Regional Commercial	Regional Commercial
Southwest	Commercial uses including an AutoZone Auto Parts store, ARCO Gas Station, and convenience store and car wash	Regional Commercial	Regional Commercial
West	Jackson Street; beyond of Jackson Street: commercial and retail stores and related surface parking. Commercial and retail uses include a Walgreens, bank, restaurants, hair and nail salons, fitness center, insurance agency and dialysis clinic	Regional Commercial	Regional Commercial

¹ Google Earth Pro, 2023.



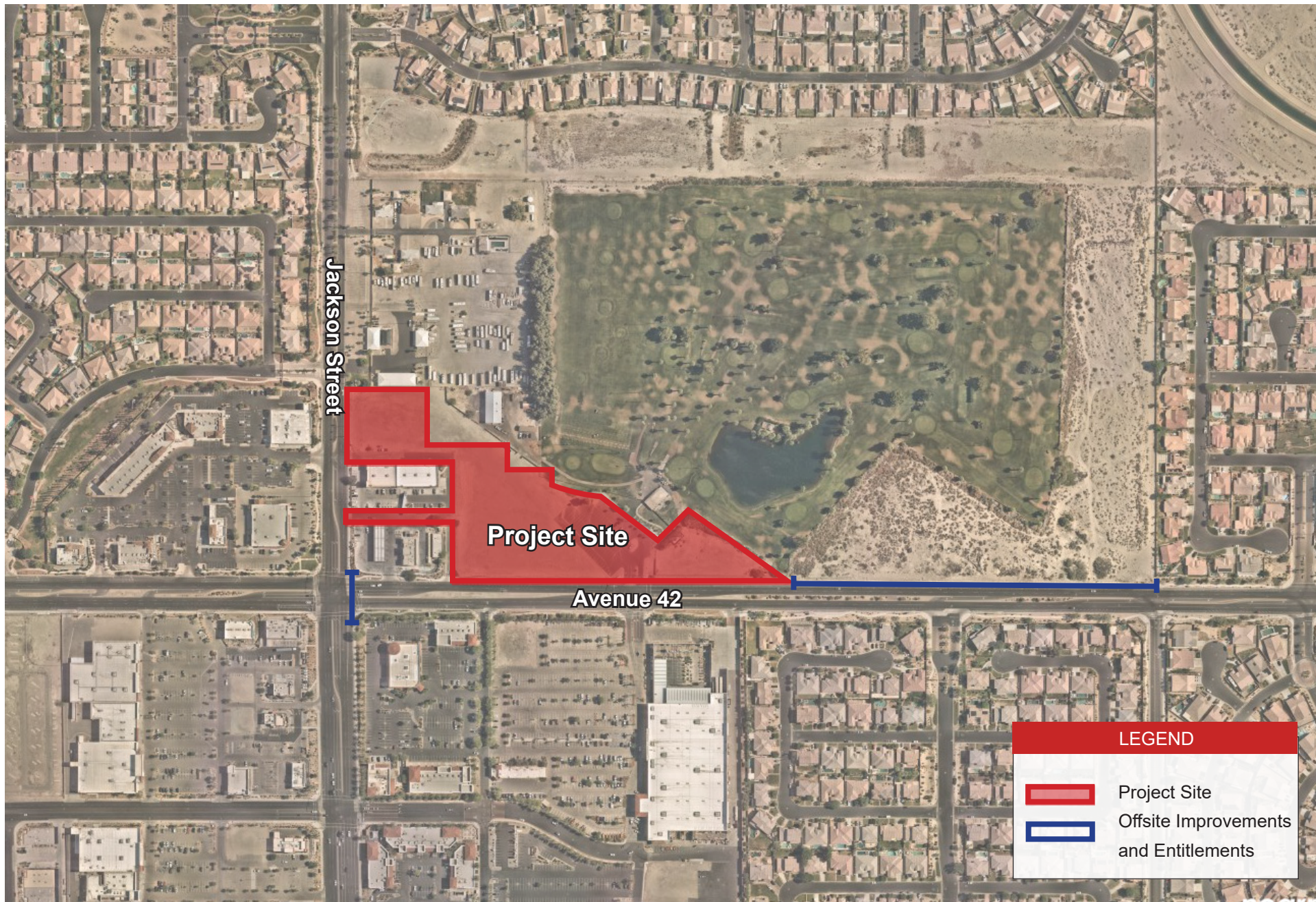
Source: USGS, 2023

Exhibit 1: Regional Vicinity Map

The Greens Indio Project



Not to scale



Source: NearMaps, 2023.

Exhibit 2: Local Vicinity Map

The Greens Indio Project



Not to scale

Kimley»Horn

Land Use Designations

General Plan

The City of Indio General Plan (General Plan) sets forth land use designations that indicate the purpose and intended use for land within the City. The General Plan further organizes these land uses into broad categories or “major classes” to further meet the place-making goals and intent of the City. These major classes include Neighborhoods, Centers, Districts, and Public and Institutional. The project site has two General Plan designations: Regional Commercial (RC) and Parks and Open Space (OS), as shown on **Exhibit 3: General Plan Land Use Designation**.

Approximately 2.82 acres of the 6.12-acre project site is designated as Regional Commercial (RC). The General Plan defines the RC land use as a District. Per the General Plan, Districts are areas with larger concentrations of non-residential uses which are typically dominated by a single activity (e.g., regional shopping centers, auto dealership centers, and larger manufacturing uses). The RC designation promotes large retail development with associated restaurant and commercial service activity. Specifically, large-format retail (e.g., supermarkets, home improvement stores, and department stores), commercial services, lodging, entertainment, restaurants, and parks and recreation land uses are allowed under the RC designation.

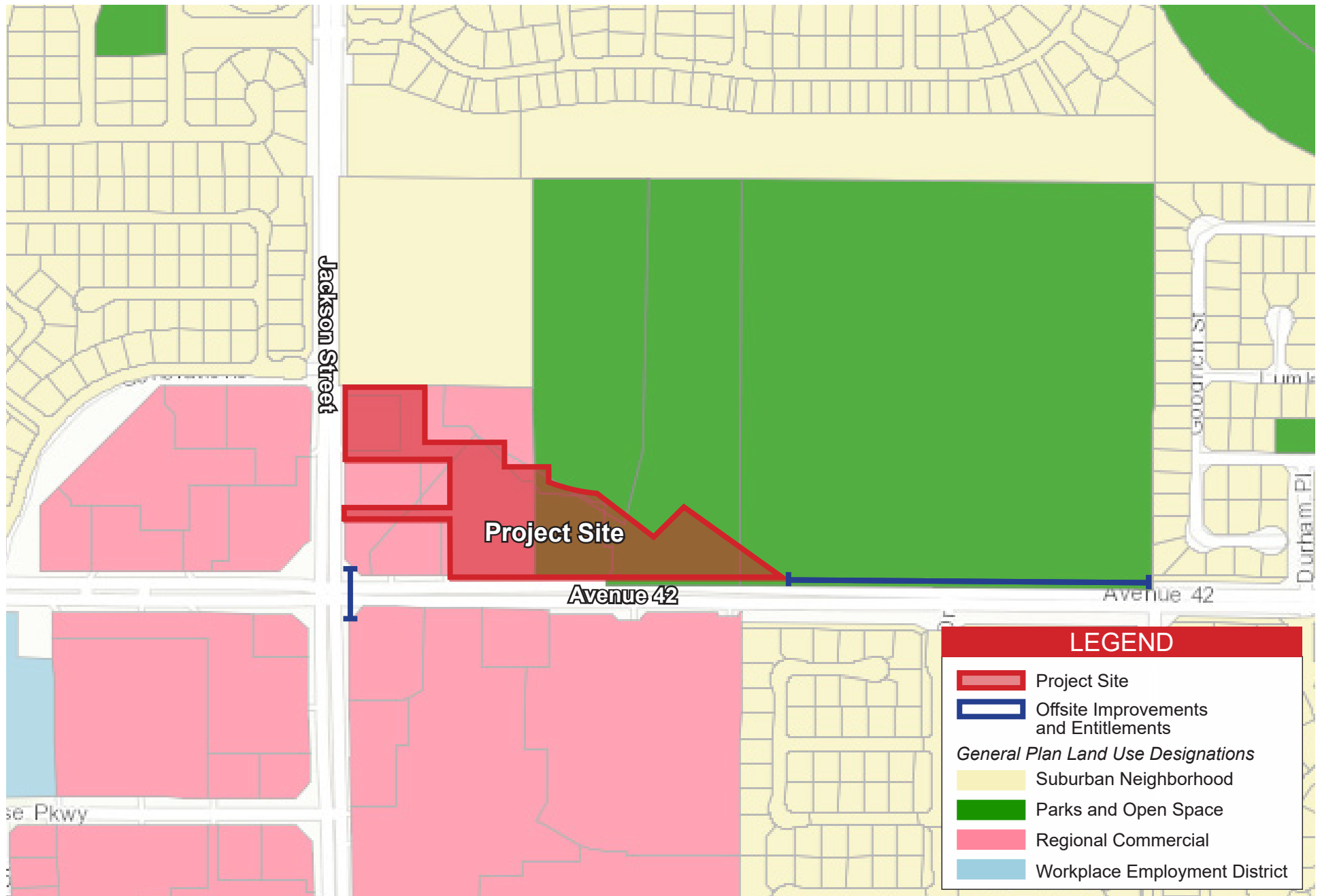
The eastern portion (approximately 3.3 acres) of the project site is designated as Parks and Open Space (OS) which is within the Public and Institutional major class. This designation provides public and private space for recreational uses such as open space and golf course greens.

The Project proposes commercial retail development uses, which are not consistent with the Parks and Open Space designation. Therefore, an amendment to the General Plan land use designation would be required to change that portion of the site designated Parks and Open Space to Regional Commercial.

Zoning

According to the City of Indio Municipal Code (Municipal Code) Zoning Map, the project site is within two zones: Regional Commercial (RC) and Parks and Open Space (OS) as depicted on **Exhibit 4: Zoning Designations**. The western portion of the project site is zoned RC and the eastern portion is zoned OS. The RC zoning allows for large-format retail with associated restaurant and commercial service development. This zone implements the Regional Commercial land use and provides regional and visitor serving amenities near major freeway connections and around major intersections.

The OS zoning is intended for public and private land used for recreational purposes. This zone implements the Parks and Open Space land use designation and provides areas for parks and open space, golf courses, trails, habitat management, passive recreation, amphitheaters, community centers, environmental education, and similar uses. The Project proposes commercial and retail uses, which are not permitted under the OS zoning. Therefore, a change of zone from OS to RC would be required to implement the Project.



Source: City of Indio, General Plan Map, 2022.

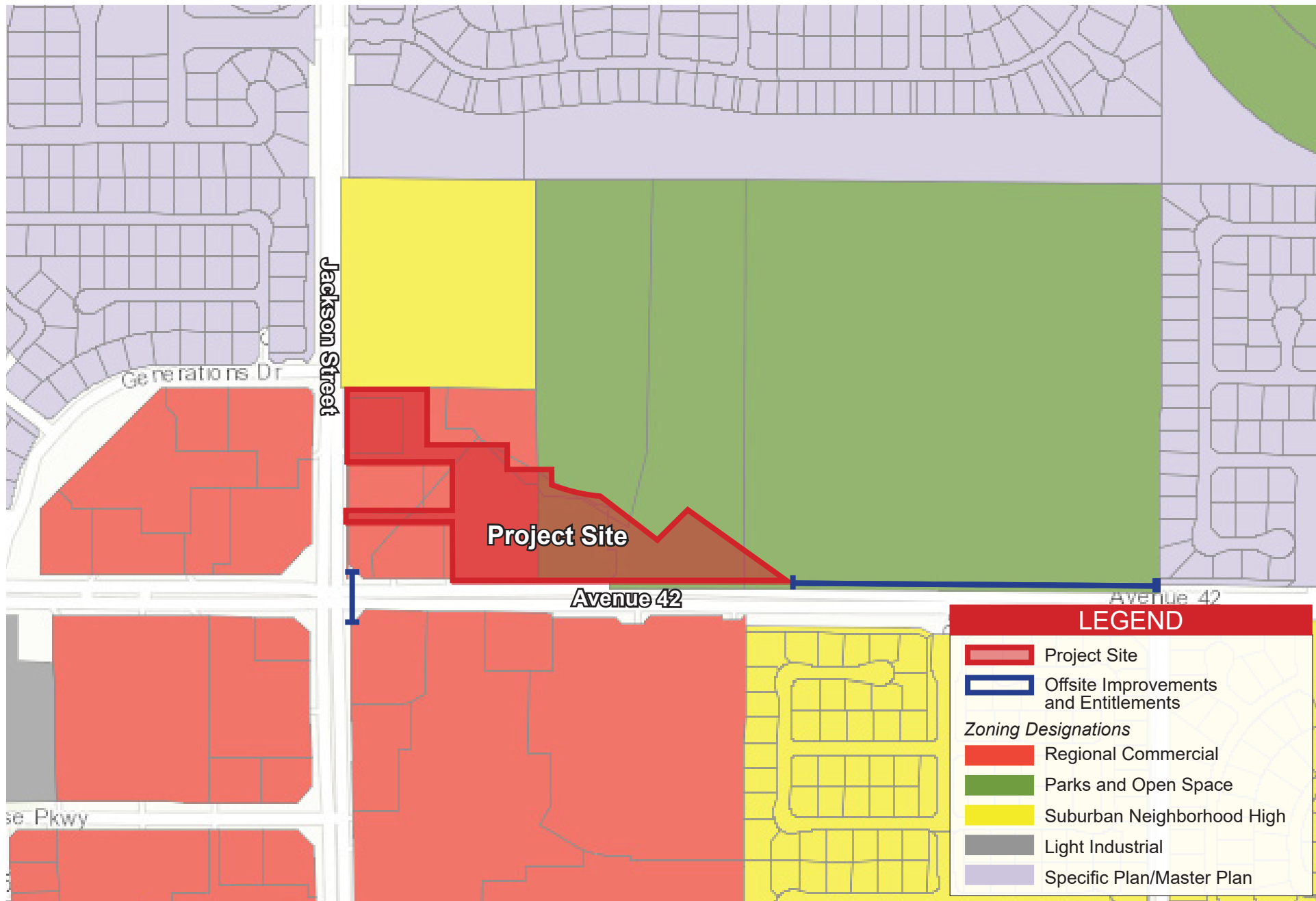
Exhibit 3: General Plan Land Use Designation

The Greens Indio Project



Not to scale

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Source: City of Indio, Zoning Map, 2022.

Exhibit 4: Zoning Designations

The Greens Indio Project



Not to scale

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A summary of the land use designations and zoning for each parcel is identified in **Table 2: Land Use and Zoning per Parcel**.

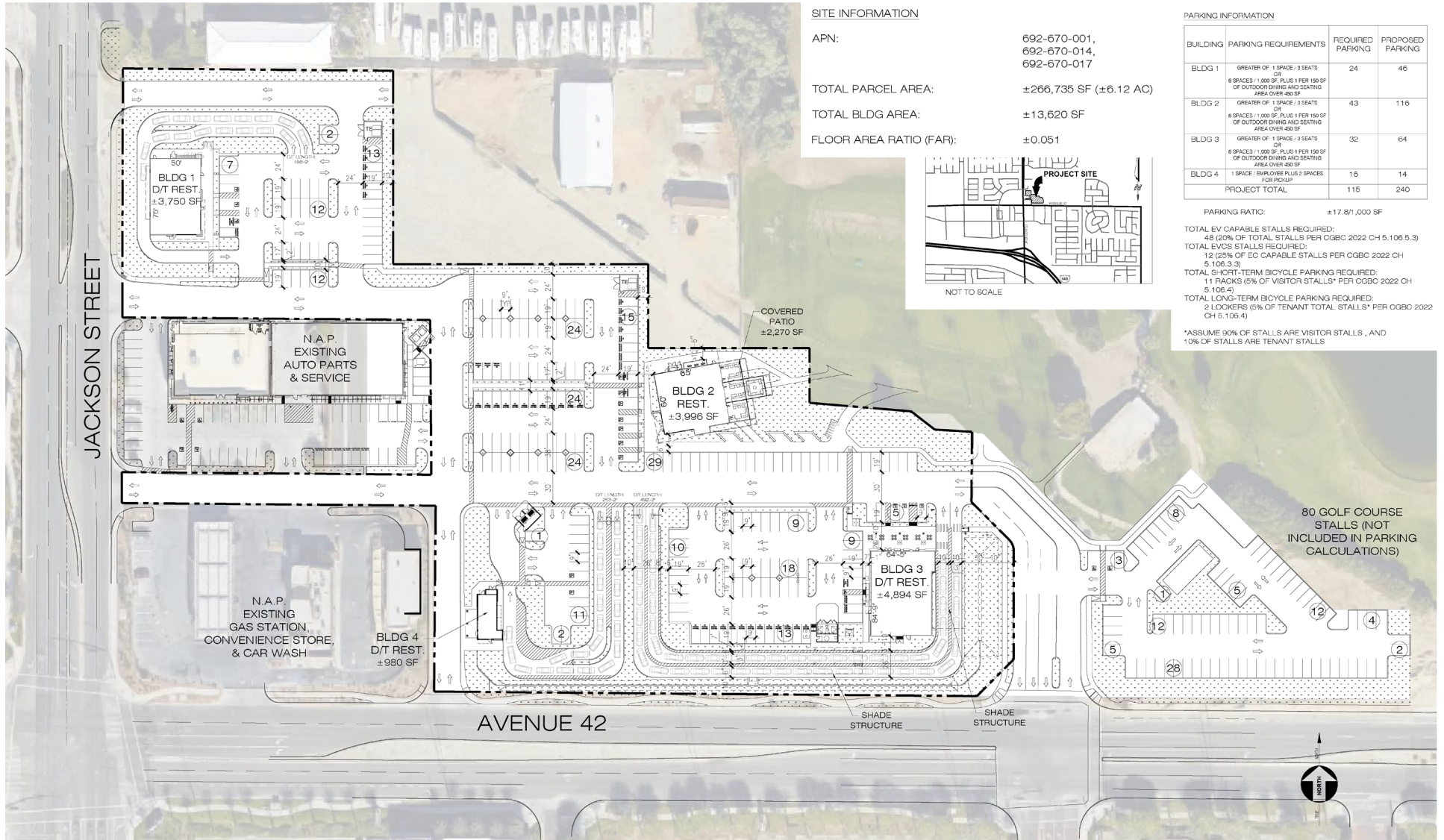
Table 2: Land Use and Zoning per Parcel		
APN	General Plan Land Use	Zoning
692-670-001	Regional Commercial	Regional Commercial
692-670-014	Regional Commercial	Regional Commercial
692-670-017	East: Parks and Open Space West: Regional Commercial	East: Parks and Open Space West: Regional Commercial
692-040-020	Parks and Open Space	Parks and Open Space
692-040-007	Parks and Open Space	Parks and Open Space

Project Characteristics

Site Development

The conceptual site plan is provided in **Exhibit 5, Proposed Site Plan**. As proposed, the Project would construct a multi-tenant commercial retail center totaling 13,620 square feet (sf) on 6.12 acres, see **Table 3: Proposed Project Building Summary**. Specifically, the Project would include three drive-thru fast-food restaurants including a Chick-Fil-A and Dutch Bros Coffee, which total approximately 9,870 sf and one 3,996 sf sit-down restaurant. The sit-down restaurant would have an outdoor patio which opens to the adjacent Indio Municipal Golf Course. Additionally, the Project would include surface parking, landscaping, and off-site infrastructure improvements. In addition to the commercial retail development, the proposed Project would reconstruct the existing Indio Municipal Golf Courses parking lot east of the driveway along the project site frontage on Avenue 42.

Table 3: Proposed Project Building Summary		
Building	Building Size (sf)	Land Use
Building 1	3,750	Fast-food restaurant with single-lane drive-thru, vehicle surface parking, and landscaping.
Building 2	3,996	Sit-down restaurant with vehicle surface parking, landscaping, trash enclosure, and an outdoor patio which opens to the Indio Municipal Golf Course.
Building 3	4,894	Fast food restaurant (Chick-Fil-A) with double-lane drive-thru, shade structure, surface vehicle parking, and landscaping.
Building 4	980	Fast food restaurant (Dutch Bros Coffee) with single-lane drive-thru, surface vehicle parking, and landscaping.
Source: Site Plan, Bickel Group Architecture, August 2023.		



Bickel Group Architecture (2023). Site Plan.

Exhibit 5: Proposed Site Plan

The Greens Indio Project



Not to scale

Kimley»Horn

Architecture, Landscaping, and Lighting

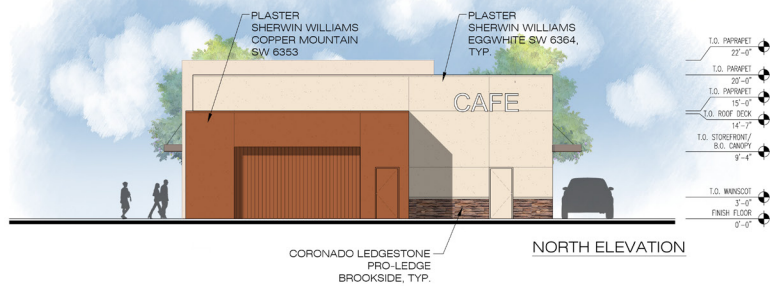
Conceptual exterior elevations and renderings are shown on **Exhibits 6.1 through 6.4, *Exterior Elevations***. Building 1 and Building 2 would both have a desert tone color palette of beiges, tans, and browns with varying plains to breakup building massing. The modern façades would include plaster walls, ledgerstone, and accents of oak wood. Large glass windows would be provided along the front and side entries. Building 1 would also have service windows for the drive-thru on the rear side of the building. Building 2 would have a large patio with a fireplace and seating on the east side of the building. The Building 2 patio would be accessible from the Indio Municipal Golf Course.

Building 3 would have an earth tone color palette of greys, tans, and beiges with dark toned aluminum awnings over the windows and entries. The façade would be various colored stucco. Large glass windows would be provided along the front and side entries, as well as service windows for the drive-thru on the south side of the building. The proposed architecture would be consistent with Chick-Fil-A's corporate colors and branding.

Building 4 would have a color palette of dark blues, greys, tans, and beiges with varying elevations to create variety in building massing. The façades would include multi-colored metal panels and dark stone veneer. Windows would be provided along the front entry, with service windows for the drive-thru on the east side of the building. All windows would have metal awnings. The proposed architecture would be consistent with the Dutch Bros Coffee corporate colors and branding.

