INDIAN WELLS
GENRAL PLAN UPDATE
PROGRAMMATIC DRAFT EIR
SCH# 2024071208

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Chapter 1 Executive Summary

1.1 Overview of the Executive Summary

This chapter has been prepared pursuant to Section 15123 of the California Environmental Quality Act (CEQA) Guidelines, which states that an Environmental Impact Report ("EIR") Summary shall: 1) contain a brief summary of the proposed action; 2) identify each significant effect with proposed mitigation measures that would reduce or avoid that effect; 3) identify alternatives that were designed to reduce or avoid identified significant effects; 4) identify areas of controversy known to the Lead Agency including issues raised by agencies and the public; and 5), identify issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.

1.2 Summary of the Proposed Action

1.2.1 Indian Wells General Plan Update

The City of Indian Wells (City), as the lead agency, is updating the City's General Plan which was adopted on February 1, 1996 (City Resolution No. 96-9). The City's 1996 General Plan discussed significant City elements, specifically including Land Use, Housing, Circulation, Conservation and Open Space, Community Safety, and Noise. This Programmatic Draft EIR ("PDEIR") analyzes the environmental impacts of the proposed update of the Indian Wells General Plan.

Proposed Project

The State of California mandates that each jurisdiction prepare and adopt a comprehensive general plan. Government Code Section 65300 et. seq. requires the general plan to address all issues that affect the physical development of the community, as well as land outside its boundaries that potentially affect the City's long-term planning. The role of a general plan is to act as a "constitution" for development, the foundation upon which all land use decisions are based.

All general plans in California must meet minimum requirements, as stipulated in the State Government Code. Each general plan is required to address State mandated issues as they apply to the particular community. The Indian Wells General Plan Update ("GPU") addresses the State mandated issues, more commonly referred to as "elements" are organized into functional chapters. The GPU addresses land use, transportation, housing, safety, conservation, open space, noise, public health, sustainability, and economic development in the following elements: Land Use, Mobility, Open Space, Conservation, Safety, Noise, and Economic Development. The City adopted a new

Housing Element on July 6, 2023 (subsequent draft November 2023). The new Housing Element will not be amended. Each of the elements includes a statement of authority, a summary of existing conditions, and the goals and policies represent the City's position related to the future development of Indian Wells.

The Indian Wells GPU establishes a blueprint for the City's long-term development. The overall intent of the GPU is to direct daily City actions, through policy statements, toward improving and maintaining a socially cohesive, economically viable, and physically attractive community. The GPU is intended to guide development within the Planning Area for the buildout year 2040, however, technical analyses prepared for the GPU evaluated to the horizon year 2045 (a 20-year horizon is typically used when evaluating transportation needs and solutions).

The GPU includes an update to the City's Land Use Map. The GPU includes 15 land use designations. The project proposes to change the current land use designation at two locations, as indicated in the table below.

Table 1-1 Updates to the Land Use Plan

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

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

Buildout of the proposed General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan). See **Chapter 3.0, *Project Description***, for an in-depth discussion of existing developments, the current General Plan designations, and the proposed General Plan designations.

1.3 Summary of Project Impacts

Chapter 4.0, *Environmental Impact Analysis*, of this Draft EIR presents the environmental impact analysis for all CEQA resource topics and identifies mitigation measures to reduce significant impacts to a less than significant level, where appropriate and feasible. A summary of all impacts and mitigation measures is provided in **Table 1-2** at the end of this summary. **Table 1-2** identifies the

potentially significant effects of the proposed project, mitigation measures, project features and/or requirements identified to avoid or reduce the identified potentially significant effects to less than significant levels, and the effectiveness of the mitigation measures, project features and/or requirements to reduce the potentially significant effects to a level of less than significant.

As shown in **Table 1-2**, project impacts to aesthetics, agricultural resources, air quality, biological resources cultural and tribal resources, energy resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology, land use and planning, noise, population, public services, recreation, transportation, and utilities and service systems are reduced to less than significant levels with the implementation of GPU policies and actions.

1.4 Alternatives to the Proposed Project

This EIR has considered and evaluated alternatives to the proposed project pursuant to the provisions of Section 15126.6 of the State CEQA Guidelines, as amended. Section 15126.6(a) of the State CEQA Guidelines states that:

> *"An EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR needs to not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation....There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."*

State CEQA Guidelines Sections 15126.6 (b) through (f) identifies the key considerations pertaining to, and requirements for, the preparation of the alternatives analysis in an EIR.

1.4.1 Alternatives Considered for Evaluation

Two alternatives were considered for evaluation and compared to the Indian Wells GPU project. The following provides a summary of the Alternatives provided in **Chapter 7.0, *Alternatives,*** of this PDEIR.

Alternative 1: No Project / Current General Plan Buildout

According to CEQA Guidelines Section 15126.6 (e) the analysis of alternatives must include the specific alternative of "no project." The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed GPU with the impacts of not approving the proposed GPU. Since it is not likely that the vacant parcels within the GPU Planning Area would remain vacant, this Alternative analyzes the buildout of the current General Plan. Therefore, the No Project / Current General Plan Alternative would develop the land uses currently designated within the General Plan. The Current General Plan allows for 5,455 single family units and

816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs. This Alternative proposes the same number of residential units as the proposed GPU. However, the nonresidential space and number of jobs generated by Alternative 1 is less than the proposed GPU.

The No Project / Current General Plan Buildout Alternative analysis evaluates the baseline for determining whether the proposed project's environmental impacts may be significant. Under Alternative 1, the City would not adopt the General Plan Update. The existing Indian Wells General Plan would continue to be implemented and no changes to the General Plan, including the Land Use Map, Circulation Diagram, goals, policies, or actions would occur. Subsequent projects would also not occur.

Alternative 2: Medical Offices and Convalescent Homes

Under Alternative 2, the City would adopt the updated General Plan policy document, but with a community commercial (or professional office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue. This area is proposed for Resort Commercial land uses and zoning in the proposed GPU. Alternative 2 would provide medical offices on 14 acres on the western-most parcel, west of Miles Avenue, and nursing homes/congregate/convalescent housing on 16 acres on the parcels east of Miles Avenue.

This Alternative would provide medical services and employment opportunities within the City, thus resulting in a reduction of VMTs compared to the proposed GPU, however, this impact remains significant and unavoidable.

1.5 Areas of Controversy/Issues to be Resolved

This PDEIR addresses environmental impacts associated with the GPU that are known to the City, raised during the Notice of Preparation (NOP) and scoping process, or were raised during preparation of the PDEIR. This PDEIR addresses the potentially significant impacts associated with aesthetics, agriculture and forest resources, air quality, biological resources, cultural and tribal cultural resources, energy resources, geology, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning and population/housing, noise, public services, recreation, transportation, utilities and service systems, and cumulative impacts. Analysis within this PDEIR determined GPU impacts would result in significant and unavoidable cumulative impacts to agricultural resources due to the anticipated loss of the City's remaining agricultural land, as the City has transitioned from agricultural production to residential, resort, and commercial uses. While the loss of Prime Farmland within Indian Wells is relatively minor compared to the broader Coachella Valley's agricultural land, it contributes to the urbanization and conversion of agricultural land. As the GPU continues to plan for resort and commercial development in the City, no feasible mitigation measures for agricultural resources would align with these objectives. Therefore, the cumulative

impact on agricultural resources is significant and unavoidable. See **Section 4.2, *Agricultural and Forestry Resources,*** of this PDEIR. The PDEIR also determined that the GPU vehicle miles traveled (VMT) per capita exceeds the threshold resulting in a significant VMT impact (per CEQA Guidelines 15064.3(b)), although the GPU is expected reduce VMT per capita and per employee compared to year 2024, promoting a more efficient distribution of land uses and shorter trip distances. However, in order to meet this threshold, a 40 percent reduction in VMT per capita, which is not feasible, even with the policies and actions aimed to provide multi-modal mobility options, the effectiveness of Transportation Demand Management measures in offsetting VMT cannot be guaranteed. Therefore, impacts related to VMT per capita are considered significant and unavoidable.

During the preparation of the NOP, it was determined that the topic of mineral resources and wildfire would result in no impacts within the project. See **Chapter 6.0, *Effects Found to Have No Impact,*** of this PDEIR.

1.6 Summary of Impacts and Mitigation Measures

In accordance with the CEQA Guidelines, this PDEIR focuses on the proposed GPU's significant effects on the environment. The CEQA Guidelines define the significant effects as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project. No impact (NI) means that the resource will not be impacted by the project. A less than significant (LTS) effect is one in which there is no long or short-term significant adverse change in environment conditions. Some significant impacts (SI) are reduced to a less than significant level with the implementation of a GPU policy or action. **Table 1-2** identifies the potentially significant (PS) effects of the proposed GPU and whether a GPU policy or action reduced the significant effect to a less than significant level.

Table 1-2 Summary of Environmental Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
4.1 Aesthetics			
a. Have a substantial adverse effect on a scenic vista?	Potentially Significant (PS)	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less than Significant (LTS)	*General Plan Policies and Actions continue to support LTS finding.*	LTS
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
4.2 Agricultural and Forestry Resources			
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	PS	*Mitigated to the greatest extent feasible through General Plan Policies and Actions. No additional feasible mitigation is available.*	Significant Impact (SI)
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract	No Impact (NI)	*None Required*	NI
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production	NI	*None Required*	NI
d. Result in the loss of forest land or conversion of forest land to non-forest use	NI	*None Required*	NI
e. Involve other changes in the existing environment which, due to their location or nature, could result in	PS	*Mitigated to the greatest extent feasible through General Plan Policies and Actions. No additional feasible mitigation is available.*	SI

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use			
4.3 Air Quality			
a. Conflict with or obstruct implementation of the applicable air quality plan?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
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?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
c. Expose sensitive receptors to substantial pollutant concentrations?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.4 Biological Resources			
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife Service?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
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?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
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?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
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?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.5 Cultural and Tribal Cultural Resources			
a. Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
b. Adverse change to Archaeological Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
c. Disturb any human remains, including those interred outside of formal cemeteries?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
d. Cause a substantial adverse change in the significance of a Tribal cultural resource defined in PRC Section 21074 as either as site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, scared place, or object with cultural value to a California Native American Tribe and that is: i. Listed or eligible for listing in the CHHR, or in local register of historical resources as defined in PRC Section 5020.1 (k)? ii. A resource determined by a Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource toa California Native American?			
4.6 Energy Resources			
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.7 Geology and Soils			
a. Expose people or structures to potential substantial adverse effects involving: i. Rupture of a known fault?	NI	*None Required*	NI
ii. Strong Seismic Shaking?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
iii. Seismic-related ground failure, including liquefaction?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
iv. Landslides?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
b. Result in substantial soil erosion or loss of topsoil?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
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?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
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?	NI	*None Required*	NI
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
4.8 Greenhouse Gas Emissions			
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.9 Hazards and Hazardous Materials			
a/b. Create a significant hazard to the public or the environment due to routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
c. Emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
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?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
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?	NI	*None Required*	NI

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan	LTS	*None Required*	LTS
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.10 Hydrology and Water Quality			
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off-site?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
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?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
iv. Impede or Redirect Flood Flows?	LTS	*None Required*	LTS
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	LTS	*None Required*	LTS

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
e. Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.11 Land Use and Planning			
a. Physically Divide an Established Community?	NI	*None Required*	NI
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 and environmental effect?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.12 Noise			
a. Generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
b. Generation of excessive groundborne vibration or groundborne noise levels?	PS	*General Plan Policies and Actions mitigate this impact to a less than significant level.*	LTS
c. Excessive Noise Levels Due to Proximity to an Airport or a Private Air Strip?	NI	*None Required*	NI
4.13 Population and Housing			
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)?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.14 Public Services			
a. Increased demand on Public Services: Fire, Police, School, Parks, Facilities	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
4.15 Recreation			
a. 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?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.16 Traffic and Circulation			
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit roadway, bicycle and pedestrian facilities?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	PS	*Mitigated to the greatest extent feasible through General Plan Policies and Actions. No additional feasible mitigation is available.*	SI
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
d. Result in inadequate emergency access?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
4.17 Utilities and Service Systems			
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
b. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS

Environmental Impacts	Level of Significance Before Mitigation	Measures Required?	Resulting Level of Significance
has inadequate 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?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS
e. Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	LTS	*General Plan Policies and Actions continue to support LTS finding.*	LTS

Chapter 2.0 Introduction

2.1 Purpose

This Programmatic Draft Environmental Impact Report (PDEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA). The City of Indian Wells is the Lead Agency under CEQA and is responsible for preparing the PDEIR for the proposed Indian Wells General Plan Update 2040 ("GPU"). The GPU will require certain discretionary approvals by the City and other governmental agencies. Therefore, the GPU is subject to environmental review requirements under CEQA. This introduction is included to provide an overview of the purpose content and format of this PDEIR and its relation to the City of Indian Well's planning and environmental review process for the proposed GPU. The Indian Wells City Council will consider the information presented in the document in making an informed decision regarding the approval and conditions of approval, or denial of the project and certification of the EIR.

The purpose of a Draft EIR is to inform decision-makers and the general public to the potential environmental impacts and identify feasible mitigation measures to reduce potentially significant impacts resulting from the proposed Indian Wells General Plan Update. The GPU proposes to update the existing General Plan, which was adopted by the City on February 1, 1996. The 1996 General Plan discusses significant elements and outlines goals for the growth and development of the City. The elements include Land Use, Housing, Circulation, Conservation and Open Space, Community Safety, and Noise. Multiple amendments to the 1996 General Plan occurred to update the various elements, from 2007 to 2023.

A detailed description of the project is included in **Chapter 3.0, *Project Description,*** of this PDEIR. The PDEIR has been prepared in conformance with CEQA (California Public Resources Code, Section 21000, et seq.), and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, et seq.), and with the City of Indian Wells CEQA Guidelines to evaluate the potential environmental impacts associated with the implementation of the Indian Wells GPU.

As described in Section 15121 (a) and 15362 of the *State CEQA Guidelines*, an EIR is an informational document which will inform public agency decision makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. Thus, the purpose of this PDEIR is to focus the discussion on those potential environmental effects of the GPU that the Lead Agency has determined could be significant. In addition, where applicable, feasible mitigation measures are recommended that could reduce or avoid significant environmental impacts identified for the GPU to the maximum extent feasible.

2.1.1 Type of EIR

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. Section 15168 states:

"A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

1) Geographically;
2) As logical parts in the chain of contemplated actions;
3) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or
4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways."

The program-level analysis considers the broad environmental effects of the proposed General Plan Update. This EIR will be used to analyze subsequent (future) projects and activities under the future proposed project. This EIR is intended to provide the information and environmental analysis necessary to assist public agency decision-makers in considering approval of the GPU, but not to the level of detail to consider approval of subsequent development projects that may occur after adoption of the GPU.

Additional environmental review under CEQA may be required for subsequent projects and would be generally based on the subsequent project's consistency with the GPU and the analysis in this PDEIR, as required under CEQA. It may be determined that some future projects or infrastructure improvements may be exempt from environmental review. When individual subsequent projects or activities under the GPU are proposed, the lead agency that would approve and/or implement the individual project will examine the projects or activities to determine whether their effects were adequately analyzed in this program EIR (CEQA Guidelines Section 15168). If the projects or activities would have no effects beyond those disclosed in this EIR, no further CEQA compliance would be required.

2.2 Review of the Program Draft EIR

Upon completion of the preparation of the PDEIR, the City of Indian Wells filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research, State Clearinghouse to begin the public review period (Public Resources Code, Section 21161). Concurrent with the NOC, this PDEIR will be distributed to the Riverside County Clerk, as well as responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the PDEIR in accordance with Public Resources Code Section 21092(b)(3). During the public review period,

the PDEIR, including the technical appendices, is available for review at the City of Indian Wells Community Development Department, and on the City's website. The addresses for each location are provided below:

City of Indian Wells

Development Services
44-950 Eldorado Drive
Indian Wells, CA 92210
Phone: 760-346-2489
Hours: Monday – Friday 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m.

https://www.cityofindianwells.org/city-hall/departments/community-development

Agencies, organizations, and interested parties who wish to comment on the Draft EIR during the 45-day public review period are requested to provide written comments to:

Jon Berg
Community Development Director
44950 Eldorado Drive
Indian Wells, CA 92210
Phone: (760) 776-0229
Email: jberg@indianwells.com

Upon completion of the public review period, written responses to all public comments received will be prepared and included in the Final EIR. Responses to comments received from public agencies will be made available for review at least 10 days prior to the public hearing before the City Council, at which the certification of the EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision makers for the project.

2.3 Scope of the EIR

2.3.1 Notice of Preparation

The City of Indian Wells issued a Notice of Preparation (NOP) to prepare a Draft EIR for a 30-day review period between July 31, 2024 and August 29, 2024. Prior to the preparation of the Draft EIR, an Initial Study was prepared using Appendix G, Environmental Checklist Form, in the California Environmental Quality Act (CEQA) Guidelines. The Initial Study accompanied the Notice of Preparation of the Draft EIR, and all environmental topics will be addressed in the Draft EIR.

The NOP was sent to the State Clearinghouse and to all responsible agencies, adjacent cities and the County of Riverside, and to interested parties. Issues raised by agencies and the public in response to the NOP were considered in the preparation of the Draft EIR. The NOP and comments received are contained in **Appendix A** of this EIR.

The City received 8 comment letters during the 30-day review period.

Comments Received:

Riverside Local Agency Formation Commission (LAFCo)

1. Requested to be a part of the notification list. LAFC has been added.

Native American Heritage Commission (NAHC)

1. EIR must address Tribal Cultural Resources and include a summary of the City's consultation effort under SB18 and AB52. See EIR **Chapter 4.0, *Environmental Impact Analysis*,** and **Section 4.5, *Cultural Resources and Tribal Cultural Resources*.**

City of La Quinta

1. Notification of receipt. Requested to receive notification regarding the project.

California Department of Fish and Wildlife (CDFW)

1. Provided comments regarding biological resources. See EIR **Section 4.4, *Biological Resources,*** for further discussion.

Desert Sands Unified School District (DSUSD)

1. Provided written comments to be included in the EIR. See EIR **Section 4.14, *Public Services,*** for the inclusion of the comments.

Southern California Association of Governments (SCAG)

1. Provided written comments regarding SCAG's regional goals and forecasts. See EIR **Section 4.11, *Land Use and Planning,*** and **Section 4.13, *Population and Housing,*** for inclusion of the goals.

Torres Martinez Desert Cahuilla Indians

1. Informed that development of the City could impact cultural resources and requested that this be analyzed in the EIR. See EIR **Section 4.5, *Cultural and Tribal Resources.***

Imperial Irrigation District (IID)

1. Provided comments regarding the need for electric utility with buildout of the City.

2.3.2 CEQA Standards for Adequacy

This PDEIR provides an evaluation of the potential environmental effects associated with the General Plan Update and associated actions described herein.

This PDEIR was prepared in accordance with Section 15151 of the *State CEQA Guidelines*, which defines the standards for EIR adequacy as follows:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

The City of Indian Wells directed the preparation of this document in fulfillment of its environmental review requirements pursuant to provisions of the *California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-2117*,) *CEQA Guidelines* and the Lead Agency's local CEQA implementation requirements, all as amended.

This PDEIR is intended for use by decision makers, the general public, and other responsible or interested agencies in the review of the Indian Wells General Plan and related entitlement approvals. This PDEIR includes mitigation measures that are provided to eliminate or reduce to acceptable levels the environmental impacts associated with the update to the Indian Wells GPU to the maximum extent feasible.

This PDEIR has been prepared as a program level document that serves as the first tier in the evaluation of the proposed City of Indian Wells GPU that when approved, will act as a "constitution" for development, the foundation upon which all land use decisions are based.

2.4 Organization of the PDEIR

The PDEIR is organized into the following main chapters and sections:

Chapter 1.0: Executive Summary. This chapter includes a summary of the proposed project and a discussion of the alternatives to the project. A brief description of the areas of controversy and issues to be resolved, and overview of potential impacts, and the Mitigation, Monitoring and Reporting Program are also included in this section.

Chapter 2.0: Introduction. This chapter provides an introduction and overview describing the purpose of the EIR, the scope of the EIR, and the review and certification process. This chapter identifies the documents incorporated by reference in the EIR and where these documents can be reviewed. Finally, this chapter includes a summary of the comments received on the Notice of Preparation.

Chapter 3.0: Project Description. This chapter includes a detailed description of the proposed project, including its location, existing site conditions, project history, and project characteristics. A discussion of the project objectives, intended uses of the EIR, responsible agencies and their roles in the

environmental process, and approvals that are needed for the proposed project are also included in this chapter.

Chapter 4.0: Environmental Impact Analysis. This chapter contains a comprehensive evaluation of the environmental impacts of the proposed GPU, organized by resource area. Each resource area section includes a description of the environmental setting (the existing physical environment and the regulatory environment) for the resource area, the methodology for evaluating impacts, the thresholds of significance that are applied in the EIR to evaluate GPU impacts to the resource area in question, mitigation measures (in addition to environmental requirements already imposed on the project by regulatory agencies) proposed in the EIR to reduce any potentially significant impacts that are identified in the EIR, and a finding of the level of significance after mitigation for each potentially significant impact identified in the EIR. The impact evaluation considers direct impacts, indirect impacts, and cumulative impacts. The following resource areas are addressed within **Sections 4.1** through **4.18**.

Section 4.1 – Aesthetics: Addresses visual impacts that may occur with implementation of the proposed GPU.

Section 4.2 – Agriculture and Forestry Resources: Addresses impacts that the proposed project may have on lands designated as Prime (or otherwise important) Farmland or Forestlands and Timberlands.

Section 4.3 – Air Quality: Addresses the local and regional air quality impacts associated with project implementation as well as consistency with the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP). This section also addresses the potential for odors to affect existing and future sensitive receptors in the vicinity.

Section 4.4 – Biological Resources: Addresses the project's impacts on habitat and wildlife in the area, summarizes all the biological resources studies prepared for the project. This section provides a summary of the Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) and evaluates potential impacts associated with the adjacency of the proposed project to the Santa Rosa and San Jacinto Mountains Conservation Area.

Section 4.5 – Cultural and Tribal Cultural Resources: Addresses the impacts of project development on historic, cultural, and archaeological resources, as well as the potential adverse impacts to tribal cultural resources; including a summary of the City's Native American consultation with affected tribes.

Section 4.6 – Energy Resources: Addresses the impacts of project development on energy resources during project construction and operation, as well as whether the project will conflict with a state or local plan for renewable energy or energy efficiency.

Section 4.7 – Geology and Soils: Addresses the potential impacts the project may have on soils and assesses the effects of the project in relation to geologic and seismic conditions, including the site's proximity to the Santa Rosa Mountains. This section also addresses paleontological resources.

Section 4.8 – Greenhouse Gas Emissions: Addresses the project's estimated contribution to global climate change through the emission of greenhouse gases during construction and long-term operation of the GPU.

Section 4.9 – Hazards and Hazardous Materials: Addresses the likelihood of the presence of hazardous materials or conditions throughout the City and in the project area or the transport of hazardous materials that may have the potential to impact human health. This section also includes an analysis of the potential for the site to be impacted by wildland fires due to proximity to permanent open space associated with the Santa Rosa and San Jacinto Mountains Conservancy area.

Section 4.10 – Hydrology and Water Quality: Addresses the impacts of the GPU on regional and local hydrological conditions, including drainage areas, and changes in flow rates; as well as potential impacts that may currently exist that must be addressed during project design to prevent flooding. This section also summarizes the requirements under the County of Riverside's Municipal Separate Storm Sewer System (MS4) Permit for storm water control, retention, and release.

Section 4.11 – Land Use and Planning: Addresses the related land use impacts associated with the implementation of the project, including the project's compatibility with surrounding land uses, and the need for a General Plan Land Use Map Amendment. This section also provides an analysis of the Rancho Mirage General Plan's goals and evaluates the project's consistency with these goals. Finally, this section provides an analysis of the project's relationship and consistency to the CVMSHCP.

Section 4.12 – Noise: Addresses the noise impacts that may occur during construction and operation of future land uses based on compliance with the City's Noise Ordinance.

Section 4.13 – Population and Housing: Addresses the potential of the GPU to induce direct and indirect growth related to population, housing, and employment growth.

Section 4.14 – Public Services: Addresses the impacts upon public service providers including fire, police, schools, and other public services.

Section 4.15 – Recreation: Addresses the potential impacts on existing parks and recreation facilities and programs due to population increase, and evaluates the proposed GPU's recreational features, including trails that would be accessible to the public.

Section 4.16 – Transportation: Addresses impacts on the local and regional roadway system including emergency access, public transportation, bicycle, and pedestrian facilities.

Section 4.17 – Utilities and Service Systems: Addresses the GPU's impact on water supply, wastewater treatment, storm drains, solid waste, electricity, natural gas, and telecommunications.

Chapter 5.0: Other CEQA Required Sections. This chapter provides a summary of significant environmental impacts, including unavoidable and growth-inducing impacts, and any irreversible and irretrievable commitment of resources. This chapter also provides a summary of environmental issues where findings can be made that the project would not cause an impact on the environment or that the impact would be negligible.

Chapter 6.0: Effects Not Found to be Significant. Prior to the development of this PDEIR, an Initial Study was written to determine the significant impacts of the various threshold criteria as determined by the 2024 CEQA Guidelines (see **Appendix A**). This chapter presents the analysis of the effects that result in no impact related to agriculture and forestry, biological resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, and wildfire, per the 2024 CEQA Guidelines.

Chapter 7.0: Alternatives to the Proposed Project. This chapter compares the impacts of the proposed project with three project alternatives: the No Project / No Build Alternative, and a Medical Office and Convalescent Home Alternative.

Chapter 8.0: References. This chapter contains a full list of references that were used in the preparation of the PDEIR.

Chapter 9.0: Acronyms Referenced. This chapter contains a full list of acronyms used throughout the PDEIR.

Appendices. Includes all notices and other procedural documents pertinent to the preparation of the PDEIR, as well as all technical material prepared to support the environmental analysis.

2.5 Reference Documents

2.5.1 Documents Incorporated by Reference

As permitted by CEQA Guidelines Section 15150, this PDEIR incorporates by reference several public documents in order to provide general background information. Information from the documents has been incorporated by reference, and the relationship between the incorporated information and the analysis in the PDEIR has been briefly summarized where each document is referenced in the PDEIR. For the documents that are not available via a website link, the City of Indian Wells will make the documents available for inspection by the public at City Hall, in accordance with PRC Section 21061 and CEQA Guidelines Section 15150.

Documents include:

- Indian Wells General Plan – Updated 2018 https://static1.squarespace.com/static/5f639a7de05d1e43d92ad6a5/t/5f7f8f3d8ecd9933dd0a4057/1602195361668/_General+Plan+Updated+2018.pdf

- Indian Wells Housing Element
  https://static1.squarespace.com/static/5f639a7de05d1e43d92ad6a5/t/654bd74fade8d74bc8bf8fa4/1699469149976/Indian+Wells+Housing+Element_Nov23.pdf
- Coachella Valley Multiple Species Habitat Conservation Plan
  (CVMSHCP Website: https://cvmshcp.org/)

2.5.2 Documents Prepared for the Project

The technical studies prepared for the proposed project and other informational documents are listed below, with their corresponding appendices in parentheses. These documents are included in their entirety at the back of this PDEIR.

Appendix A	Notice of Preparation and Comments Received
Appendix B	Air Quality and Greenhouse Gas Modeling
Appendix C	California Natural Diversity Database
Appendix D	Cultural and Paleontological Resource Study
Appendix E	Noise Study
Appendix F	Traffic Impact Analysis

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Chapter 3.0 Project Description

3.1 Introduction

This section of the Programmatic Draft Environmental Impact Report ("PDEIR") describes the location, objectives, and characteristics of the proposed City of Indian Wells General Plan Update (GPU) project ("project") and the intended uses of this Draft EIR, as required by the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Section 15000 et. seq. Included in this section is a description of the proposed project's technical, economic, and environmental characteristics.

3.2 Regional Setting

The City of Indian Wells (City) occupies an area of roughly 15 square miles. Indian Wells is located in the Coachella Valley area of Riverside County, approximately 14 miles southeast of Palm Springs. Indian Wells is bounded by the City of Palm Desert to the north and west, by the City of La Quinta to the east, and by unincorporated areas of Riverside County to the south. Regional access to the City is provided by Interstate 10, a major east-west highway which provides access to Indian Wells and the Inland Empire region, which encompasses the cities in the Coachella Valley, Riverside County, and San Bernardino County. State Route 74 provides access from the Coachella Valley and the San Diego metropolitan area via State Route 371 and 79.

The Planning Area discussed throughout this environmental document encompasses the entire City of Indian Wells, which is generally surrounded by several local jurisdictions including the cities of Palm Desert to the north and west, La Quinta to the east, and Indio to the northeast, and unincorporated areas of Riverside County to the south and northeast. For the purpose of the General Plan Update and associated documents, the "Planning Area" is defined as the area encapsulating the City limits, over which the City exercises land use authority and provides public services. See **Figure 3-1, *Regional Location Map,*** for the location of Indian Wells in relation to the surrounding cities and **Figure 3-2, *Planning Area,*** for the boundary of Indian Wells. The following land uses are identified along common boundaries and areas near Indian Wells:

City of Palm Desert

- Conventional Suburban Neighborhood
- Golf Course & Resort Neighborhood
- Small Town Neighborhood
- Resort & Entertainment
- Suburban Retail Center
- Employment
- Public Facility/Institutional
- Open Space

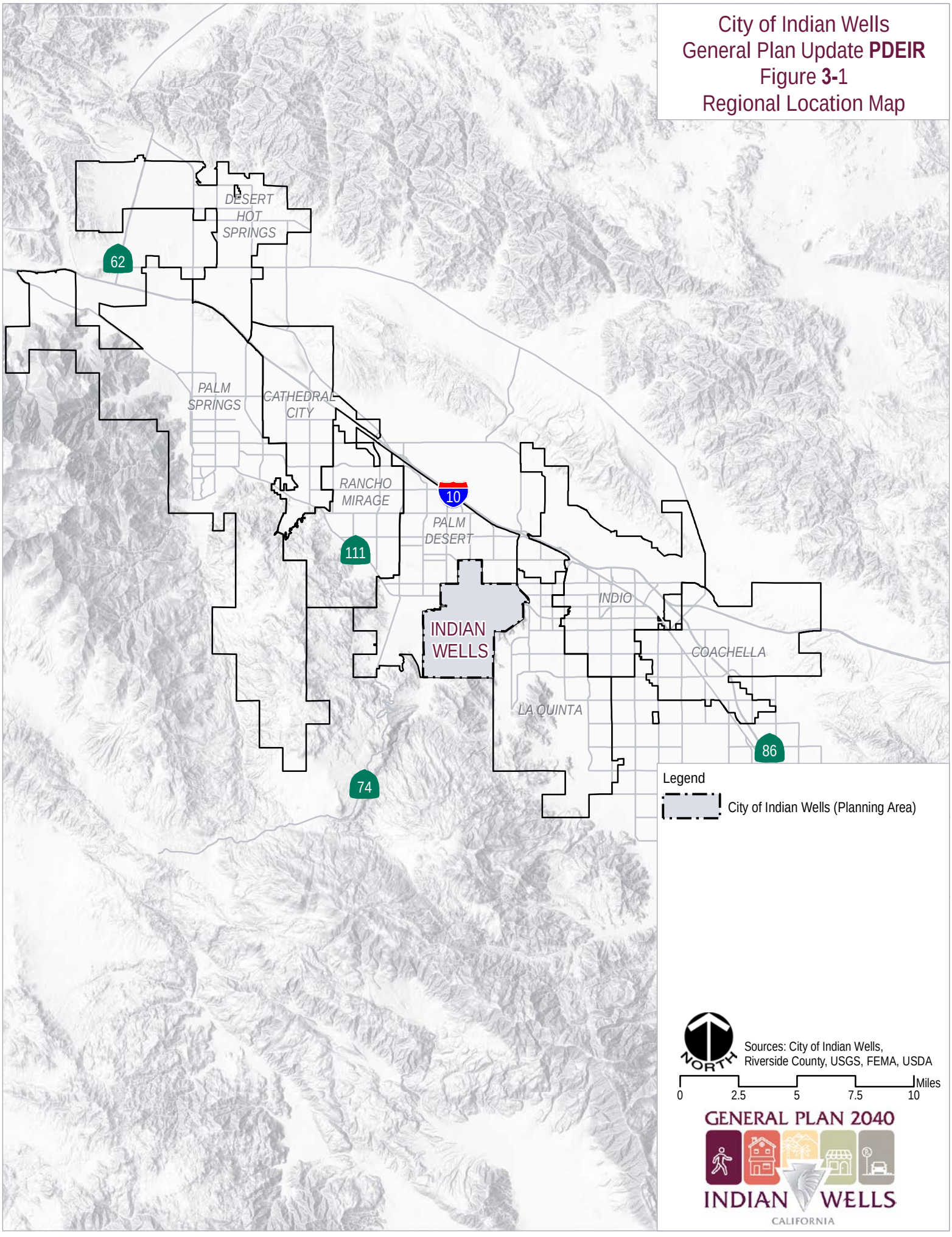
City of La Quinta

- Low Density Residential
- Medium/High Density Residential
- General Commercial
- Tourist Commercial
- Open Space - Natural
- Open Space - Recreation

Unincorporated Riverside County

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial Retail
- Open Space Recreation
- Open Space Rural
- Conservation Habitat

City of Indian Wells
General Plan Update **PDEIR**
Figure **3-**1
Regional Location Map

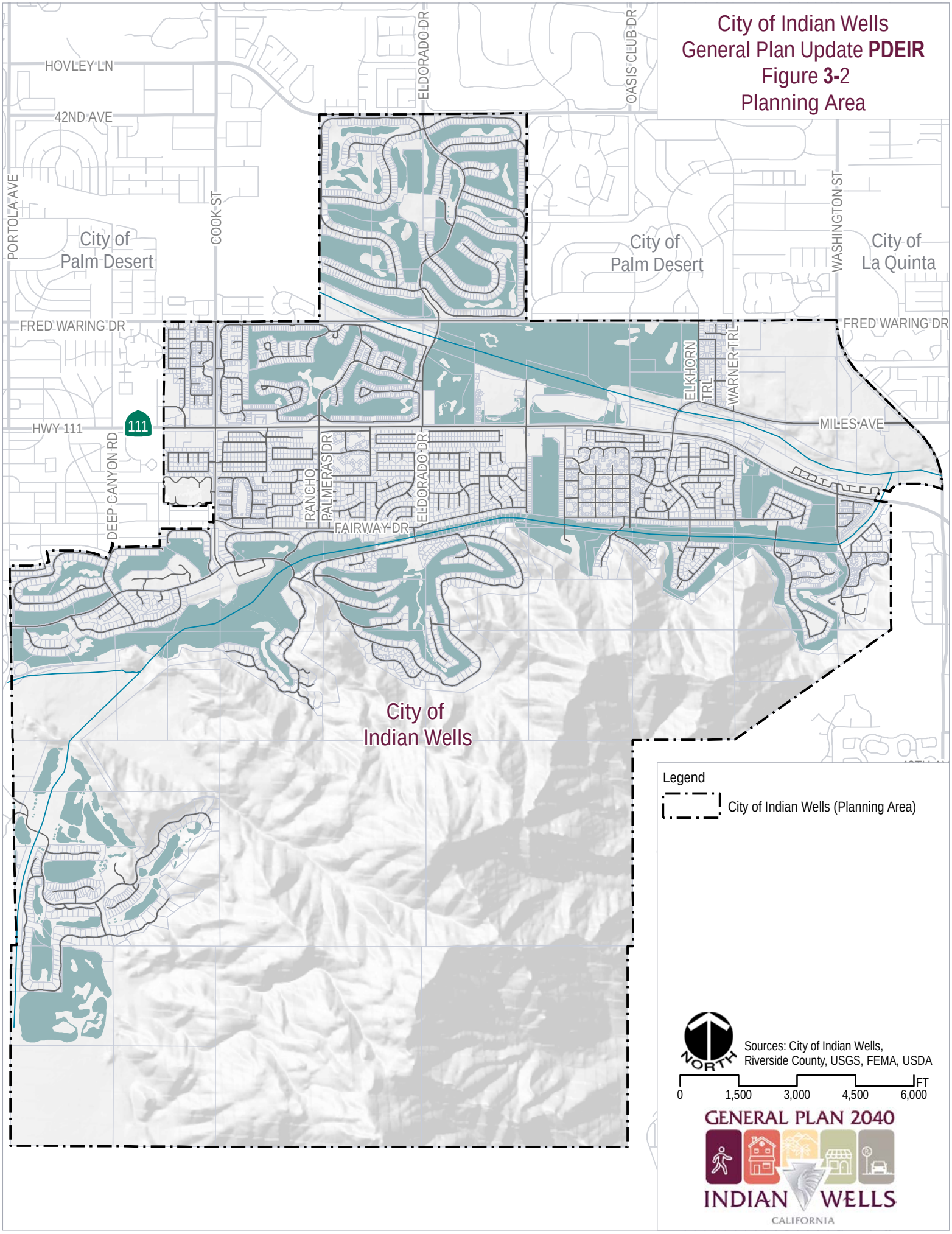


GENERAL PLAN 2040

INDIAN WELLS

CALIFORNIA

City of Indian Wells General Plan Update **PDEIR** Figure **3-**2 Planning Area



Local Setting

The City of Indian Wells became incorporated on July 14, 1967. However, the Indian Wells area was inhabited long before incorporation. In 1820, the area was a Cahuilla Indian village. The name Indian Wells originated from a Cahuilla Indian hand-dug well, documented on the earliest maps of California prior to 1850. The original well was located north of present-day Highway 111 and east of Miles Avenue. The well served as a state station until a public well was established around 1870, and remained in use until 1910. Indian Wells' origins are based on travelers' needs for water and a place to rest. However, both wells were destroyed by a massive flood in 1916.

During the gold rush, Indian Wells became an important stop along the trail from Los Angeles to the desert gold mines. In the early 1900s, the date industry was established in the Indian Wells area and date palm ranches became profitable. Early prominent settlers established homesteads within the boundaries of Indian Wells and opened the first market and post office by 1915. The relatively high-water table in the Coachella Valley allowed the agricultural industry to develop. Fueled by the abundance of water, the area was soon converted from a primarily agricultural community to that of a golf resort destination.

In 1957 the Eldorado Country Club and Golf Course was developed. The Indian Wells Country Club and Golf Course was also constructed in the late 1950's. The residents of the Indian Wells area worked to protect the City from encroaching development, effectively forming the first property owners' group in Riverside County known as the Indian Wells-Eldorado Area Property Owners Association (POA) in 1957. Incorporation papers were filed by the POA with the Local Agency Formation Commission (LAFCO) on September 5, 1966, and the City incorporated in 1967. At that time, Indian Wells was the 16th city to incorporate in Riverside County and the 400th in California. It was the fourth city, after Indio, Coachella, and Palm Springs, to incorporate in the Coachella Valley.