The proposed landscaping concept is depicted in **Exhibit 7: *Landscape Plan***. Existing landscape vegetation would be removed except for the palm trees in the existing Indio Municipal Golf Course parking lot. No street trees in the public rights-of-way would be removed. The proposed Project would include 79,075 sf (1.8 acre) of landscaping around the project site perimeter, building frontages, and parking areas. Landscaping would incorporate typical desert climate plants with decorative boulders. The plant palette would include succulents and cacti, including fox tail agave, blue elf aloe, bear grass, and spineless prickly pear cactus. The proposed Project would have approximately 193 new trees along the project site perimeter and within the boundaries of the site. Perimeter trees would include guadalupe palm, palmetto palm tree, california palm, date palm, and Indian rosewood along the southern project site boundary. Internal to the project site, landscaping would include Mexican blue palm, dwarf fan palm, shoestring acacia, thornless Texas honey mesquite, palo blanco, and desert museum palo verde. All landscaping would comply with Municipal Code Section 54.064.1 – Landscape and Water Conservation and Section 54.064.2 – Water Efficient Landscape Development Standards and would be drought tolerant.

Project lighting would include light sources typically used in commercial retail developments, including outdoor parking lot lighting for security and wayfinding, and lighting for order boards and service windows. Additionally, exterior lighting fixtures along the building frontage would provide illumination for the restaurant and would be shielded down to prevent light pollution.



Source: Bickel Group Architecture, 2023.

Exhibit 6.1: Building 1 Elevations

The Greens Indio Project



Source: Bickel Group Architecture, 2023.

Exhibit 6.2: Building 2 Elevations

The Greens Indio Project



Not to scale

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NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

Source: CRHO Architects, 2023.

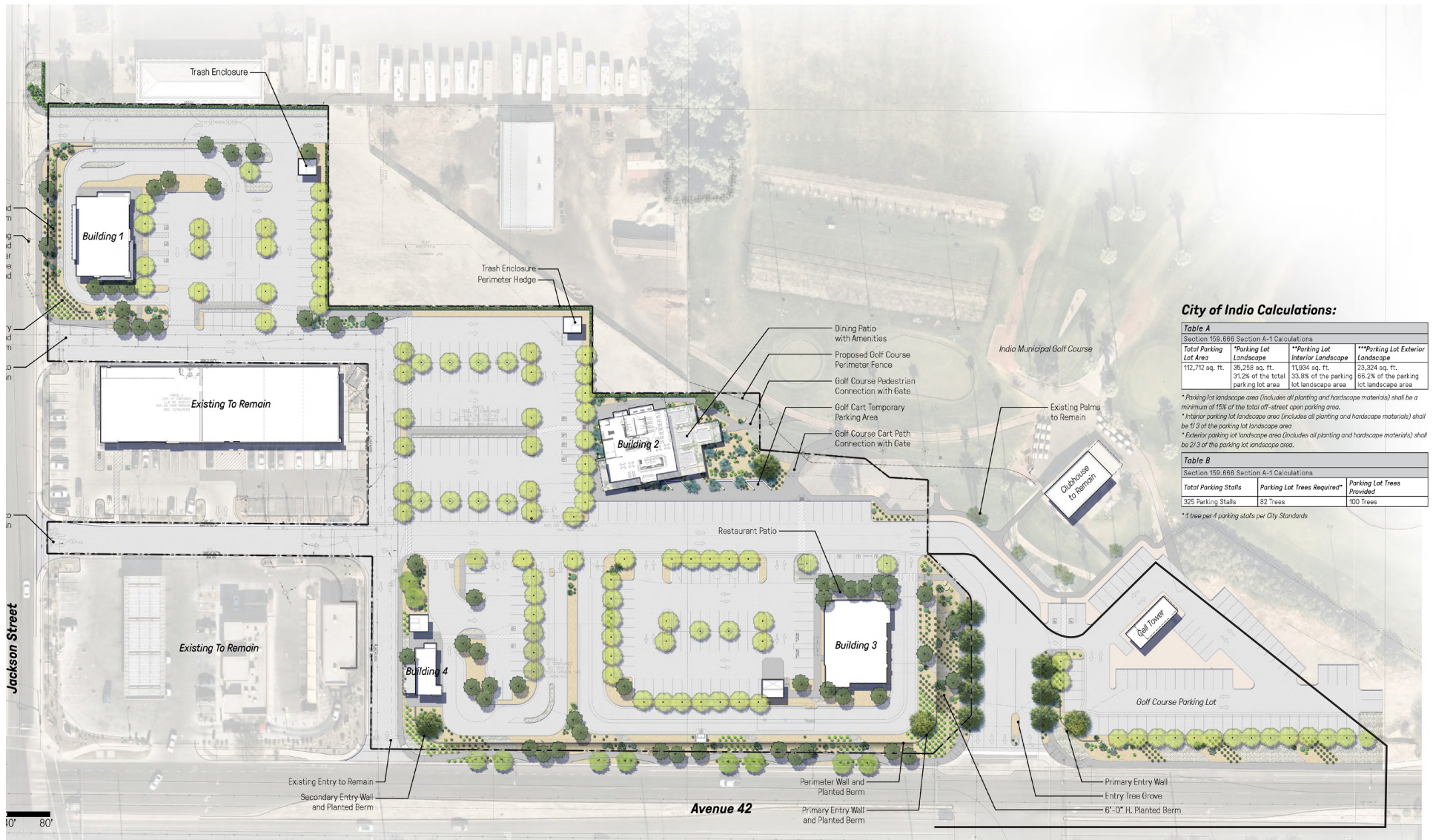
Exhibit 6.3: Chick-Fil-A (Building 3) Elevations

The Greens Indio Project



Not to scale

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SWA Architects. (2023). Landscape Plan.

Exhibit 7: Landscape Plan

The Greens Indio Project



Not to scale

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Parking and Circulation

According to Municipal Code Chapter 3.03 – Parking and Loading, Dine-In and Take-Out restaurants are required to provide 6 spaces per 1,000 sf of structure, plus 1 space per 150 sf of outdoor dining and seating areas over 450 sf. Drive-thru only restaurants are required to provide one space per employee, plus two spaces for order pickup. Therefore, the proposed commercial uses would be required to provide 115 parking spaces, see **Table 4: Project Parking Summary** for a summary of City parking requirements and parking provided by each proposed land use. The Project proposes 240 vehicle parking spaces for the restaurant uses, which exceeds the Municipal Code requirements, as well as 80 spaces for the golf course parking lot. Loading and delivery trucks would temporarily park across parking spaces within the nearby parking area of each restaurant building. A dedicated loading spot would not be provided due to the low volume of deliveries associated with Project operations.

Table 4: Project Parking Summary			
Building	Municipal Code Table 3.03.05-1 Parking Requirements:	Required Parking	Proposed Parking
Building 1	Greater of: 1 space/3 seats or 6 spaces/1,000 sf, plus 1 per 150 sf of outdoor dining and seating area over 450 sf	24	46
Building 2	Greater of: 1 space/3 seats or 6 spaces/1,000 sf, plus 1 per 150 sf of outdoor dining and seating area over 450 sf	43	116
Building 3: (Chick-Fil-A)	Greater of: 1 space/3 seats or 6 spaces/1,000 sf, plus 1 per 150 sf of outdoor dining and seating area over 450 sf	32	64
Building 4: (Dutch Bros Coffee)	1 space/employee plus 2 spaces for pickup	16	14
Total		115	240
1. Proposed golf course parking will replace and improve the existing parking for the Indio Municipal Golf Course.			
Source: Site Plan, Bickel Group Architecture, August 2023.			

Vehicular access to the project site would be provided from four driveways: two driveways (Driveway 1 and Driveway 2) on Jackson Street and two driveways (Driveway 3 and Driveway 4) on Avenue 42. Driveway 1 on Jackson Street would provide full access. Driveway 2 on Jackson Street and Driveway 3 on Avenue 42 would provide only right-in and right-out access. Driveway 4 on Avenue 42 would serve as the primary entrance to the project site and allow full access. **Table 5: Project Driveways** summarizes the project site access.

Table 5: Project Driveways			
Driveway	Location	Movement	Use
1	355 feet north of the intersection of Jackson Street and Avenue 42	Full Access	Directs customers to surface lot, and beginning of drive-thru queue and order boards
2	165 feet north of the intersection of Jackson Street and Avenue 42	Right-In/Right-Out Only	Directs customers to existing on-site land uses and to surface lot
3	295 feet east of the intersection of Jackson Street and Avenue 42	Right-In/Right-Out Only	Directs customers to surface lot, and beginning of drive-thru queue and order boards
4	The north end of the intersection of Golf Course Drive and Avenue 42	Full Access	Directs customers to surface parking lot, Indio Municipal Golf Course, and beginning of drive-thru queue and order boards
Sources: Site Plan, Bickel Group Architecture, August 2023; NearMaps Imagery. (January 2023). Accessed in June 2023.			

As previously mentioned, the Project proposes a multi-tenant commercial retail center totaling 13,620 sf which will include three drive-thru restaurants, one sit-down restaurant, surface parking, landscaping, off-site right-of-way improvements, and improvements to and relocation of the existing Indio Municipal Golf Course parking lot. Once internal to the project site, drive aisles would provide connectivity to the four commercial retail buildings and driveways. A description of each building's circulation is provided below:

- Building 1 would provide a drive-thru lane which will begin at the northern portion of the building and wrap around the restaurant in a counter-clockwise direction (**Exhibit 5**). Vehicles entering thru Driveway 1 would either park in the surface parking lot for walk-in dining or mobile pick-up orders or enter the drive-thru queue.
- Building 2 would not include a drive-thru lane but would have 117 parking spaces. Access to this building and parking would mainly come from Driveway 2 or 4. Building 2 can also be accessed from the Indio Municipal Golf Course from the rear patio.
- Building 3 would provide a drive-thru lane which would be accessed northwest of the building and wrap around the restaurant in a clockwise direction (**Exhibit 5**). Vehicles entering thru Driveway 2 or 3 would either park in the surface parking lot for walk-in dining or mobile pick-up orders or enter the drive-thru queue.
- Building 4 would provide a drive-thru lane which would be accessed northeast of the building and wrap around the restaurant in a counter-clockwise direction (**Exhibit 5**). Vehicles entering thru Driveway 3 or 4 would either park in the surface parking lot for walk-in dining or mobile pick-up orders or enter the drive-thru queue.
- The Indio Municipal Golf Course parking lot would be relocated east of its current location. Existing access via Driveway 4 would remain.

Pedestrian access would be provided from existing sidewalks along Avenue 42 and Jackson Street. Right-of-way improvements including construction of curb, gutter, sidewalk and undergrounding of utilities north of the AutoZone to connect the existing sidewalk to create a continuous pedestrian path along Jackson Street. Pedestrian access to Buildings 1, 3, and 4 would be provided via internal sidewalks connecting to both Avenue 42 and Jackson Street.

Public transit service is provided by the SunLine Transit Agency (SunLine), which provides bus transit services to the Coachella Valley. There are two bus stops within 300 feet of the site which are served by SunLine Route 8 along Jackson Street (west of the project site).

Utility Infrastructure

Project implementation would require the construction of new on-site and off-site utility infrastructure connections to serve the proposed commercial retail uses. These utilities would be connected to existing utility infrastructure with the final sizing and design of on-site facilities to occur during final building design and plan check.

Water and Sewer. The Indio Water Authority (IWA) provides and would continue to provide water service to the project site. A proposed potable water line would connect to an existing eight-inch water mains currently providing water to the commercial development to the southwest. The existing eight-inch water main connects to main lines along both Avenue 42 and Jackson Street. Additionally, a proposed eight-inch water line connecting to a water main on Avenue 42 would bring additional potable water to the eastern portion of the site.

The Valley Sanitation District (VSD) maintains sewer service to the City. Upon Project implementation, VSD would continue to serve the Project. There is a four-inch sewer line in Jackson Street which extends into the existing commercial development to the southwest as an eight-inch sewer line. The Project would connect to the sewer main on within the commercial development via an eight-inch pipe. The sewer pipe would extend east toward the parking lot and eventually connect to all four buildings. The Project would also install grease interceptors for the buildings.

Drainage and Water Quality. Regional drainage facilities are constructed, operated, and maintained by the Coachella Valley Water District (CVWD). Local drainage facilities are maintained by the City and generally convey runoff from local streets to the regional facilities. The Whitewater River Storm Channel is the main regional drainage facility for the City and drains into the Salton Sea. There is an existing City operated and maintained retention basin located approximately 663 feet to the north of the project site. This basin extends along the entire northern boundary of the Indio Municipal Golf Course from Jackson Street to Calhoun Street. Existing storm drain lines run along Jackson Street. Properties to the northwest and southeast are identified as self-retained developments.² Under existing conditions, storm water sheet flows from the west end of the project site towards the golf course. The Project proposes four underground infiltration systems within the parking areas.

Dry Utilities and Solid Waste Management. The Imperial Irrigation District (IID) provides electrical service and Southern California Gas Company (SoCalGas) provides natural gas service to the area. Electrical power requirements of the Project would be met by extending a new backbone circuit from the IID Shadow Hills substation to the project site. There is existing conduit that extends from the Shadow Hills substation to the western border of the single-family residential development on the north side of Avenue 42 across from Calhoun Street. Trenching for new electrical conduit and wire would occur on the north side of Avenue 42 behind the existing sidewalk from the single-family development to the western boundary of the project site. The off-site trenching would be approximately 1,250 feet from the western boundary of the single-family residential development to the eastern terminus of the project site. No connections to the existing overhead utility lines would occur and the two power poles on Jackson Street would be placed underground, which includes trenching to install conduit and electrical cabling across Jackson Street.

² City of Indio. (2019). *City of Indio Master Drainage Plan – Figure 1-6: City of Indio Master Drainage Plan Map - North*.

Trenching and construction activities associated with these off-site improvements are evaluated as a part of the overall Project. Natural gas service would be provided from existing underground utility lines.

Burrtec Waste and Recycling Services (Burrtec) currently provides solid waste collection and services to the City.

Construction Activities

Project construction is anticipated to take approximately eight months, commencing in January 2024. Construction would occur in the following sequence:

- Site clearing;
- Site preparation;
- Grading. Minimal grading would be required, most earthwork would involve on-site grading and installation of infrastructure within existing rights-of-way. All infrastructure (i.e., storm drain, water, wastewater, dry utilities, and street improvements) would be installed concurrent with grading;
- Building construction; and
- Paving, architectural coating, and landscaping.

Discretionary and Ministerial Approvals

The discretionary and ministerial actions and/or approvals need for the proposed Project include, but are not limited to, the following:

- **Adoption of the Initial Study/Mitigated Negative Declaration.** The Project requires CEQA compliance through the adoption of an IS/MND prior to approval of the Project. This IS/MND is intended to serve as the primary environmental document for all actions associated with the approval of the Greens – Indio Project. In addition, this is the primary reference document for the mitigation monitoring and reporting program for the Project.
- **General Plan Amendment.** General Plan amendment to change the land use designation on that portion of the site designated Parks and Open Space to Regional Commercial.
- **Change of Zone.** Approval of a change of zone to change the zoning on that portion of the site designated Parks and Open Space to Regional Commercial.
- **Design Review.** Review and approval of Project plans by the City of Indio Planning Commission.
- **Permits.** Grading, building, and sign permits.
- Any other permit or approval required by an agency with jurisdiction over the Project.

EVALUATION OF ENVIRONMENTAL IMPACTS

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	☐	Energy
☒	Geology /Soils	☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials
☐	Hydrology / Water Quality	☐	Land Use / Planning	☐	Mineral Resources
☐	Noise	☐	Population / Housing	☐	Public Services
☐	Recreation	☐	Transportation/Traffic	☒	Tribal Cultural Resources
☐	Utilities / Service Systems	☐	Wildfire	☐	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 described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Kendra Reif, Principal Planner
City of Indio

September 27, 2023
Date:

Environmental Checklist and Discussion:

The following checklist evaluates the proposed Project's potential adverse impacts. For those environmental topics for which a potential adverse impact may exist, a discussion of the existing site environment related to the topic is presented followed by an analysis of the Project's potential adverse impacts. When the Project does not have any potential for adverse impacts for an environmental topic, the reasons why there are no potential adverse impacts are described.

1. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning or 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. **No Impact.** The City of Indio General Plan Environmental Impact Report (General Plan EIR) defines scenic vistas as views of scenic resources from public locations. Scenic viewpoints are typically regarded as singular vantage points that offer an unobstructed view of expansive visible landscape components. The project site is situated in the northern portion of the City with views of the Little San Bernardino Mountains which are located approximately 7.8 miles to the north, the San Jacinto Mountains located approximately 20 miles to the northwest, the Indio Hills located approximately 5.5 miles to the northeast, and the Santa Rosa Mountains located approximately 17 miles to the southwest³. No vantage points are provided from or through the project site due to the flat topography on site. Per the Indio Unified Development Code (IUDC [zoning regulations]) Section 2.04.03 – Development Regulations for the RC zone, structures on the site would not exceed 3 stories or 65 feet. The proposed Project would allow for the construction and operation of three single-story fast-food restaurants with drive-thrus and one single-story restaurant. The Project would not exceed the height requirements set forth in the IUDC. The Project would not obstruct, interrupt, or diminish a scenic vista. No impact would occur and no mitigation is required.
- b. **No Impact.** There are no officially designated State scenic highways within the City or proximate to the project site. The nearest designated State scenic highway is Highway 74 located approximately 10.25 miles to the southwest of the project site and the nearest eligible State scenic highway is Highway 111 located approximately 10.5 miles to the southwest. Therefore since the project site is not within the vicinity of any designated or eligible State scenic highways, the Project would not substantially damage scenic resources including trees, scenic rock outcroppings or historic buildings within a State scenic highway. No impact would occur and no mitigation is required.

³ NearMaps. (May 2023). *Aerial Imagery Data*. Retrieved from: <https://www.nearmap.com/us/en>. Accessed June 20, 2023.

- c. **Less Than Significant Impact.** The project site is located in an urbanized area in the northeastern portion of the City. The City has various adopted General Plan and zoning designations containing visual policies which govern scenic quality. General Plan policies which reduce impacts to public views and scenic quality include Policy LU-4.7, Policy CE-4.2, Policy CE-7.1, and Policy CE-7.8, see **Table 14: General Plan Consistency Analysis** for further discussion. Additionally, IUDC Section 2.04.03 Development Regulations regulates public views of development within non-residential zones and contains the City's non-residential development standards. The project site is currently designated both RC and OS and proposes to change the land use and zoning designation of the entire site to the RC zone. The Project would not conflict with the applicable requirements in the General Plan or IUDC Section 2.04.03 for the RC land use, both of which govern scenic quality. Compliance with development standards would be ensured through the City's review during application process and future review of building permits. Impacts would be less than significant and no mitigation is required.
- d. **Less Than Significant Impact.** Sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials can cause reflected light (glare). Buildings constructed of highly reflective materials from which the sun reflects at a low angle commonly cause adverse glare. The Project would not use materials known to cause glare. The project site is within an urban environment with commercial uses which contain existing light sources such as street lighting, traffic lighting, and other sources including nighttime illumination of the neighboring Indio Municipal Golf Course in the evenings⁴.

The proposed Project would introduce similar sources of light; however, the surrounding area contains multiple sources of illumination. The proposed Project would generate lighting from two primary sources: lighting from the building interiors that would pass through windows, and lighting from exterior sources (e.g., outdoor patio, signage, street lighting, parking area lighting, building illumination, security lighting, and wayfinding lighting). The western portion of the City is located in Riverside County's Mount Palomar Nighttime Lighting Policy Area (MPNLPA) and per the General Plan, development within the City is subject to MPNLPA regulations. Nighttime lighting in the area has the potential to affect the Mount Palomar Observatory. However, the project site is located approximately 0.9 mile to the east of the MPNLPA boundary. Therefore, the MPNLPA policies would not be applicable to the Project.

The Project would also be required to comply with General Plan Policy CE-7.8 and Policy LU-3.5 which would ensure that new light sources associated with the Project are shielded and directed away from open viewing space areas and do not adversely affect day or nighttime views. Additionally, IUDC Section 3.02.11 sets regulations for outdoor lighting on all properties in the City to minimize light pollution, including "dark-sky compliance".⁵ Regulations include height restrictions and shielding requirements to minimize undesirable light into the night sky, and to protect the natural environment from the adverse effects of night lighting from gas or electric sources.

The proposed Project would include digital signs including the menu order boards, wall signage, directional signage (for drive-thru), and monument signage which would produce additional lighting sources. All signage would be reviewed by the City Planning Department and Department of Building and Safety and would be subject to the lighting standards and regulations in IUDC Section 3.02.11. The proposed signage associated with the Project would be consistent with typical signage used in commercial retail developments. Therefore, the proposed Project would create a new source of light

⁴ City of Indio. *The Lights at Indio Golf Course*. Retrieved from: <https://www.indiogolf.com/>. Accessed June 20, 2023.

⁵ IUDC Section 3.02.11.D: Dark-Sky Compliance. In accordance with the International Dark-Sky Association recommendations, the color temperature of outdoor lighting shall not exceed 3,000 Kelvins.

or glare, but would not adversely affect day or nighttime views in the area. Impacts would be less than significant and no mitigation is required.

Mitigation Measures: None required.

2. AGRICULTURE AND FORESTRY RESOURCES –Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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, timberland, or timberland zoned Timberland Production?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Sources:

- State of California Department of Conservation. *California Important Farmland Finder*. Available at <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed June, 2023.
 - State of California Department of Conservation. *Important Farmland Categories*. Available at <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>. Accessed August 11, 2023.
 - State of California Department of Conservation. *California Williamson Act Enrollment Finder Map*. Available at <https://maps.conservation.ca.gov/agriculture/>. Accessed August 11, 2023.
- a. **No Impact.** The project site and surrounding area are generally developed with commercial uses located to the north, south, and west; a golf course is located east of the project site. There are no agricultural or forestry resources located on or in close proximity to the project site. The State of California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) Maps have designated the project site as Urban and Built-Up Land. Urban and Built-Up Land is defined as land developed at a density of at least 1 dwelling unit (du) per 1.5 acres, or approximately 6 structures

to a 10-acre parcel.⁶ Land uses include but are not limited to residential, industrial, office/commercial, institutional, and public administration. There is no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance on the project site or in the vicinity of the site.⁷ No farmland would be converted. Therefore, no impact would occur and no mitigation is required.

- b. **No Impact.** A Williamson Act contract between local governments and private landowners restricts specified parcels of land to agricultural or related open space use in return for a lower property tax assessment. The project site is not under a Williamson Act contract.⁸ The existing and proposed zoning designation for the project site do not allow for agriculture uses. Therefore, the proposed Project would not conflict with agricultural zoning designation or a Williamson contract. Therefore, no impact would occur and no mitigation is required.
- c. - d. **No Impact.** The proposed Project would not conflict with existing zoning for forest land, timberland, or timberland production. There are no forest or timberland resources on the project site or in the surrounding area. The existing and proposed zoning designations for the project site do not permit forest land, timberland, or timberland production. Therefore, no impact would occur and no mitigation is required.
- e. **No Impact.** The project site and surrounding area do not include nor located in close proximity to agricultural uses or forest land. Therefore, the Project would not directly or indirectly result in the conversion of property from agricultural or timberland uses. Therefore, no impact would occur and no mitigation is required.

Mitigation Measures: None required.