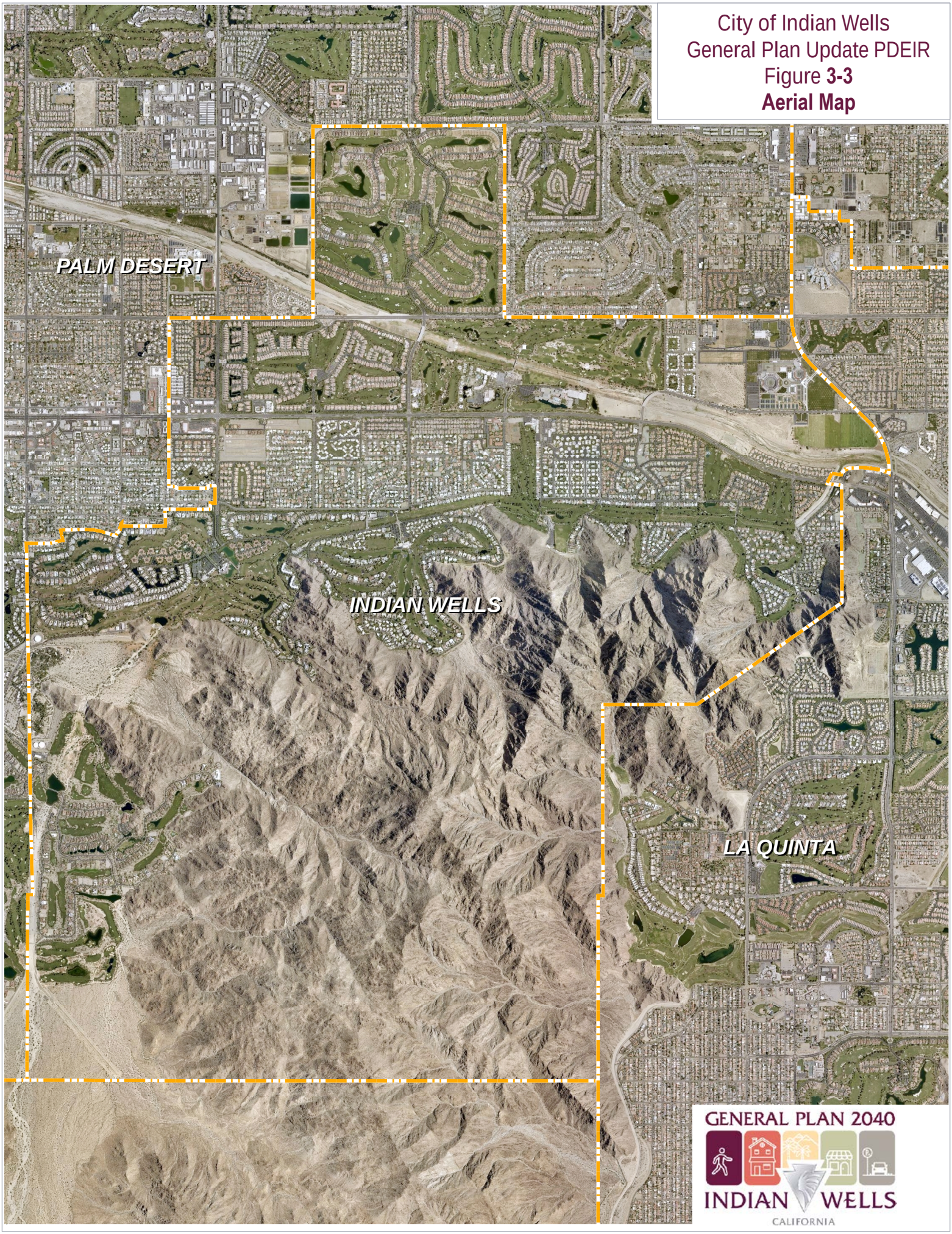
The City of Indian Wells has maintained its residential-resort lifestyle since incorporation with the development of resort facilities such as the Hyatt Regency, Renaissance Esmeralda Resort, and Miramonte Resort by 1996; single family residences throughout; and the Indian Wells Tennis Gardens by 2002. Indicative of the resort/vacation lifestyle, more than half of the residential base of Indian Wells consists of seasonal and part-time residents. As of July 1st, 2019, the population estimate of the City was 5,470 residents according to a US Census Bureau report. Indicative of the residential-resort lifestyle, more than half of the residential base of Indian Wells consists of seasonal and part-time residents.

Indian Wells is a world-renowned resort destination with a strong tourism market; resort hotel properties, restaurants, and general retail centers are the three primary economic components of the tax base. The City provides a full range of municipal services including: construction and maintenance of streets and infrastructure; planning and community development; building and safety; recreational

activities; arts and culture; and parks. The City contracts with Riverside County for police and fire protection.

Indian Wells is nearing build-out; with the completion of the Miles Crossing and Indian Wells Town Center projects, there will be little vacated land available for resort/commercial or residential projects. **Exhibit 3-3, *Aerial of Planning Area*,** displays an aerial image of the City's current condition.

City of Indian Wells
General Plan Update PDEIR
Figure **3-3**
Aerial Map



GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

3.3 Proposed Indian Wells General Plan Update

The Indian Wells General Plan Update project ("project") is proposing to update the City's general plan to reflect the City's goals for long-term development. According to California Government Code Section 65300 et seq., all counties and cities are required to prepare and maintain a general plan for the long-term growth, development, and management of the land within the jurisdiction's planning boundaries. The general plan acts as a "constitution" for development and is the jurisdiction's lead legal document in relation to growth, development, and resource management issues. Development regulations (e.g., zoning and subdivision standards) are required by law to be consistent with the general plan.

General Plans must address a broad range of topics, including, at a minimum, the following mandatory elements: land use, circulation, housing, conservation and open space, noise, and safety. General Plans must also address the topics of environmental justice and climate change and resiliency planning, either as separate elements or as part of other required elements. At the discretion of each jurisdiction, the general plan may combine these elements and may add optional elements relevant to the physical features of the jurisdiction.

The California Government Code also requires that a general plan be comprehensive, internally consistent, and plan for the long term. The general plan should be clearly written, easy to administer, and available to all those concerned with the community's development.

State planning and zoning law (California Government Code Section 65000 et seq.) establishes that zoning ordinances are required to be consistent with the general plan and any applicable specific plans, area plans, master plans, and other related planning documents. When amendments to the general plan are made, corresponding changes in the zoning ordinance may be required within a reasonable time to ensure consistency between the revised land use designations in the general plan (if any) and the permitted uses or development standards of the zoning ordinance (Gov. Code Section 65860, subd. [c]).

The City has maintained its status as a residential-resort style community since incorporation. Consistent with existing principles, the project aims to establish a blueprint for the City to effectively direct daily city actions, through policy statements, toward improving and maintaining a socially cohesive, economically viable, and physically attractive community. The GPU is intended to guide development within the planning area until 2045 (buildout).

3.3.1 Project Objectives

The Indian Wells General Plan is intended to reflect the desires and vision of Indian Wells' residents, businesses, the General Plan Advisory Committee, Planning Commission, City Council, and other decision-makers for the future development and operation of Indian Wells. The following objectives are identified for the proposed update to the General Plan:

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

3.3.2 General Plan Elements

The Indian Wells General Plan Update will include a comprehensive set of goals, policies, and actions (implementation measures), as well as a revised Land Use Map (**Figure 3-6**). The State requires that the General Plan contain cover land use, mobility, housing, conservation, open space, noise, and safety, as well as address issues related to climate change and resiliency planning and environmental justice, either as separate Elements or as components of the required Element framework. The GPU will update the following elements to address updated State regulations and standards:

Community Development Element: The Community Development Element focuses on land use throughout the City and provides for a development and resource conservation pattern that preserves and protects Indian Wells' unique character and celebrates the community's high quality of life. Ensuring that Indian Wells has sufficient capacity and flexibility to support a mix of land uses is essential to the community's ability to thrive and be economically sustainable. The Community Development Element guides where growth and development will occur in the City and how to accommodate land uses to respond to the community's changing needs.

Mobility Element: The Mobility Element provides the framework for decisions concerning the City's multimodal transportation system, which includes roadway, transit, bicycle, and pedestrian modes of travel. State law (California Government Code Section 65302(b)) mandates that the Mobility Element contain the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, military airports and ports, and other public utilities and facilities, to the extent these items exist in the planning area. The Mobility Element reflects the City's desire to provide for multi-modal streets and explore the application of new technologies and best practices for mobility planning in Indian Wells.

Housing Element: The Housing Element was adopted on July 6, 2023 (updated November 2023). The State Housing Law (Government Code Section 65583) requires that a "housing element shall consist of an identification and analysis of existing and projected housing needs and states goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The Housing Element identifies adequate sites for housing, including rental housing, factory built housing, and mobile homes, and makes adequate provisions for the existing and projected needs of all economic segments of the community. The Housing Element encompasses the planning period of 2021 to 2029. As previously identified, the City's Housing Element has been updated under separate cover and was adopted by the City Council.

Resource Management Element: The Resource Management Element addresses natural resources, open space, parks and recreation, historic, cultural, and paleontological resources, infrastructure, air quality and greenhouse gas emissions, and energy and mineral resources, and how they relate to the City of Indian Wells. Indian Wells is home to a number of special resources that require attention and management as the City continues to grow. These resources can be natural (such as biological resources) or man-made (such as energy infrastructure). Together, the City's resources form an important part of the City's unique character and directly affects residents and their quality of life; ensuring resources are properly cared for allows Indian Wells residents to enjoy their community. Further, the Resource Management Element outlines the importance of understanding, documenting, and appreciating these resources so that these valuable pieces of the community can be preserved, protected, and enhanced for future generations.

Public Safety Element: The goal of the Public Safety Element is to reduce the risk of death, injury, property damage, economic loss, and harm created by natural or manmade hazards. The Public Safety Element supports the City's participation in regional and subregional planning efforts including the City's Local Hazard Mitigation Plan and Riverside County's Multi-Jurisdictional Local Hazard Mitigation Plan. This element also protects the community from the harmful impacts of excessive noise. This element discusses public services as they relate to disasters, the logistics and operations of public services, public services function in maintaining public safety.

Economic Development Element: The Economic Development Element is intended to guide the City's future policy decisions in service of supporting and strengthening the local economy. The Economic Development Element is not a required element for a General Plan, but the City has decided to include it in recognition that promoting economic vibrancy and resiliency is a central aspect of planning for Indian Wells' future. Decisions made around the topics of these other elements, such as land use, housing, mobility, open space, and health and wellness, necessarily impact economic development, and vice-versa.

Goals and Policies

All elements contain goals and policies, which provide guidance to the City on how to direct change, manage growth, and manage resources over the 20-year life of the General Plan. In order to ensure that the goals and policies in the General Plan are effectively implemented, a series of actions, or implementation measures have been developed. The implementation actions are located within the General Plan Implementation Program, which will be adopted as a separate, but complimentary document to the General Plan. The following provides a description of each and explains the relationship of each:

- Goal: A goal is a description of the general desired result that the City seeks to create through the implementation of the General Plan.
- Policy: A policy is a specific statement that guides decision-making as the City works to achieve its goals. Once adopted, policies represent statements of City regulations. The General Plan's policies set out the standards that will be used by City staff, the Planning Commission, and the City Council in their review of land development projects, resource protection activities, infrastructure improvements, and other City actions. Policies are on-going and require no specific action on behalf of the City.
- Action: An action is an implementation measure, procedure, technique, or specific program to be undertaken by the City to help achieve a specified goal or implement an adopted policy. The City must take additional steps to implement each action in the General Plan. An action is something that can and will be completed.

3.3.3 The GPU Process

The GPU effort began in Fall 2020 and through a multi-year process, the City of Indian Wells has worked with community members, businesses, and local organizations. Four Virtual workshops were conducted to discuss the various topics related to the General Plan. The purposes of the four workshops are summarized below.

- Workshop 1 – Vision and Values: to identify community values and develop ideas for a land use vision for Indian Wells.
- Workshop 2 – Community Health and Wellness: to identify ways to incorporate community health and wellness into the General Plan.
- Workshop 3 – Land Use Alternatives Virtual Open House: to focus on topics related to Land Use.
- Workshop 4 – General Plan Draft Virtual Open House: a presentation on the General Plan where community members can engage with project staff and ask questions regarding the General Plan.

3.3.4 GPU Goals

The goals outlined within the General Plan Update include the following:

GOAL CD-1 ORDERLY LAND USE DEVELOPMENT: Existing and future development maintains the well-established residential and resort character of Indian Wells.

GOAL CD-2 COMMUNITY IMAGE AND DESIGN: A visually attractive community that helps create a unique sense of place in the Coachella Valley and reinforces the image of Indian Wells as a prestigious community and international resort destination.

GOAL CD-3 HEALTHY LIFESTYLES: A community environment that fosters opportunities for people of different ages, incomes, and abilities living and working in Indian Wells to enjoy healthy lifestyles and active living.

GOAL CD-4 COMMUNITY ENGAGEMENT: An engaged community with a sense of neighborly pride and civic responsibility.

GOAL M-1 A SAFE AND EFFICIENT STREET SYSTEM: A safe and efficient street system that contributes to the community's quality of life, minimizes impacts on the environment, and links the City to the region for the movement of people and goods.

GOAL M-2 MULTI-MODAL MOBILITY NETWORK: A variety of travel modes are provided to residents, workers and visitors.

GOAL M-3 PARKING: Parking supply that adequately and efficiently meets demand.

GOAL M-4 FUNDING: A fiscally sound transportation system that utilizes a variety of financing methods.

GOAL RM-1 BIOLOGICAL RESOURCES: Important biological habitats are conserved, and significant natural resources are protected.

GOAL RM-2 NATURAL OPEN SPACE RESOURCES: Natural open space areas are protected and balanced with recreation, scenic enjoyment, and protection of natural resources and features.

GOAL RM-3 PARKS AND RECREATION: Parks and recreation facilities are dispersed throughout the community and provide a range of opportunities that meet the varying needs of residents.

GOAL RM-4 HISTORIC, CULTURAL AND PALEONTOLOGICAL RESOURCES: Significant historical, cultural, and paleontological resources are preserved and respected.

GOAL RM-5 INFRASTRUCTURE PLANNING: Essential public services are adequately supported through well-planned and maintained infrastructure.

GOAL RM-6 WATER SUPPLY: A safe and adequate water supply that can sustainably meet the City's demand for water.

GOAL RM-7 SOLID WASTE: Integrated solid waste facilities are sufficiently supported and able to sustainably treat waste from Indian Wells.

GOAL RM-8 TELECOMMUNICATIONS: Telecommunication facilities and infrastructure within Indian Wells provide fast, secure, and reliable services.

GOAL RM-9 AIR QUALITY AND GREENHOUSE GAS EMISSIONS: Air quality is preserved and improved upon to protect the health and welfare of the community.

GOAL RM-10 ENERGY AND MINERAL RESOURCES: Energy efficient design and renewable energy are incorporated in both the public and private sectors and mineral resources are appropriately managed.

GOAL PS-1 EMERGENCY OPERATIONS: Emergency response service agencies are prepared to effectively respond to natural and man-made disasters.

GOAL PS-2 FIRE SAFETY: A City that is safe and adequately prepared for fire emergencies.

GOAL PS-3 FLOODING: Life and property are safe from flooding hazards and damage is prevented to the greatest extent possible.

GOAL PS-4 SEISMIC AND GEOLOGIC HAZARDS: Life and property are guarded from seismic and seismic-induced hazards to the greatest extent possible.

GOAL PS-5 HAZARDOUS WASTE AND MATERIALS: Hazardous materials are properly maintained to reduce potential public threats to the greatest extent possible.

GOAL PS-6 NOISE: The impact of noise-generating activities on residential and other sensitive land uses is minimized.

GOAL PS-7 CLIMATE CHANGE AND RESILIENCY PLANNING: A resilient and sustainable community where risks to life, property, the economy, and the environment resulting from climate hazards, including extreme weather events, are prevented or minimized.

GOAL ED-1 A STABLE AND RESILIENT ECONOMY: A City with a strong economic base that promotes economic stability and resiliency.

GOAL ED-2 BUSINESS COMMUNITY SUPPORT: A community that supports and promotes local businesses.

GOAL ED-3 DEVELOP A UNIQUE DESINATION EXPERIENCE: A community that fosters a unique sense of place through regional-serving amenities and attractions.

GOAL ED-4 WORKFORCE ATTRACTION AND RETENTION: A community that provides opportunities to both live and work in Indian Wells.

GOAL ED-5 FISCAL SUSTINABILITY: A City with fiscal diversity, security, and sustainability.

3.3.5 Existing Conditions and Current General Plan Land Use

The General Plan Land Use Map identifies land use designations for each parcel within the City limits (i.e., Planning Area).

Existing Development (Baseline Conditions)

The current General Plan land use designations (described in detail below) identify the long-term planned use of land, but do not necessarily present a complete picture of existing land uses. The Riverside County Assessor's office maintains a database of existing "on-the-ground" land uses on individual parcels, including the number of dwelling units and related improvements such as non-residential building square footage. However, it should be noted that the Riverside County Assessor's data does not always accurately reflect existing on-the-ground conditions. As part of this PDEIR, the Riverside County Assessor's data was used as a starting point for establishing baseline conditions and updated and modified, where possible, to reflect conditions more accurately. Approximately 9,146 acres, out of 9,333 total acres in the City are developed, or currently under construction. While approximately 187 acres are vacant.

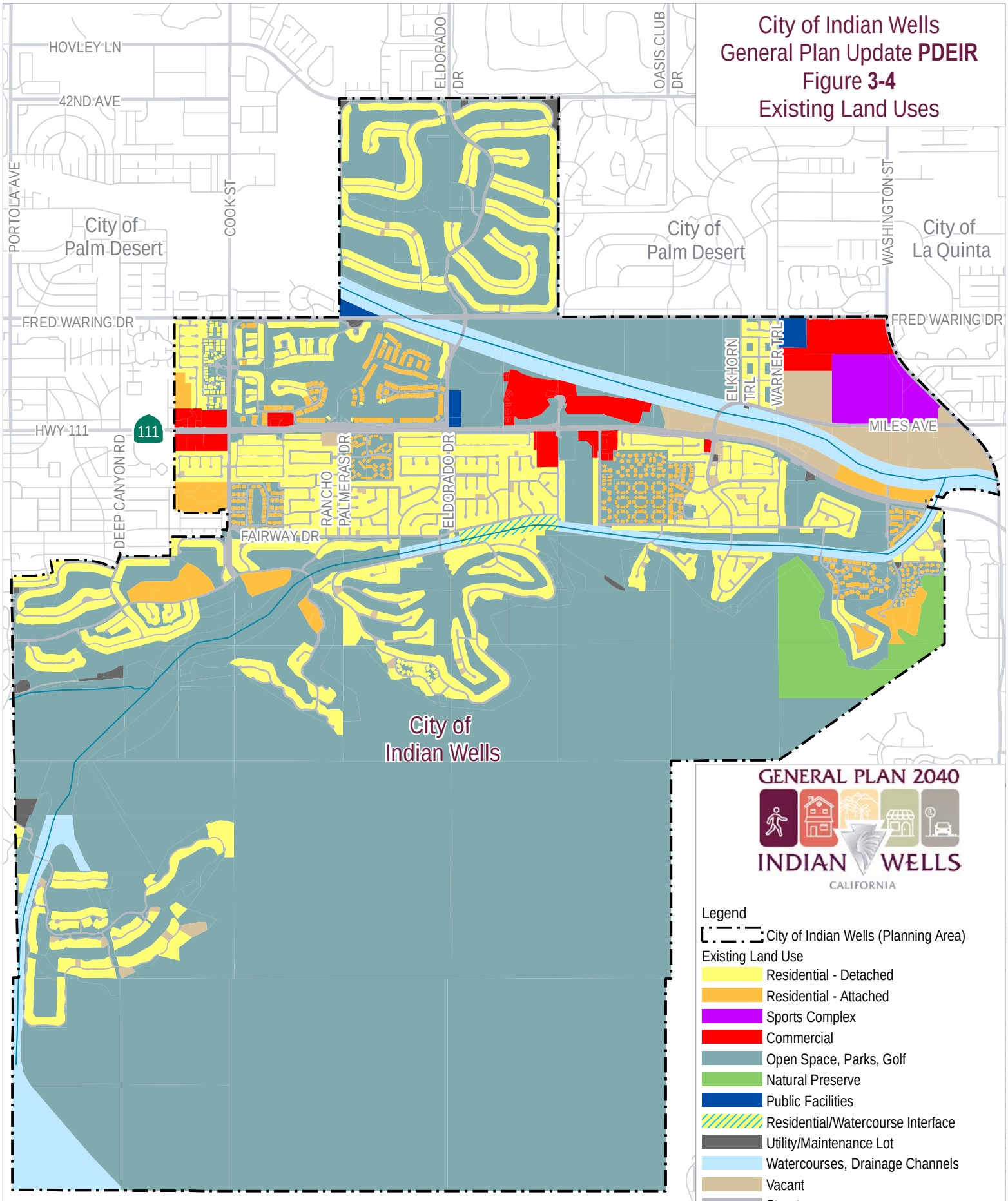
There are 9,333 acres within the Planning Area. The table below indicates the existing uses within the Planning Area. Currently, approximately 6,395 acres are open space, parks and golf course uses, 1,403 acres are developed as residential uses, and approximately 187 acres are vacant. **Figure 3-4** illustrates the existing uses within the Indian Wells Planning Area. These are considered the baseline conditions.

The City currently includes 4,694 single family units and 349 multifamily units, for a total of 5,043 residential units; 1,546,833 square feet of nonresidential space (i.e., office, sports, commercial, etc.); and offers 1,509 jobs within the City.

Table 3-1 ***Existing Development within Indian Wells***

Existing Uses	Acres
Commercial	158
Natural Preserve	155
OS, Parks, Golf	6,395
Public Facilities	22
Residential Attached	211
Residential Detached	1,193
Residential/Watercourse Interface	19
Sports Complex	63
Streets	515
Utility/Maintenance Lot	22
Vacant	187
Watercourses, Drainage Channels	391
Total	**9,333**

City of Indian Wells General Plan Update **PDEIR** Figure **3-4** Existing Land Uses



GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

Legend

- City of Indian Wells (Planning Area)

Existing Land Use

- Residential - Detached
- Residential - Attached
- Sports Complex
- Commercial
- Open Space, Parks, Golf
- Natural Preserve
- Public Facilities
- Residential/Watercourse Interface
- Utility/Maintenance Lot
- Watercourses, Drainage Channels
- Vacant
- Streets

Sources: City of Indian Wells, Riverside County, USGS, FEMA, USDA

NORTH

0 1,500 3,000 4,500 6,000 FT

Current General Plan

The state of California requires every city and county in California to adopt a General Plan, which is the local government's long-term blueprint "for the physical development of the city and any land outside its boundaries that bears relation to its planning." The General Plan represents the community's view of its future and expresses the long-term growth and development goals. It addresses issues that impact the entire city, such as how land is used, where buildings are built, the locations of roads and parks, safety, noise, and more.

The General Plan contains the goals and policies upon which the City Council and Planning Commission will base their future land use decisions. All city plans, zoning, and private development must be consistent with the diagrams and policies in the General Plan.

The City's General Plan was last comprehensively updated in 1996 and has been amended periodically since that time. The Housing Element was updated in 2013 (5th Cycle), and again in 2024 (6th Cycle), as required by State Housing Law. This PDEIR is analyzing the update to the General Plan, which will supersede the previous General Plan and amendments.

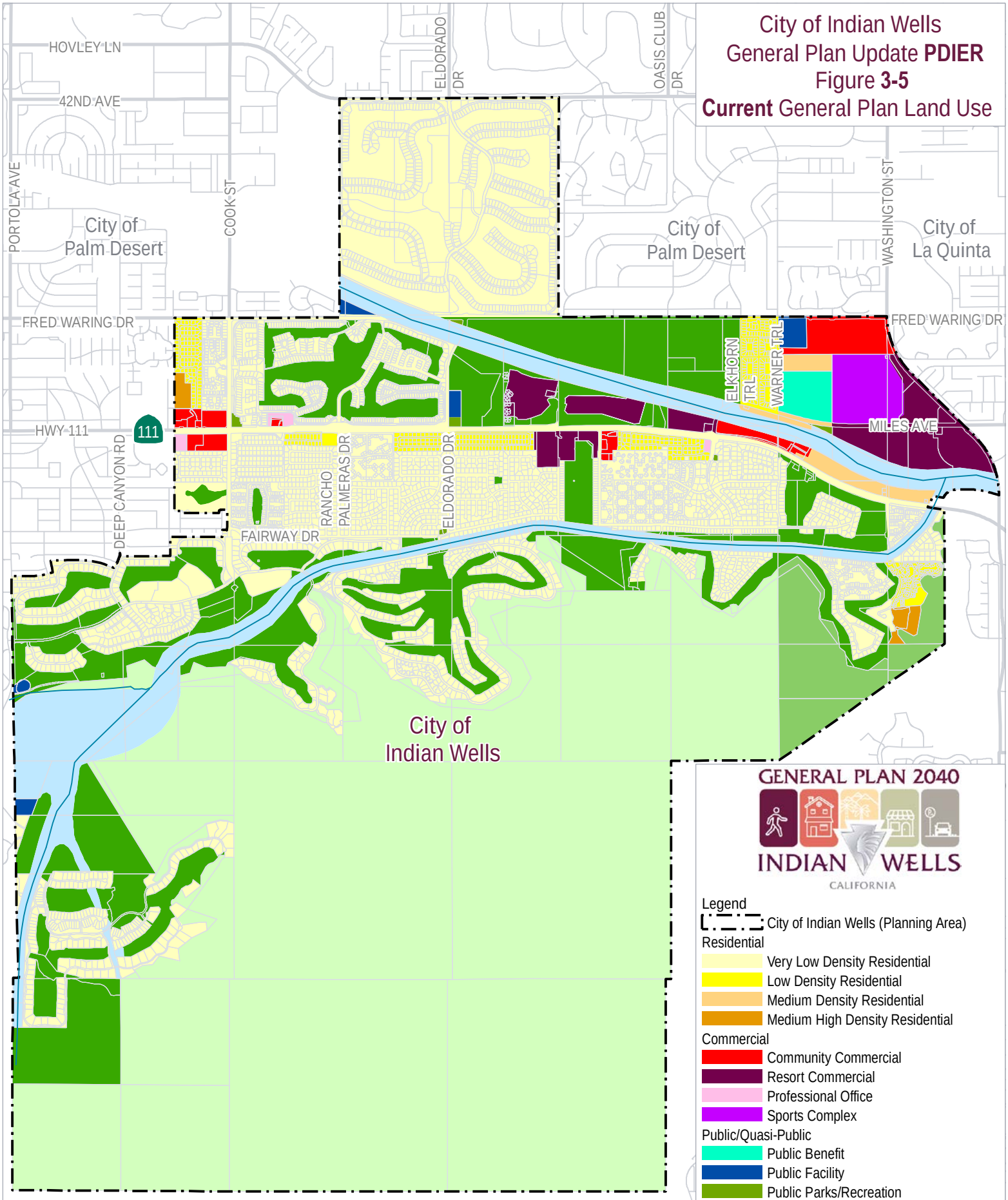
Figure 3-5 shows a map of the Current General Plan land use designations in the Planning Area. Per the Current General Plan Land Use Map, Indian Wells is dominated by large areas of open space, including open space used for golf and recreation, and by low density residential development. Resorts and sports complexes are also prominent in the City. The table below displays the parcel specific acreage for current land uses within the Planning Area. Of the designated land uses, the largest land use designation within the Planning Area is Open Space, with 4,320 acres of land designated for this use. There is also a significant amount of land designated as Very Low Density Residential (2,306 acres).

Buildout of the current General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs.

Table 3-2 *Current General Plan Designations*

Current General Plan Designation	Acres
Civic, Public Facility	29
Commercial, Community Commercial	88
Commercial, Professional Office	7
Commercial, Resort Commercial	185
Commercial, Sports Complex	63
Low Density Residential	162
Medium Density Residential	46
Medium High Density Residential	18
Open Space, Golf and Recreation	1,317
Open Space, Natural Preserve	195
Open Space, Open Space	4,320
Open Space, Public Benefit (PB-1)	34
Open Space, Public Park	6
Open Space, Watercourse	557
Residential, Very Low Density Residential	2,306
Total	**9,333**

City of Indian Wells General Plan Update **PDIER** Figure **3-5** **Current** General Plan Land Use



GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

Legend

- City of Indian Wells (Planning Area)

Residential

- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential

Commercial

- Community Commercial
- Resort Commercial
- Professional Office
- Sports Complex

Public/Quasi-Public

- Public Benefit
- Public Facility
- Public Parks/Recreation

Open Space

- Golf and Recreation
- Natural Preserve
- Watercourse
- Open Space

Sources: City of Indian Wells, Riverside County, USGS, FEMA, USDA

NORTH

0 1,500 3,000 4,500 6,000 FT

3.4 General Plan Update Buildout Analysis

The PDEIR evaluates the anticipated development that could occur within the Planning Area if every parcel is in City developed at the densities and intensities expected under the proposed GPU. While no specific development projects are proposed as part of the GPU, the General Plan will accommodate future growth in Indian Wells, including new businesses, expansion of existing businesses, and new residential uses. The buildout analysis utilizes a 20-year horizon, and 2045 is assumed to be the buildout year of the General Plan Update.

The General Plan Update includes an update to the City's Land Use Map. The project proposes to change the current land use designation at two locations, as indicated in the table below.

Table 3-3 Updates to the Land Use Plan

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

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

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

Implementation of the GPU would allow for the development of mixed-uses, increased residential development at higher densities, and new commercial development. The land use designations are provided as follows:

Residential

Very Low Density Residential: 1.0-3.0 du/ac

The Very Low Density Residential land use designation is intended for the development of very low density single-family detached homes on minimum of 12,000 square feet lots at a density between 1 to 3 dwelling units per gross acre of land. This designation is generally most suitable in rural areas and areas where scenic and natural resources should be protected, or where natural hazards limit development potential (such as hillsides).

Low Density Residential: 3.1-4.5 du/ac

The Low Density Residential land use designation is intended for the development of low density single-family detached homes on minimum of 8,500 square feet lots at a density between 3.1 and 4.5 dwelling units per gross acre.

Medium Density Residential: 4.6-7.0 du/ac

The Medium Density Residential land use designation is intended for single-family detached homes, cluster developments, and attached units at a density between 4.6 and 7.0 dwelling units per gross acre.

Medium High Density Residential: 7.1-12.0 du/ac

The Medium High Density Residential land use designation is intended for attached dwelling units such as townhouses, condominiums, and congregate care for seniors at a density between 7.1 and 12.0 dwelling units per gross acre.

Commercial

Community Commercial: Maximum FAR 0.75

The Community Commercial land use designation provides the community with attractively designed retail, office, and shopping areas. Uses may include retail shops, offices, restaurants, personal service shops, grocery stores, movie theaters, hotels and resort complexes, and similar uses. The maximum intensity of development is a floor area ratio (FAR) of 0.75.

Professional Office: Maximum FAR 0.50

The Professional Office land use designation is intended for attractively designed professional offices that are compatible with surrounding neighborhoods and adjacent areas. Developments will be a maximum of two stories in height and will have extensive landscaping. Parking areas will be screened from public streets with landscaping, buffer areas, or decorative walls. Typical uses would include administrative and professional offices, medical and dental offices, and financial institutions. The maximum intensity of development is FAR of 0.50.

Resort Commercial: No FAR Restriction

The Resort Commercial land use designation is intended for attractively designed hotel and resort complexes. The developments will have quality architectural design and extensive landscaping. Parking areas will be screened from public streets with landscaping, buffer areas, or decorative walls. Uses include hotels as the primary use with ancillary tourist commercial uses that may include restaurants, related convention facilities, and supporting retail and personal services.

Sports Complex: Varies (defined by Master Development Plan)

The Sports Complex land use designation is intended for publicly and privately owned land and improvements to accommodate professional or amateur sporting events. This includes the Indian Wells Tennis Garden and related facilities. All development and uses in the sports complex (SPX) zone classification shall be in accordance with a Master Development Plan. A Master Development Plan shall establish the basic framework for land use and development standards.

Public/Quasi-Public

Public Benefit; Varies (defined by Public Benefit Zoning Designation)

Space for the provision of uses that are beneficial to the public, including affordable housing and supporting uses, such as public park, recreation, open space, and parking.

Public Facility; No FAR Restriction

The Public Facility land use designation is intended for facilities such as the Civic Center, police and fire stations, public utilities, schools, and other governmental or public facilities, such as auditoriums, museums, and libraries.

Public Parks/Recreation; No Development Potential

The Public Park land use designation is intended for publicly owned parkland which is dedicated or reserved for passive recreational use by the public.

Open Space

Golf and Recreation: No Development Potential

The Golf and Recreation land use designation is intended for public and private golf courses, tennis facilities, and other typical country club style amenities.

Natural Preserve: 1.0 du/40 gross ac

The Natural Preserve land use designation includes privately owned lands with limited residential development permitted subject to the restrictions of the Hillside Management Plan (HMP), consistent with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The maximum intensity of development is 1.0 du/40 gross acres.

Watercourse; No Development Potential

The Watercourse land use designation includes the Whitewater River and Deep Canyon flood control channels and other areas subject to flood hazard. Federal standards prohibit development in the floodway. Some Watercourse areas, however, are used for golfing.

Open Space: No Development Potential

The Open Space land use designation includes lands maintained in a natural state comprised predominantly of Federal, State, and City-owned lands in the Santa Rosa Mountains. Development in these areas is subject to the Hillside Management Ordinance.

Overlay Zones

An overlay zone, also known as an overlay district, is a regulatory tool used in land use planning to create a special planning layer on top of an existing base land use or zoning district. Overlay zones can share boundaries with the base designation, cross them, or stand alone. They can include regulations or incentives to protect resources or guide development in a specific area. Overlay zones can control many factors, including building and urban design, permitted land use, and density.

In addition to the land use designations established by the Land Use Element (and corresponding zoning districts established by the Municipal Code), the City of Indian Wells employs the use of four overlays zones to support its unique land use planning priorities.

Golf Course

This overlay zone shall apply to all public and private golf courses within the City to ensure that they are operated and maintained for their intended purpose, the playing of golf.

Within this zone, uses not directly related to the operation and maintenance of the subject golf course shall be prohibited. Areas so designated may be included within the gross acreage of a development for purposes of calculating the communities' density. However, this shall preclude the inclusion of lands having this designation as a part of an adjoining private property so that areas so designated shall not be included within the gross acreage of a single, separate ownership lot for purposes of calculating the size of that lot for zoning and/or building purposes.

Affordable Housing

This overlay zone shall apply to residential properties only and shall indicate the City Council's intent to utilize the developer incentives programs for the development of affordable housing projects as set forth in Government Code Section 65915.

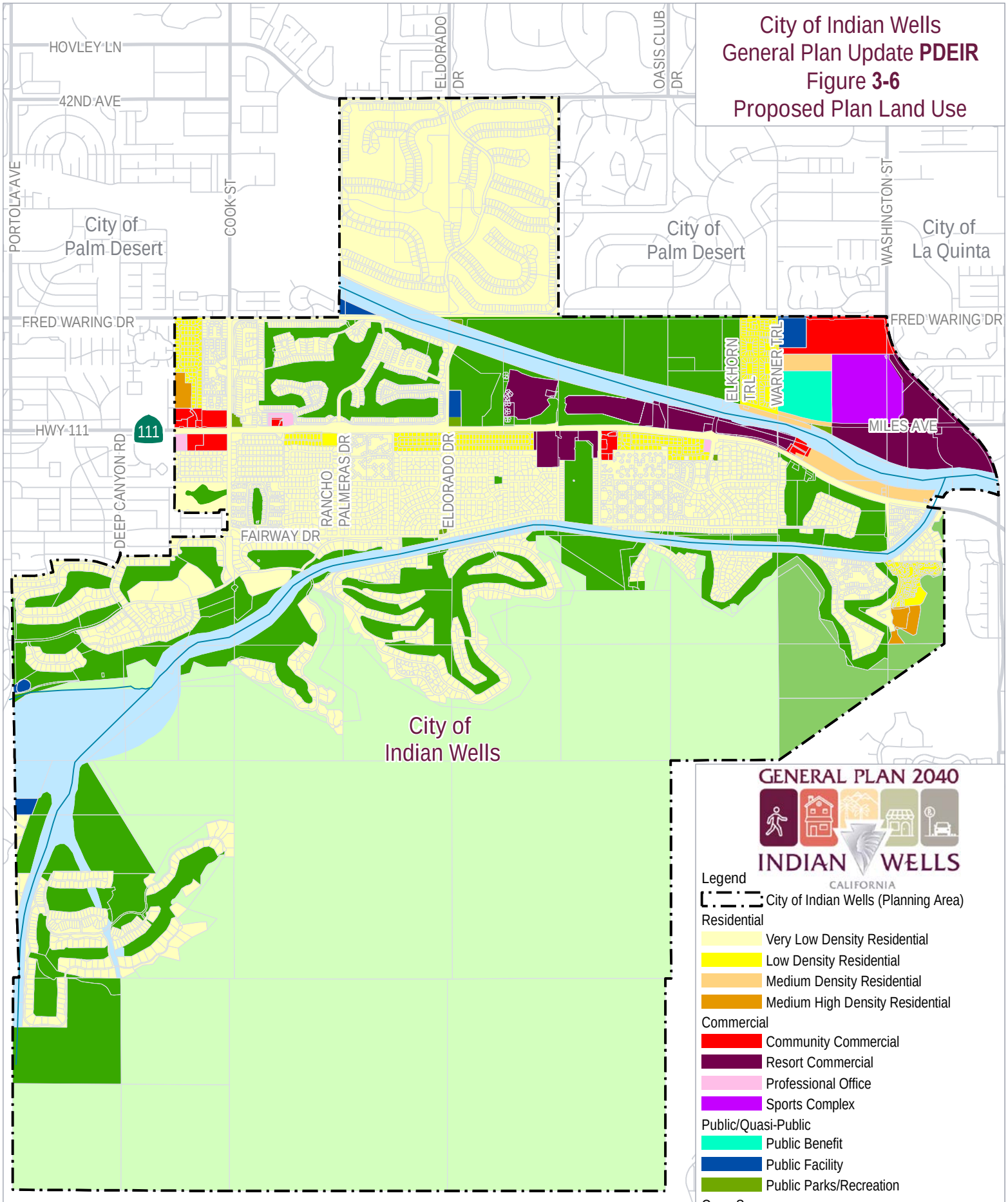
Senior Housing

This overlay zone shall apply to residential properties only and shall indicate the City Council's intent to utilize the developer incentives programs, negotiated on an individual basis with prospective developers, to provide for senior citizen housing in the City.

Special Study Area

This overlay zone shall apply to properties that offer the City unique planning and/or economic opportunities. The overlay zone establishes the City Council's intent to review alternative land use proposals that differ from those permitted by the base zone.

City of Indian Wells General Plan Update **PDEIR** Figure **3-6** Proposed Plan Land Use



GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

Legend

- City of Indian Wells (Planning Area)

Residential
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential

Commercial
- Community Commercial
- Resort Commercial
- Professional Office
- Sports Complex

Public/Quasi-Public
- Public Benefit
- Public Facility
- Public Parks/Recreation

Open Space
- Golf and Recreation
- Natural Preserve
- Watercourse
- Open Space

Sources: City of Indian Wells, Riverside County, USGS, FEMA, USDA

NORTH

0 1,500 3,000 4,500 6,000 FT

3.5 Intended Uses of This EIR

This PDEIR examines the environmental impacts resulting from the adoption of the Indian Wells GPU and subsequent implementation of projects consistent with the General Plan Update. The PDEIR allows the City of Indian Wells, other responsible agencies, and interested parties to evaluate the proposed GPU project and make informed decisions with respect to the requested entitlements. The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

The CEQA Guidelines require an EIR to include a statement briefly describing the intended uses of the PDEIR, including a list of agencies expected to use the EIR in their decision making and the list of the permits and other approvals required for project implementation.

This PDEIR will be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with the General Plan.

The City of Indian Wells is the lead agency for the GPU PDEIR. The GPU will be presented to the Planning Commission for review and recommendation and to the City Council for comment, review, and consideration for adoption. The City Council has the sole discretionary authority to approve and adopt the Indian Wells General Plan Update. In order to approve the proposed project, the City Council would consider the following actions:

- Certification of the General Plan Update PDEIR;
- Adoption of required CEQA findings and Statement of Overriding Considerations for the above action;
- Adoption of a Mitigation Monitoring and Reporting Program; and
- Approval of the General Plan Update.

Subsequent Use of the PDEIR

This PDEIR provides a review of environmental effects associated with implementation of the proposed GPU. When considering approval of subsequent activities under the proposed GPU, the City of Indian Wells would utilize this PEIR as a basis in determining potential environmental effects and the appropriate level of environmental review, if any, of a subsequent activity. Projects or activities successive to this EIR may include, but are not limited to, the following:

- Approval and funding of major projects and capital improvements;
- Future Specific Plan, Planned Unit Development, or Master Plan approvals;
- Revisions to the Indian Wells Ordinance;

- Development plan approvals, such as tentative subdivision maps, variances, conditional use permits, and other land use permits;
- Development Agreements;
- Property rezoning consistent with the General Plan;
- Permit issuances and other approvals necessary for public and private development projects; and
- Issuance of permits and other approvals necessary for implementation of the General Plan.

3.6 Responsible Agencies

Section 15124 (d) of the State CEQA Guidelines requires that the Project Description in an EIR include a list of permits and other approvals required to implement a proposed project, the agencies expected to use the EIR in their decision making, and related environmental review and consultation requirements. The following are anticipated responsible agencies which may rely on this DPEIR for their discretionary approvals required to implement the project:

California Department of Fish and Wildlife (CDFW)

California Department of Fish and Wildlife (CDFW) approval of potential future alteration of a bed, bank, or floor of any watercourse/stream over which it has jurisdiction, pursuant to Fish and Game Code. Approval of any future potential take of State-listed wildlife and plant species covered under the California Endangered Species Act.