⁶ State of California Department of Conservation. Important Farmland Categories. Available at <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>. Accessed August 11, 2023.

⁷ State of California Department of Conservation. California Important Farmland Finder. Available at <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed June, 2023.

⁸ State of California Department of Conservation. California Williamson Act Enrollment Finder Map. Available at <https://maps.conservation.ca.gov/agriculture/>. Accessed August 11, 2023

3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

Source: Air Quality Assessment (Kimley-Horn, 2023). The report is included in this Initial Study as **Appendix A: Air Quality Assessment** and summarized below.⁹

- a) **Less Than Significant Impact.** The project site is within the South Coast Air Basin (Air Basin) which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The Air Basin is approximately 6,600 square miles extending from the Pacific Ocean to the San Gabriel, San Bernardino, and San Jacinto Mountains. The Air Basin is a coastal plain with broad valleys and low hills and a semi-arid climate. The South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB) monitor air quality within the Air Basin.

In this Air Basin, SCAQMD prepares its Air Quality Management Plan (AQMP) with input from the Southern California Association of Governments (SCAG) and CARB. The AQMPs establish a program of rules and regulations directed at reducing air pollutant emissions and achieving State (California) and national air quality standards. The AQMPs are a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the U.S. Environmental Protection Agency (U.S. EPA). The SCAQMD adopted the 2022 AQMP on December 2, 2022. The 2022 AQMP includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technologies, best management practices, co-benefits from existing programs, incentives, and other FCAA measures to achieve standards.

⁹ NOTE TO READER: The proposed Project consists of the construction of a ±13,620 sf multi-tenant commercial retail center on approximately ±6.12 net acres located at the northeast corner of the Jackson Street at Avenue 42 intersection. The technical studies for the proposed Project which require the use of CalEEMod environmental modeling (Appendix A: Air Quality Assessment, Appendix F: Greenhouse Gas Emissions Assessment, and Appendix D: Energy Data) were based upon a previous iteration of the project site plan which assumed a slightly smaller building area (±13,288 sf). The updated site plan shows an additional 332 sf to Building 3 (Chick-Fil-A), which resulted in an increase of 17 daily trips; see Appendix I: Focused Traffic Study and Traffic Memorandum. The resulting increase in daily trips would be considered negligible from an air quality perspective as the original modelling results were not close to any SCAQMD emissions thresholds and the change in daily trips would not result in any additional impacts.

The SCAQMD's *CEQA Air Quality Handbook* identifies the following indicators of consistency with the AQMP:

- **Consistency Criterion No. 1:** A project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMPs.
- **Consistency Criterion No. 2:** A project will not exceed the assumptions in the AQMPs, or increments based on the years of the Project build-out phase.

According to the SCAQMD's *CEQA Air Quality Handbook*, the purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans, and thus if it would interfere with the region's ability to comply with the California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS).

Concerning Consistency Criterion No. 1, based on the air quality analysis conducted for the proposed Project, project-related construction and operational activities would not result in significant impacts based on the SCAQMD thresholds of significance. Therefore, Project construction and operations would not increase the frequency or severity of existing air quality violations. The proposed Project would not contribute to the exceedance of any air pollutant concentration standards, and thus, would be consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts for cities and counties. SCAG's growth forecasts are based on General Plans and included in SCAG's *Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS).

Approximately 2.82 acres of the project site is designated Regional Commercial (RC) and zoned RC while the remaining 3.3 acres is designated as Parks and Open Space (OS) and zoned as OS. The Project requires both a General Plan amendment and rezone to designate the entirety of the project site RC. Although land use changes are required, the Project would not result in substantial unplanned growth or unaccounted for growth in the General Plan or job growth projections used by the SCAQMD to develop the AQMPs. Therefore, the Project is also consistent with the second criterion.

The proposed Project would not result in a long-term impact on the regions ability to meet the standards for federal and State air quality. In addition, the proposed Project would be consistent with the AQMP goals and policies.

- b) **Less Than Significant Impact.** The Project's construction and operational emissions would not conflict with or obstruct implementation of the applicable air quality plan.

Construction Emissions

Project construction activities would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the project site area include ozone-precursor pollutants (i.e., reactive organic gases [ROG] and nitrogen oxides [NO_x]) and PM₁₀ and PM_{2.5}. Construction-generated emissions are short term and temporary, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne

particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

Project construction activities are estimated to last approximately eight months. Construction-generated emissions associated the Project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. See **Appendix A: Air Quality Assessment** for more information regarding the construction assumptions used in this analysis. Predicted maximum daily construction-generated emissions for the Project are summarized in **Table 6: Construction-Related Emissions**. Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the vicinity of the project site. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. SCAQMD Rules 402 and 403 (prohibition of nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Project and were applied in CalEEMod to minimize fugitive dust emissions.

Table 6: Construction-Related Emissions						
Construction Year	Pollutant (Maximum Pounds per Day)					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO₂)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
Unmitigated Emissions¹						
2024	3.56	36.43	32.74	<1	6.44	3.53
<i>SCAQMD Threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>55</i>	<i>150</i>
Exceed SCAQMD Threshold?	No	No	No	No	No	No
1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stock piles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied; see Appendix A: Air Quality Assessment .						
Source: Appendix A: Air Quality Assessment.						

As indicated in **Table 6**, Project construction emissions would not exceed any SCAQMD thresholds. Additionally, Municipal Code Chapter 155 establishes standards for dust control that must be provided prior to any excavation, grading, or building construction. The proposed Project would abide by these regulations which are intended to minimize impacts as a result of grading in order to protect and preserve the public health, safety, general welfare, aesthetic value, and natural resources of the City. Therefore, the Project's construction-related impacts would be less than significant for all criteria pollutants. The proposed Project would not conflict with or obstruct implementation of the applicable air quality plan and no mitigation is required.

Operational Emissions

Project generated operational emissions would be associated area sources, energy sources, mobile sources, and off-road equipment. The operational emissions sources are described below. Area source emissions would be generated due to on-site equipment, architectural coating, and landscaping that were previously not present on the site. Energy source emissions would be generated due to electricity and natural gas usage associated with the Project. Primary uses of electricity and natural gas by the Project would be for space heating and cooling, water heating, ventilation, lighting,

appliances, electronics, and cooking. Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Long-term operational emissions attributable to the Project are summarized in **Table 7: Operational Emissions**.

Table 7: Operational Emissions						
Source	Pollutant (Maximum Pounds per Day)¹					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO₂)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
Area Source Emissions	0.44	<0.1	0.59	<0.1	<0.1	<0.1
Energy Emissions	0.02	0.39	0.32	<0.1	<0.1	<0.1
Mobile Emissions	33.2	32.0	317	0.69	21.6	4.18
Mobile (On-Site Drive-Thru) ²	<0.1	<0.1	<0.1	2.73	<0.1	<0.1
Total Project Emissions	33.6	32.4	318	3.42	21.6	4.21
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Exceeds Threshold?	No	No	No	No	No	No
¹ Totals may not add up due to rounding. ² On-site drive-thru idling emissions were calculated with emissions factors from EMFAC2021. Source: Appendix A: Air Quality Assessment.						

As indicated in **Table 7**, the Project's operational emissions would not exceed any SCAQMD thresholds. Therefore, the Project's operational-related impacts would be less than significant for all criteria pollutants.

- c) **Less Than Significant Impact.** A significant impact could occur if a project would generate pollutant concentrations to a degree that would significantly affect sensitive receptors, which include populations that are more susceptible to the effects of air pollution than the population at large.

Localized Construction Analysis

The nearest sensitive receptors are the single-family residences located approximately 150 feet (46 meters) southeast and 190 feet northwest of the project site.¹⁰ To identify impacts to sensitive receptors, the SCAQMD recommends addressing Localized Significance Thresholds (LSTs) for construction. The SCAQMD provided the *Final Localized Significance Threshold Methodology* in June of 2003 which assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment; see Table 10: Equipment-Specific Grading Rates in **Appendix A**. The appropriate SRA for the localized significance thresholds is the Coachella Valley Monitoring Area (SRA 30) since this area includes the Project. LSTs apply to CO, NO₂, PM₁₀, and PM_{2.5}. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5 acres in size. Project construction is anticipated to disturb a maximum of 3.5 acres in a single day. As the LST guidance provides thresholds for projects disturbing 1-, 2-, and 5-acres in size and the thresholds increase with size of the site, the LSTs for a 3.5-acre threshold were used for this analysis.

¹⁰ Sensitive receptors for air quality are measured from the project site boundary to the nearest sensitive receptor property line.

The SCAQMD’s methodology states that “off-site mobile emissions from the project should not be included in the emissions compared to LSTs.” Therefore, only emissions included in the CalEEMod “on-site” emissions outputs were considered. The nearest sensitive receptors are single-family residences located approximately 75 feet (23 meters) northeast of construction. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs for 25 meters were interpolated and utilized in this analysis. As identified in **Table 8: Localized Significance of Construction Emissions**, localized Project construction emissions would not exceed SCAQMD thresholds. Impacts would be less than significant and no mitigation is required.

Table 8: Localized Significance of Construction Emissions				
Construction Activity	Pollutant (Maximum Pounds per Day)¹			
	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
Demolition (2024)	15.60	16.00	0.86	0.81
Site Preparation (2024)	12.70	11.40	0.56	0.52
Grading (2024)	30.70	29.20	1.76	1.64
Trenching (2024)	1.35	1.49	<0.01	<0.01
Paving (2024)	6.44	8.26	0.31	0.29
Building Construction (2024)	11.20	11.90	0.49	0.42
Architectural Coating (2024)	0.91	1.15	0.03	0.03
Maximum emissions	30.70	29.20	1.76	1.64
<i>SCAQMD Localized Screening Threshold (adjusted for 3.5 acres at 25 meters)</i>	<i>149</i>	<i>984</i>	<i>10</i>	<i>6</i>
Exceed SCAQMD Threshold?	No	No	No	No
¹ This table represents the worst-case scenario and are based on peak earthwork volumes anticipated. ² Totals may not add up due to rounding. Source: CalEEMod version 2022.1. Refer to Appendix A: Air Quality Assessment for model outputs.				

Localized Operational Significance Analysis

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). The proposed Project consists of restaurant and fast-food uses; therefore, the operational phase LST protocol is conservatively applied to both on-site stationary sources and 10 percent of the total mobile source emissions. As the nearest receptor is located approximately 150 feet (46 meters) from the project site, LSTs for 46 meters for SRA 30 were interpolated and utilized in this analysis. Although the project site is 6.3 acres, the 5-acre LST threshold was conservatively assumed for the Project.

As identified in **Table 9: Localized Significance of Operational Emissions**, daily emissions of these pollutants during operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during operational activities.

Table 9: Localized Significance of Operational Emissions				
Activity	Pollutant (Maximum Pounds per Day)			
	Nitrogen Oxide (NO _x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})
On-Site and Mobile Source Emissions ¹	3.2	31.7	2.2	0.42
SCAQMD Localized Screening Threshold (5 acres at 46 meters) ²	183	1601	6	2
Exceed SCAQMD Threshold?	No	No	No	No
1. Conservatively assumes 10 percent of mobile emissions are on-site. 2. SRA Zone 30 – Coachella Valley; 5-acre area, 46 meters to receptor. Source: CalEEMod version 2022.1. Refer to Appendix A: Air Quality Modeling Data for model outputs.				

Criteria Pollutant Health Impacts

Projects that do not exceed the SCAQMD’s LSTs and mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts. As previously discussed, the proposed Project emissions would be less than significant and would not exceed SCAQMD thresholds (refer to **Table 6** and **Table 7**). Localized effects of on-site Project emissions on nearby receptors were also found to be less than significant (refer to **Table 8** and **Table 9**). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable State or national ambient air quality standard. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations.

Carbon Monoxide Hotspots

An analysis of CO “hot spots” is needed to determine whether the change in the level of service of an intersection resulting from the Project would have the potential to result in exceedances of the CAAQS or NAAQS. Vehicle emissions cause CO exceedances, primarily when vehicles are idling at intersections. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars. With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined. The Air Basin was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD’s AQMP.

Further, the proposed Project would not produce the volume of traffic required to generate a CO hotspot. Therefore, CO hotspots are not an environmental impact of concern for the proposed Project. Localized air quality impacts related to mobile-source emissions would therefore be less than significant. As a result, no significant impacts would occur and no mitigation is required.

- d) **Less Than Significant Impact.** The SCAQMD *CEQA Air Quality Handbook* identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The proposed Project is a commercial development and does not propose to include any objectionable odor inducing uses on site.

During construction-related activities, the public may detect odors typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). These odors are a temporary short-

term impact that is typical of construction projects and would disperse rapidly. Furthermore, odors that could be generated by construction activities are required to follow SCAQMD Rule 402 (Nuisance) to prevent odor nuisances on sensitive land uses. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, the Project would not create objectionable odors.

Mitigation Measures: None required.

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

Sources: Rocks Biological Consulting prepared a Biological and Aquatic Resources Constraints Assessment for the proposed Project. The report is included in this Initial Study as **Appendix B: Biological and Aquatic Resources Constraints Analysis** and summarized below.

- a) **Less Than Significant With Mitigation.** The Biological and Aquatic Constraints Assessment consists of a field survey which includes vegetation mapping of the project site and off-site improvements area plus a 100-foot buffer, a general biological survey, habitat assessments for special-status species, and

a constraints-level aquatic resource assessment. Field surveys were conducted on January 6, 2023 and August 18, 2023.

The project site is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) Plan area. The CVMSHCP is a comprehensive regional plan that balances growth in the Coachella Valley with the requirements of federal and State endangered species laws.¹¹ While the project site is located within CVMSHCP Plan area, it is not located within a designated Conservation area nor does it contain a Core Habitat, Other Conserved Habitat, Essential Ecological Process, or Biological Corridor or Linkages. Development would be subject to the CVMSHCP Local Development Mitigation Fee because the project site occurs within the Plan Area and the City of Indio is a participating agency.

Sensitive Natural Communities

With the exception of the golf course surface parking lot, the project site is undeveloped and contains highly compacted disturbed habitat. Vegetation is limited to non-native species (ornamental landscaping) such as Bermuda grass (*Cynodon dactylon*), fountain grass (*Pennisetum setaceum*), Mexican fan palm (*Washingtonia robusta*), and Mexican palo verde (*Parkinsonia aculeata*). Non-native herbaceous species include puncture vine (*Tribulus terrestris*), Mediterranean grass (*Schismus* sp.), and nettle leaf goosefoot (*Chenopodium murale*).

With respect to the off-site infrastructure improvement area to the east of the project site, this area includes non-native and native habitats. The majority of the off-site area has been disturbed by prior grading unrelated to the proposed Project. The off-site area does support bush seepweed scrub (*Suaeda nigra*), disturbed allscale scrub (*Atriplex polycarpa*), and honey mesquite thickets (*Prosopis glandulosa*). There is approximately 0.06 acre of bush seepweed/allscale and mesquite thickets in the off-site area where trenching would occur associated with utility improvements. Vegetation communities with a State ranking of S1-S3 are considered sensitive natural communities by California Department of Fish and Wildlife (CDFW) covered under CEQA. Bush seepweed scrub and mesquite thickets are recognized by the CDFW as a sensitive natural communities. Allscale scrub is not recognized by the CDFW as a sensitive natural community.

The Project would be required to pay CVMSHCP Section 5.2.1.1, Local Development Mitigation Fees to mitigate impacts to the sensitive natural communities from construction of the off-site improvements. However, since construction of the off-site improvements would not be considered a Covered Activity located outside of and not directly adjacent to designated Conservation Areas, no additional regulatory measures are required for compliance with the CVMSHCP. However, the proposed Project would still have the potential to result in impacts to the sensitive natural communities during construction. Mitigation Measure (MM) BIO-1 requires the fencing of the area during construction to prevent potential impacts to bush seepweed scrub and mesquite thickets within the off-site improvement footprint area.

Wildlife Species

No federally or state-listed threatened or endangered wildlife species were observed during the field surveys and none have a moderate or high potential for occurrence. The western yellow bat (*Lasius xanthinus*), a CDFW Species of Special Concern and a Covered Species under the CVMSHCP, has a moderate potential for occurrence on the project site. On-site Mexican fan palms are suitable for roosting, and western yellow bats often forage in open, grassy areas with water features, such as those found at the adjacent golf course. Therefore, the proposed Project has the potential to result

¹¹ Coachella Valley Conservation Commission, *Coachella Valley Multiple Species Habitat Conservation Plan*. Available at: <https://cvmshcp.org/>, accessed June 13, 2023.

in impacts on the western yellow bat is if Mexican fan palms are removed or trimmed as a part of construction. If tree removal or trimming is necessary, MM BIO-2 requires pre-construction surveys for special-status bat species to be conducted by a qualified biologist prior to construction. Potential impacts to the western yellow bat habitat would be reduced to a less than significant level through implementation of MM BIO-2 and payment of CVMSHCP mitigations fees.

- b) **No Impact.** The biological assessment found no evidence of aquatic resources potentially jurisdictional by the U.S. Army Corps of Engineers (USACE) Regional Water Quality Control Board, or CDFW on the project site; see **Appendix B**. Additionally, there are no Section 10 navigable waters of the U.S., United States Geologic Service National Hydrography Dataset blue line streams, or U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory aquatic features on the project site or on the off-site infrastructure improvement area. There was no evidence of flows or drainage patterns (no soil moisture or saturation, no hydrophytic vegetation, and no ordinary water mark indicators or swale/drainage patterns) that were observed.

Bush seepweed scrub and Mexican palo verde were observed within the limits of disturbance at the western end of the off-site improvement area. Both bush seepweed and Mexican palo verde are wetland indicator plant species per the USACE' Arid West 2020 Regional Wetland Plant List. Although these plant species were observed, no wetland hydrology indicators were documented in association. Therefore, these areas are not expected to qualify as wetland waters of the U.S. or State or associated wetland habitat jurisdictional by CDFW. Therefore, no impact on riparian habitat would result from the proposed Project and no mitigation is required.

- c) **No Impact.** There are no federally protected wetlands on the project site or in its immediate vicinity.¹² The project site does not contain any water resources (e.g., marsh, vernal pools, coastal, etc.) nor would any of the proposed land uses potentially affect wetlands. The nearest body of water mapped by the USFWS National Wetlands Inventory is the Freshwater Pond habitat located at the Indio Municipal Golf Course, approximately 0.06 mile northeast of the project site. The USFWS National Wetlands Inventory classifies this habitat as Palustrine, Unconsolidated Bottom, Permanently Flooded, and Excavated (PUBHx). The proposed Project would not directly or indirectly impact the off-site Freshwater Pond habitat; see **Appendix B**. Therefore, no impact on wetlands would result from the proposed Project and no mitigation is required.

- d) **Less Than Significant With Mitigation.** A wildlife corridor is defined as a physical feature that links wildlife habitat, often consisting of native vegetation that joins two or more larger areas of similar wildlife habitat. Given the proximity to existing development, the project site would not be expected to be a part of or contain migratory wildlife corridors or native wildlife nursery sites. The biological assessment included a review of the CDFW Biogeographic Information and Observation System database. The project site is not located within an Essential Connectivity Area as mapped through the California Essential Habitat Connectivity Project. The project site is not located within a mapped wildlife corridor, and the nearest recognized corridor is approximately five miles northwest of the project site. Therefore, the proposed Project would not interfere with the movement of any native resident migratory fish or wildlife species.

While the project site is not a wildlife corridor, the Project would remove trees that have the potential to support nesting migratory birds that are protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). If habitat removal occurs during the breeding season (generally February 15 to August 31), the Project would be required to comply with MM BIO-2, which requires a

¹² U.S. Fish and Wildlife Service, *National Wetlands Inventory*. Available at: <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>, accessed June 9, 2023.

pre-construction nesting bird survey and construction scheduling to ensure compliance with the MBTA and the CFGC. Impacts would be mitigated to a less than significant level.

- e) **No Impact.** The Project would plant approximately 193 new trees along the perimeter and within the boundaries of the project site. Tree removal would occur either on private property or outside of a City parkway, median, or portion of a public street. Therefore, Municipal Code Section 98.09: Protection of City Trees and Municipal Code Section 98.05: Street Trees are not applicable to the proposed Project. No impact would occur and no mitigation is required.
- f) **Less Than Significant Impact.** As previously mentioned, the project site is located within the CVMSHCP Plan area. However, the site is not located within a designated Conservation area, nor does it contain a Core Habitat, Other Conserved Habitat, Essential Ecological Process, or Biological Corridor or Linkages. Two sensitive natural communities (bush seepweed scrub and mesquite thickets) occur within the off-site improvement footprint. Construction of the off-site improvements would occur within the boundaries of both sensitive natural communities and disturb the area. The Project would be required to pay CVMSHCP Section 5.2.1.1, Local Development Mitigation Fees associated with potential impacts to these sensitive natural communities. As a Covered Activity located outside of and not directly adjacent to designated Conservation Areas, no additional regulatory measures are required for compliance with the CVMSHCP. MM BIO-1 would be implemented to mitigate potential impacts to the sensitive natural communities from construction of the off-site improvements. With payment of the Local Development Mitigation Fees and incorporation of MM BIO-1, the proposed 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. Impacts would be less than significant with mitigation incorporated.

Mitigation Measures

- MM BIO-1 Sensitive Natural Communities.** Prior to the initiation of any ground disturbing activities, a qualified biologist shall survey the off-site improvement area to determine the presence of any sensitive natural communities. If any sensitive natural communities are identified within the off-site improvement area, the qualified biologist shall demarcate the limits of avoidance with construction fencing such that no work activity occurs within the fenced area containing the sensitive natural communities. This fencing shall remain in-place until all construction within the off-site improvement area is complete.
- MM BIO-2 Pre Construction Survey.** Construction activities including removal or trimming of palm trees shall be avoided to limit potential impacts to roosting/foraging habitat for special-status bat species. If construction work including palm tree removal or trimming is required, then pre-construction surveys for special-status bat species shall be conducted by a qualified biologist no less than 7 days and no more than 14 days prior to any palm tree removal or construction activities. Surveys shall be done during appropriate times of the day (e.g., dawn or dusk) to maximize detectability to determine if special-status bat species are roosting near the work area. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection of suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (e.g., Anabat, etc.). The type of survey will depend on the condition of the potential roosting habitat. If no bats are found, then no further study is required. If bat species are found to be roosting within 100 feet of the project impact area, a 100-foot buffer zone will be established around the active roost. Construction activities shall not occur within the 100-foot buffer zone. Construction-related lighting shall not occur within the 100-foot buffer zone. Combustion equipment,

such as generators, pumps, and vehicles are not to be parked nor operated within the 100-foot buffer zone. Construction personnel shall not enter the 100-foot buffer zone. If the active roost is in a tree identified for removal, the tree removal shall be delayed until a qualified biologist determined the roost to no longer be active.