California Department of Transportation (Caltrans)

Caltrans approval of projects and encroachment permits for projects affecting State highway facilities.

Regional Water Quality Control Board (RWQCB)

Regional Water Quality Control Board approval of the National Pollution Discharge Elimination System (NPDES) compliance, including permits and Storm Water Pollution Prevention Plan (SWPPP) approval and monitoring.

Region 7 of the RWQCB may approve a General Construction Stormwater Permit. Additionally, approval of a Water Quality Certification under Section 401 of the Clean Water Act may be required to verify compliance with water quality requirements (waste discharge and water quality).

U.S. Army Corps of Engineers (USACE)

The U.S. Army Corps of Engineers (USACE) has jurisdiction over development in or affecting navigable waters of the U.S., pursuant to the Rivers and Harbors Act of 1889 and the Clean Water Act.

U.S. Fish and Wildlife Service (USFWS)

The U.S. Fish and Wildlife Service approvals involving any future potential take of Federally listed wildlife and plant species and their habitats, pursuant to the Federal Endangered Species Act.

South Coast Air Quality Management District (SCAQMD)

The SCAQMD regulates sources of air pollution within the South Coast Air Basin (SCAB) including Los Angeles, Orange, and parts of San Bernardino and Riverside counties. SCAQMD is responsible for issuing permits for construction and operation of projects, including some that would be developed under the GPU.

California Public Utilities Commission / Southern California Edison (SCE) /Imperial Irrigation District (IID) / Southern California Gas Company (SoCal Gas)

Approval or certification related to any other applicable general order, rule, or regulation concerning utility modification, conveyance, or delivery.

Coachella Valley Water District

Review and approval of the design and plans for the project's domestic water and wastewater systems.

Riverside Local Agency Formation Commission (LAFCO)

Notification of LAFCO for the project per Government Code section 65352(a)(3), requiring comments from LAFCO on projects that include General Plan Amendments.

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Chapter 4.0 Environmental Impact Analysis

4.1 Introduction

This Programmatic Draft EIR (PDEIR) for the City of Indian Wells General Plan Update provides analysis of impacts for all environmental resource categories under CEQA. **Sections 4.1** through **4.17** discuss the environmental impacts that may result from the implementation of the General Plan Update.

4.2 Resource Categories Addressed in the EIR

The following environmental resource categories are addressed in this chapter:

4.1 Aesthetics
4.2 Agriculture and Forestry
4.3 Air Quality
4.4 Biological Resources
4.5 Cultural / Tribal Cultural Resources
4.6 Energy Resources
4.7 Geology and Soils
4.8 Greenhouse Gas Emissions
4.9 Hazards and Hazardous Materials
4.10 Hydrology and Water Quality
4.11 Land Use and Planning
4.12 Noise
4.13 Population and Housing
4.14 Public Services
4.15 Recreation
4.16 Transportation
4.17 Utilities

Prior to the preparation of this PDEIR, an Initial Study was prepared using Appendix G, Environmental Checklist Form, in the California Environmental Quality Act (CEQA) Guidelines. During this analysis, it was determined that the topic of wildfire would result in no impact, therefore, it is not included as a separate environmental topic (See **Appendix A** of the DEIR). See **Chapter 6.0, *Effects Not Found to be Significant,*** of the PDEIR for a discussion of wildfire impacts.

4.3 Format of the EIR

Each section of this chapter is formatted with the following headings

- Introduction
- Existing Conditions
- Regulatory Setting
- Project Impact Analysis, including Thresholds of Significance
- Cumulative Impacts
- Mitigation Measures
- Level of Significance After Mitigation
- Resources

Introduction

This section includes a brief introduction of the environmental impact to be analyzed within the section as it pertains to the project and identifies sources used to evaluate the potential environmental effects.

Existing Conditions

This section contains a discussion of the existing conditions, services and physical environment of the project site and vicinity.

Regulatory Setting

This section includes the local, state and federal regulatory framework utilized during the analysis.

Project Impact Analysis

Thresholds of Significance

Determining the severity of project impacts is fundamental to achieving the objectives of CEQA Guidelines Section 15091, which requires that decision makers mitigate, as completely as is feasible, the significant impacts identified in the EIR. If the EIR identifies any significant unmitigated impacts, CEQA Guidelines Section 15093 requires decision makers approving a project to adopt a statement of overriding considerations that explains why the benefits of the project outweigh the adverse environmental consequences associated with implementation of the project.

The level of significance for each impact examined in the EIR was determined by considering the predicted magnitude of the impact against applicable significance criteria. Thresholds were developed using criteria from the CEQA Guidelines; State, federal, and local regulatory guidance; local/regional plans and ordinances; accepted practices; consultation with recognized experts; and other professional opinions.

The following adjectives are used specifically to define the degree of impact used in the Impact Analysis and Mitigation.

An "**adverse**" impact is any negative environmental result of the project, however small. As a disclosure document, the finding of an impact as "adverse" merely indicates that the project will cause an impact to occur compared to existing conditions, even though that impact may be less than significant. For example, the removal of vegetation from a vacant site might be considered adverse (i.e., "negative") but it may not exceed a local threshold such as loss of native plants or plant communities. Therefore, an impact may be adverse without being significant.

A "**significant**" impact is considered a substantial negative effect that exceeds a critical and accepted threshold for significant adverse environmental effects. CEQA defines a significant effect on the

environment as "*…a substantial or potentially substantial, adverse (i.e., negative) change in any of the physical conditions within the area by the project, including land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic significance…* (CEQA Guidelines, Section 15383). As recommended in the CEQA Guidelines, impacts are also identified as "**potentially significant**" prior to mitigation, which is the standard for determining which potential impacts are studied in the EIR.

Methodology

This section discusses the methodology used during the technical analysis where necessary.

Project Impact Analysis

The environmental impact analyses conducted for each environmental topic were undertaken pursuant to the following CEQA Guidelines sections:

- Section 15126, *Consideration and Discussion of Environmental Impacts;* and
- Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts.*

Each environmental impact discussion assesses specific environmental effects of the proposed GPU.

The results of the impact analyses discussed under each environmental topic were evaluated for significance relative to thresholds of significance identified at the beginning of each environmental impact discussion. The thresholds of significance presented are taken from Appendix G, *Environmental Checklist Form*, of the CEQA Guidelines, and where applicable, also includes quantified performance standards. Where relevant, each environmental impact discussion contains a separate discussion of potential cumulative effects under a bolded subheading.

Cumulative Impacts

The basis for the cumulative impact analyses provided in this PDEIR is consistent with Section 15130, *Discussion of Cumulative Impacts*, of the CEQA Guidelines. In particular, Section 15130 (b)(1)(A) as follows:

The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as much detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other (future) projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.

This discussion analyzes the GPU's cumulative impacts in conjunction with buildout of the City and other factors identified for each environmental topic.

Mitigation Measures

In some cases, following the impact discussion, reference is made to State and federal regulations and agency policies that would fully or partially mitigate the impact. In addition, policies and actions from applicable local land use plans (including the GPU) that partially or fully mitigate the impact may be cited. Project-specific mitigation measures, beyond those contained in other documents, are offset with a summary heading and described using the format presented below:

AES-1 Project-specific mitigation is identified that would reduce the impact to the lowest degree feasible. The mitigation number links the particular mitigation to the impact with which it is associated (AES-1 in this example).

Level of Significance After Mitigation

This section identifies the resulting level of significance of the impact following mitigation.

4.1 Aesthetics

4.1.1 Introduction

This section of the Indian Wells General Plan Update ("GPU") Programmatic Draft Environmental Impact Report ("PDEIR") describes the existing aesthetic character of the City and surrounding area. This section also analyzes the potential impacts to the aesthetic quality of the City and surroundings and determines whether implementation of the GPU would result in significant impacts. This section provides a background discussion of the scenic highways and corridors, and natural scenic resources such as mountains, wildlife areas, and prominent visual features found in the Planning Area. This section is organized with an existing setting, regulatory setting, and impact analysis. Descriptions and analysis in this section are based on information contained in City planning documents and aerial imagery of the City and surrounding area. Additional sources of information included the California Department of Transportation's (Caltrans) Designated Scenic Route map for Riverside County.

4.1.2 Existing Conditions

Aesthetic Value and Quality

The perception and uniqueness of scenic vistas, scenic resources, and visual character can vary according to location and composition of its surrounding context. The subjective values of views is generally affected by the presence and intensity of neighboring man-made improvements, such as structures, overhead utilities, and landscaping, often in relation to the aesthetic quality offered by a natural background that may include open space, mountain ranges, or a natural landmark feature. The proximity and massing of structures, landscaping and other visual barriers interact with the visibility of surrounding environments to restrict or enhance the value of local characteristic views. The evaluation of scenic vistas takes into consideration the physical compatibility of proposed projects in relation to land uses, transportation corridors, or other vantage points, where the enjoyment of unique vistas may exist, such as residential areas or scenic roads.

Existing Conditions

The City of Indian Wells provides scenic resources, and views of scenic resources within the City boundaries. Natural and manmade landscapes contribute to the scenic quality of the City. Much of the visual character of Indian Wells is shaped by its open space resources including parks, trails, golf courses, and natural preserves. These resources enhance the quality of life for Indian Wells residents and provide for outdoor recreational opportunities. Indian Wells' location in the Coachella Valley along the foothills of the Santa Rosa Mountains provide it with scenic vistas throughout the City.

Natural Environment

The City of Indian Wells is surrounded by the City of Palm Desert to the north and west, City of La Quinta to the east, and the Santa Rosa Mountains and unincorporated areas of Riverside County to the south. Terrain in the City of Indian Wells is relatively flat in the northern and central portions of the City. However, the southern portion of the City is defined by the slopes of the Santa Rosa Mountains, which reach elevations of 2,200 feet within the City boundaries. The Santa Rosa Mountains provides the most significant visual feature within the Planning Area.

Outside of the Planning Area, significant visual features include the San Jacinto Mountains to the west and the Little San Bernardino Mountains to the north. However, the San Jacinto Mountains lie approximately 11 miles and Little San Bernardino Mountains lie approximately 9 miles from the City, making them less likely to see (depending on viewpoint location).

The natural environment provides high scenic value when viewed within the City. High scenic value can refer to landscapes that have little to no evidence of management activities and are considered to have outstanding scenic value. Areas that are within 500 meters of a waterway, estuary, or the coast are also considered to have scenic preference values. Studies have shown that views with the highest scores are natural scenes that feature water and natural vegetation without any signs of development.[1] Some say that scenic views are valuable assets that can drive up tourism and property values. Homes with scenic views, such as views of mountains, water, or greenery, can be more expensive because of the unique experience they offer.[2]

Built Environment

Residential, commercial, and recreational land uses along with open spaces surrounding the City largely define the visual character of Indian Wells. In the early 1900s, the date industry was established in the Indian Wells area and date palm ranches became profitable. However, the area was soon converted from a primarily agricultural community to that of a golf resort destination with the area's first golf courses opening in the 1950s. Since then, Indian Wells has continued to grow, with the development of resort hotels, golf courses, and luxury residential communities, and has maintained its residential-resort lifestyle. The resorts and residential communities characterize the built environment within the City.

Scenic Highways and Corridors

According to the California Scenic Highway Mapping System, administered by Caltrans, there are no officially designated State Scenic Highways within the City of Indian Wells (Caltrans, 2018). The closest

[1] https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsm91_047563.pdf#:~:text=with%20high%20scenic%20quality%2C%20displaying%20little%20or,other%20highly%20used%20recreation%20areas%20and%20corridors.
[2] https://www.scenic.org/why-scenic-conservation/placemaking-and-community-planning/preserving-our-views/#:~:text=Scenic%20Views%20are%20Valuable%20Assets,equity%20and%20environmental%20justice%20concerns.

officially designated scenic highway corridor to Indian Wells is State Route 74, located approximately 1.35 miles west of the City. However, this officially designated scenic highway corridor does not provide views of Indian Wells, or the immediate surrounding areas, and there are no sections of highway in the Indian Wells vicinity eligible for Scenic Highway designation. A segment of State Route 111 (SR 111) just west of the Planning Area is eligible to become a Scenic Highway but is not officially designated as a Scenic Highway.

Light and Glare

During the day, sunlight reflecting from structures is a primary source of glare, while nighttime light and glare can be divided into both stationary and mobile sources. Stationary sources of nighttime light include structure illumination, interior lighting, decorative landscape lighting, and streetlights. The principal mobile source of nighttime light and glare is vehicle headlamp illumination. This ambient light environment can be accentuated during periods of low clouds or fog.

The variety of urban land uses in the Planning Area are the main source of daytime and nighttime light and glare. They are typified by single and multi-family residences, commercial structures, industrial areas, and streetlights. These areas and their associated human activities (inclusive of vehicular traffic) characterize the existing light and glare environment present during daytime and nighttime hours in the urbanized portions of the Planning Areas. Areas along Highway 111 through the center of the City generally have more sources of glare.

Open space areas and lower intensity residential development within the City have generally lower levels of ambient nighttime lighting, due to the wall mounted and downward-oriented fixtures at building entrances, and low intensity fixtures highlighting landscaped features along main driveways and building frontages. Sources of glare in urbanized portions of the Planning Area come from light reflecting off surfaces, including glass, and certain siding and paving materials, as well as metal roofing. The urbanized areas of Indian Wells contain sidewalks and paved parking areas which reflect street and vehicle lights. The existing light environment found in the project area is considered typical of suburban areas.

The City of Indian Wells prohibits the use of harsh, bright lights within the City since it can negatively impact the view of the night sky. Therefore, lower scale, accent, and back lighting is the preferred alternative to highlight key entry points, signage, intersections, and feature landscaping.

4.1.3 Regulatory Setting

State

Caltrans State Scenic Highways

Caltrans manages more than 50,000 miles of California's highway and freeway lanes, provides inter-city rail services, permits more than 400 public-use airports and special-use hospital heliports, and

works with local agencies. Caltrans achieves its mission of providing a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability, by utilizing six primary programs within Caltrans. The six programs include Aeronautics, Highway Transportation, Mass Transportation, Transportation Planning, Administration and the Equipment Service Center.

Caltrans manages the State Scenic Highway Program, provides guidance, and assists local government agencies, community organizations and citizens with the process to officially designate scenic highways.

The California Scenic Highway Program was created in 1963 to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The Streets and Highways Code, Sections 260 to 263 govern the Scenic Highway Program by establishing and applying standard for, and undertaking the development of, official scenic highways, the department shall take into consideration the concept of the "complete highway", which is a highway which incorporates not only safety, utility, and economy, but also beauty. In the development of official scenic highways, the department shall give special attention both to the impact of the highway on the landscape and to the highway's visual appearance.

It is further declared to be the intent of the legislature in designating such scenic highways to assign responsibility for the development of such scenic highways and for the establishment and application of specific planning and design standards and procedures appropriate thereto and to indicate, in broad statement terms, the location and extent of routes and areas requiring continuing and careful co-ordination of planning, design, construction, and regulation of land use and development, by state and local agencies as appropriate, to protect the social and economic values provided by the State's scenic resources.

According to the State Scenic Highway Program Route 62 and 74 are listed as state scenic highways in the Coachella Valley. Route Highway 111 from Bombay Beach in Salton Sea State Park to Route 195 near Mecca and from Route 74 (near Palm Desert) to Interstate 10 (near Whitewater) are both eligible scenic highways but are not "officially designated."

Local

City of Indian Wells Design Guidelines

The Indian Wells Citywide Design Guidelines are an outgrowth of the goals and policies found in the current Land Use Element of the General Plan. Design guidelines are intended to supplement the development standards found in the Zoning Ordinance and applicable Planned Community texts. Design guidelines are more generalized statements, alternatives or illustrations of what is expected and encouraged. Furthermore, they facilitate the development review process by better defining expectations and providing direction on issues not typically covered by the development standards, such as building orientation, architectural styles, or building materials. The common objective of

design guidelines is to ensure that proposed development is constructed in an aesthetically-pleasing and high-quality manner that is within the character of the community. Communities with design guidelines have reaped many benefits over time, as developments have been distinct in quality.

Indian Wells Municipal Code

Hillside Management

Chapter 22.04 (Hillside Management) in the Indian Wells Municipal Code was established to consider special standards and conditions for hillside development because of the unique and peculiar problems inherent in the development of hillside areas. The regulations, development standards, and design guidelines set forth in Chapter 22.04 are intended to satisfy those needs. The regulations, development guidelines, and design standards set forth in Chapter 22.04 are intended to balance public and private interests while preserving the mountains and foothills as a resource; allow for the reasonable development of hillside lands where appropriate; ensure that such development is sensitive to the fragile hillside environment; assure that any permitted development will relate to the surrounding topography and will not be conspicuous and obtrusive because of design or location; and protect the public from hazards associated with hillside development.

Lighting

The Mount Palomar Observatory, located south of the City of Temecula in San Diego County, has identified that the continued urbanization of southwestern Riverside County contributes to reducing the nighttime usefulness of the Observatory due to the emission of lighting from streetlights, automobiles, residences and businesses. This type of lighting condition is called “skyglow.” It occurs when glare from improperly aimed and unshielded light fixtures cause uninvited illumination to cross property lines. The Observatory requires unique nighttime lighting standards in order to allow the night sky to be viewed clearly. Two zones are identified around the Observatory, in which different standards are implemented. Zone A is defined as a circular area within a 15-mile radius of the observatory. Zone B includes a circular ring area defined by two circles, one forty-five (45) miles in radius centered on Palomar Observatory, and the other the perimeter of Zone A.

Indian Wells lies within Zone B of the Palomar restricted nighttime light zone and must comply with the County standards, which prohibits obtrusive nighttime lights.

Indian Wells Municipal Code Section 22.04.092 requires that any architectural, landscape, or accent lighting (lighting used for decorative effects) shall be turned off between 11:00 p.m. and sunrise in order to protect Palomar Observatory from light pollution. Common recreational areas [club house, common pool areas, etc.) may be lighted while those facilities are actually in use. This requirement shall exclude outdoor lighting used for illuminating walkways, or other outdoor security lighting as permitted.

4.1.4 Project Impact Analysis

Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to aesthetics are significant environmental effects, the following questions are analyzed and evaluated. Would the Project:

a) Have a substantial adverse effect on a scenic vista?

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Project Impacts

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to aesthetic resources are significant environmental effects, the following thresholds are analyzed and evaluated. Would the Project:

a. Have a substantial adverse effect on a scenic vista?

While the Planning Area contains numerous areas and viewsheds with relatively high scenic value, there are no officially designated scenic vista points in the Planning Area. Additionally, as stated above, there are no officially designated scenic highways located in the City of Indian Wells, the closest scenic highway is located approximately 1.35 miles west of the City boundaries. Significant visual resources in the Planning Area include the surrounding mountain ranges, specifically the Santa Rosa Mountains located immediately south, the more distant San Jacinto Mountains to the west, and Little San Bernardino Mountains to the north. The Santa Rosa Mountains occupy the southern portion of the City at an elevation of approximately 2,200 feet. The tallest peak of the Santa Rosa Mountains is Toro Peak at 8,716 feet (outside of the City boundary). Views of the Santa Rosa Mountains are visible from most parts of the City and are the most notable visual assets. The San Jacinto and Little San Bernardino Mountains are located further from the City and are visible from a few locations throughout the City.

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

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

General Plan Policies and Actions

Policies

RM-2.1 **Open Space Preservation.** Designate and preserve the City's open space and scenic resources including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.

RM-2.2 **Scenic Vista Preservation.** Locate and site development to preserve public and private views of hillside areas, the Santa Rosa Mountains, and other scenic vistas.

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

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

Actions

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

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

As discussed above, no officially designated or eligible State scenic highway is located within the City of Indian Wells. The closest State scenic highway is located approximately 1.36 miles west of the City, at State Route 74. Due to the City's distance from the State Route 74, buildout of the GPU would not damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway. State scenic highway impacts associated with GPU implementation would be less than significant. However, the implementation of the following policies would ensure that development within the City would not result in damages to scenic resources, by establishing and maintaining greenbelts and open space amenities that are viewed by people who travel through and within the City and maintaining scenic views from public rights-of-way (*Policies RM-2.3* and *RM-2.4*). Impacts would remain less than significant.