MM BIO-3 **Nesting Migratory Birds.** During construction, grubbing, brushing, or tree removal shall be conducted outside of the State-identified nesting season for migratory birds (i.e., typically February 1 through August 31), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-construction Nesting Bird Survey within and adjacent to the Project shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

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

Sources: The findings of the Cultural Resources Assessment are included as **Appendix C: Cultural Resources Assessment** to this Initial Study.

- a) **No Impact.** State CEQA Guidelines Section 15064.5, defines “historic resources” as resources listed in the California Register of Historical Resources, or determined to be eligible by the California Historical Resources Commission for listing in the California Register of Historic Resources (CRHR).¹³ CEQA allows local historic resource guidelines to serve as the California Register of Historical Resources criteria if enacted by local legislation to act as the equivalent of the State criteria. The project site is currently undeveloped, with the exception of an existing surface parking lot associated with the Indio Municipal Golf Course. Review of historical aerial maps depict that the project site was used for agriculture production in 1953 until the late 1970s, at which point in time a parking lot was developed in the southeastern portion of the site. The rest of the proposed development area has remained vacant, although images shows visible signs of surface soil modification, likely associated with previous grading activities.

On January 18, 2023, a records search request was submitted to the Eastern Information Center (EIC) at the University of California, Riverside and the results are pending. The record search did not identify any historic resources on the project site (pending confirmation). Additionally, the site does not contain any buildings or structures with the exception of the golf course surface parking lot. Therefore, the proposed Project would not cause a change in the significance of a historical resource. No impact would occur and no mitigation is required.

- b) **Less Than Significant Impact with Mitigation.** A records search request was submitted on January 18, 2023, to the EIC regarding the project site (results are pending). The cultural resources report noted that the project area is located entirely within the former footprint of Lake Cahuilla. As discussed above, the project site has remained vacant since the late 1970s except for the parking lot in the southeast corner.

The cultural resources report concluded that due to existing development in the southeastern portion of the project site and soil modifications that have occurred across the remainder of the site, the likelihood of observing surficial archaeological resources is low. Additionally, given the project area is located within the footprint of the historic Lake Cahuilla, the likelihood of buried archaeological resources being present is also low. Notwithstanding, Project construction would involve excavation

¹³ California Public Resources Code §5020.1(k), §5024.1(g).

and grading activities. Therefore, while low, there is the potential for the Project to result in a significant impact to a previously unidentified archaeological resource. Therefore, implementation of MM CUL-1 would be required. MM CUL-1 requires the retention of a qualified archaeologist and monitors, and outlines specific instructions if resources are found. If resources are found, the archaeologist would temporarily halt or redirect work to permit the sampling, identification, and evaluation of the artifacts and resources, as appropriate. If resources are significant, the archaeologist would determine appropriate actions, in cooperation with the City and Project applicant. Implementation of MM CUL-1 would reduce any potential impacts to historic archaeological resources to a less than significant level. Impacts are considered less than significant with mitigation.

- c) **Less Than Significant Impact.** No dedicated cemeteries are on or near the project site. The disturbance of most Native American human remains is typically in association with prehistoric archaeological sites. As discussed previously, the project site low likelihood of containing cultural and archeological artifacts. Given the extent of on-site disturbances from previous human activities, there is low potential for the Project’s ground-disturbing activities to encounter human remains. Notwithstanding, if previously unknown human remains are discovered during the Project’s ground-disturbing activities, a substantial adverse change in the significance of such a resource could occur.

If human remains are found, those remains would require proper treatment in accordance with applicable laws, including State of California Health and Safety Code Sections 7050.5-7055 and PRC Section 5097.98 and Section 5097.99. Health and Safety Code Sections 7050.5-7055 describe the general provisions for the treatment of human remains. Specifically, Health and Safety Code Section 7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during the excavation of a site. HSC Section 7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately. As required by State law, the proposed Project would implement the procedures set forth in PRC Section 5087.98, including evaluation by the County Coroner and notification of the NAHC. The NAHC would designate the “Most Likely Descendent” of the unearthed human remains. If excavation results in the discovery of human remains, the proposed Project would halt excavation near the find, and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for treatment and disposition of the remains. Following compliance with the established regulatory framework (i.e., HSC §§7050.5-7055 and PRC §5097.98 and §5097.99), the Project’s potential impacts concerning human remains would be less than significant and no mitigation is required.

Mitigation Measures

- MM CUL-1** Prior to issuance of any permit for ground-disturbing activities, the project applicant shall provide evidence to the City of Indio Community Development Department that a qualified professional archaeologist meeting Secretary of the Interior standards and an Agua Caliente Native American Cultural Resource monitor have been retained to supervise archaeological monitors during grading and excavation activities. The selection of the qualified professional(s) shall be subject to the City’s acceptance. In the event that cultural resources (archaeological or historical) are inadvertently unearthed during excavation and grading activities, the archaeologist shall request the contractor to immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The archaeologist and tribal monitor shall evaluate the significance of the finding and prescribe an appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to State CEQA Guidelines

Section 15064.5 shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

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

Sources: Kimley-Horn has conducted an energy analysis for the proposed Project. The report is included in this Initial Study as **Appendix D: Energy Data** and summarized below.¹⁴

a) **Less Than Significant Impact.**

Electricity: Imperial Irrigation District provides electricity to the project area. Power requirements of the Project would be met by extending a new backbone circuit from the IID Shadow Hills substation to the project site. The Project's annual energy demand is projected to be 1,015,829 kWh.¹⁵ The majority of the project site is currently undeveloped, with the exception of an existing surface parking lot associated with the Indio Municipal Golf Course. Project implementation would introduce new commercial retail uses on the project site, and therefore would result in a permanent increase in electrical demand over existing conditions. Imperial Irrigation District would be able to serve the increased demand with the existing SoCalGas facilities. The County of Riverside's annual energy usage is 16,767,235,877 kWh. The proposed Project represents an insignificant percent increase (0.0061 percent) compared to the overall demand in Riverside County. The Project's increase in electricity demand would represent an insignificant percent increase compared to overall demand in Anaheim Public Utilities' service area. Therefore, projected electrical demand would not significantly affect its level of service.

In addition, the Project design and materials would be subject to compliance with the most current Building Energy Efficiency Standards. Prior to building permit issuance, the City of Indio Building and Safety Division would review and verify that the Project plans comply with the current version of the Building and Energy Efficiency Standards. The Project would also be required to adhere to CALGreen provisions, which establish planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.

¹⁴ NOTE TO READER: The proposed Project consists of the construction of a ±13,620 sf multi-tenant commercial retail center on approximately ±6.12 net acres located at the northeast corner of the Jackson Street at Avenue 42 intersection. The technical studies for the proposed Project which require the use of CalEEMod environmental modeling (Appendix A: Air Quality Assessment, Appendix F: Greenhouse Gas Emissions Assessment, and Appendix D: Energy Data) were based upon a previous iteration of the project site plan which assumed a slightly smaller building area (±13,288 sf). The updated site plan shows an additional 332 sf to Building 3 (Chick-Fil-A), which resulted in an increase of 17 daily trips; see Appendix I: Focused Traffic Study and Traffic Memorandum. The resulting increase in daily trips would be considered negligible from an energy perspective as the original modelling results were not close to the SCAQMD GHG emissions threshold and the change in daily trips would not result in any additional impacts.

¹⁵ Appendix 6-1: Energy Data

Project development would not interfere with the achievement of the 60 percent Renewable Portfolio Standard set forth in Senate Bill (SB) 100 for 2030 or the 100 percent standard for 2045. These goals apply to the Imperial Irrigation District and other electricity retailers. As electricity retailers reach these goals, emissions from end-user electricity use would decrease from current emission estimates.

Natural Gas. Southern California Gas Company (SoCalGas) provides natural gas service to the project area. The CalEEMod modeling outputs estimate that the Project's annual natural gas demand would total approximately 1,437,877 British thermal units (kBtu). SoCalGas would be able to serve the increased demand with the existing SoCalGas facilities. From 2018 to 2035, the California Gas and Electric Utilities anticipates that residential demand will decline from 236 billion cubic feet (bcf) to 186 bcf, while supplies remain constant at 3.775 bcf per day (bcfd) from 2015 through 2035. Therefore, the Project's natural gas demand would represent a nominal percentage of the overall demand in SoCalGas' service area. The proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Fuel. During construction, transportation energy use depends on the type and number of trips, vehicle miles traveled (VMT), fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. Most construction equipment during demolition and grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered equipment. Idling of in-use off-road heavy-duty diesel vehicles in California are limited to five consecutive minutes per Title 13, California Code of Regulations, Section 2449(d)(3). Project construction equipment would also be required to comply with the latest U.S. EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel use.

Construction activities would use energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). Based on the Project's equipment and construction-related vehicle usage and emissions modeled in CalEEMod, the Project would use approximately 31,220 gallons of fuel (gasoline and diesel) during the entire construction period. In 2023, Riverside County is expected to use approximately 972,141,622 gallons of gasoline and diesel. The Project's construction demand represents approximately 0.0032 percent of the annual fuel consumption in the County. Therefore, the fuel demand from the proposed Project would represent a nominal percentage of overall consumption in the region (i.e., less than a fraction of one percent). Contractors would be required to monitor air quality emissions of construction activities using applicable regulatory guidance such from SCAQMD CEQA Guidelines. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced from the monitoring and the efficient use of equipment and materials, energy use is reduced. There are no aspects of the proposed Project that would foreseeably result in the inefficient, wasteful, or unnecessary use of energy during construction activities.

Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary use of energy during construction. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive and that there is a significant cost-savings potential in green building practices. The use of battery-powered tools and equipment that do not rely on gas to operate are also becoming more

common.¹⁶ Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure; impacts would not be significant.

During operations, energy consumption would be associated with visitor vehicle trips, and occasional trash/recycling collection and other delivery trucks/vehicles (e.g., FedEx, United Parcel Service [UPS], U.S. Postal Service [USPS]). The gasoline and diesel fuel associated with on-road vehicular trips is calculated based on total VMT calculated for the analysis. The total gasoline and diesel fuel associated with on-road trips would be approximately 614,427 gallons per year and 102,559 gallons per year, respectively. Riverside County annual gasoline fuel use in 2023 is expected to be 715,317,878 gallons and diesel fuel use is 256,823,744 gallons.¹⁷ Expected Project operational use of gasoline would represent approximately 0.09 percent of current gasoline use and 0.04 percent of current diesel use in the County. None of the projected energy uses exceed one percent of their corresponding County use. As such, proposed Project operations would not substantially affect existing energy or fuel supplies or resources. The proposed Project would comply with applicable energy standards and new capacity would not be required. Fuel consumption associated with vehicle trips generated by the proposed Project would not be considered inefficient, wasteful, or unnecessary.

In summary and as discussed above, the proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of energy or fuel resources during Project construction or operation. Impacts are less than significant and no mitigation is required.

- b) **Less Than Significant Impact.** The proposed Project would meet all applicable energy conservation standards. The Indio City Council adopted the Indio Climate Action Plan (CAP) in September 2019. The City of Indio CAP is a tool used to identify the sources of emissions in the community, including emissions from energy. The City of Indio CAP also establishes citywide GHG reduction targets for 2030 and 2040 which represent the City's contribution to the State's effort to reduce GHG emissions. As shown in Error! Reference source not found. in the Greenhouse Gas Emissions analysis, the Project would be consistent with the City of Indio CAP.

Additionally, the City of Indio General Plan Conservation Element contains energy goals and policies applicable to the proposed Project, including Conservation Element Goal CE-3, Policies 3.1 through 3.14 (encouraging energy-efficient buildings and vehicles that use energy from renewable sources). Project design and operation would comply with the most current State Building Energy Efficiency Standards (Title 24), appliance efficiency regulations, and green building standards. Compliance with the current Title 24 standards and CALGreen standards would ensure the proposed Project incorporates solar-ready infrastructure, energy efficient windows, insulation, lighting, ventilation systems, water efficient fixtures, and other energy-efficient features. Further, the 2022 CALGreen standards requires the recycling and/or salvaging of a minimum of 65 percent of nonhazardous construction and demolition waste. Adherence to the California Public Utilities Commission's energy requirements, as well as the most current Title 24 and CALGreen standards would ensure conformance with the City of Indio General Plan Conservation Element goals and policies, as well as the State's goal of promoting energy efficiency and renewable energy. Therefore, the proposed Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Impacts are less than significant, and no mitigation is required.

Mitigation Measures: None required.

¹⁶ Jobsite, *Construction's Electric Future*, June 11, 2018, available at <https://jobsite.procore.com/construction-s-electric-future>, accessed June 16, 2023.

¹⁷ California Air Resources Board, EMFAC 2017.

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

Sources: Salem Engineering Group, Inc. conducted a Geotechnical Engineering Investigation for the proposed Project. The report is included in this Initial Study as **Appendix E: Geotechnical Engineering Investigation** and is summarized below.

- ai) **No Impact.** According to the most recent Alquist-Priolo Fault Zone and Seismic Hazard Zone Map, there are no known earthquake faults located near or known to traverse the project site. Therefore, the proposed Project would not directly, or indirectly, cause potential substantial adverse effects involving rupture of a known earthquake fault. No impacts would occur, and no mitigation is required.
- aii) **Less Than Significant Impact with Mitigation.** The City is located in a region of historic seismic activity. The nearest fault zone to the project site is the South Branch San Andreas Fault which is located approximately 0.9-mile to the east. The Geotechnical Engineering Investigation analyzed various geologic and seismic hazards based on site-specific parameters, including strong seismic ground shaking, shrinkage, and subsidence; see **Appendix E**. Section 9.2 of the Geotechnical Engineering Investigation makes recommendations concerning seismic design parameters that are in accordance with the provisions of the California Building Code (CBC). Further, the Project would be subject to compliance with MM GEO-1, which requires the City to review all Project plans, grading, foundation, structural, infrastructure, and all other relevant construction permits relative to the Geotechnical Engineering Investigation and Code requirements. Compliance with MM GEO-1 would reduce potential impacts related to strong seismic ground shaking to a less than significant level.

Following compliance with standard engineering practices, the established regulatory framework (i.e., Municipal Code and CBC), the Geotechnical Engineering Investigation recommendations, and implementation of MM GEO-1, the Project's potential impacts concerning exposure of people or structures to potential adverse effects involving strong seismic ground shaking would be less than significant.

- aiii) **Less Than Significant Impact with Mitigation.** Liquefaction is a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburdened pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. Liquefaction typically occurs below water tables, however after liquefaction occurs, the liquefied soil/water matrix can propagate upward into overlying non-saturated soil as excess pore water dissipates. The project site is not located within an area susceptible to liquefaction. Soils underlying the project site consist of loose to dense silty sand to hard sandy silty with various amounts of clay. Additionally, historic groundwater are estimated at 35 feet below ground surface; therefore, seismic-induced ("dry sand") settlements are estimated to be minimal.

The Indio Community Development Department's Building and Safety Division would review construction plans to verify compliance with standard engineering practices, the Municipal Code and CBC, and the Geotechnical Engineering Investigation recommendations. Following compliance with standard engineering practices, the established regulatory framework (i.e., Municipal Code and CBC), the Geotechnical Engineering Investigation recommendations, and MM GEO-1, the Project's impacts involving substantial adverse effects, including the risks of loss, or death involving seismic-related ground failure, including liquefaction would be less than significant.

- aiv) **No Impact.** Landslides can occur if ground shaking and/or heavy rainfall disturb areas of steep slopes consisting of unstable soils. The project site is relatively flat and is not located within an Earthquake-Induced Landslide Zone. Further, the Geotechnical Engineering Investigation noted that there was no evidence of ancient landslides or slope instabilities at the project site. Therefore, the potential for landslides is negligible. Therefore, no impacts related to landslides would occur and no mitigation is required.
- b) **Less Than Significant Impact.** The project site is underlain by alluvial fan deposits of sand, silt, and cobbles derived from erosion of Mesozoic granitic and metamorphic rocks of the San Jacinto Mountains. During boring tests, the alluvium was found to consist of loose to very dense silty sand

and stiff to hard sandy silt with various amounts of clay. No significant fill soils were found during the Geotechnical Engineering Investigation but fill soils may be present between test locations. Given the site's topography, geology, and historic uses, the potential for loss of topsoil is low. During construction, the proposed Project would be required to comply with erosion and siltation control measures outlined in Municipal Code Chapter 155: Soil Erosion and Municipal Code Chapter 162: Grading. Municipal Code Chapter 155 establishes standards for dust control that must be provided prior to any excavation, grading, or building construction. These regulations are intended to minimize impacts as a result of grading in order to protect and preserve the public health, safety, general welfare, aesthetic value, and natural resources of the City. Municipal Code Chapter 162 requires that an erosion control plan/system be prepared before any grading work which may affect downstream properties is conducted in accordance with good engineering practice, thereby reducing to a minimum the hazards and damage to public and private property.

Additionally, the proposed Project would be subject to compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, and all subsequent amendments) (Construction General Permit); see Threshold 4.10a. The Construction General Permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control Best Management Practices (BMPs) that would meet or exceed measures required by the Construction General Permit to control potential construction-related pollutants. Following compliance with the established regulatory framework (i.e., the Municipal Code and Construction General Permit), the Project's potential impacts concerning soil erosion and loss of topsoil would be less than significant and no mitigation is required.

- c) **Less Than Significant Impact With Mitigation.** The project site would not be subject to seismically induced liquefaction (see Threshold 4.7aiii above) with mitigation or landslides (see Threshold 4.7aiv). The Geotechnical Engineering Investigation also reported that the likelihood of lateral spreading would be low due to the site's flat topography. Subsidence occurs when the withdrawal of groundwater, oil, or natural gas vertically displaces a large portion of land. Soils that are particularly subject to subsidence include those with high silt or clay content. No large-scale extraction of groundwater, gas, oil, or geothermal energy is occurring, or planned, at the project site or in the general vicinity of the project site. Therefore, the likelihood of subsidence is considered low.

Sections 9.1 through 9.16 of the Geotechnical Engineering Investigation make preliminary recommendations concerning design parameters, foundations, slabs, and general earthwork and grading, among other factors. The Indio Building and Safety Division would review construction plans to verify compliance with standard engineering practices, the Municipal Code and CBC, and the Geotechnical Engineering Investigation recommendations, including those concerning subsidence. Further, the Project would be subject to compliance with MM GEO-1, which requires the City to review all Project plans, grading, foundation, structural, infrastructure, and all other relevant construction permits relative to the Geotechnical Engineering Investigation and Code requirements. Compliance with MM GEO-1 would reduce potential impacts related to subsidence to a less than significant level.

Following compliance with standard engineering practices, the established regulatory framework (i.e., Municipal Code and CBC), MM GEO-1, and the Geotechnical Engineering Investigation recommendations, the Project would not be located on a geologic unit or soil that would become unstable and potentially result in landslides, lateral spreading, subsidence, liquefaction or collapse.

- d) **Less Than Significant Impact.** The Geotechnical and Infiltration Evaluation did not evaluate expansion potential in the soil types found on the project site. However, the Indio General Plan EIR notes that soil types in the City are predominantly sand, sandy loam soils, which generally do not pose expansive soil risks.¹⁸ As previously discussed, Sections 9.1 through 9.16 of the Geotechnical Engineering Investigation Evaluation make preliminary recommendations concerning design parameters, foundations, slabs, and general earthwork and grading. The Indio Building and Safety Division would review construction plans to verify compliance with standard engineering practices, the Municipal Code and CBC, and the Geotechnical Engineering Investigation recommendations, including those concerning expansive soils. Following compliance with standard engineering practices and the established regulatory framework (i.e., Municipal Code and CBC) the Project would not create substantial direct or indirect risks to life or property concerning expansive soils. Therefore, impacts would be less than significant, and no mitigation is required.
- e) **No Impact.** There is existing sewer infrastructure in the project vicinity available to serve the proposed Project. The Project would connect to the existing sanitary sewer system for wastewater disposal and would not include the use of septic tanks. Therefore, no impact would occur, and no mitigation is required.
- f) **Less Than Significant Impact with Mitigation.** Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. The City is located in the Coachella Valley, a large northwest to southeast trending basin that is the result of the San Andreas Fault system in California.¹⁹ Sedimentary deposition has been slowly filling this basin since the Miocene Epoch (23.03 to 5.332 million years ago). The Coachella Valley is the northwest extension of the Salton Trough, a major geological feature in the region spanning from the Banning pass south to the Gulf of California in Mexico and contains deposits that may support paleontological resources.

According to the General Plan EIR, Figure 4.5-3: Sensitive Paleontological Resources Map²⁰ in the Indio General Plan EIR, the project site is in a location of high potential for paleontological sensitivity. Therefore, there is a possibility that Project construction activities may affect unidentified paleontological resources. Therefore, the implementation of MM GEO-2, which addresses the actions to be taken should paleontological resources be found, is required to reduce potential impacts on paleontological resources to a less than significant level. Implementation of MM GEO-2 would ensure that any unanticipated encounter of paleontological resources during ground disturbing activities would be reduced to a less than significant level.

Mitigation Measures

- MM GEO-1** Prior to the issuance of grading permits, the City shall review all Project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits to ensure compliance with the Geotechnical Engineering Investigation recommendations.
- MM GEO-2** Prior to the issuance of the first grading permit or permit for ground disturbance activities, the Applicant shall provide evidence to the City of Indio Community Development Department's Building and Safety Division that the Applicant has retained a qualified

¹⁸ City of Indio, 2019, *Final Environmental Impact Report for the City of Indio General Plan Update*, Page 4.6-6. Available at: <https://www.indio.org/home/showpublisheddocument/924/637874293008870000>, accessed June 16, 2023.

¹⁹ City of Indio, 2019, *Final Environmental Impact Report for the City of Indio General Plan Update*, Figure 4.5-3: Sensitive Paleontological Resources. Available at: <https://www.indio.org/home/showpublisheddocument/924/637874293008870000>, accessed June 16, 2023.

²⁰ City of Indio, 2019, *Final Environmental Impact Report for the City of Indio General Plan Update*, Figure 4.5-3: Sensitive Paleontological Resources. Page 4.5-18. Available at: <https://www.indio.org/home/showpublisheddocument/924/637874293008870000>, accessed June 16, 2023.

professional paleontologist. The selection of the qualified professional(s) shall be subject to City acceptance. In the event that paleontological are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The qualified professional shall be contacted to evaluate the significance of the finding and determine an appropriate course of action. If avoidance of the resource(s) is not feasible, the Applicant shall follow salvage operation requirements pursuant to State CEQA Guidelines Section 15064.5. After the Applicant has appropriately avoided or mitigated the find, work in the area may resume.

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

Sources: Kimley-Horn has conducted a greenhouse gas emissions assessment for the proposed Project. The report is included in this Initial Study as **Appendix F: Greenhouse Gas Emissions Assessment** and summarized below.²¹

- a) **Less Than Significant Impact.** Pursuant to State CEQA Guidelines Appendix G, a project would have a potentially significant impact if it generates greenhouse (GHG) emissions, directly or indirectly, that may have a significant impact on the environment; or conflicts with an applicable plan, policy, or regulation adopted to reduce GHG emissions.

GHG Thresholds

In December of 2008, SCAQMD formally adopted a greenhouse gas significance threshold of 10,000 MTCO₂e/yr that applies to industrial uses' stationary sources and 3,000 MTCO₂e/yr for residential or commercial projects where SCAQMD is the lead agency (SCAQMD Resolution No. 08-35). This threshold was adopted based upon an October 2008 staff report and draft interim guidance document that also recommended a threshold for all projects using a tiered approach.

It was recommended by SCAQMD staff that a project's greenhouse gas emissions would be considered significant if it could not comply with at least one of the following "tiered" tests:

- Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact.
- Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals.
- Tier 3 excludes projects with annual emissions lower than a screening threshold. (10,000 MTCO₂e/year for industrial Projects; 3,000 MTCO₂e/year for residential and commercial Projects)

²¹ NOTE TO READER: The proposed Project consists of the construction of a ±13,620 sf multi-tenant commercial retail center on approximately ±6.12 net acres located at the northeast corner of the Jackson Street at Avenue 42 intersection. The technical studies for the proposed Project which require the use of CalEEMod environmental modeling (Appendix A: Air Quality Assessment, Appendix F: Greenhouse Gas Emissions Assessment, and Appendix D: Energy Data) were based upon a previous iteration of the project site plan which assumed a slightly smaller building area (±13,288 sf). The updated site plan shows an additional 332 sf to Building 3 (Chick-Fil-A), which resulted in an increase of 17 daily trips; see Appendix I: Focused Traffic Study and Traffic Memorandum. The resulting increase in daily trips would be considered negligible from a GHG emissions perspective and the change in square footage and daily trips would not result in any additional impacts.

The Indio City Council adopted the Indio Climate Action Plan (CAP) in September 2019. The CAP serves as the programmatic tiering document for purposes of CEQA analysis of GHG emissions within the City.

The Project’s construction and operational emissions were calculated using the California Emissions Estimator Model version 2022.1 (CalEEMod). Details of the modeling assumptions and emission factors are provided in **Appendix F: Greenhouse Gas Emissions Assessment**. Project construction and operations would result in direct GHG emissions. Direct project-related GHG emissions include those from construction activities, area sources, and mobile sources, while indirect emissions include those from electricity consumption, water demand, and solid waste generation. The total GHG emissions associated with the Project are summarized in **Table 10: Project Greenhouse Gas Emissions**.

Table 10: Project Greenhouse Gas Emissions	
Emissions Source	MTCO₂e per Year¹
Proposed Emissions	
Construction Amortized Over 30 Years	10
Area Source	<1
Energy	100
Mobile	5,840
Waste	47
Water and Wastewater	6
Refrigeration	1
Proposed Total	6,004
Totals may not add up due to rounding. Source: CalEEMod version 2022. Refer to Appendix F: Greenhouse Gas Emissions Assessment for model outputs.	

As depicted in the table, the Project would generate approximately 6,004 MTCO₂e annually from both construction and operations. As shown in **Table 10**, the proposed Project does not comply with Tier 3 threshold because emissions would exceed the 3,000 MTCO₂e annual threshold for commercial projects. However, as discussed below and depicted in **Table 12: Consistency with the Climate-Ready Development Review Checklist**, the Project would be in compliance with Tier 2 through consistency with the City of Indio CAP. Therefore, the Project complies with the City’s CAP and impacts concerning direct and indirect GHG emissions would be less than significant.

- b) **Less Than Significant Impact.** The proposed Project would be consistent with the Connect SoCal Regional Transportation /Sustainable Communities Strategies Plan, California Air Resource Board Scoping Plan, and the City of Indio CAP.

Regional Transportation Plan/Sustainable Communities Strategy Consistency

On September 3, 2020, SCAG’s Regional Council adopted Connect SoCal Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. SCAG’s RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15; see **Appendix F** for additional information on the executive orders.

GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the State. The Project's consistency with the RTP/SCS goals is addressed in **Table 11: Regional Transportation Plan/Sustainable Communities Strategy Consistency**. As shown in the table, the proposed Project would be consistent with the goals of the RTP/SCS and would not conflict with implementation of the stated goals.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the Project would benefit from implementation of current and potential future regulations (e.g., improvements in vehicle emissions, SB 100/ renewable electricity portfolio improvements, etc.) enacted to meet an 80 percent reduction below 1990 levels by 2050. Therefore, the proposed Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

Table 11: Regional Transportation Plan/Sustainable Communities Strategy Consistency			
SCAG Goals		Compliance	
GOAL 1:	Encourage regional economic prosperity and global competitiveness.	Not applicable.	This is not a project-specific policy and is therefore not applicable. However, the project site is bordered by development. Development of the site would contribute to regional economic prosperity.
GOAL 2:	Improve mobility, accessibility, reliability, and travel safety for people and goods.	Not applicable.	This is not a transportation improvement project and is therefore not applicable.
GOAL 3:	Enhance the preservation, security, and resilience of the regional transportation system.	Not applicable.	This is not a transportation improvement project and is therefore not applicable.
GOAL 4:	Increase person and goods movement and travel choices within the transportation system.	Not applicable.	This is not a transportation improvement project and is therefore not applicable.
GOAL 5:	Reduce greenhouse gas emissions and improve air quality.	Consistent.	The project site is located within a developed area near existing roadways. The location of the Project within a developed area would reduce trip lengths, which would reduce GHG and air quality emissions.
GOAL 6:	Support healthy and equitable communities	Consistent.	As discussed in the Air Quality Assessment, the Project would not exceed thresholds or result in health impacts. The Project would not conflict with the surrounding community's ability to access healthy food or parks. In addition, the Project would be required to comply with the City's General Plan and CAP ensuring that impacts to sensitive receptors would be minimized to the extent feasible.

Table 11: Regional Transportation Plan/Sustainable Communities Strategy Consistency			
SCAG Goals		Compliance	
GOAL 7:	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	Not applicable.	This is not a project-specific policy and is therefore not applicable.
GOAL 8:	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	Not applicable.	This is not a transportation improvement project and is therefore not applicable. However, the Project is located in a developed area in proximity to an existing freeway. The location of the Project within a developed area would reduce trip lengths, which would result in more efficient travel.
GOAL 9:	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	Not applicable.	The Project does not include housing.
Goal 10:	Promote conservation of natural and agricultural lands and restoration of habitats.	Not applicable.	The project site is not located on agricultural or habitat lands.
Source: Southern California Association of Governments, <i>Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal)</i> , 2020.			

California Air Resource Board Scoping Plan Consistency

The California Air Resource Board Scoping Plan (2022 Scoping Plan) sets a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels by 2045 in accordance with AB 1279. The 2022 Scoping Plan achieves the AB 1279 targets primarily through zero-emission transportation (e.g., electrifying cars, buses, trains, and trucks). Additional GHG reductions are achieved through decarbonizing the electricity and industrial sectors; see **Appendix F** for additional information regarding statewide strategies for reducing GHGs in the 2022 Scoping Plan.

As shown in **Table 10**, approximately 99 percent of the Project’s GHG emissions are from energy and mobile sources which would be further reduced by the 2022 Scoping Plan measures. It should be noted that the City has no control over vehicle emissions (approximately 95 percent of the Project’s total emissions). However, these emissions would decline in the future due to statewide measures discussed in the regulatory setting section in **Appendix F**, as well as cleaner technology and fleet turnover. The following State’s plans and policies would contribute to a reduction in mobile source emissions from the Project:

- **CARB’s Advanced Clean Truck Regulation:** Adopted in June 2020, CARB’s Advanced Clean Truck Regulation requires truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8.
- **Executive Order N-79-20:** Executive Order N-79-20 establishes the goal for all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035 and all medium and heavy-duty vehicles will be zero-emission by 2045. It also directs CARB to develop and propose rulemaking for passenger

- vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment “requiring increasing volumes” of new ZEVs “towards the target of 100 percent.”
- **CARB’s Mobile Source Strategy:** CARB’s Mobile Source Strategy takes an integrated planning approach to identify the level of transition to cleaner mobile source technologies needed to achieve all of California’s targets by increasing the adoption of ZEV buses and trucks.
 - **CARB’s Sustainable Freight Action Plan:** The Sustainable Freight Action Plan which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks. This Plan applies to all trucks accessing the project site and may include existing trucks or new trucks that are part of the statewide goods movement sector.
 - **CARB’s Emissions Reduction Plan for Ports and Goods Movement:** CARB’s Emissions Reduction Plan for Ports and Goods Movement identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of accessories.

While these measures are not directly applicable to the Project, any commercial activity associated with goods movement would be required to comply with these measures as adopted. The Project would not obstruct or interfere with efforts to increase Zero Emission Vehicles (ZEVs) or State efforts to improve system efficiency. Compliance with applicable State standards (e.g., continuation of the Cap-and-Trade regulation; CARB’s Mobile Source Strategy, Sustainable Freight Action Plan, and Advanced Clean Truck Regulation; Executive Order N-79-20; SB 100/renewable electricity portfolio improvements that require 60 percent renewable electricity by 2030 and 100 percent renewable by 2045, etc.) would ensure consistency with State and regional GHG reduction planning efforts, including the 2022 Scoping Plan. It should also be noted that the Project would not convert any Natural and Working Lands (NWL) and/or decrease the urban forest carbon stock in the State, which are areas of emphasis in the 2022 Scoping Plan.

Project emissions would be indirectly reduced through the implementation of various 2022 Scoping Plan measures, such as the low carbon fuel standard, vehicle emissions standards, building energy efficiency standards, market-based mechanisms (such as the cap-and-trade program) and the Renewable Portfolio Standard. Therefore, the Project would not conflict with the 2022 Scoping Plan’s recommended measures and, as such, would not impede implementation of the 2022 Scoping Plan. As such, impacts related to consistency with the 2022 Scoping Plan would be less than significant.

Consistency with the City of Indio CAP

CEQA Guidelines Section 15183.5 allows projects to tier from the programmatic GHG emissions analysis contained in a qualified GHG emissions reduction plan by identifying those requirements specified in the plan that apply to the Project. As discussed previously, the City’s CAP is a qualified GHG emissions reduction plan under CEQA Guidelines Section 15183.5(b)(1). As a result, this analysis tiers from the GHG emissions analysis conducted for the City’s CAP.

Prior to Project approval, the Applicant is required to complete the Climate-Ready Development Review Checklist to demonstrate the Project’s compliance with the City of Indio CAP, which is provided in **Table 12: Consistency with the Climate-Ready Development Review Checklist**. As shown in **Table 12**, the Project would comply with all applicable Project design features included in the Climate-Ready Development Review Checklist. As such, impacts related to consistency with the CAP would be less than significant.

Table 12: Consistency with the Climate-Ready Development Review Checklist

Project Design Feature	Yes/No	Explanation
Will the project include bicycle facilities (e.g., bike lanes, parking)?	Yes	Bicycle facilities in the area include Avenue 42, which provides Class II bike lanes with striping to separate the vehicle and bike travel way. On Jackson Street, bicyclists either share the traffic lane or ride on the sidewalk. Additionally, bicycle storage for employees and visitors would be provided on site, as well as bicycle access on the driveways.
Will the project include sidewalks along all roadways?	Yes	The proposed Project is in a mixed-use area. There is currently pedestrian access to/from the project site via sidewalks along Avenue 42 and Jackson Street. On Jackson Street, the sidewalk would be continued along the project site frontage from its existing terminus at the AutoZone.
Will the project support bike sharing or rental programs?	N/A	The proposed Project is a local serving retail development and would not necessitate bike sharing or rental programs; therefore, this design feature is not applicable. However, there are existing bicycle facilities in the area on Avenue 42 which provides Class II bike lanes with buffered striping to separate vehicle and bike travel. Additionally, the proposed Project would include 10 bicycle parking spaces.
Will there be transit stop within ¼ mile of the project?	Yes	The project site is located within ¼ mile of SunLine Transit Agency (SLTA) bus stops along Jackson Street and Avenue 42.
Will the install provide traffic calming elements?	N/A	The proposed Project is a local serving retail development and would not necessitate traffic calming elements; therefore, this project design feature is not applicable.
Will the project's pedestrian and/or bicycle infrastructure connect to the external network?	Yes	There is currently pedestrian access to/from the project site via sidewalks along Jackson Street and Avenue 42. Bicycle facilities in the area include Avenue 42 which provides Class II bike lanes with buffered striping to separate vehicle and bike travel. On Jackson Street, bicyclists either share the traffic lane or ride on the sidewalk. The proposed Project would include 10 bicycle parking spaces.
If the project provides streets, will the streets meet the City's Complete Streets standards?	N/A	The Project does not provide streets; therefore, this project design feature is not applicable.
Will the project include high-density housing? A range of housing types? Affordable housing? Be mixed-use?	No	The Project proposes a commercial retail space that includes the following: a 3,750 sf fast food restaurant with drive-thru; a 980 sf coffee shop with drive-thru; a 3,996 sf fast food restaurant with drive-thru; and a 4,894 sf high turnover sit down restaurant. No housing is proposed.
Will the project provide shared or reduced parking	Yes	The proposed Project would create approximately 240 new parking spaces. The proposed parking stalls would

Table 12: Consistency with the Climate-Ready Development Review Checklist

Project Design Feature	Yes/No	Explanation
		be shared by existing retail uses located adjacent to the proposed uses.
Will the project be designed to maximize solar orientation?	Yes	The Project would comply with the latest Title 24 Building Code Energy Efficiency standards for commercial uses. The Project would also implement required green building strategies through existing regulation that requires the Project to comply with various CALGreen requirements. The Project would also include the installation of solar photovoltaic (PV) arrays on-site.
Will the buildings be designed to incorporate passive solar design?		
Will the project include transportation demand management measures?	N/A	The proposed Project is a local serving retail development with no single on-site use exceeding 50,000 sf. The Project would not have significant VMT impacts per the Riverside County Transportation Guidelines and therefore would not necessitate any TDM programs to reduce the vehicle trips and vehicle miles generated by the Project. However, the Project includes connections to existing bicycle lane facilities and bicycle parking. As discussed above, the proposed Project would include 10 bicycle parking spaces as well as access for bicyclists and pedestrian to access the site. This would promote safety and encourage employees to use alternative sources of transportation.
Will the project provide electric vehicle charging stations?	Yes	The Project would install EV chargers on site in compliance with CALGreen Section 5.106.5.3.3.
Will the project pre-wire for electric vehicle charging stations to be added at a later date?		
Will the project use all electric appliances and HVAC systems?	Yes	The Project would be constructed in accordance with the latest California Building Code and green building regulations/CALGreen.
Will the project seek LEED or similar green building certification?		
Will the project increase the number of trees on site?	Yes	The Project would plant new trees around the perimeter and within the project site. The number of trees would exceed the number of trees found on the site.
Will renewable energy systems be installed as part of the project?	Yes	The Project would be required to install a PV solar array in accordance with the Title 24 Building Code Energy Efficiency standards. Additionally, the Project would implement required green building strategies through existing regulation that requires the Project to comply with various CALGreen requirements to reduce energy use.
Will construction waste and debris be diverted from the landfill consistent with City requirements?	Yes	The Project would be required to comply with Indio Municipal Code Section 51.47: Recycling and Diversion of Debris of Construction and Demolitions and CALGreen with regard to construction waste diversion.

Table 12: Consistency with the Climate-Ready Development Review Checklist

Project Design Feature	Yes/No	Explanation
Will the project collect recycling? Compost?	Yes	The Project would comply with the City’s Mandatory Organic Waste Disposal Reduction Ordinance (Chapter 51A of the Indio Municipal Code).
Will the project use low-water or drought tolerant species for landscaping?	Yes	The Project would comply with the City’s Water Efficient Landscape Development Standards Ordinance (Section 54.064.2 of the Indio Municipal Code).
Will the project use smart irrigation?		
Will rainwater be captured on site?		
Will the project be connected to the recycled water system? Does the project use recycled water?	N/A	The project site is not located near recycled water facilities (refer to the 2020 Coachella Valley Regional Urban Water Management Plan); therefore, this project design feature is not applicable.
Will the project use low-impact development practices?	Yes	The Project would comply with the City’s Landscape and Water Conservation Ordinance (Section 54.064.1 of the Indio Municipal Code).

Source: City of Indio, *City of Indio Climate Action Plan: Appendix A*, September 2019.

The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for reducing the emissions of GHGs because the Project would generate low levels of GHGs and would not impede implementation of the 2022 Scoping Plan or any other GHG reduction plan. Additionally, as shown in **Table 6** and **Table 7**, the proposed Project would be consistent with the Connect SoCal Regional Transportation/Sustainable Communities Strategies Plan and the City of Indio CAP. Therefore, the impacts would be less than significant and no mitigation is required.

Mitigation Measures: None required.

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

Sources: GeoEngineers has conducted a Revised Phase I Environmental Site Assessment for the Project. The report is included in this Initial Study as **Appendix G: Phase I Environmental Site Assessment** and summarized below.

- a) **Less Than Significant Impact.** Project construction would involve the transport, storage, use, and/or disposal of limited quantities of hazardous materials, such as fuels, solvents, degreasers, and paints.

The use of these materials during Project construction would be short term and would occur in accordance with standard construction practices, as well as with applicable federal, State, and local regulations. Potentially hazardous materials would be contained, stored, and used during construction in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Examples of such activities include fueling and servicing construction equipment and applying paints and other coatings. Project construction would be temporary, and existing regulations of several agencies would govern these activities. Construction activities would be subject to compliance with relevant regulatory requirements and restrictions concerning the transport, use, or disposal to prevent a significant hazard to the public or environment. The primary regulatory requirements include South Coast AQMD Rule 1166 (volatile organic compound emissions) and Rule 1466 (fugitive dust-toxic air contaminants).

The Project proposes the construction of a multi-tenant commercial retail center consisting of three drive-thru fast food restaurants and one sit-down restaurant. It is not anticipated that the proposed Project would emit hazardous emissions or involve hazardous or acutely hazardous materials, substances, or waste. However, the proposed Project could involve the transport and use of materials associated with routine maintenance of the property, such as janitorial supplies for cleaning purposes and/or herbicides and pesticides for landscaping. The types and quantities of materials associated with routine maintenance would not be significant enough to create a reasonably foreseeable upset or accident. All potentially hazardous materials would be used and stored in accordance with applicable federal, State, and local regulations. No uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or would transport, use, or dispose of substantial quantities of hazardous materials. Therefore, no significant impacts related to exposing the public or the environment to significant hazards through the routine transport, use, or disposal of hazardous materials would occur and no mitigation is required.

- b) **Less Than Significant Impact.** The project site is currently undeveloped with the exception of an existing surface parking lot associated with the Indio Municipal Golf Course. The Revised Phase I Environmental Site Assessment (Phase I ESA) reported no Recognized Environmental Conditions (RECs) or controlled RECs in association with the project site. Additionally, the site has never been developed; therefore, potential presence for asbestos-containing materials or lead-based paints are considered low. Review of State Water Resources Control Board GeoTracker and DTSC Envirostor database did not identify any hazardous clean up cases on or near the project site.^{22,23}

Federal, State, and local laws, regulations, and programs address the storage, use, handling, and disposal of any hazardous materials (such as paints and solvents) that the Applicant might use during construction. Compliance with applicable laws and regulations would reduce the risk of hazardous material incidents during construction to a less than significant level. Therefore, Project construction activities would not create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The Project would not generate or facilitate the generation of hazardous materials. The proposed Project could involve the transport and use of materials associated with routine maintenance of the property, such as janitorial supplies for cleaning purposes and/or herbicides and pesticides for landscaping. However, the types and quantities of materials used and stored on site would not be of

²² DTSC, Envirostor Database, Available at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=2219+west+orange+ave+anaheim>, Accessed June 16, 2023.

²³ State Water Resources Control Board, GeoTracker, Available at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=2219+Orange+Ave+Anaheim>, Accessed June 16, 2023.

a significant quantity to create a reasonably foreseeable upset or accident. Additionally, this analysis assumes that the use, storage, and transport of routinely used hazardous materials would occur in compliance with the established regulatory framework. Project operations would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant and no mitigation is required.

- c) **Less Than Significant Impact.** The nearest school to the project site is the Richard R. Oliphant Elementary School at 41633 Gore Street, approximately 0.7 mile to the northwest.²⁴ Since the Project proposes a multi-tenant commercial retail center consisting of three drive-thru fast food restaurants and one sit-down restaurant, the proposed Project does not include uses that could potentially generate hazardous materials in significant quantities that would have an impact on surrounding schools. Impacts would be less than significant and no mitigation is required.
- d) **No Impact.** Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the DTSC and State Water Resources Control Board. The Cortese list contains hazardous waste and substance sites including public drinking water wells with detectable levels of contamination; sites with known underground storage tanks (USTs) having a reportable release; and solid waste disposal facilities from which there is a known migration. The Cortese list also includes hazardous substance sites selected for remedial action; historic Cortese sites; and sites with known toxic material identified through the abandoned site assessment program. Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the State of California Department of Toxic Substances Control (DTSC). The Phase I ESA conducted a review of databases and indicated that the project site is not on a list of hazardous materials sites compiled under Government Code Section 65962.5; see **Appendix G**.²⁵ Therefore, the Project would not create a significant hazard to the public or the environment. No impact would occur and no mitigation is required.
- e) **No Impact.** The airports located nearest to the project site are the Crown Aero Bermuda Dunes Airport, a public use strip, located approximately 2.9 miles to the west and Jacqueline Cochran Regional Airport (formerly Thermal Airport) located approximately 8.2 miles to the southeast. The project site is not within the Airport Influence Areas of either airport. Therefore, the Project would not result in a safety hazard or excessive noise for people working or residing at the project site. No impact would occur and no mitigation is required.
- f) **No Impact.** The Project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Project construction activities would not require the complete closure of any public or private streets or roadways. Temporary construction activities would not impede road use for emergencies or emergency response vehicle access.

The City has developed an emergency operations plan to guide the City's response to emergency situations (City of Indio 2007). The plan includes checklists related to considerations for specific types of disasters or emergencies such as wildfire/structural fire, hazardous materials release, earthquake, flood, and terrorism/bioterrorism. Project development would not result in changes to the City's circulation patterns or emergency access routes. The General Plan EIR notes that there are no

²⁴ Desert Sands Unified School District, *My School Location*. Available at: <https://www.myschoollocation.com/desertsandsusd/>, accessed on June 16, 2023.

²⁵ California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Available at: http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm. Accessed: June 16, 2023.

established emergency evacuation routes in the City of Indio.²⁶ Therefore, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur and no mitigation is required.

- g) **No Impact.** The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire threat potential throughout California. CAL FIRE ranks fire threats based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threats. According to CalFire Fire Hazard Severity Zone Viewer, the project site is not within a State Responsibility Area.²⁷ The project site is not within a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area. The project site is in a developed urban area, and it is not adjacent to or near any wildland areas. Therefore, the Project would not expose people or structures to a significant risk involving wildland fires. No impact would occur and no mitigation is required.

Mitigation Measures: None required.