General Plan Policies

Policies

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

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

c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in

an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

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

The visual character and scenic quality within the City of Indian Wells is defined by the mountainous topography, including the Santa Rosa Mountains, that distinguishes the City's southern boundary, the natural desert context, and the manmade and built environment, including landscaping and gated residential communities.

Indian Wells recognizes the importance of protecting and enhancing its natural resources, including biological resources and open space areas, to meet the needs of the City's current and future residents. Much of the visual character of Indian Wells is shaped by its open space resources including parks, trails, golf courses, and natural preserves. These resources enhance the quality of life for Indian Wells residents and provide for outdoor recreational opportunities.

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

Polices in the proposed GPU would be subject to compliance with these guidelines, as well as the applicable regulations set forth in the Indian Wells Municipal Code. Buildout of the GPU would, therefore, not substantially degrade the existing visual character or quality of public views of the City. *Goal CD-2* in the Community Development Element of the GPU pursues a visually attractive community that helps create a unique sense of place in the Coachella Valley and reinforces the image of Indian Wells as a prestigious community and international resort destination. This is achieved through *Policy CD-2.1* which requires design features of entry signs, street signs, and other public gathering spaces be established to enhance the City's identity; *Policy CD-2.2*, which enforces the implementation of development standards and design guidelines to provide a clear aesthetic direction; *Policy CD-2.4*, which requires future project to consider and preserve significant features (i.e., viewsheds, trees, rock outcroppings) during design; *Policy CD-2.7*, which promotes aesthetically-pleasing streetscapes via landscaping; and *Policy CD-2.8*, which implements the Arts in Public Places

program. The listed policies are further implemented by *Action 2a, 2b,* and *2c.* The implementation of the policies and actions listed above would ensure that future development includes aesthetically pleasing design, site plans, street frontages, and signage. Additionally, review and approval by the City of Indian Wells would ensure future development is consistent with the existing developments in the City and that the City continues its image as an international resort destination.

In order to further ensure that future development allowed under the GPU would not degrade the existing visual character of the environment, the City has included the following policies and actions in the GPU. The policies emphasize the preservation of open space, scenic resources, and scenic vistas within the City (*Policy RM-2.1* and *RM-2.2*) and maintain the open space character (*Policy RM-2.3*). This is achieved by *Action RM-2a,* which enforces the Hillside Management Ordinance to ensure the environmental integrity of the hillsides, and the implementation of the Zoning Code development standards.

Therefore, the impact would be less than significant following implementation of the policies and actions listed below.

General Plan Policies and Actions

Policies

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

CD-2.2 **Standards and Guidelines.** Develop and enforce development standards and objective design guidelines that provide clear direction for achieving quality community design in new development and redevelopment projects.

CD-2.4 **Site Planning.** Identify and preserve, as feasible, the significant features of a site, such as viewsheds, heritage trees, and rock outcroppings, during the design and development of new projects.

CD-2.7 **Streetscapes.** Promote drought tolerant landscaping, tree planting, and tree preservation along City streets as a means of improving aesthetics, making neighborhoods more pedestrian-friendly, and providing environmental and economic benefits.

CD-2.8 **Arts in Public Places.** Continue to implement the Arts in Public Places program to provide a diverse and culturally rich environment for Indian Wells residents and visitors.

RM-2.1 **Open Space Preservation.** Designate and preserve the City's open space and scenic resources including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.

RM-2.2 **Scenic Vista Preservation.** Locate and site development to preserve public and private views of hillside areas, the Santa Rosa Mountains, and other scenic vistas.

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

Actions

CD-2a Continue the Art in Public Places program, including the identification of funding sources and potential sites for public art display. The program may include, but is not limited to, City entry monumentation, streetscape treatments (including street signs), and other public area improvements.

CD-2b Prepare and adopt objective design standards for multifamily and mixed-use projects and require all development in the City to comply with approved design standards, including but not limited to, architecture, landscaping, site design, and other development related regulations intended to enhance and promote the image of Indian Wells.

CD-2c Continue to preserve the community characteristics of scale, good site design, and sensitivity to neighboring sites in single-family residential districts by requiring approval by the City's Design Review Committee for new homes, additions, and exterior remodeling.

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

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

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

being visible and generally detracting from the quality of life in Indian Wells. This is considered a potentially significant impact, which would be mitigated to a less than significant level through the implementation of the *Policy RM-2.7* which requires outdoor lighting to be directed appropriately and avoid the creation of regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light.

Daytime glare is typically generated in urban areas by sunlight reflecting off of structures, windows, and other reflective surfaces. Implementation of the proposed GPU would introduce the development of new structures which could result in increased daytime glare. However, the City of Indian Wells is largely developed, apart from approximately 56 acres north of Highway 111, and north and south of Miles Avenue. These areas would develop resort, residential, commercial, and recreational land uses, which may utilize materials that produce glare.

The City of Indian Wells is located in the Palomar Observatory restricted nighttime light zone that prohibits obtrusive nighttime lights. In order to avoid light pollution created in Riverside County, the County established Ordinance No. 655, Regulating Light Pollution, to restrict the permitted use of certain light fixtures emitting into the night sky undesirable light rays which have a detrimental effect on astronomical observations and research. The allowed lighting within the ordinance must be fully shielded if feasible and partially shielded in all other cases and must be focused to minimize spill light into the night sky and onto adjacent properties. Additionally, Indian Wells Municipal Code Section 22.04.092 requires that any architectural, landscape, or accent lighting (lighting used for decorative effects) shall be turned off between 11:00 p.m. and sunrise in order to protect Palomar Observatory from light pollution. Common recreational areas [club house, common pool areas, etc.) may be lighted while those facilities are actually in use. This requirement shall exclude outdoor lighting used for illuminating walkways, or other outdoor security lighting as permitted.

Development would be required to be consistent with the GPU, as well as lighting and design requirements in the Indian Wells Municipal Code. The GPU contains policies related to the regulation and reduction of daytime glare and nighttime lighting. The implementation of the *Policy RM-2.7* requires outdoor lighting to be directed appropriately and avoid the creation of regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light. Implementation of *Action RM-2b* would reduce lighting impacts from residential uses during nighttime activities without compromising safety, while *Action RM-2c* would implement development design standards to reduce excessive glare.

Through the implementation of the policies and actions during the development review process, the City can ensure that adverse impacts associated with daytime glare and nighttime lighting are reduced to a less than significant level.

General Plan Policies and Actions

Policy

RM-2.7 **Lighting and Glare.** Protect scenic enjoyment by encouraging outdoor lighting that is directed appropriately and avoid the creation of regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light.

Action

RM-2b Adopt a Dark Sky Ordinance to limit residents' exposure to artificial light during their outdoor nighttime activities while providing adequate light levels to ensure safety and security.

RM-2c Create and implement development design standards to reduce regular excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light.

4.1.5 Cumulative Impacts

The assessment of cumulative aesthetic impacts analyzes full buildout of the City of Indian Wells. As stated throughout, the City is largely developed, with the exception of locations north of Highway 111 and north and south of Miles Avenue. As stated above, future development within the City of Indian Wells could result in impacts to aesthetic resources, however, these impacts are reduced with the implementation of GPU policies listed above. Additionally, building guidelines and development standards established in the Indian Wells Municipal Code reduce aesthetic impacts of potential buildings to less than significant levels.

While the City of Indian Wells contains numerous areas and viewsheds with relatively high scenic value (i.e., surrounding mountains), there are not officially designated scenic vista points or scenic highways in the Planning Area. The closest officially designated State scenic highway is located west, in the City of Palm Desert. Significant scenic resources witness within the City includes the Santa Rosa Mountains to the south (within the City's boundary), and the San Jacinto Mountains to the west (outside of the City's boundary).

Implementation of the GPU could lead to new and expanded urban and suburban development throughout the City, specifically north of Highway 111 and north and south of Miles Avenue, which may obstruct or interfere with views of visual features surrounding the Planning Area, including views of the Santa Rosa or San Jacinto Mountains when viewed from these rights-of-way. Future projects will be required to comply with the City standards and guidelines regarding building heights and setbacks as required by the Indian Wells Municipal Code. Additionally, the GPU outlines various goals, policies and standards for land use categories, community design features, and building architecture, that impact the visual character of the City. These policies and regulations, in conjunction with the existing specific plans, would reduce cumulative impacts associated with aesthetic resources to a less than cumulatively considerable level.

Regional growth has and will continue to result in a cumulative aesthetic effect by converting undeveloped land into developed and occupied areas and increasing overall levels of nighttime lighting. Cumulative development entails grading/landform alteration, the development of structures, and the installation of roadways and other infrastructure that has altered and will continue to permanently alter the region's existing visual character. This is considered potentially significant cumulative impact. Subsequent projects implemented under the proposed General Plan would be required to be consistent with the policies and actions of the proposed General Plan and adopted policies and regulations (above), the proposed GPU would considerably contribute to permanent changes in visual character, such as obstruction of scenic views, conversion of existing visual character, and increased lighting. The policies and actions included in the GPU would fully reduce the cumulative effect of the GPU on visual character, to mitigate the proposed GPU's contribution to a less than significant level. Therefore, the proposed GPU's incremental contribution to this cumulative impact would be less than cumulatively considerable.

4.1.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to aesthetic resources. Moreover, local regulations, as enforced by the Indian Wells Municipal Code, will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.1.7 Level of Significance after Mitigation

Not applicable.

4.1.8 Resources

1. State Scenic Highways, Caltrans, website, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways
2. Streets and Highways Code – SHC; Division 1. State Highways, Chapter 2. The State Highway System, Article 2.5 State Scenic Highways, California Legislative Information, https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=SHC&division=1.&title=&part=&chapter=2.&article=2.5.

4.2 Agricultural Resources and Forestry Resources

4.2.1 Introduction

This section of the Indian Wells General Plan Update ("GPU") Programmatic Draft Environmental Impact Report ("PDEIR") describes the existing agricultural and forest resources found in the City and addresses potential loss of agricultural land. The existing agricultural land in the City is described, and the relationship between the implementation of the GPU and existing conditions are addressed. This section is organized with an existing setting, regulatory setting, and impact analysis. Descriptions and analysis in this section are based on information contained in the California Department of Conservation, Farmland Mapping & Monitoring Program (FMMP), City documents and aerial imagery of the City and surrounding area.

4.2.2 Existing Conditions

The City of Indian Wells is located in the Coachella Valley, in Riverside County, California. The City encompasses approximately 14.6 square miles east and south of the City of Palm Desert, and west of the City of La Quinta. The Santa Rosa Mountains delineates the City's southern boundary, a portion of which is designated as open space. Primary access to the City is from State Highway 111 and primary access to the region is from the Interstate 10 Freeway.

Indian Wells is a world-renowned resort destination with a strong tourism market; resort hotel properties, restaurants, and general retail centers are the three primary economic components of the tax base. The City provides a full range of municipal services which include the following: construction and maintenance of streets and infrastructure; planning and community development; building and safety; recreational activities; arts and culture; and parks. The City contracts with Riverside County for police and fire protection.

The City of Indian Wells incorporated on July 14th, 1967. According to historical imagery dated back to 1972, the City had once been used for agricultural purposes, primarily for dates. The area was mostly developed by 1996. Since 1990, private property owners that owned active farmlands in the City of Indian Wells have discontinued farming of dates within the City. In recent years, date farms have re-established orchards in areas of Thermal, Mecca, Coachella and toward the Salton Sea, according to the California Farm Bureau Federation. There is currently a sod farm within the City boundary, located at the southwest corner of Miles Avenue and Washington Street designated as Prime Farmland according to the California Important Farmland Finder provided by the California Department of Conservation, discussed further below.

4.2.3 Regulatory Setting

Federal

Farmland Protection Policy of 1981 – [7 U.S.C. Sections 4201 to 4209 and 7 C.F.R. Part 658]

The Farmland Protection Policy Act (FPPA, 7 U.S.C. Section 4101 et seq.) is intended to protect farmland and requires federal agencies to coordinate with the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), if their activities may irreversibly convert farmland to nonagricultural use, either directly or indirectly. The stated purpose of the FPPA is to "minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses."

State

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (the Williamson Act, Government Code Sections 51200 through 51297.4) encourages the preservation of agricultural lands through tax incentives due to the increasing trend toward the conversion of agricultural lands to urban uses. The act enables counties and cities to designate agricultural preserves (Williamson Act lands) and within these preserves, offer preferential taxation to agricultural landowners based on the agricultural income producing value of the property. Essentially, this approach ties real estate tax rates to the agricultural value of the land rather than the market rate, which can escalate rapidly as areas around a farm or dairy convert to urban uses. In return for the preferential tax rate, the landowner is required to sign a contract with the county or city agreeing not to develop the land with non-agricultural uses for a minimum of ten years. On the ten-year anniversary date of the contract, it is renewed automatically, unless a notice of non-renewal or petition for cancellation is filed.

California Farmland Conservancy Program Act (Public Resources Code Sections 10200 to 10277)

This act provides a mechanism for the Department of Conservation (DOC) to establish agricultural conservation easements on farmland. "Agricultural conservation easement" means an interest in land, less than fee simple, which represents the right to prevent the development or improvement of the land for any purpose other than agricultural production. The easement is granted for the California Farmland Conservancy Program.

State Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC) established the Farmland Mapping and Monitoring Program (FMMP) in 1982. The FMMP is a non-regulatory program and provides a consistent and impartial analysis of agricultural land use and land use changes throughout California. The FMMP

produces maps and statistical data used for analyzing impacts on California's agricultural resources. Prime agricultural land is rated according to soil quality and irrigation status, and identified by the following categories, collectively referred to as Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Urban and Built-Up Land, and Other Land. Descriptions of the categories and their applicability to the Project area are discussed as followed:

Prime Farmland

Prime farmland is land that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. The City has approximately 43 acres of Prime Farmland, all of which is the sod farm located southwest of the intersection of Miles Avenue and Washington Street.

Farmland of Statewide Importance

Farmland of Statewide Importance is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agriculture at some time during the four years prior to the mapping date.

Unique Farmland

Unique Farmland consists of lesser quality requirements for soils used for the production of the State’s leading agricultural crops. Unique Farmland is usually irrigated but can include non-irrigated orchards or vineyards as found in some climatic zones in California. In order to be designated as Unique Farmland, the Land would have to have been planted at some time during the past four years prior to the mapping date.

Farmland of Local Importance

Farmland of Local Importance is land that a local unit has designated as having local significance and will take priority over some other classification by the State.

Grazing Land

Grazing Land is land on which existing vegetation is suited to the grazing of livestock. Grazing Land does not occur in the Coachella Valley.

Urban and Built-Up Land

Urban and Built-Up Land is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential,

industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sewage treatment, and water control structures. A majority of the City is classified as Urban and Built-Up Land.

Other Land

Other Land is defined as land not included in any other mapping category. Common examples include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than forty acres is mapped and identified as "Other Land." Portions of the Whitewater River that runs through the City and vacant land directly west of the Indian Wells Tennis Garden are designated as "other land".

Regional and Local Programs

The Community Development Element of the General Plan Update provides for a development and resource conservation pattern that preserves and protects Indian Wells' unique character and celebrates the community's high quality of life. The Community Development Element contains the following policy pertaining to agricultural land in the City which is as follows:

Policy CD-1.9: Allow and support the continuation of agricultural operations on lands within the City limits that are designed for development uses, until such time as new development is proposed for the land.

4.2.4 Project Impacts

Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to agricultural resources are significant environmental effects, the following questions are analyzed and evaluated. Would the GPU:

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?

Project Impacts

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to aesthetic resources are significant environmental effects, the following thresholds are analyzed and evaluated. Would the GPU:

a/e Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland); or Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use

According to the Riverside County Eastern Coachella Valley Area Plan, agriculture remains a vital part of the county. Much of the Eastern Coachella Valley, which surrounds the Salton Sea to the west and extends north toward the City of Coachella, is dedicated to agriculture. This region is one of California's key agricultural areas, producing date palms, grapes, citrus, and seasonal row crops.

The City of Indian Wells has evolved from an agricultural and open desert area into a vibrant residential community. Currently, approximately 43 acres of Prime Farmland are located at the southwest corner of Miles Avenue and Washington Street. This land, used as a sod farm and a parking lot for nearby events, was undeveloped desert land in 1996 according to aerial imagery. By 2002, it had been partially converted to agricultural use, and by 2012, the adjacent undeveloped desert land was also planted with sod.

In 2024, the land surrounding the sod farm includes sod (categorized as Other Land by the California Department of Conservation) to the west and north, residential development and desert land to the north, commercial areas to the east, and the Whitewater River Stormwater Channel to the south. Most of the land in the City, excluding the Santa Rosa Mountains, has been developed. The sod farm is zoned for commercial use, indicating the City anticipates its development.

The GPU does not propose changes to the land use designation or zoning for the 43-acre site, which is currently designated for resort commercial uses. Although the City's General Plan supports the continued agricultural use of land until new development is proposed, as outlined in *Policy CD-1.9*, the GPU does not include preservation of Prime Farmland as a priority. The City does not have any land designated or zoned for agricultural or farm uses, and the conversion of Prime Farmland to non-agricultural uses is anticipated as part of the City's long-term vision, in alignment with the existing General Plan land use designations and zoning.

While the continued use of this land as a sod farm may persist for some time, future development, in line with the General Plan's vision and economic changes, is likely to result in the conversion of this Prime Farmland to non-agricultural uses. The loss of this farmland, although not a direct consequence of the GPU itself, remains a significant and unavoidable impact. The City's General Plan, including *Policy CD-1.9*, supports agricultural activities under existing conditions, but the GPU does not introduce any measures that would prevent the conversion of this Prime Farmland.

The loss of 43 acres of Prime Farmland is unlikely to significantly affect agricultural production in the wider Coachella Valley. According to a June 2023 article by the Coachella Valley Economic Partnership, *Agriculture in the Coachella Valley*, approximately 41,000 acres remain under cultivation, with 2,058 acres used for pasture, livestock feed, or grasses. Since the GPU does not require the preservation of Prime Farmland, its implementation could indirectly result in the conversion of this land to non-agricultural uses. Given the City's existing zoning and land use patterns, and the objectives of the General Plan, mitigation measures such as the preservation of farmland are considered infeasible, as they would conflict with other key objectives of the GPU, such as supporting residential, commercial, and recreational development. As a result, the conversion of Prime Farmland is concluded to be significant and an unavoidable impact.

General Plan Policies

Policies

CD-1.9 **Agricultural Uses.** Allow and support the continuation of agricultural operations on lands within the City limits that are designated for development uses, until such time as new development is proposed for the land.

b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract

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

c/d. Conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland zoned Timberland Production or result in loss of forest land or conversion of forest land to non-forest use

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

4.2.5 Cumulative Impacts

The City of Indian Wells has almost completely transitioned away from agricultural production as it has developed into a City with residential, resort hotel properties, restaurants, and general retail centers. However, the cumulative impact on agricultural resources in the City is considered significant and unavoidable due to the anticipated loss of the City's remaining agricultural land. While the loss of Prime Farmland within Indian Wells is relatively minor compared to the broader Coachella Valley's agricultural land, it contributes to the urbanization and conversion of agricultural land. As the GPU continues to plan for resort and commercial development in the City, no feasible mitigation measures for agricultural resources would align with these objectives. Therefore, the cumulative impact on agricultural resources is significant and unavoidable.

4.2.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to agricultural and forestry resources. However, the loss of Prime Farmland within Indian Wells is relatively minor compared to the broader Coachella Valley's agricultural land, it contributes to the urbanization and conversion of agricultural land. As the GPU continues to plan for resort and commercial development in the City, no feasible mitigation measures for agricultural resources would align with these objectives. No additional Mitigation or Improvement Measures are required.

4.2.7 Level of Significance after Mitigation

Not applicable.

4.2.8 Resources

1. City of Indian Wells General Plan Update Land Use/Zoning Map
2. Farmland Mapping and Monitoring Program (FMMP), California Department of Conservation (CDC), available at https://www.conservation.ca.gov/dlrp/fmmp
3. Riverside County Eastern Coachella Valley Area Plan, September 2021, available at https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-genplan-GPA-2022-Compiled-ECVAP-4-2022-rev.pdf
4. Coachella Valley Economic Partnership, *Agriculture in the Coachella Valley*, June 2023, available at https://cvep.com/agriculture-in-the-coachella-valley/#:~:text=The%20Coachella%20Valley%20Agriculture%20sector,we%20have%20lost%20since%201990.