²⁶ City of Indio, 2019, *Final Environmental Impact Report for the City of Indio General Plan Update*, Page 4.8-23. Available at: <https://www.indio.org/home/showpublisheddocument/924/637874293008870000>, accessed June 16, 2023.

²⁷ California Department of Forestry and Fire Protection, *FHSZ Viewer*, Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed June 16, 2023.

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

- a) **Less Than Significant Impact.** The project site is approximately 6.12 acres, of which a majority of the project site is currently undeveloped, with the exception of an existing surface parking lot associated with the Indio Municipal Golf Course. The Project proposes a multi-tenant commercial retail center with surface parking, landscaping, and off-site improvements. The existing paving within the project

site limits would be vacated and demolished to allow for the new development. The existing AutoZone, Arco Gas station and convenience store to the west are not within the project limits and would remain adjacent to the project site.

During construction and life of the Project (operation), the proposed development would be required to comply with the Clean Water Act (CWA), NPDES, State, and local regulations designed to prevent violations or impacts to surface water quality standards and waste discharge requirements pertinent to surface or ground water quality. As discussed below, this is achieved through the preparation of applicable compliance plans and permit registration documents that must obtain agency approval prior to issuance of a grading permit, ground disturbance, and operation.

During the period of construction, the Project proponent must comply with the State's most current NPDES Construction General Permit, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012- 006-DWQ. Compliance with the Construction General Permit requires the preparation of a Notice of Intent (NOI) and a project-specific Storm Water Pollution Prevention Plan (SWPPP), designed to prevent potential adverse impacts to surface water quality, including erosion and siltation, during the period of construction. The NOI and SWPPP must be submitted to the State Water Resources Control Board (SWRCB) for approval and permit coverage. The SWPPP is a site-specific compliance plan required to identify a strategy of storm water Best Management Practices (BMPs) in accordance with Section XIV (SWPPP Requirements) of the Construction General Permit. Storm water BMPs refer to a schedule of activities, prohibitions, practices, maintenance procedures, and other management practices to avoid, eliminate, or reduce the pollution of the receiving waters, primarily focused on preventing erosion, siltation, illicit discharge, and contamination. The SWPPP would include such measures as erosion control, sediment control, storm drain inlet protection, proper waste management and pollution prevention. The SWPPP must be prepared concurrently with final engineering design and undergo City review in addition to the State permit process. The City's review process ensures that all responsible parties and compliance plan elements are properly demonstrated. Compliance of this plan during construction would be regulated and enforced as part of the local agency site inspection protocols.

During the life of the Project (operation), the Project proponent is required to implement an approved Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. A Preliminary WQMP has been prepared for this Project in order to meet the City's engineering approval requirements. The WQMP takes into account the existing and proposed drainage conditions based on the project specific hydrology report and improvement plans (precise grading).

The Project does not require and would not result in the construction of new storm drainage facilities or expansion of existing facilities. It is assumed that sheet flows would be directed towards Jackson Street and further directed to the existing City operated and maintained retention basin located approximately 663 feet to the north of the project site, the existing facilities are adequate to accommodate the development. As a result, Project runoff would be completely contained within the nearby facilities and would not result in discharge capable of resulting in downstream hydrologic modifications or a contribution of urban runoff pollutants that would affect surface water quality. As a requirement, all elements of the WQMP implementation, including maintenance, must be documented during the life of the Project. The Project's engineering plans, hydrology report, and WQMP would be subject to City review and approval to validate MS4 compliance.

In summary, during construction and operation, Project implementation would require plan-based compliance with the CWA, NPDES, and local regulations to prevent impacts to water quality standards and the beneficial uses assigned to local receiving waters. The proposed storm drain system and retention facilities would ensure that the stormwater capture and management strategy for Project runoff would not result in waste discharge violations and therefore the Project would have a less than significant impact.

- b) **Less Than Significant Impact.** The entire City of Indio, inclusive of the project site, are located within the domestic water service area of Indio Water Authority (IWA), which covers approximately 38 square miles, with 20 groundwater wells, 7 storage reservoirs, 1 large main pressure zone, and 2 smaller development-based zones. The Coachella Valley Groundwater Basin is the primary groundwater source for the region’s domestic water purveyors, including IWA. According to the California Department of Water Resources (DWR), the Coachella Valley Groundwater Basin has an approximate storage capacity of 39.2 million acre-feet (AF) of water within the upper 1,000 feet and is divided into four subbasins: Indio, Mission Creek, Desert Hot Springs, and San Geronio. The project site is specifically underlain by the Indio Subbasin, which is also known as the Whitewater River Subbasin. DWR has estimated that the Indio Subbasin contains approximately 29.8 million AF of water in the first 1,000 feet below the ground surface, representing approximately 76 percent of the total groundwater in the Coachella Valley Groundwater Basin.

In 2019, IWA was among the six urban water suppliers in the Coachella Valley to collaborate on the preparation of the 2020 Coachella Valley Regional Urban Water Management Plan (2020 RUWMP) with regional and individual agency content. The 2020 RUWMP describes the region’s water supplies and anticipated demands through 2045, along with each agency’s programs to encourage efficient water use. According to the RUWMP, 2020 water use in the service area was 331 gallons per capita per day (GPCD) or 99,842 acre feet per year (AFY).²⁸ IWA does not maintain any standard unit demand factors for specific types of land uses. IWA forecasts that in 2025, the service areas Water Demand would increase from 19,880 AFY in 2020 to 24,792 AFY. As seen in **Table 13: 2025 IWA Forecast Water Demands**, water demand would be 3.8 AFY or 1,232,350.8 gallons per person per year (GPY).

Table 13: 2025 IWA Forecast Water Demands			
2025 AFY	2025 Population Served by IWA	2025 AFY per Person per Day	2025 Gallons per Person per Year¹
24,792	93,762	3.8	1,232,350.8
1. 1 AFY = 325,851 gallons Source: Desert Sands Unified School District. (2022). <i>Fee Justification Report for New Residential and Commercial/Industrial Development</i>.			

The Project would increase water demand. The Project’s four restaurant uses are expected to have 210 employees; based on 3.8 AFY per employee per day, the projected water demand for the site would be 798 AFY.

In June 2021, IWA’s Water Shortage Contingency Plan (WSCP) was prepared to outline each agency’s actions that could be taken during a water shortage to reduce demands. According to the WSCP, drought conditions are not expected to affect the region’s Colorado River water supply due to the agency’s high priority allocation. Colorado River water is not the primary source of urban water supply since it is used for groundwater replenishment and non-potable uses. If a reduction in Colorado River water supply occurred, local agencies would initially reduce deliveries to groundwater replenishment

²⁸ Coachella Valley Water District. (2020). 2020 Coachella Valley Regional Urban Water Management Plan Table 4-14. Accessed June 23, 2023.

projects. Historically, drought conditions in the Sierra Nevada have affected the State Water Project (SWP) water allocation and reduced the exchange water received by local agencies. Since the SWP exchange water is used for replenishment of the groundwater basin and is not a direct source of urban water supply, water use restrictions due to drought involving the SWP water supply would likely be implemented only as a result of a prolonged drought. During dry periods when less imported water is available, groundwater production is expected to exceed the amount of recharge, and the volume in storage would be reduced. However, these reductions can be reversed in years when additional imported water is available. The Coachella Valley Groundwater Basin is deemed to be a large basin which provides a buffer during dry periods, thus allowing the agencies to develop long-term plans and programs to manage regional water supplies.

Local water purveyors collaborate with the operation and maintenance of three replenishment facilities serving the Indio Subbasin: Whitewater River Groundwater Replenishment Facility, the Thomas E. Levy Groundwater Replenishment Facility, and the Palm Desert Groundwater Replenishment Facility. Artificial replenishment, or recharge, is recognized by the water districts as one of the most effective methods available for preserving local groundwater supplies, reversing aquifer overdraft and meeting demand by domestic consumers. Local agencies are known to have percolated over 650 billion gallons of water back into the aquifer. In the central part of the Coachella Valley, groundwater recharge is provided by the recently constructed first phase of the Palm Desert Groundwater Replenishment Facility, operated by CVWD. According to the CVWD web site, this facility is expected to add up to 25,000 AF of Colorado River water annually into the aquifer. Combined with water conservation and efficiency requirements, individual development projects can contribute to groundwater sustainability by implementing the required stormwater runoff retention and infiltration facilities.

Although the Project includes a General Plan amendment and zone change from OS to RC, the proposed development is deemed consistent with the City's General Plan. The established groundwater replenishment facilities described above for the Indio Subbasin are not located near the project site. Therefore, from the aspect of land use and location, Project implementation is not deemed to be in conflict with any existing or planned groundwater recharge facility or associated infrastructure.

The proposed facilities include a multi-tenant commercial retail center totaling 13,620 sf, surface parking, landscaping, and off-site improvements. The Project would increase water demand by 798 AFY. Restroom facilities and associated water uses are expected to be limited to the commercial spaces. The proposed operation would be expected to implement water conservation measures, including the use of low-flow plumbing fixtures, drought-tolerant (native) outdoor landscaping, and water-efficient irrigation systems. As a standard condition for service connections, the Project would be expected to furnish the appropriate payment to IWA based on the meter size, ongoing flow charges, agency fees, and groundwater recharge fees. Since the RUWMP anticipated future water demand based off of land uses, and the Project includes a change of land use from OS to RC, the Project would increase overall planned demand for the area. However, the increase in water demand would be nominal.

The Project does not require and would not result in the construction of new storm drainage facilities or expansion of existing facilities. It is assumed that sheet flows would be directed towards Jackson Street and further directed to the existing City operated and maintained retention basin. The existing facilities are adequate to accommodate the development. As a function of the WQMP, operation of the development would include the required non-structural and structural pollution source control measures that work toward the protection of groundwater quality during the life of the Project and

under the Project owner's responsibility.

Non-structural source control measures consist of site operations, activities, and/or programs to be finalized in the WQMP and implemented by the Project operator to educate site managers, employees, and users to prevent potential pollutants from being produced, coming into contact with the storm drain system. Structural source control measures consist of physical facility design standards to prevent direct contact between potential pollutants and stormwater runoff.

The storm drain and retention system would be privately operated and maintained during the life of the Project per a required WQMP agreement to be entered between the Project proponent and the City. The proposed facilities are therefore not expected to violate or interfere with the groundwater quality. Regarding ground water quality, less than significant impacts are anticipated.

c) Less Than Significant Impact.

- i) The partially developed infill project site is absent of any naturally occurring drainage or flood-prone patterns. Therefore, development of the site would not result in any alteration or obstruction of any river, stream, or other naturally occurring drainage pattern.

Based on the USGS Web Soil Survey, the site soils consist of Indio very fine sandy loam and Gilman fine sandy loam, zero to two percent slopes.

As a standard practice, erosion and siltation conditions would be prevented during construction and operation through the required Stormwater Pollution Prevention Plan (SWPPP), which would include best management practices for proper soil stabilization and perimeter controls to prevent erosion and siltation from being generated by site clearing, grading, and construction activities. Upon completion and as a compliance requirement, all construction related soil disturbance would be properly restored to a stabilized condition consisting of permanent Project improvements (buildings, hardscape, pavement, and landscaping).

During the life of the Project, the ongoing maintenance and operation of facilities would ensure that all permanently improved ground surfaces are adequately maintained. As required by the City's engineering standards and practices, all project-related runoff must be adequately handled along engineered conveyances (sheet flow, swales, gutters, or pipes) to the designated retention facilities. Such storm drain system would be a function of the site plan and final engineering plans subject to City review and approval. Less than significant impacts are anticipated regarding substantial erosion or siltation, on or off of the site.

- ii) Based on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 06065C2251H, effective March 6, 2023, the entire project site is located within Zone X, which is deemed an "area of minimal flood hazard". This FEMA classification is not considered a Special Flood Hazard Area (SFHA) or a designated floodway. As a standard requirement, the proposed development includes adequate improvements and site design features to handle the relevant hydrologic conditions in a way that prevents inundation to the proposed structures and facilities. The Project would introduce impervious surfaces (buildings, hardscape, asphalt, etc.) to a vacant property, but would also include the required storm drain system (catch basins, lines, outlets, and retention facilities) to intercept, convey and retain the controlling storm event stormwater volume from the site. In adhering to the City's engineering and retention requirements, the proposed development is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Less than significant impacts are anticipated.

- iii) The City of Indio is a Permittee of the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4) permit area. Within the City limits, MS4 facilities include a system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) designed for collecting and conveying stormwater. Storm drain facilities can be public or private. Examples of public facilities include pipes, gutters, channels, and basins occurring within the public right-of-way and/or maintained by a public agency. Private facilities are distinguished by being maintained separately by a private entity. As discussed previously, the project site is absent of any existing private or public storm drain infrastructure.

The traditional land development process generally results in the conversion of pervious ground surface (pre-development condition) into a setting with a higher impervious cover, occurring through the introduction of buildings, streets, and hardscape (post-development condition). This conversion generally leads to an increase in post-construction runoff volumes and rates compared to the pre-development condition.

As a standard requirement under Section 162.140 in the City's Code of Ordinances, the Project is required to include retention facilities sized to contain stormwater volume resulting from the controlling 100-year, 24-hour duration storm event. The Project's engineering plans and retention levels would be subject to standard City review and approval. Therefore, by complying with the local retention requirements that take into account the existing facilities, the Project would prevent a runoff discharge condition capable of contributing to or exceeding the MS4 capacity. Less than significant impacts are anticipated.

- iv) As previously described, the project site and its surroundings are deemed to be areas of minimal flood hazards according to FEMA FIRM panel 06065C2251H, effective March 6, 2023. As such, the project site is not prone to flood flows or inundation that could be impeded or redirected. Stormwater runoff generated on-site would be handled through on-site retention before any runoff is conveyed to the public storm drain system. Less than significant impacts are anticipated.
- d) **No Impact.** The project site is not located near any coastal areas or any large body of water and therefore is not prone to tsunami hazards or seiche risks. The project site is not located in a floodplain or special flood hazard area. Therefore, no impacts are anticipated.
- e) **Less Than Significant Impact.** The Project proponent is required to implement a project-specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region MS4 Permit and with the City's on-site retention standards. The final form of the WQMP would be consistent with final engineering documents to incorporate the grading, hydrology, and other improvement plans to demonstrate how the site design, source controls, and operation and maintenance program would achieve compliance. The combined retention capacity for the Project would meet the stormwater volume resulting from the controlling 100-year storm event. The nearby storm water retention facilities would ensure that only stormwater runoff is recharged into the ground via infiltration. Therefore, Project implementation is not expected to conflict with the regional groundwater management strategies or with the Indio Subbasin Sustainable Groundwater Management Plan. Impacts would be less than significant and no mitigation is required.

Mitigation Measures: None required.

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

- a. **No Impact.** Examples of projects that can physically divide an established community include a new freeway or highway that traverses an established neighborhood. The project site is within a partially developed area of the City. The project site is located at the northeast corner of the Jackson Street at Avenue 42 intersection and is generally bordered by urban commercial development, see **Table 1: Surrounding Land Uses**. The Project proposes three fast food restaurants with drive-thrus, one sit-down restaurant with surface parking and the relocation of the Indio Municipal Golf Course parking lot. The Project does not propose any new streets or other physical barriers that could physically divide an established community. Given the location and nature of the proposed Project, the Project would not physically divide established communities. A less than significant impact would occur and no mitigation is required.
- b. **Less Than Significant Impact.** The proposed Project is subject to the land use policies and regulations outlined in the General Plan and IUDC. The project site has an existing land use designation of Regional Commercial (RC) and Open Space (OS)²⁹. Approximately 2.82 acres of the project site are designated as Regional Commercial (RC) and approximately 3.3 acres are designated as Parks and Open Space (APNs: 692-670-017 and 692-040-020). The Project proposes to amend this 3.3-acre area to RC. This area is currently undeveloped, except for the parking lot for the golf course. The property to the east of the project site is the Indio Municipal Golf Course and is designated OS. The golf course is already developed and further expansion of this established use is not anticipated. The Project would reconfigure the golf course parking lot and develop the western portion of the site with restaurant uses. The proposed uses would be consistent with the RC zone and complementary to the neighboring OS designated Indio Municipal Golf Course. **Error! Reference source not found.** demonstrates the proposed Project's consistency with General Plan policies. The proposed Project would be consistent with or otherwise would not conflict with the identified goals and policies of the General Plan. Therefore, the Project would not conflict with any land use plan, policy, or regulation adopted to mitigate an environmental effect. Impacts would be less than significant and no mitigation is required.

Mitigation Program: None required.

²⁹ City of Indio. (2022) City of Indio General Plan.

Table 14: General Plan Consistency Analysis

General Plan Land Use Policy	Consistency
Land Use and Urban Design	
LU-1.1 Overall city structure. Establish a clearly defined City structure by: • Re-establishing the City’s pedestrian-oriented Downtown as a community anchor with local and regional-serving civic, arts, education, and entertainment uses. • Transforming the Midtown area into a mixed-use center with retail, commercial services, and residential uses in a walkable format. • Maintaining and enhancing the Festival District as a key location for large-scale entertainment and recreational opportunities. This will be accomplished by enacting buffering standard through zoning for Festival District properties and surrounding non-Festival District properties to limit conflicts in the uses and operations of these properties. • Creating mixed-use corridors along Highway 111, Monroe Street, Avenue 42, and Avenue 44 that contain a mix of retail, service, office, and residential uses. Corridors should have defined nodes that provide a mix of local- and regional-serving uses. • Investing in existing residential neighborhoods adjacent to Downtown and Midtown. • Infilling new residential neighborhoods arranged around neighborhood centers and community gathering spaces, such as schools and parks. • Maintaining the I-10 Employment Corridor subarea as a critical economic engine for the City. • Facilitating major, regional-serving commercial districts that provide a mix of commercial, entertainment, and service uses in a pedestrian-oriented format north of I-10 at Jackson Street and Avenue 40 to capitalize on regional transportation and access. • Preserving and protecting natural open space and conservation areas in the Northern and Eastern Sphere subareas.	Consistent. The Project proposes commercial uses along the Avenue 42 corridor which would provide local- and regional-serving uses. Additionally, the Project would provide and improve access to commercial and entertainment uses along the Jackson Street corridor. Therefore, the Project is consistent with Policy LU-1.1
LU-1.3 Contiguous development. When development occurs outside the Downtown, Midtown, and existing central neighborhoods, locate new development adjacent to Indio’s built environment to create a contiguous expansion of the City.	Consistent. The Project would provide additional commercial uses on the partially developed property on the northeast corner of the intersection of Jackson Street at Avenue 42. Therefore, the Project is consistent with Policy LU-1.3.

Table 14: General Plan Consistency Analysis

General Plan Land Use Policy	Consistency
LU-2.6 Shade. Require the use of large shade trees or structures to provide comfortable environments during hot months.	Consistent. The Project would include shade providing trees within the parking lots and pedestrian area of the development. Additionally, outdoor seating at restaurants would be covered and provide shade for outdoor dining in the hot months. Therefore, the Project is consistent with Policy LU-2.6.
LU-2.7 Parking lot and prominent pathways. Require trees, shade structures, and/or other cooling methods to provide comfortable walkways during hot months.	Consistent. As mentioned above, the Project would include shade trees within the parking lots and pedestrian sidewalks both inside and around the frontage of the development. Therefore, the Project is consistent with Policy LU-2.7.
LU 3.1 Streetscape design. Create pedestrian-oriented streetscapes by establishing a unified approach to street tree planting, sidewalk dimensions and maintenance, pedestrian amenities, and high-quality building frontages.	Consistent. The Project would complete the existing sidewalk along Jackson Street including landscaping. Therefore, the Project is consistent with Policy LU-3.1.
LU 3.4 Tree Planting. Encourage the planting of trees that appropriately shade the sidewalk and offstreet parking areas to improve the pedestrian experience throughout the City.	Consistent. As mentioned above, the Project would include trees along the project site frontage providing shade for the sidewalks along Avenue 42 and Jackson Street. Therefore, the Project is consistent with Policy LU-3.4.
LU 3.5 Lighting. Require all new street lights in commercial areas to be pedestrian-oriented and scaled, attractively designed, compatible in design with other street furniture, and to provide adequate visibility and security in accordance with best practices for night sky protection.	Consistent. Project lighting would be designed to be pedestrian-oriented and scaled, compatible in design with other street furniture, and would provide adequate visibility and security in accordance with best practices for night sky protection. Therefore, the Project is consistent with Policy LU-3.5.
LU 3.8 Underground utilities. Require private development to underground all under 92 kV electric poles and other overhead utilities. Require City to codify this policy.	Consistent. The Project includes the undergrounding of existing utilities along Jackson Street per City requirements. Therefore, the Project is consistent with Policy LU-3.8.
LU-4.1 Quality design. Use simple, urban building forms made with permanent materials with high-quality detailing that stands the test of time.	Consistent. The Project buildings would both have a desert tone color palette with varying plains to breakup building massing. The modern façades would include plaster and stucco with accent of ledgerstone, oak wood, metal panels, stone veneer, and various colored stucco. Large glass windows would be provided along the front and side entries and the Chick-Fil-A, Dutch Bros Coffee, and other drive-thru restaurants would include service windows for the drive-thrus. Overall, the Project proposes simple, urban forms which are consistent and suitable within the surrounding desert environment. Therefore, the Project is consistent with Policy LU-4.1.
LU 4.7 Protect visual characteristics. Protect Indio’s unique visual characteristics and views.	Consistent. The Project would not impact views of the Little San Bernardino Mountains, San Jacinto Mountains, Santa Rosa Mountains or Indio Hills. Proposed structures on the site would not exceed three stories and would include consistent massing with the surrounding commercial development. Therefore, the Project is consistent with Policy LU-4.7.

Table 14: General Plan Consistency Analysis	
General Plan Land Use Policy	Consistency
LU-9.3 Access to transit. Encourage the development of Neighborhood Centers that are located on existing or planned transit stops, particularly along Highway 111, Avenue 42, and Avenue 50, in order to facilitate and take advantage of transit service, reduce vehicle trips, and allow residents without private vehicles to access services.	Consistent. The project site is located at the intersection of Avenue 42 and Jackson Street and would provide additional services along the corridor for residents and visitors of the City. The SunLine Transit Agency provides public transit service to the Coachella Valley. There are two bus stops within 300 feet of the site which are served by SunLine Route 8 along Jackson Street (west of the project site). Therefore, the Project is consistent with Policy-LU-9.3.
Conservation Element	
CE 4.2 Heritage Trees. Support the conservation of heritage trees, or trees that are recognized as unique due to their age, rarity, and large size as well as their aesthetic, botanical, ecological, and historic value.	Consistent. The project site does not contain any heritage trees and therefore would not remove or harm existing heritage trees. Therefore, the Project is consistent with Policy CE-4.2.
CE 7.1 CVMSHCP and other regulations. Implement the CVMSHCP. Ensure development is consistent with federal, State, and regional regulations for habitat and species protection.	Consistent. The project site is not located within a CVMSHCP conservation area. However, the developer would be required to pay the CVMSHCP Plan fee. Therefore, the Project is consistent with Policy CE-7.1.
CE 7.8 Preserve night sky. Ensure that outdoor lighting is shielded and directed away from natural open space areas.	Consistent. All proposed outdoor lighting would be shielded and directed away from open space areas. Impacts to the Indio Municipal Golf Course would be minimal due to the routine nighttime lighting of the course in the evenings. Therefore, the Project is consistent with Policy CE-7.8.
Source: City of Indio. (2022). Indio General Plan.	

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

a. – b. No Impact. The project site has not historically or currently been used for mineral resource recovery. The Surface Mining and Reclamation Act of 1975 (SMARA) requires classification of land into mineral resource zones (MRZs) according to the known or inferred mineral potential of the area. There are four MRZ classifications, MRZ-1 through MRZ-4, as described below:

- MRZ-1 are areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2 are areas where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists.
- MRZ-3 are areas containing mineral deposits the significance of which cannot be evaluated from available data.
- MRZ-4 area areas where availability of information is inadequate for assignment to any other MRZ zone.

The site is located within the Mineral Resource Zone (MRZ)-1³⁰, which is described as areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources³¹. As such, the Project would not result in impacts associated with the loss of availability of a known mineral resource. Further, the proposed Project does not involve any use that would result in any impacts to mineral resources. Therefore, there would be no loss of a known mineral resource and no impact would occur.

Mitigation Program: None required.

³⁰ City of Indio. (2019). *City of Indio General Plan Conservation Element Figure 8-2*. Accessed June 23, 2023.

³¹ City of Indio. (2019). *City of Indio General Plan Conservation Element. Page 8-6*. Accessed June 23, 2023.

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

Sources: Kimley-Horn has conducted an acoustical assessment analysis for the Project. The report is included in this Initial Study as **Appendix H: Acoustical Assessment** and summarized below.

- a) Less Than Significant Impact.** The proposed Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project site in excess of standards established in the Indio General Plan or applicable standards of other agencies. The construction and operational noise for the proposed Project is discussed below.

Construction

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods located to the northwest and southeast of the construction site. The nearest sensitive receptors are the single-family residences located approximately 780 feet southeast and 850 feet northwest of the project site.³² There are also existing residential uses located approximately 140 feet northwest of the construction area. However, it is acknowledged that construction activities would occur throughout the project site and would not be concentrated at a single point near sensitive receptors.

Construction activities would include site preparation, grading, building construction, paving, and architectural coating. Typical operating cycles for the construction equipment used in these phases may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping material or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earth movers, material handlers, and portable

³² These are the same sensitive receptors identified in the Air Quality analysis, however, sensitive receptors for construction noise are measured from the center of the project site to the receptor's nearest property line.

generators, can reach high levels. Typical noise levels associated with individual construction equipment are listed below in **Table 15: Typical Construction Noise Levels**.

Table 15: Typical Construction Noise Levels	
Equipment	Typical Noise Level (dBA) at 50 feet from Source
Air Compressor	80
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Derrick	88
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	80
Paver	85
Pile-driver (Impact)	101
Pile-driver (Sonic)	95
Pneumatic Tool	85
Pump	77
Roller	85
Saw	76
Scraper	85
Shovel	82
Truck	84
Source: Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Manual</i> , September 2018.	

Following the Federal Transit Administrations' (FTA) methodology, when calculating construction noise, all construction equipment is assumed to operate simultaneously at the center of the active construction zone. However, equipment would be operating throughout the site and not all of the equipment would be operating at the point closest to the sensitive receptors and considering the distance between the center of the project site and the sensitive receptors is a reasonable assumption. Therefore, the distances used in the RCNM Model were approximately 780 feet southeast and 850 feet northwest to the nearest residential receptors to the project site; refer to **Appendix H: Acoustical Assessment** for RCNM modeling results. The noise levels identified in **Table 16: Project Construction Noise Levels**, show the Project's estimated exterior construction noise levels at the nearest noise-sensitive uses without accounting for attenuation from existing physical barriers.

Table 16: Project Construction Noise Levels					
Construction Phase	Receptor Location		Worst Case Modeled Noise Level, dBA L_{eq} (8-hour)²	FTA Noise Standard, dBA L_{eq}³	Exceeded?
	Land Use	Distance (feet)¹			
Demolition	Residential	780	62.8	80	No
	Residential	850	62.1	80	No
Site Preparation	Residential	780	61.2	80	No
	Residential	850	60.4	80	No
Grading	Residential	780	64.4	80	No
	Residential	850	63.7	80	No
Paving	Residential	780	59.1	80	No
	Residential	850	58.3	80	No
Building Construction	Residential	780	59.5	80	No
	Residential	850	58.8	80	No
Architectural Coating	Residential	780	49.9	80	No
	Residential	850	49.1	80	No
1. Distance measured from the center of the project site to the receptor's nearest property line. 2. Modeled noise levels conservatively assume the simultaneous operation of all pieces of equipment. 3. The FTA Noise and Vibration Manual establishes construction noise standards of 80 dBA $L_{eq}(8\text{-hour})$ for residential uses and 85 dBA $L_{eq}(8\text{-hour})$ for commercial uses. Source: Federal Highway Administration, <i>Roadway Construction Noise Model</i> , 2006. Refer to Appendix H for noise modeling results.					

As shown in **Table 16**, construction noise levels would not exceed the applicable FTA construction noise thresholds. The highest exterior noise level at the nearest sensitive receptors would occur during the grading stage of construction and would be 71.4 dBA, which is below the FTA's 80 dBA L_{eq} construction threshold. Construction activities may also cause increased noise along site access routes due to movement of equipment and workers. Additionally, compliance with Section 95C.08 of the Municipal Code, which limits construction from 7:00 AM to 6:00 PM Monday through Friday, 8:00 AM to 6:00 PM Saturday, and 9:00 AM to 5:00 PM on Sunday and Holidays, would minimize impacts from construction noise, as construction would be limited to daytime hours.

As discussed above, construction noise levels associated with the proposed Project would not exceed the FTA's construction noise thresholds and would be required to comply with the Municipal Code standards. Therefore, the Project would result in a less than significant construction noise impact.

Operations

Project implementation would create new sources of noise in the vicinity of the project site. The major noise sources associated with the Project include mechanical equipment, drive-through operations, outdoor dining, parking areas, and off-site traffic noise.

Mechanical Equipment. Potential stationary noise sources related to long-term operation of the proposed uses would include mechanical equipment. Mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet.³³ At the closest sensitive receptor (the single-family residences located approximately 250 feet northwest of on-site mechanical equipment, noise would attenuate to 38.0 dBA and would not

³³ Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.

exceed the City's allowable noise levels of 60 dBA for residential uses. Therefore, the proposed Project would result in a less than significant impact related to stationary noise levels and no mitigation is required.

Drive-Thru Operations. The Project proposes three new drive-thru restaurants on vacant land. Drive-thru menu boards and intercoms could be located to the west of Building 1 located in the northwestern corner of the project site along Jackson Street, as well as south of Building 3 located in the southeastern corner of the project site along Avenue 42. The Project would also include Building 4, a drive-thru coffee shop, located on the southwestern corner of the site. Project noise sources from drive thru operations include amplified speech from the intercom, idling vehicles, vehicles circulating along the drive-thru lanes. The measured noise level associated with active drive-thru operations is 64 dBA at a distance of 20 feet.³⁴ The closest sensitive receptors to the proposed drive-thru activities are the single-family residences located approximately 190 feet to the northwest of and across Jackson Street from the project site. At this distance, drive-thru noise would attenuate to 47.1 dBA, which is below the City's 60 dBA exterior noise level standards for residential uses. Therefore, the proposed Project would result in a less than significant impact related to drive-thru noise levels and no mitigation is required.

Outdoor Dining. The Project would include an outdoor dining area on the eastern façade of the proposed restaurant building located nearest to the golf course. The outdoor dining area would be used by individuals or small groups to gather outside for a meal and may include low-level background music. Outdoor dining areas with music can generate noise levels up to approximately 82 dBA at one meter from the source.³⁵ At the nearest sensitive receptors (single-family residences located approximately 630 feet northwest of the outdoor dining area, outdoor dining noise would attenuate to 35.6 dBA, and would not exceed the City's allowable noise levels of 60 dBA for residential uses. Therefore, the proposed Project would result in a less than significant impact related to outdoor dining noise levels and no mitigation is required.

Parking Lot Noise. The Project would provide 240 parking stalls for the proposed restaurant uses and 80 parking stalls for the golf course. Parking stalls would be located throughout the project site. Nominal parking noise would occur at the on-site parking areas. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 53 to 61 dBA³⁶ at 50 feet and may be an annoyance to adjacent noise-sensitive receptors. Conversations in parking areas may also be an annoyance to nearby sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.³⁷ It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly L_{eq} metric, which are averaged over the entire duration of a time period.

Parking lot noise would occur at the surface parking lots and would attenuate to approximately 47.0 dBA at the nearest residential receptors located approximately 250 feet northwest of the parking area, and would not exceed the City's allowable noise levels of 60 dBA for residential uses. Parking lot noise also currently occurs at the adjacent properties under existing conditions. Parking lot noise would be consistent with the existing noise in the vicinity and would be partially masked by

³⁴ Drive-thru noise sample collected at Raising Cane's restaurant by Kimley-Horn on August 17, 2018.

³⁵ Obtained from the SoundPLAN Essential version 5.0 reference noise level database.

³⁶ Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.

³⁷ Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, 2015.

background noise from traffic along area roadways. Noise associated with parking lot activities is not anticipated to exceed the City’s noise standards during operation. Therefore, noise impacts from parking lots would be less than significant and no mitigation is required.

Off-Site Traffic Noise. Project implementation would generate increased traffic volumes along nearby roadway segments. Traffic data provided by Kimley-Horn (2023) shows that the proposed Project would generate 7,632 daily trips which would result in noise increases on project area roadways. In general, a traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable.³⁸ Generally, traffic volumes on nearby roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. Therefore, permanent increases in ambient noise levels of less than 3 dBA are considered to be less than significant.

According to the Coachella Valley Association of Governments (CVAG) Coachella Valley Traffic Count Data 2010–2017, the average daily traffic along Jackson Street (the closest Collector Roadway with available traffic volumes) is 8,468 vehicles.³⁹ Therefore, the proposed Project would not generate sufficient traffic to double existing volumes and result in a permanent 3-dBA increase in ambient noise levels. Noise impacts associated with traffic would be less than significant and no mitigation is required.

- b) **Less Than Significant Impact.** Increases in ground-borne vibration levels attributable to the proposed Project would be primarily associated with short-term construction-related activities. Construction on the project site would have the potential to result in varying degrees of temporary ground-borne vibration, depending on the specific construction equipment used and the operations involved.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations in their 2018 *Transit Noise and Vibration Impact Assessment Manual*. The types of construction vibration impacts include human annoyance and building damage. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time (0.20 in/sec annoyance threshold)⁴⁰. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

The nearest structure to the project site is the AutoZone Auto Parts building located approximately 30 feet to the west. The nearest residential structure is located approximately 140 feet northwest of the site. **Table 17: Typical Construction Equipment Vibration Levels** lists vibration levels at 25 feet, 30 feet, and 140 feet for typical construction equipment. Ground-borne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in the table, based on FTA data, vibration velocities from typical heavy construction

³⁸ Federal Highway Administration, *Highway Traffic Noise Analysis and Abatement Policy and Guidance, Noise Fundamentals*, https://www.fhwa.dot.gov/Environment/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed February 2, 2023.

³⁹ Coachella Valley Association of Governments (CVAG), *Coachella Valley Traffic Count Data 2010–2017*, <https://www.arcgis.com/apps/View/index.html?appid=fb9489b188e74be3b599afb52741849d>, accessed February 2, 2023. This represents the closest intersection to the project site for which recent traffic counts have been collected.

⁴⁰ California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, Table 5, April 2020.

equipment operations that could be used during Project construction range from 0.002 to 0.159 in/sec PPV at 30 feet from the source of activity (the distance from active construction zone to the nearest structure to the west), which is below the FTA’s 0.20 PPV threshold for structural damage and Caltrans threshold for annoyance. Therefore, vibration impacts associated with the Project construction would be less than significant.

Table 17: Typical Construction Equipment Vibration Levels			
Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 30 Feet (in/sec)¹	Peak Particle Velocity at 140 Feet (in/sec)¹
Vibratory Roller	0.210	0.159	0.016
Large Bulldozer	0.089	0.067	0.007
Loaded Trucks	0.076	0.058	0.006
Small Bulldozer/ Tractors	0.003	0.002	0.0002
1. Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$, where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance; PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Manual</i> , 2018; D = the distance from the equipment to the receiver. 2. Calculated using the following formula: $L_v(D) = L_v(25 \text{ feet}) - (30 \times \log_{10}(D/25 \text{ feet}))$ per the FTA Transit Noise and Vibration Impact Assessment Manual (2018).			
Source: Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Manual</i> , 2018.			

Once operational, the Project would not be a significant source of ground-borne vibration. Ground-borne vibration surrounding the site currently result from heavy-duty vehicular travel (e.g., refuse trucks, heavy duty trucks, delivery trucks, and transit buses) on the nearby local roadways. Project operations would include periodic truck deliveries. Due to the rapid drop-off rate of ground-borne vibration and the short duration of the associated events, vehicular traffic-induced ground-borne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that cause damage to buildings in the vicinity. According to the FTA’s Transit Noise and Vibration Impact Assessment, trucks rarely create vibration levels that exceed 70 VdB (equivalent to 0.012 inches per second PPV) when they are on roadways. Therefore, trucks operating at the project site or along surrounding roadways would not exceed FTA thresholds for building damage or annoyance. Impacts would be less than significant and no mitigation is required.

- c) **No Impact.** The nearest airport to the project site is the Crown Aero Bermuda Dunes Airport, a public use strip, located approximately 2.9 miles to the west and Jacqueline Cochran Regional Airport (formerly Thermal Airport) located approximately 8.2 miles to the southeast. The project site is not within 2.0 miles of a public airport or private airfield or identified within an airport land use plan. Therefore, the Project would not expose people residing or working in the area to excessive airport- or airstrip-related noise levels and no mitigation is required.

Mitigation Measures: None required.

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

- a. **Less Than Significant Impact.** A significant impact could occur if a project would locate new development with the effect of substantially inducing growth in the area that would otherwise not have occurred as rapidly or in as great a magnitude. The Project proposes three drive-thru fast-food restaurants and one sit-down restaurant. It is anticipated that the Project would cumulatively have approximately 210 employees. Given the scale and nature of the Project, it is assumed that employment associated with these uses would not induce direct population growth in the City. It is assumed the new jobs could be filled by local residents who already reside in the City. Additionally, the Project does not include the extension of roads or other infrastructure to unserved areas, which could induce indirect growth. Therefore, a less than significant impact would occur and no mitigation is required.
- b. **No Impact.** The project site does not contain any existing housing and no housing would be removed to accommodate the proposed Project. Therefore, no impact would occur and no mitigation is required.

Mitigation Program: None required.

15. PUBLIC SERVICES –	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Source: Desert Sands Unified School District, *August 2022 School Impact/Developer Fees*. Accessed August 2023.

- a. **Less Than Significant Impact.** The project area is served by Indio’s Fire Department (IFD). The nearest fire station is Station 5, located at 42-900 Golf Center Parkway, approximately 1.8 miles southeast of the project site. The IFD is a full-service fire department with 56 full-time staff. The proposed Project would not result in permanent population growth and would not incrementally increase the demand for fire protection and emergency medical services in the area. The forecast employment growth and increased demand for services would not exceed projections and anticipated public service needs. Additionally, the incremental increase would not require the construction of new or alteration of existing fire protection facilities to maintain an adequate level of service to the project area. Therefore, no physical impacts associated with fire protection services and facilities would occur. Additionally, the Project would be subject to the IFD review process and be subject to payment of Development Impact Fees (DIF) which ensures that new development pays its fair share for services that are needed to meet demand.⁴¹ Compliance with fire code and building standards would minimize the Project’s operational impacts to fire protection services to the greatest extent practicable. Therefore, impacts are less than significant and no mitigation is required.
- b. **Less Than Significant Impact.** The Indio Police Department (IPD) provides police protection services to the area, inclusive of the project site. The IPD station is located at 46800 Jackson Street, approximately 2.5 miles south of the site. The IPD has approximately 80 staff and participates in the California Law Enforcement Mutual Aid System. The Law Enforcement Mutual Aid System is used to restore order during emergencies and provides assistance to local agencies during other unusual events.

The proposed Project would not result in substantial population growth and would not substantially increase the demand for police services in the area. The forecast employment growth and increased demand for services would not exceed projections and anticipated public service needs. Additionally, Project implementation would not require the construction of new or the alteration of existing police facilities to maintain an adequate level of service to the project area. Pursuant to the City’s existing

⁴¹ City of Indio Municipal Code Section 33.065 Development Impact Fees Findings and Intent. Accessed July 11, 2023.

permitting process, the IPD would review and approve the final site plans to ensure that the crime prevention through design measures are incorporated. Additionally, the Project would be subject to payment of DIF which ensures that new development pays its fair share for services that are needed to meet demand. As a result, the proposed Project would not adversely impact service ratios or response times or require new or altered facilities. Therefore, the Project's impact on police protection services would be less than significant and no mitigation is required.

- c. **Less Than Significant Impact.** The City is served by both the Desert Sands Unified School District (DSUSD) and the Coachella Valley Unified School District (CVUSD). Per the General Plan EIR, both school districts are operating at or over capacity. The project site is within the boundaries of the DSUSD. The Project does not include any residential development. The proposed Project is expected to have approximately 210 employees. These employees would predominantly come from the existing workforce in the City and would therefore not contribute to a significant population increase and associated student population influx to any specific school in the DSUSD or CVUSD service area. School funding comes predominantly from federal, State, and local contributions, including business and personal income taxes, sales tax, and property tax. Although the Project would result in a nominal indirect incremental increased demand for school services, the Project would be required to comply with SB 50 requirements, which allow school districts to collect impact fees from developers of new projects. The current DSUSD development fee for restaurant commercial uses is \$0.78/sf.⁴²

As stated in Government Code Section 65995(h), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed ...are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization ...on the provision of adequate school facilities." Payment of these fees would offset impacts from increased demand for school services associated with development of the proposed Project by providing an adequate financial base to construct and equip new and existing schools. Overall, the Project would not contribute to a significant student population increase and payment of impact fees would ensure that impacts are offset and remain less than significant.

- d. **Less Than Significant Impact.** Please refer to **Section 16, Recreation**.
- e. **Less Than Significant Impact.** The Riverside County Library System provides library services to the area. The nearest library to the project site is the Indio Public Library, located at 200 Civic Center Drive, approximately 1.8 miles southwest of the site. The proposed Project would not result in substantial permanent population growth and would not incrementally increase the demand for library services in the area. The threshold for determining impacts pursuant to CEQA is based upon whether a project would result in substantial adverse physical impacts associated with the provision or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives. The impacts to the overall per capita availability of books, media, computers, and library public service space would not create significant physical or environmental impacts. Therefore, project-related impacts to library facilities would be less than significant and no mitigation is required.

Mitigation Measures: None required.

⁴² Desert Sands Unified School District, August 2022 School Impact/Developer Fees. Accessed July 2023.

16. RECREATION –	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

a. – b. Less Than Significant Impact. The City manages over 107 acres of parkland and 16 parks throughout the City, excluding golf courses.⁴³ The Project includes three drive-thru fast-food restaurants and one sit-down restaurant. The Project is not a residential development that would generate a permanent increase of residents in the area leading to a demand for park services. Therefore, the proposed Project would not result in substantial physical deterioration of existing parks and recreational facilities and no new recreational facilities would be required. Impacts would be less than significant and no mitigation is required.

Mitigation Measures: None required.

⁴³ City of Indio. (2019). *City of Indio General Plan Indio Parks, Recreation and Open Space Element. Page 7-3.* Accessed June 2023.

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

Sources: TJW Engineering Inc. has conducted a Focused Traffic Study for the proposed Project and Kimley-Horn has conducted a Traffic Memorandum. The report is included in this Initial Study as **Appendix I: Traffic Study** and summarized below.

- a) **Less Than Significant Impact.** The proposed Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Construction Traffic

Automobile and truck traffic volumes associated with project-related construction activities would vary throughout the construction phases, as different activities occur. However, project-related construction traffic would be temporary and cease upon Project completion.

Project Trip Generation

The trip generation was determined using trip generation rates from the latest edition of the Institute of Transportation Engineers Trip Generation Manual (11th Edition) and pass-by rates from the Institute of Transportation Engineers Trip Generation Handbook (3rd Edition). The Project is projected to generate 6,393 daily trips, 377 AM peak hour trips, and 254 PM peak hour trips; see **Appendix I** for the trip generation table.

All roadway and driveway improvements would be constructed pursuant to City and Indio Fire Department requirements. There are no proposed off-site roadway improvements. Therefore, the Project would not conflict with a program, plan, ordinance, or policy concerning roadway facilities, and a less than significant impact would occur.

Transit Facilities

SunLine provides public transportation service in the City of Indio.⁴⁴ The SunLine transit routes that serve the project site include RT 81 and RT 80-T. There are currently two bus stops within a 0.25-mile of the site: one located at the intersection of Jackson Street and Avenue 42 and the other located at the intersection of Avenue 42 and Calhoun Street. Proximity to transit opportunities would allow convenient access to future customers and employees of the proposed Project. Project construction and operation would not impact transit facilities.

Bicycle Facilities

The City of Indio Complete Streets and Drainage Master Plan identifies a high-quality bicycle network that includes Class I, II, III, and IV bicycle facilities to support active transportation throughout the City.⁴⁵ Figure 2.10: Existing Bikeway Facilities of the Complete Streets and Drainage Master Plan shows the existing Class I and Class II Bike facilities and the proposed Class I, II, III, and IV bicycle facilities throughout the City. There is an existing Class II Bike Lane on Avenue 42 between Golf Center Parkway and Jackson Street which runs along the southern boundary of the project site. A Class II Bike Lane is defined as a portion of the roadway that is designated by striping, signaling, and/or pavement markings for the exclusive use of bicyclists. Figure 2.10 also identifies Avenue 42 between Golf Center Parkway and Jackson Street as a proposed Class IV Protected Bike Lane. A Class IV Protected Bike Lane is defined as a separated bikeway that includes a physical barrier between bicyclists and motor vehicle traffic within the roadway.

The proposed Project does not propose to remove the existing bike lane, nor would it prohibit the installation of the proposed Class IV Protected Bike Lane. Project construction could temporarily impact bicycle facilities with a temporary closure or rerouting of the existing Class II Bike Lane; however, this would be temporary and would not result in a significant impact to bicycle facilities.

Pedestrian Facilities

Sidewalks are provided in the area along Avenue 42 and Jackson Street. North of the AutoZone, a sidewalk would be constructed on Jackson Street along the project site frontage. Project construction could temporarily impact pedestrian facilities; however, this would be temporary and would not result in a significant impact to pedestrian facilities.