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4.3 Air Quality

4.3.1 Introduction

The purpose of this section is to discuss the existing air quality setting in the Coachella Valley and analyze the potential impacts resulting from construction and operation of future projects within the City from the implementation of the GPU. The air quality principles, descriptions and supporting analysis rely on the relevant background research and information made available in various public regulatory and reference documents cited throughout this section.

Reference documents include pertinent sections of the federal *Clean Air Act* (CAA); *Final 2022 Air Quality Management Plan* (AQMP), by South Coast Air Quality Management District (SCAQMD), adopted by SCAQMD on December 2, 2022; *2016 Air Quality Management Plan* (AQMP), by SCAQMD, March 2017; *Final 2003 Coachella Valley PM_{10} State Implementation Plan* (CVSIP), by SCAQMD, August 2003; *Analysis of the Coachella Valley PM_{10} Redesignation Request and Maintenance Plan*, by the California Air Resources Board (CARB), February 2010; *Draft Coachella Valley Extreme Plan for 1997 8-Hour Ozone Standard*, by SCAQMD, September 2020; *Coachella Valley Extreme Area Plan for 1997 8-Hour Ozone Standard*, Public Consultation Meeting Presentation by SCAQMD, September 2020; *Coachella Valley Extreme Area Plan for the 1997 8-Hour Ozone Standard Fact Sheet,* by SCAQMD, September 2020; and the SCAQMD Rule Book.

At the programmatic environmental review level, the analytical and quantitative findings are provided herein, the purpose of which is to evaluate the potential impacts to air quality associated with the buildout scenarios in relation to the Indian Wells GPU, and in doing so, identify any mitigation measures that may be necessary to reduce any potentially significant air quality impacts at the programmatic level.

This analysis relied on the most current version of the California Emissions Estimator Model™ (CalEEMod) Version 2022.1, which serves as an adopted platform to quantify construction emissions and operational emissions from land development projects. The software is designed to calculate criteria pollutants and greenhouse gas emissions using widely accepted methodologies from project-specific and accepted default data inputs. Sources of these methodologies and default data include, but are not limited to, the United States Environmental Protection Agency (EPA) AP-42 emission factors, CARB vehicle emission models, and studies commissioned by California agencies such as the California Energy Commission (CEC) and California Department of Resources Recycling and Recovery (CalRecycle).

The supporting documentation referenced herein is provided in the Appendices of this PDEIR (**Appendix B**).

4.3.2 Existing Conditions

Regional Air Basin Conditions

The City of Indian Wells and the Coachella Valley are located within the Riverside County portion of the Salton Sea Air Basin (SSAB), under jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SSAB is a northwest to southeast region extending from the San Gorgonio Pass to the Mexican border. SCAQMD literature describes the Coachella Valley as having a continental, desert-type climate, with hot summers, mild winters, and very little annual rainfall. Precipitation occurs mostly in the winter months from active frontal systems, and in the late summer months from thunderstorms. Temperatures exceed 100 degrees Fahrenheit, on average, for four months each year, with daily highs near 110 degrees Fahrenheit during July and August. Summer nights are very mild with minimum temperatures in the mid-70's. During the winter season, daytime highs are quite mild, but the dry air is conducive to nocturnal radiational cooling, with early morning lows around 40 degrees.

The Coachella Valley is exposed to frequent gusty winds. The strongest and most persistent winds typically occur immediately to the east of Banning Pass, which is noted as a wind power generation resource area. Wind conditions in the remainder of the valley are geographically distinct. Stronger winds tend to occur in the open mid-portion of the valley, while lighter winds tend to occur closer to the foothills. Less frequently, widespread gusty winds occur over all areas of the valley.

Under natural conditions, the overall region of blowsand activity encompasses approximately 130 square miles extending from near Cabazon to Indio and lying primarily between the San Jacinto Mountains and the Whitewater River Channel on the southwest and San Bernardino Mountains and the Indio Hills on the northeast. Sands supplied by floodwaters to the westerly and northerly portions of the region are transported by strong, essentially unidirectional winds to the southerly portion of the region. Transporting winds emanate from the San Gorgonio Pass and occur most frequently and with the greatest intensity during the spring and early summer months. The blowsand process varies considerably over time, depending on the availability of flood-provided sand, fluctuations in the transporting wind regime, and to a lesser extent, changes in vegetative cover within the Valley.

Blowsand is a form of larger particulate matter that can contribute to the production of the smaller PM10 (Particulate Matter with a diameter of 10 micrometers or smaller) particles in two ways: (1) by direct particle erosion and fragmentation as natural PM10, and (2) by secondary effects, as sand deposits on road surfaces. SCAQMD has defined a Coachella Valley Blowsand Zone as the corridor of land extending two miles on either side of the Interstate 10 (I-10) Freeway, beginning at the State Route 111 (SR-111)/I-10 junction and continuing southeast to the I-10/ Jefferson Street interchange in Indio.

Being situated approximately 2 miles south of I-10, at the closest point, the City of Indian Wells is generally located outside of the designated Coachella Valley Blowsand Zone. However, the City remains

exposed to seasonal wind conditions and natural sand transport capable of producing fugitive dust from undeveloped and unstable ground conditions.

Local Conditions

The City of Indian Wells is located in a central portion of the Coachella Valley, occupying an area of approximately 14.6 square miles (9,333 acres), of which, approximately 7.25 square miles are characterized as mountainous terrain as part of the protected Santa Rosa Mountains. The remaining 7.35 square miles are generally considered part of the Coachella Valley floor. The City's mostly developed valley floor elevation descends from approximately 660 feet at the southwest corner to approximately 60 feet above sea level at the Coachella Valley Stormwater Channel outlet from the City.

The City's existing land use designations include approximately 2,532 acres of residential uses and 6,801 acres of commercial as the most prominent developed uses. The City does not have industrial uses or facilities. See Table 6 and Table 7 of **Appendix F,** the *Indian Wells General Plan Update Transportation Analysis*, for tables of the existing land uses and existing General Plan designations, respectively, for the City of Indian Wells.

As discussed in Section 3.4.5 (in **Chapter 3.0, *Project Description***) pertaining to the on-the-ground baseline conditions, approximately 6,395 acres of the City are open space, parks and golf course uses, 1,403 acres are developed as residential uses, and approximately 187 acres are vacant. In terms of housing, the City currently has an estimated total of 4,694 single family units and 349 multifamily units, for a total of 5,043 residential units; 1,546,833 square feet of nonresidential space (i.e., office, sports, commercial, etc.); and offers 1,509 jobs within the City.

Some receptors are considered more sensitive to air pollutants than others, because of preexisting health problems, proximity to the emissions source, or duration of exposure to air pollutants. Land uses such as primary and secondary schools, hospitals, and convalescent homes are considered to be relatively sensitive to poor air quality because the very young, the old, and the infirm are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered sensitive to poor air quality because people in residential areas are often at home for extended periods. Recreational land uses are moderately sensitive to air pollution because vigorous exercise associated with recreation places having a high demand on respiratory system function. CARB has identified the following people as most likely to be affected by air pollution: children less than 14 years of age, the elderly over 65 years of age, athletes, and those with cardiovascular and chronic respiratory diseases.

Like other areas of the Coachella Valley, the City of Indian Wells is exposed to seasonal high-wind conditions with particulate matter content and also receives ozone and ozone precursors transported from the upwind air basins.

4.3.3 Regulatory Setting

Federal

National Ambient Air Quality Standards

The federal Clean Air Act (CAA), established in 1970 and amended in 1977 and 1990 (42 United States Code [USC] 7401), aims to protect and enhance the quality of the nation's air resources. In 1971, to fulfill Section 109 of the CAA (42 USC 7409), the U.S. EPA developed primary and secondary national ambient air quality standards (NAAQS) for six main pollutants: ozone, CO, SO_2, NO_2, lead, and particulate matter (PM).

The U.S. EPA assigns area designations for each criteria pollutant based on local monitoring data. In California, these federal designations typically apply to the State's 15 geographic air basins. Areas that comply with NAAQS are classified as attainment areas, while those expected to meet the standard despite lacking monitoring data are termed "unclassifiable attainment." Areas failing to meet NAAQS are designated as nonattainment areas. After such a designation, state and local governments must create implementation plans to achieve and maintain NAAQS.

State

California Clean Air Act

The California Clean Air Act (CCAA) mandates health-based air quality standards at the State level and delineated responsibilities and authority of the CARB and Air Quality Management Districts (AQMDs). CARB is a state level agency primarily responsible for adopting motor vehicle emission standards, compiling the SIP for submission to the U.S. EPA; approving district air quality plans as sufficient to meet State legal requirements, and providing general oversight of districts. CARB establishes State air quality regulations addressing certain categories of consumer products and mobile sources such as heavy-duty trucks, light-duty cars, construction equipment and small off-road engines. CARB has also established State ambient air quality standards for criteria pollutants which are generally more stringent than the NAAQS. The CCAA established a number of legal mandates to facilitate achieving health-based state air quality standards at the earliest practicable date. The CCAA requires that South Coast AQMD assess its progress toward attainment of the State Ambient Air Quality Standards and that this assessment be incorporated into South Coast AQMD's triennial plan revision. CARB is responsible for enforcing State standards, which are achieved through State Implementation Plans (SIP), such as the Coachella Valley PM_{10} SIP currently in effect.

State Implementation Plan

The California State Implementation Plan (SIP) consists of documents outlining California's strategies to achieve the NAAQS. It includes new and previously submitted plans, programs, district rules, state regulations, and federal controls. Local air districts and other agencies prepare SIP components and submit them to California Air Resources Board (CARB) for review. CARB then forwards SIP revisions to the U.S. EPA for approval and publication in the Federal Register. The CARB leads all SIP-related activities under state law.

Parts of the SIP, called Air Quality Attainment Plans (AQAPs), are specific to regions and pollutants. The South Coast Air Quality Management District (SCAQMD) is responsible for the SIP portion for Coachella Valley.

Regional

South Coast Air Quality Management District

The South Coast Air Quality Management District (SCAQMD) is the regulatory agency responsible for improving air quality for large areas of Los Angeles, Orange, Riverside and San Bernardino counties, including the Coachella Valley. Within SCAQMD jurisdiction, about 25 percent of this area's ozone-forming air pollution comes from stationary sources, both businesses and residences and 75 percent comes from mobile sources, mainly cars, trucks and buses, but also construction equipment, ships, trains and airplanes. Emission standards for mobile sources are established by the California Air Resources Board and the U.S. Environmental Protection Agency. The SCAQMD regional Air Quality Management Plan (AQMP) serves as the blueprint to bring this area into compliance with federal and state clean air standards.

The Coachella Valley is in the Salton Sea Air Basin (SSAB) under SCAQMD’s jurisdiction. Thus, it is subject to the provisions of the SCAQMD Rule Book, which sets forth policies and other measures designed to meet federal and state ambient air quality standards. These rules, along with SCAQMD’s 2022 Air Quality Management Plan (2022 AQMP), are intended to satisfy the planning requirements of both the federal and State Clean Air Acts. The SCAQMD also monitors daily pollutant levels and meteorological conditions throughout the jurisdiction that includes the Coachella Valley.

Southern California Association of Governments 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS)[1]

Southern California Association of Governments (SCAG) is the federally designated Metropolitan Planning Organization (MPO) for the region, including the City and project site. SCAG is responsible for developing long-range transportation plans and sustainable community strategies for the region in accordance with federal and State law and planning requirements, including but not limited to federal CAA ambient air quality standards and ambient air quality and greenhouse gas emissions reductions standards and targets. The Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is updated and adopted every four years. The 2020-2045 RTP/SCS (also known as Connect SoCal 2020) was CARB certified to meet the applicable 2035 greenhouse gas (GHG) emissions reduction target for automobiles and light trucks.

Air Quality Standards and Health Effects

Existing air quality is measured at established SCAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect public health and welfare. As part of the Annual Air Quality Monitoring Network Plan, dated July 1, 2023, SCAQMD operates 35 permanent air monitoring stations (AMS) within its jurisdiction. The project site and Coachella Valley region are located within the Source Receptor Area (SRA) 30, which includes three AMS locations. The Palm Springs AMS, AQS ID 060655001, is located approximately 13 miles west of Indian Wells. The Indio AMS, AQS ID 060652002, is located approximately 5 miles east of Indian Wells. The Mecca (Saul Martinez) AMS, AQS ID 060652005, is located approximately 16 miles southeast of Indian Wells.

Regional air quality is considered to be in attainment by the state if the measured ambient air pollutant levels for O_3, CO, SO_2 (1 and 24 hour), NO_2, PM_{10}, and $PM_{2.5}$ are not exceeded. All others are not to be equaled or exceeded. Attainment status for a pollutant means that the SCAQMD meets the standards set by the U.S. EPA or the California EPA (CalEPA). Conversely, nonattainment means that an area has monitored air quality that does not meet the NAAQS or California Ambient Air Quality Standards (CAAQS) standards. In order to improve air quality in nonattainment areas, a SIP is drafted by CARB. The SIP outlines the measures that the state will take to improve air quality.

The following air pollutants are collectively known as criteria air pollutants and are defined as pollutants for which established air quality standards have been adopted by federal and state governments:

Carbon Monoxide (CO) is a colorless, odorless gas produced by the incomplete combustion of carbon-

[1] SCAG adopted Connect SoCal 2024 (2024–2050 RTP/SCS) on April 4, 2024. However, the 2022 AQMP utilizes growth forecasts and measures from Connect SoCal 2020 (2020-2045 RTP/SCS). Therefore, for purposes of this EIR and the air quality impact analysis, Connect SoCal 2020 is relevant and appliable to consistency with the 2022 AQMP.

containing fuels, such as gasoline or wood. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. CO is emitted by automobiles, trucks, heavy construction equipment, farming equipment, and a variety of residential, commercial, and industrial energy users. The SSAB is in attainment for CO. In terms of health effects, individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. The effects observed include earlier onset of chest pain with exercise, and electrocardiograph changes indicative of decreased oxygen (O_2) supply to the heart.

Sulfur Dioxide (SO_2) is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal, and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms SO_4. Collectively, these pollutants are referred to as sulfur oxides (SOx). For sensitive receptors, a few minutes of exposure to low levels of SO_2 can result in airway constriction in some asthmatics, all of whom are sensitive to its effects. The SSAB is in attainment for SO_2. In terms of health effects, a few minutes of exposure to low levels of SO_2 can result in airway constriction in some asthmatics, all of whom are sensitive to its effects. In asthmatics, increase in resistance to air flow, as well as reduction in breathing capacity leading to severe breathing difficulties, are observed after acute exposure to SO_2. SOx is a precursor to Ozone.

Nitrogen Oxides (NOx) include Nitric oxide (NO) and Nitrogen dioxide (NO_2), which are the primary oxides of nitrogen. These oxides are produced at high temperatures during combustion as byproducts of motor vehicles, power plants, and off-road equipment. NOx contributes to the formation of ozone; therefore, it is considered a precursor to ozone. Short-term exposure of NO_2 can result in airway constriction and diminished lung capacity. Populations living near roadways are more likely to experience the effects of nitrogen oxides due to elevated exposure to motor vehicle exhaust. In terms of health effects, population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2 at levels found in homes with gas stoves, which are higher than ambient levels found in Southern California.

Ozone (O_3) is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and NO_X, both primarily byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone, particularly at ground level, is not directly emitted into the air but is formed through a series of chemical reactions involving the precursor pollutants (NOx, VOCs, SOx). O_3 concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant. The SSAB is in non-attainment for the federal 8-hour O_3 standard. In terms of health effects, individuals exercising outdoors, children, and people with preexisting asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for O_3 effects. Short-term exposure (lasting for a few hours) to O_3 at levels typically observed in Southern California can result in breathing pattern changes,

reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated O_3 levels are associated with increased school absences. Although ozone is categorized as a criteria pollutant in terms of the National Ambient Air Quality Standards, there is no emission threshold of significance for this pollutant by SCAQMD. This is partially explained by the nature of ozone, which occurs and is measured as an ambient pollutant, but is not directly emitted. Instead, the SCAQMD Air Quality Significance Thresholds are applicable to the two primary precursors: NOx and VOC. Ozone is not listed a pollutant for which there are SCAQMD Air Quality Significance Thresholds.

Particulate Matter (PM_{10} and $PM_{2.5}$) consists of fine suspended particles of ten microns or smaller in diameter, and are the byproducts of road dust, sand, diesel soot, windstorms, and the abrasion of tires and brakes. $PM_{2.5}$ are particles which are 2.5 microns or smaller (which are often referred to as fine particles). The elderly, children, and adults with pre-existing respiratory or cardiovascular disease are most susceptible to the effects of PM. Elevated PM_{10} and $PM_{2.5}$ levels are also associated with an increase in mortality rates, respiratory infections, occurrences and severity of asthma attacks, and hospital admissions. The SSAB is a non-attainment area for PM_{10} and is classified as attainment/unclassifiable for $PM_{2.5}$. In terms of health effects, a consistent correlation between elevated ambient fine particulate matter (PM_{10} and $PM_{2.5}$) levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed in different parts of the United States and various areas around the world. In recent years, some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in lifespan, and an increased mortality from lung cancer. Daily fluctuations in $PM_{2.5}$ concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to school and kindergarten absences, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma.

Volatile Organic Compounds (VOC) are also known as Reactive Organic Gas (ROG). This class of pollutants has no state or federal ambient air quality standards and are not classified as criteria pollutants; however, they are regulated because they are responsible for contributing to the formation of ozone; therefore, it is considered a precursor to ozone. They also contribute to higher PM_{10} levels because they transform into organic aerosols when released into the atmosphere. Breathing VOCs can irritate the eyes, nose and throat, can cause difficulty breathing and nausea, and can damage the central nervous system as well as other organs. VOCs pose a health threat when people are exposed to high concentrations. Benzene, for example, is a hydrogen component of VOC emissions known to be a carcinogen. In terms of health effects, breathing VOCs can irritate the eyes, nose and throat, can cause difficulty breathing and nausea, and can damage the central nervous system as well as other organs. Some VOCs can cause cancer.

Lead (Pb) occurs in the atmosphere as particulate matter resulting from the manufacturing of batteries, paint, ink, and ammunition. Exposure to lead can result in anemia, kidney disease, gastrointestinal

dysfunction, and neuromuscular and neurological disorders. Babies in utero, infants, and children are especially susceptible to health risks associated with exposure to lead by impacting the central nervous system and causing learning disorders. The SSAB is in attainment for lead. In terms of health effects, fetuses, infants, and children are more sensitive than others to the adverse effects of Pb exposure. Exposure to low levels of Pb can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased Pb levels are associated with increased blood pressure. Pb poisoning can cause anemia, lethargy, seizures, and death; although it appears that there are no direct effects of Pb on the respiratory system. Pb can be stored in the bone from early age environmental exposure, and elevated blood Pb levels can occur due to breakdown of bone tissue during pregnancy, hyperthyroidism (increased secretion of hormones from the thyroid gland) and osteoporosis (breakdown of bony tissue). Fetuses and breast-fed babies can be exposed to higher levels of Pb because of previous environmental Pb exposure of their mothers.

The criteria air pollutants that are most relevant to current air quality planning and regulation in the Salton Sea Air Basin (SSAB) include ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), respirable particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), sulfur dioxide (SO_2), and lead (Pb). The State and AAQS and their attainment status in the SSAB for each of the criteria pollutants are summarized in **Table 4.2-1*, Ambient Air Quality Standards and Attainment Status***. Under federal and State standards, the SSAB is currently designated as nonattainment for O_3 and PM_{10}.