The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities bicycle facilities. Therefore, and a less than significant impact would occur in this regard and no mitigation is required.

- b) **Less Than Significant Impact.** Senate Bill 743 (SB 743) was approved by California legislature in September 2013. SB 743 required changes to CEQA, specifically directing the Governor's Office of Planning and Research (OPR) to develop alternative metrics to the use of vehicular "Level of Service" (LOS) for evaluating transportation projects. OPR has prepared a technical advisory ("OPR Technical Advisory") for evaluating transportation impacts in CEQA and has recommended that Vehicle Miles Traveled (VMT) replace LOS as the primary measure of transportation impacts. The Natural Resources Agency adopted updates to CEQA Guidelines to incorporate SB 743 that require VMT for the purpose of determining a significant transportation impact under CEQA.

The County of Riverside's *Transportation Analysis Guidelines for Level of Service (LOS) and Vehicle Miles Traveled (VMT)* (December 2020) provides details on appropriate screening thresholds that can

⁴⁴ City of Indio, 2020, *Complete Streets & Drainage Master Plan*, Page 43 and Figure 2.14: SunLine Transit Bus Routes in the City of Indio. Accessible at: <https://www.indio.org/home/showpublisheddocument/2643/638006882351570000>, accessed June 23, 2023.

⁴⁵ City of Indio, 2020, *Complete Streets & Drainage Master Plan*, Figure 2.10: Existing Bikeway Facilities. Accessible at: <https://www.indio.org/home/showpublisheddocument/2643/638006882351570000>, accessed June 23, 2023.

be used to identify when a proposed land use project is anticipated to result in a less-than-significant impact without conducting a more detailed level analysis. Screening thresholds are broken down into the following seven project types:

- Small Projects
- Projects Net High Quality Transit
- Local-Serving Retail
- Affordable Housing
- Local Essential Service
- Map-Based Screening
- Redevelopment Projects

Land development projects that meet one or more of the above screening thresholds may be presumed to create a less-than-significant impact on transportation and circulation while all other project types are presumed to not be screened out.

Pursuant to the County's guidelines, a project is presumed to cause a less than significant impact if no single store on a project site exceeds 50,000 sf and the project is determined to be local-serving by the local agency's Transportation Department. This project type has been determined to reduce VMT by shortening trips that will occur. Since the proposed Project is a local-serving retail and the total square footage of the project site is less than 50,000 sf. Therefore, the proposed Project screens out of Local-Serving Retail and is presumed to cause a less than significant transportation impact and no mitigation is required.

- c) **Less Than Significant Impact.** Vehicular access to the project site would be provided from three full-movement driveways on Jackson Street and two full-movement driveways on Avenue 42. All driveways are unsignalized except for one driveway on Avenue 42. Once vehicles access the project site, they would either park or line up in the queue for one of the drive-thru restaurants. A queuing analysis was conducted for the proposed Project. The analysis concluded the following for the three drive-thru restaurant buildings:

Building 1

The user of this building has not yet been determined. However, the site plan for Building 1 has been designed to include a drive-thru lane. The drive-thru lane for Building 1 has the capacity to accommodate 17 vehicles at any given time. The queuing analysis that was conducted for the Project determined that a 17 vehicle drive-thru capacity would be able to support a high-volume user.

Building 3

The user of this building would be Chick-Fil-A. The queuing analysis for the project site used the 85th percentile of four Chick-Fil-A locations that were observed during the study and determined that the drive-thru lane for Building 3 would need to accommodate 18 vehicles. The drive-thru design in proposed site plan has the capacity to accommodate 53 vehicles at a given time, which exceeds the queuing capacity of 18 vehicles.

Building 4

The user of this building would be Dutch Bros, a coffee drive-thru use. The queuing analysis for the project site used the 85th percentile of two Dutch Bros locations that were observed during the study and determined that the drive-thru lane for Building 4 would need to accommodate 9 vehicles. The

drive-thru design for Building 4 has the capacity to accommodate 22 vehicles at a given time, which exceeds the queuing capacity of 9 vehicles.

The existing turning lane capacities are projected to accommodate Existing Plus Project 95th percentile queue lengths throughout the study area, and Project driveway queues are not expected to impede on-site circulation (see **Appendix I**). At the relocated golf course parking entrance, 95th percentile queues are not forecasted to impede parking lot circulation, and the access point is forecasted to operate at an acceptable level of service. In the event that the number of vehicles in the proposed drive-thru lane were to exceed its queuing capacity, the excess vehicles would be contained within the site and would not stack onto the City's right-of-way. Additionally, employees would also help direct traffic on the project site to prevent spill over onto public streets.

Construction of the driveways and internal circulation improvements design would be subject to City Building and Fire Department standards. The project site is bordered by existing roadways and urban land uses. The proposed Project does not include the use of any incompatible vehicles or equipment, such as farm equipment. There are no components of the Project that would increase hazards to the public due to incompatible use. The proposed Project would develop a fast-food restaurant in an urbanized area of the City, adjacent to and near other existing restaurants with drive-thrus. The Project would be compatible with the surrounding environment. Therefore, such impacts are considered less than significant, and no mitigation is required.

- d) **Less Than Significant Impact.** As noted above, from three full-movement driveways on Jackson Street and two full-movement driveways on Avenue 42. The driveways on Jackson Street and Avenue 42 would provide emergency vehicle access to the site. Additionally, the proposed Project would be required to incorporate all applicable design and safety requirements as set forth in fire codes, building codes, and safety standards. No changes to the existing roadway network would occur. As previously discussed in Threshold 4.9f, there are no established emergency evacuation routes in the City of Indio, per the Indio General Plan EIR.⁴⁶ Additionally, the Project would not require the complete closure of any public or private streets or roadways during construction. Temporary construction activities would not impede use of the road for emergencies or access for emergency response vehicles. Therefore, the Project would not result in inadequate emergency access. No impact would occur and no mitigation is required.

Mitigation Measures: None required.

⁴⁶ City of Indio, 2019, *Final Environmental Impact Report for the City of Indio General Plan Update*, Page 4.8-23. Available at: <https://www.indio.org/home/showpublisheddocument/924/637874293008870000>, accessed June 16, 2023.

18. TRIBAL CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial Adverse change in the significance of a Tribal cultural resource, defined in Public Resource Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size 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 Resource Code Section 5020.1(k), or;	☐	☐	☒	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☒	☐	☐

- ai) **Less Than Significant.** The project site is not listed in the California Register of Historical Resources (CRHR), or eligible for listing by the California Historical Resources Commission for listing in the CRHR. Further, a record search conducted at SCCIC, which included a search of the CRHR, did not identify any listed or eligible tribal cultural resources (TCRs) that would be adversely affected by the proposed Project. Additionally, the NAHC Sacred Lands File Search produced a negative result for TCRs proximate to the project site. Therefore, the proposed Project would not cause a substantial adverse change in the significance of a known TCR, either listed in the California Register of Historic Resources or in a local register, or that is determined by the City of Anaheim, at its discretion and supported by substantial evidence, to be significant pursuant to Public Resources Code Section 5024.1. Therefore, impacts would be less than significant and no mitigation is required.
- aii) **Less Than Significant Impact with Mitigation.** Chapter 532 Statutes of 2014 (i.e., AB 52) requires that lead agencies evaluate a project's potential impact on "tribal cultural resources." Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a "tribal cultural resource."

The Project also requires a General Plan Amendment, and is therefore subject to the requirements of SB 18. SB 18 requires a local government to notify and consult with California Native American tribes when the local government is considering the adoption or amendment of a general plan or a specific plan.

In compliance with PRC Section 21080.3.1(b), 5097.9, and 5097.995, the City has provided formal notification to California Native American tribal representatives identified by the California Native American Heritage Commission. Native American groups may have knowledge about cultural resources in the area and may have concerns about the adverse effects of development on tribal cultural resources as defined in PRC Section 21074. The City has contacted the tribal representatives noted below.

- Agua Caliente Band of Cahuilla Indians, Reid Milanovich
- Agua Caliente Band of Cahuilla Indians, Patricia Garcia-Plotkin
- Augustine Band of Cahuilla Mission Indians, Amanda Vance
- Cabazon Band of Mission Indians, Doug Welmas
- Cahuilla Band of Indians, Daniel Salgado
- Campo Band of Diegueno Mission Indians, Ralph Goff
- Ewiiapaayp Band of Kumeyaay Indians, Michael Garcia
- Ewiiapaayp Band of Kumeyaay Indians, Robert Pinto
- La Posta Band of Diegueno Mission Indians, Javaughn Miller
- La Posta Band of Diegueno Mission Indians, Gwendolyn Parada
- Los Coyotes Band of Cahuilla and Cupeño Indians, Ray Chapparosa
- Manzanita Band of Kumeyayy Nation, Angela Elliot Santos
- Mesa Grande Band of Diegueno Mission Indians, Michael Linton
- Morongo Band of Mission Indians, Ann Brierty
- Morongo Band of Mission Indians, Robert Martin
- Quechan Tribe of the Fort Yuma Reservation, Jordan Joaquin
- Quechan Tribe of the Fort Yuma Reservation, Jill McCormick
- Quechan Tribe of the Fort Yuma Reservation, Manfred Scott
- Ramona Band of Cahuilla, Joseph Hamilton
- Santa Rosa Band of Cahuilla Indians, Lovina Redner
- Soboba Band of Luiseno Indians, Isaiah Vivanco
- Soboba Band of Luiseno Indians, Joseph Ontiveros
- Torres-Martinez Desert Cahuilla Indians, Thomas Tortez
- Twenty-Nine Palms Band of Mission Indians, Darrell Mike

Correspondence to tribal representatives is included in **Appendix J: Native American Tribal Consultation Correspondence** to this Initial Study. At the time of publication of this Initial Study, the City was contacted by tribal representatives of the Morongo Band of Mission Indians and the Agua Caliente Band of Cahuilla Indians. The Morongo Band of Mission Indians states that the project site is not within the boundaries of the ancestral territory or traditional use area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians. The Agua Caliente Band of Cahuilla Indians requested monitoring during grading and requested a copy of the Cultural Resources report; the report was sent to the tribal representative by the City.

It is unlikely that Native American tribal cultural resources are present on the project site, given prior site disturbance. Notwithstanding, Project construction would include limited excavation and grading. Therefore, there is the potential for the Project to affect previously unidentified Native American tribal cultural resources. The Project would be subject to compliance with **MM CR-1**, which requires the retention of a qualified archaeologist and Native American Cultural Resources monitor, and outlines specific instructions if resources are found. If resources are found, the archaeologist would temporarily halt or redirect work to permit the sampling, identification, and evaluation of the artifacts and resources, as appropriate. If resources are significant, the archaeologist would determine appropriate actions, in cooperation with the City and Project applicant. Implementation of MM CR-1 would reduce any potential impacts to tribal cultural resources to a less than significant level. Impacts are considered less than significant with mitigation.

Mitigation Measures

See MM CR-1 in the Cultural Resources section.

19. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonable foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by 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) Less Than Significant Impact.

Water

The Indio Water Authority (IWA) provides water service in the City, inclusive of the project area. The Coachella Valley Water Districts Regional Urban Water Management Plan (RUWMP) was prepared on behalf of six urban water suppliers in the Coachella Valley, including the IWA. According to the RUWMP, 2020 water use in the service area was 331 gallons per capita per day (GPCD) or 99,842 acre-feet per year (AFY).⁴⁷ The projected water demand for the Project would be 798 AFY based on 3.8 AFY per person for 210 employees. According to RUWMP, commercial, industrial and institutional land use water demand for IWA is projected to increase from 6,183 AFY in 2020 to 7,985 AFY by 2045.^{48,49} Therefore, Project water demand would account for less than 13 percent of the 2020 water demand and less than 10 percent of the 2045 water demand for Commercial, Industrial and Institutional uses or less than 8 percent of the overall demand.

⁴⁷ Coachella Valley Water District. (2020). 2020 Coachella Valley Regional Urban Water Management Plan Table 4-14. Accessed June 23, 2023.

⁴⁸ Coachella Valley Water District. (2020). 2020 Coachella Valley Regional Urban Water Management Plan Table 4-7. Accessed June 23, 2023.

⁴⁹ Coachella Valley Water District. (2020). 2020 Coachella Valley Regional Urban Water Management Plan Table 4-8. Accessed June 23, 2023.

Wastewater

The Valley Sanitation District (VSD) is responsible for management and operation of approximately 254 miles of public sewers that convey about 5.47 million gallons per day (mgd) of flow from residences and businesses to the City's one wastewater treatment and water reclamation plant.⁵⁰ According to the VSD Sewer System Management Plan (SSMP), VSD operates its own water reclamation facility to treat wastewater from its service district area.⁵¹ Per the VSD Master Plan, the water reclamation facility, located at the intersection of Van Buren Street and Enterprise Way, has a treatment capacity of 10 mgd by 2027, 13.3 mgd by 2045, and up to 18 mgd at full buildout.

According to the SSMP, the City uses a model to accumulate the wastewater contributions along each sewer to estimate dry-weather flows for current and future conditions. The SSMP notes the gallons per day (gpd) per person is 62.5. Therefore, assuming 210 employees as a result of the proposed Project, projected peak wastewater generation is anticipated to be 13,125 gpd. The estimated Project wastewater generation represents approximately one percent of the 2027 total treatment capacity at the wastewater treatment plant. Therefore, existing wastewater treatment facilities are able to accommodate the project-generated wastewater. Further, the City collects payment of development impact fees as outlined in IUDC Chapters 33 and 57, which would contribute to the necessary costs required to upgrade and maintain operation of the VSD water reclamation facility. Impacts would be less than significant.

Further, the Project would construct new storm drainage infrastructure and retain stormwater on site. The Project proposes four underground infiltration systems within the parking areas. It is assumed that any additional sheet flows would be directed towards Jackson Street and further directed to the existing City operated and maintained retention basin located approximately 663 feet to the north of the project site, although the proposed facilities would be adequate to accommodate the development. Impacts would be less than significant and no mitigation is required.

There are existing electrical, natural gas, and telecommunication facilities in surrounding roadways. Project implementation would connect to existing infrastructure and would not require construction of new facilities beyond point of connections. No new facilities or relocation of existing utility infrastructure would be required; therefore, no impact would occur.

- b) **Less Than Significant Impact.** As discussed above, IWD would provide water service to the project site. IWA depends solely on local groundwater sourced from the Whitewater River Basin for potable water. The IWA's 2015 UWMP contains a water supply reliability assessment in accordance with the California Water Code 10632(a). The UWMP includes future demand estimates for various hydrologic conditions: a normal year, a single-year, and multiple-dry years. IWA projected demand is not estimated to exceed their supplies in a normal year, single-year, or multiple-dry years.⁵² The Project's water demand would be approximately 798 AFY based on 210 employees. Indoor water conservation measures include low flow rate plumbing fixtures, while outdoor water use would use subsurface dripline irrigation, low water use plant materials, weather-based irrigation controllers, and mulch. Additionally, the Project would be required to comply with IUDC Section 3.02.09 – Landscaping.

As previously mentioned, IWA anticipates an increase in water use through 2045. According to the UWMP, the available water supply would meet projected demand during normal, dry, and multiple

⁵⁰ Valley Sanitary District. (2021). Valley Sanitary District Sewer System Management Plan. Retrieved from: https://www.valley-sanitary.org/sites/g/files/vyhlif721/f/uploads/valley_sanitary_ssm_p_2023.pdf. Accessed on June 23, 2023.

⁵¹ Valley Sanitary District. (2021). Valley Sanitary District Sewer System Management Plan. Retrieved from: https://www.valley-sanitary.org/sites/g/files/vyhlif721/f/uploads/valley_sanitary_ssm_p_2023.pdf. Accessed on June 23, 2023.

⁵² City of Indio. (2022). Indio General Plan Environmental Impact Report.

dry years through 2045. The increase in water demand associated with the proposed Project would represent a nominal portion of IWA’s projected water demand increase. Therefore, the increase in water demand generated by Project implementation can be accommodated by the IWA. No significant impact would occur and no mitigation is required.

- c) **Less Than Significant Impact.** The proposed Project would result in an incremental increase in the demand for wastewater conveyance and treatment facilities. The Project’s wastewater infrastructure would include a connection to the existing commercial development to the southwest as an eight-inch sewer line. The Project would connect to the existing eight-inch sewer main within the commercial development through an eight-inch pipe. The sewer pipe would extend east toward the parking lot and eventually connect to all four buildings. The Project would also install grease interceptors for the buildings. The projected peak wastewater generation is anticipated to be 13,125 gpd. The Project’s estimated wastewater generation represents approximately one percent of the total 2027 treatment capacity at the VCD wastewater treatment plant. Therefore, existing wastewater treatment facilities would be able to accommodate the project-generated wastewater. Additionally, the Applicant would be required to pay development impact fees as outlined in IUDC Chapters 33 and 57 which would contribute to the necessary costs required to upgrade and maintain operation of the VSD water reclamation facility. The increase would not require the construction of new water or wastewater treatment facilities or expansion of existing facilities. Therefore, impacts would be less than significant and no mitigation is required.
- d) **Less Than Significant Impact.** A significant impact may occur if a project were to increase solid waste
- e) generation to a degree that existing and projected landfill capacity would be insufficient to accommodate the additional solid waste. Burrtec Waste and Recycling Services provides solid waste collection services in the City. Solid waste is hauled to the Indio/Coachella Valley Waste Transfer Station in the City of Coachella for separation and recycling. Waste that cannot be recycled is transferred to regional Riverside County landfills.⁵² Solid waste generated by the proposed Project would be disposed at one of the following listed Riverside County landfills. **Table 18: Riverside County Landfill Capacity**, provides capacity details for the landfill.

Table 18: Riverside County Landfill Capacity				
Landfill	Estimated Closure Year	Permitted Capacity (tons per day)	Maximum Permitted Capacity (Cubic Yards)	Remaining Capacity (Cubic Yards)
Blythe	2047	400	6,229,670	12,700,000
Desert Center	2087	60	115,341	35,714
El Sobrante	2045	16,054	184,930,000	145,530,000
Lamb Canyon	2029	5,500	38,935,653	19,242,950
Mecca Landfill II	2098	400	452,182	6,371
Oasis	2055	400	1,097,152	433,779
Total	-	-	266,159,998	181,783,284
Source: City of Indio. (2022). Indio General Plan Environmental Impact Report. Accessed June 2023.				

The Project’s solid waste volume is considered a nominal amount of the daily capacity of the landfills serving the project site. All demolition waste removed from the site would be disposed of in compliance with the State of California Waste Management Act (AB 939). Existing landfills have sufficient capacity to serve the Project.

State, County, and local agencies with regulatory authority related to solid waste include the California Department of Resources Recycling and Recovery, VSD, and other franchised authorized waste haulers in the City. Regulations specifically applicable to the proposed Project include the California Integrated Waste Management Act of 1989 (AB 939), Section 4.408 of the CALGreen Code, and AB 341, which requires both multi-family residential development and commercial uses to implement recycling programs.

The Integrated Waste Management Act, which requires every City and County in the State to prepare a Source Reduction and Recycling Element (SRRE) to its Solid Waste Management Plan, identifies how each jurisdiction will meet the State's mandatory waste diversion goal of 50 percent by and after the year 2000. AB 341 increased the diversion goal to 75 percent by 2020.

CALGreen Code Section 4.408 requires preparation of a Construction Waste Management Plan that outlines ways in which the contractor would recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition debris. During the construction phase, the proposed Project would comply with the CALGreen Code through the recycling and reuse of at least 65 percent of the nonhazardous construction and demolition debris from the project site. No conflict with statutes and regulations related to solid waste would occur. No mitigation is required.

Mitigation Measures: None required.

20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, 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) **No Impact.** According to CalFire Fire Hazard Severity Zone Viewer, the project site is not within a State Responsibility Area.⁵³ The site is not within a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area. Project design and site access would adhere to City of Indio Fire Department regulations and design standards. Further, Project construction would not require the complete closure of any public or private streets or roadways during construction. Temporary construction activities would not impede use of the road for emergencies or access for emergency response vehicles. The Project would be reviewed and approved by the City of Indio Fire Department prior to issuance of building permits to ensure that it would not preclude or interfere with emergency access or fail to comply with fire department standards. Therefore, the Project would not impair an adopted emergency response or emergency evacuation plan, and no impact would occur.
- b) **No Impact.** As discussed above, the project site is not within or near an area classified as a VHFHSZ. Therefore, no impact would occur and no mitigation is required.
- c) **No Impact.** The project site is not within an area classified as a VHFHSZ. The site is bordered by urban land uses, roadways, and a golf course. The proposed Project would tie into existing infrastructure that currently serves the project area. Project implementation would not result in the new construction, installation, or maintenance of new infrastructure. No impact would occur and no mitigation is required.

⁵³ California Department of Forestry and Fire Protection, *FHSZ Viewer*, Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed June 23, 2023.

- d) **No Impact.** As previously mentioned, the site is not within an area classified as a VHFHSZ. It is generally flat with on-site elevations ranging from approximately 13 to 18 feet below sea level and does not include any downslopes. According to the California Geological Survey, the project site is not within an area identified as having a potential for landslides.⁵⁴ Since the site and surrounding areas are relatively flat, no impacts would occur and no mitigation is required.

Mitigation Measures: None required.

⁵⁴ California Geological Survey, *Earthquake Zones of Required Investigation*, Available at: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed June 23, 2023.

21. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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 plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☒	☐

- a) **Less Than Significant Impact with Mitigation Incorporated.** On the basis of the foregoing analysis, the proposed Project does not have the potential to significantly 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 or eliminate a plant or animal community, substantially 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 with incorporation of MM BIO-1, BIO-2, and BIO-3. The project site is bordered by existing development in the City of Indio. The proposed Project is consistent with the intent of the General Plan. Therefore, the Project would not have a significant impact on any sensitive, rare, or endangered plant/wildlife community.
- b) **Less Than Significant Impact.** The proposed Project does not have impacts that are individually limited, but cumulatively considerable. Incremental impacts resulting from development and operation of the Project and other cumulative projects that would be under construction include air quality, cultural resources, geology and soils, hazards and hazardous materials, and tribal resources. The analysis concluded that these incremental impacts are each less than significant or can be mitigated to a less than significant level. When viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects, the Project's

contribution would not be cumulatively considerable. No significant adverse environmental impacts have been identified. The analysis contained in this Initial Study evaluated existing conditions, potential impacts associated with the development of the Project, and possible environmental cumulative impacts. The Project does not have any impact on projected growth or planned projects for the City of Indio or neighboring jurisdictions known as of the date of this analysis.

- c) **Less Than Significant Impact with Mitigation Incorporated.** There are no known substantial adverse effects on human beings that would be directly or indirectly caused by the proposed Project. The Project's impacts involving adverse effects, including the risks of loss, or death involving seismic-related ground failure, including liquefaction would be mitigated to less than significant with incorporation of GEO-1 and GEO-2. The environmental evaluation has concluded that no significant environmental impacts will result from the Project.