Table 4.3-1 Ambient Air Quality Standards and Attainment Status

Pollutant	Averaging Period	California		Federal	
		Standards	Attainment Status	Standards	Attainment Status
Ozone (O_3)	1-hour	0.09 ppm (180 µg/m^3)	Nonattainment	-	Nonattainment
	8-hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)	
Nitrogen Dioxide (NO_2)	Annual Arithmetic mean	0.03 ppm (57 µg/m^3)	Attainment	0.053 ppm (100 µg/m^3)	Unclassified/ Attainment
	1-hour	0.18 ppm (339 µg/m^3)		0.100 ppm (188 µg/m^3)	
Carbon Monoxide (CO)	8 hours	9.0 ppm (10 mg/m^3)	Attainment	9 ppm (10 mg/m^3)	Unclassified/ Attainment
	1 hour	20 ppm (23 mg/m^3)		35 ppm (40 mg/m^3)	
Sulfur Dioxide (SO_2)	1 hour	0.25 ppm	Attainment	0.075 ppm	Attainment
	24 hour	0.04 ppm		-	
Lead (Pb)	30-day average	1.5 µg/m^3	Attainment	-	Unclassified/ Attainment
	Rolling 3-month average	-		0.15 µg/m^3	
Respirable Particulate Matter (PM10)	24 hour	50 µg/m^3	Nonattainment	150 µg/m^3	Nonattainment
	Annual arithmetic mean	20 µg/m^3		-	
Fine Particulate Matter (PM2.5)	24 hour	-	Attainment	35 µg/m^3	Unclassified/ Attainment
	Annual arithmetic mean	12 µg/m^3		12 µg/m^3	

Source: California Air Resources Board website at: https://ww2.arb.ca.gov/resources/california-ambient-air-quality-standards (accessed September 2024) and CARB, "Area Designations Maps/State and National," http://www.arb.ca.gov/desig/adm/adm.htm

Note: ppm = parts per million.

Criteria Air Pollutant Designations

Air quality in the SSAB exceeds State and federal standards for fugitive dust (PM_{10}) and ozone (O_3), as summarized below:

PM_{10}

The Coachella Valley is currently designated as a serious nonattainment area for PM_{10}. In the Coachella Valley, the man-made sources of PM_{10} are attributed to direct emissions, industrial facilities, and fugitive dust resulting from natural erosion, unpaved roads and construction operations. High-wind events contribute to suspended PM_{10}. The CAA requires those states with nonattainment areas to prepare and submit the corresponding State Implementation Plans (SIPs) to demonstrate how these areas will attain the NAAQS. The Final 2003 Coachella Valley PM_{10} State Implementation Plan (CVSIP) was approved by the U.S. EPA on December 14, 2005. It incorporated updated planning assumptions, fugitive dust source emissions estimates, mobile source emissions estimates, and attainment modeling with control

strategies and commitments. Some of those measures are reflected in SCAQMD Rules 403 and 403.1, which were enacted to reduce or prevent man-made fugitive dust sources. The CVSIP established the controls needed to demonstrate expeditious attainment of the standards such as those listed below:

- Additional stabilizing or paving of unpaved surfaces, including parking lots;
- A prohibition on building new unpaved roads;
- Requiring detailed dust control plans from builders in the valley that specify the use of more aggressive and frequent watering, soil stabilization, wind screens, and phased development (as opposed to mass grading) to minimize fugitive dust;
- Designating a worker to monitor dust control at construction sites; and
- Testing requirements for soil and road surfaces.

On February 25, 2010, the CARB approved the 2010 Coachella Valley PM_{10} Maintenance Plan and transmitted it to the U.S. EPA for approval. With the recent data being collected at the Coachella Valley monitoring stations, consideration of high-wind exceptional events, and submittal of a PM_{10} Re-designation Request and Maintenance Plan, a re-designation to attainment status of the PM_{10} NAAQS is deemed feasible according to the 2016 AQMP and 2022 AQMP. However, the region remains in non-attainment for PM_{10}.

O_3 (Ozone and Ozone Precursors):

The Coachella Valley portion of the SSAB is deemed to be in nonattainment for the State and federal 1 hour and 8-hour ozone averaging standard. The Coachella Valley is located downwind from the South Coast Air Basin (SCAB), and when high levels of ozone and ozone precursors are formed in the SCAB, they are transported to the Coachella Valley. Peak ozone concentrations tend to occur in the SCAB between 1:00 p.m. and 2:00 p.m. In areas downwind of the SCAB, peak ozone concentrations occur in the late afternoon and early evening (between 5:00 p.m. and 6:00 p.m.). Similarly, when ozone precursors such as nitrogen oxides (NOx) and volatile organic compounds (VOCs) are emitted from mobile and stationary sources located in the SCAB, they are also transported to the Coachella Valley. SCAQMD has acknowledged that ozone exceedances in the Coachella Valley are primarily due to the direct transport of ozone and its precursors from the SCAB and that local sources of air pollution in the Coachella Valley have a limited impact on ozone levels compared to the transport of ozone precursors generated in SCAB. As part of the districtwide ozone reduction efforts, SCAQMD has adopted various rules to reduce ozone precursors. These include Rule 1121 (Control of Nitrogen Oxides from Residential Type Natural Gas-Fired Water Heaters), Rule 1147 (NOx Reductions from Miscellaneous Sources), Rule 1146 (Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters), and Rule 1146.2 (Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters).

SCAQMD Rules

Among the SCAQMD rules applicable to the Project are Rule 403 (Fugitive Dust), Rule 403.1 (Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources), and Rule 1113 (Architectural Coatings). Rule 403 requires the use of stringent best available control measures to minimize PM10 emissions during grading and construction activities. Rule 403.1 requires active operations within a Blowsand Zone stabilize new man-made deposits of bulk material and requires a fugitive dust control plan for construction projects. Rule 1113 requires reductions in the VOC content of coatings, with a substantial reduction in the VOC content limit for flat coatings to 50 grams per liter (g/L) which began in July 2008. Additional details regarding these rules and other potentially applicable rules are presented as follows.

2022 AQMP

The U.S. EPA approved the SCAQMD 2022 AQMP for inclusion in the California SIP. The AQMP was adopted by the SCAQMD Governing Board on December 2, 2022 and approved by CARB Board of Directors on January 26, 2023. The 2022 AQMP builds upon and supersedes the 2016 AQMP with updated strategies toward air quality attainment, while recognizing the challenges from experiencing the worst levels of ground-level ozone (smog) and among the highest levels of fine particulate matter ($PM_{2.5}$) in the nation, despite the progress in air pollution reduction. The 2022 AQMP also recognizes the Coachella Valley's failure to meet federal ozone standards due to transport of pollution from the upwind South Coast Air Basin. The updated strategies focus on reducing emissions of nitrogen oxides (NOx) by 67 percent more than is required by adopted rules and regulations in 2037. This is to be achieved in part through the extensive use of zero emission technologies across all stationary and mobile sources, combined with additional controls over stationary sources that currently account for approximately 20 percent of NOx emissions. The 2022 AQMP recognizes that the overwhelming majority of NOx emissions are from heavy-duty trucks, ships and other State and federally regulated mobile sources that are mostly beyond SCAQMD's control, so federal regulatory action will help toward the AQMP goals.

Sierra Club v. County of Fresno (Friant Ranch, L.P.) (2018) in Relation to SCAQMD

In 2018, the California Supreme Court issued a decision in the Sierra Club v. County of Fresno (2018) 6 Cal. 5th 502 case regarding the Friant Ranch project. As it relates to air quality, the Court found that an EIR should make a reasonable effort to inform how a project's emission numbers translate to potential adverse impacts, such as health consequences, or it must adequately explain why, given existing scientific constraints, it is not feasible to provide such analysis. The intent is to disclose a meaningful finding of the health consequences of the project's addition of air pollutants to an air basin and to explain the nature and magnitude of the potentially significant impact.

Rule 402 (Nuisance)

This rule prohibits the discharge from any source whatsoever of such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

Rule 403 (Fugitive Dust)

This rule requires fugitive dust sources to implement best available dust control measures (BACMs) for all sources and prohibits all forms of visible particulate matter from crossing any property line. This may include application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour (mph), sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph, and establishing a permanent ground cover on finished sites. SCAQMD Rule 403 is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust (see also Rule 1186). This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM_{10} suppression techniques are summarized below.

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

Rule 403.1 (Supplemental Fugitive Dust Control Requirements For Coachella Valley Sources)

This rule requires the reduction or prevention of the amount of PM10 emitted in the ambient air from man-made fugitive dust sources. The provisions of this rule are supplemental to Rule 403 and apply only to fugitive dust sources in the Coachella Valley. In addition, this rule requires a fugitive dust control plan for construction projects with a disturbed surface area of more than five thousand (5,000) square feet.

Under Rule 403.1, active operations within the Coachella Valley Blowsand Zone are required to stabilize new project-related bulk material within 24 hours of making the material deposit using water application, chemical stabilizer application, and/or installing wind breaks. Moreover, active operations within the Coachella Valley Blowsand Zone are required to stabilize new deposits of bulk material originating from off-site undisturbed desert areas within 72 hours. Such deposits typically consist of blowsand material landing on the site from upwind areas. The stabilization shall occur through water and/or soil binder application. The project is located within the Coachella Valley Blowsand Zone and is subject to the additional requirements noted above.

As a standard condition, construction activities involving five thousand (5,000) square feet of disturbed surface area must demonstrate compliance through an approved Fugitive Dust Control Plan per the City of Indian Wells Guidelines and Application elements, subsequently described, are modeled after Rule 403 and 403.1.

Rule 1113 (Architectural Coatings)

This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

Rule 1121 (Control of Nitrogen Oxides from Residential Type, Natural Gas-Fired Water Heaters)

This rule prescribes NOx emission limits for natural gas-fired water heaters with heat input rates less than 75,000 British Thermal Unit (BTU) per hour. It applies to manufacturers, distributors, retailers, and installers of natural gas-fired water heaters. In lieu of meeting these NOx limits, this rule allows emission mitigation fees to be collected from water heater manufacturers to fund stationary and mobile source emission reduction projects targeted at offsetting NOx emissions from water heaters that do not meet Rule 1121 emission standards.

Rule 1146.2 (Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters)

This rule requires manufacturers, distributors, retailers, refurbishers, installers, and operators of new and existing units to reduce NOx emissions from natural gas-fired water heaters, boilers, and process heaters as defined in this rule.

SCAQMD Air Quality Analysis Guidance Handbook

In 1993, SCAQMD prepared its *CEQA Air Quality Handbook* to assist local government agencies and consultants in preparing environmental documents for projects subject to CEQA. The *CEQA Handbook* and the *Air Quality Analysis Guidance Handbook* describe the criteria that SCAQMD uses when reviewing and commenting on the adequacy of environmental documents. The *Air Quality Analysis Guidance*

Handbook provides the recommended thresholds of significance in order to determine if a project will have a significant adverse environmental impact. Other important subjects covered in the *CEQA Handbook* and the *Air Quality Analysis Guidance Handbook* include methodologies for estimating project emissions and mitigation measures that can be implemented to avoid or reduce air quality impacts. The most recent SCAQMD Air Quality Significance Thresholds table was updated in March of 2023.

City of Indian Wells Municipal Code

Chapter 8.20 (*Fugitive Dust Control*) of the Indian Wells Municipal Code, has been enacted to establish the minimum requirements for construction and demolition activities and other specified sources in order to reduce man-made fugitive dust and the corresponding PM_{10} emissions. The corresponding performance standards are based upon the methodologies included in the Coachella Valley Dust Control Handbook, which has been prepared in accordance with CVSIP and SCAQMD Rule 403 and 403.1 referenced above.

4.3.4 Project Impact Analysis

Thresholds of Significance

The following thresholds or criteria are derived from Appendix G of the CEQA Guidelines and are used to determine the level of potential effect. The significance determination is based on the recommended criteria set forth in Section 15064 of the CEQA Guidelines. For analysis purposes, implementation of the GPU would have a significant effect on air quality emissions if it is determined that the GPU will:

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?

Methodology

In 2022, the SCAQMD in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the California Emissions Estimator Model™ (CalEEMod) Version 2022.1. CalEEMod serves as a statewide platform to calculate criteria air pollutants and greenhouse gas emissions from construction and operation aspects of land development projects. CalEEMod utilizes widely accepted methodologies for estimating emissions. Sources of these methodologies and default data include, but are not limited to, the U.S. EPA AP-42 emission factors, CARB vehicle emission models, studies commissioned by California agencies such as

the CEC and CalRecycle. In addition, some local air districts provide customized values for their default data and existing regulation methodologies for use for projects located in their jurisdictions.

The on-the-ground baseline conditions of the City include approximately 6,395 acres of open space, parks and golf course uses, 1,403 acres are developed as residential uses, and approximately 187 acres are vacant. In terms of housing, the City currently has an estimated total of 4,694 single family units and 349 multifamily units, for a total of 5,043 residential units; 1,546,833 square feet of nonresidential space (i.e., office, sports, commercial, etc.); and offers 1,509 jobs within the City. Buildout of the current General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs.

Construction emissions resulting from project implementation account for the demolition, site preparation, grading, building construction, paving, and architectural coating (painting) stages in order to construct the land uses associated with the changes to the City's General Plan Land Use Map, associated with the General Plan Update. Specifically, the General Plan Update proposes to change the current land use designation of two locations: APNs 633-150-077 and 633-150-071 would change from a Golf and Recreation land use to a Resort Commercial land use; and APNs 633-310-035 and 633-410-051 would change from a Community Commercial land use to a Resort Commercial land use.

In addition, the General Plan Update proposes changes to the Whitewater River Channel consistent with ongoing efforts to improve the Channel. Specifically, approximately 6.82 acres of the Whitewater River Channel will be removed from designation as part of the storm channel and added to the designation of developable acreage for resort commercial uses utilizing approved channel re-design. The improvements will include engineered fill material and new slope protection on the southern slope of the Channel in the vicinity of Miles Avenue.

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

Site preparation and grading activities produce fugitive dust emissions (PM_{10} and $PM_{2.5}$) from soil-disturbing activities. Exhaust emissions from construction activities on site would vary daily as construction activity levels change. Short-term emissions of criteria air pollutants (e.g., CO, SOx, PM_{10}, and $PM_{2.5}$) generated by construction and ozone precursors (e.g., VOCs and NOx) were assessed in accordance with SCAQMD-recommended methods. These emissions were modeled using the CARB-approved CalEEMod computer program as recommended by SCAQMD. CalEEMod is designed to model construction emissions for land use development projects and allows for the input of project-specific information. Construction of the Plan must comply with SCAQMD rules. The proposed Project would also be in compliance with Rule 403 and 403.1, and with Chapter 8.20 (Fugitive Dust Control) of the Indian Wells Municipal Code, by incorporating the watering of exposed surfaces and unpaved roads three times

daily, reducing speed on unpaved roads to less than 15 mph, and sweeping loose dirt from access roadways. The dust control measures are designed to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. CalEEMod also incorporates Rule 1113 by reducing the VOC content in the area coatings. Adherence to the above-noted rules and regulations is not deemed a form of mitigation.

Input for operational emissions relied on the changes associated with the General Plan land use map, as previously described. Operational emissions generated by both stationary and mobile sources would result from normal day-to-day activities associated with the uses that would be permitted by the project. Source emissions would be generated by the consumption of natural gas and landscape maintenance. Mobile emissions would be generated by the motor vehicles traveling to and from the project site. Project-generated, regional area and mobile-source emissions of criteria air pollutants and ozone precursors were also modeled using the CalEEMod computer program. CalEEMod allows land use selections that include project location specifics and trip generation rates. CalEEMod accounts for area-source emissions from the use of natural gas, landscape maintenance equipment, and consumer products and from mobile-source emissions associated with vehicle trip generation. The analysis of daily operational emissions associated with the Project have been prepared using the data and methodologies identified in SCAQMD's *CEQA Air Quality Handbook* and current motor vehicle emission factors in CalEEMod. Trip rates for these land uses were obtained from the Traffic Study for the proposed project.

Project Impacts

a. Conflict with or obstruct implementation of the applicable air quality plan?

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

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

Overall, buildout of the proposed GPU would result in 5,455 single family units and 816 multifamily units, for a City total of 6,271 residential units (consistent with the current General Plan); 5,159,667 square

feet of nonresidential space (27,563 more square feet than the current General Plan); and 6,310 jobs (93 more jobs than the current General Plan).

The 2022 AQMP is a comprehensive plan that establishes control strategies and guidance on regional emission reductions for air pollutants base, in part, on the land use plans of the jurisdictions in the region. The General Plan Update has been developed consistent with the various population and employment projections embedded within the 2020-2045 RTP/SCS, which was factored into the 2022 AQMP. It is therefore expected that the project will result in emissions consistent with those factored in the 2022 AQMP. Moreover, as discussed in greater detail under Impact b) of this PDEIR section, the changes to the General Plan land use map associated with the proposed project would not exceed the SCAQMD's criteria pollutant thresholds.

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

In summary, the proposed project is consistent with the assumptions underlying the AQMP and the 2003 Coachella Valley PM_{10} State Implementation Plan and will not conflict with or obstruct implementation of the applicable air quality plan. No impact is anticipated.

General Plan Policies

The GPU establishes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. Air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan.

The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated emissions reductions. These policies and actions help ensure consistency with the 2022 AQMP. The relevant policies are *CD-1.1* (Land Use Pattern), and *CD-1.8* (Prohibited Development Types). These policies and actions are further discussed in **Section 4.11, *Land Use and Planning,*** analysis of this PDEIR.

The Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated mobile emissions and support the

regional air quality efforts. These policies and actions also help ensure consistency with the 2022 AQMP. The relevant policies are *M-1.1* (Development-Related Traffic Impacts), *M-1.2* (LOS Standards), *M-1.3* (Traffic Distribution), *M-1.4* (Efficient Circulation), *M-1.5* (Transportation Management System), *M-1.6* (Intersection Configurations), *M-1.7* (Minimize Environmental Impacts), *M-1.8* (Local and Regional Collaboration), *M-1.9* (Safe Routes to School), *M-1.10* (Residential Streets Traffic Calming), *M-1.11* (ADA Accessibility), *M-1.12* (Truck Routes), *M-2.1* (Multi-Modal Streets), *M-2.2* (Alternative Modes), *M-2.3* (Connectivity), *M-2.4* (New Development), *M-2.5* (Citywide Bicycle Plan), *M-2.6* (Bicyclist and Pedestrian Safety), *M-2.7* (CV Link Users), *M-2.8* (Bus Stops), *M-2.9* (Rail and Air Travel), *M-2.10* (The Living Desert). The relevant actions are *M-1a* through *M-1g*. These policies and actions are listed and further discussed in **Section 4.16, *Transportation***, of this PDEIR.

The policies and actions contained in the Resource Management Element that are most applicable to air quality plan implementation are summarized below:

Policies

RM-9.1 **Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.

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

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

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

Actions

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

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

RM-9c As applicable, review development projects during the CEQA process for potential air quality impacts to residences and other sensitive receptors. Ensure that

mitigation measures and best management practices (BMPs) are implemented to reduce significant emissions of criteria pollutants.

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

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

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

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

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

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

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

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

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

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

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?

The California Emissions Estimator Model (CalEEMod), version 2022.1, was used to estimate potential air pollutant emissions associated with the proposed project. The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of the federal and/or state ambient air quality standards, such as the NAAQS and CAAQS. To assist lead agencies in determining the significance of air quality impacts, SCAQMD has established suggested short-term construction-related and long-term operational impact significance thresholds for direct and indirect impacts on air quality. **Table 4.3-2** displays the established construction and operational daily significance thresholds to which the air emissions results are measured against. The

project-specific construction and operational emissions results are subsequently analyzed and quantified.

Table 4.3-2 SCAQMD's Air Quality Significance Thresholds (Pounds/Day)

Emission Source	CO	VOC	NO_x	SO_x	PM_{10}	$PM_{2.5}$	Pb
Construction	550	75	100	150	150	55	3
Operation	550	55	55	150	150	55	3

Source: SCAQMD Air Quality Significance Thresholds, March 2023

Project-Related Construction Emissions

Construction emissions resulting from project implementation account for the demolition, site preparation, grading, building construction, paving, and architectural coating (painting) stages in order to construct the new land uses associated with the General Plan Update. The 'Health Club' land use within CalEEMod was selected as the land use for each of the land uses associated with the proposed project, since it is the best proxy land use available in CalEEMod for the Resort Commercial land use that is proposed for the project parcels.

The following table describes pollutant emissions during construction of the proposed construction of future projects within the City resulting from the implementation of the GPU. Data represent maximum daily emissions expected during the period of construction. CalEEMod assumes a continuous period of construction using industry standard phases in chronological and order proportional to the size of the project.

Table 4.3-3 Summary of Short-Term Construction Emissions (Maximum Pounds/Day)

Emission Source	ROG/VOC	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Peak Daily Emissions Resulting from, Demolition, Site Preparation, Grading, Building Construction, Paving, and Architectural Coating	3.4	31.7	31.8	0.1	21.3	11.4
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**	**55**
Threshold Exceeded	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod Version 2022.1. Refer to Appendix B of this DEIR for detailed tables.

As shown in **Table 4.3-3** above, SCAQMD daily thresholds for CO, NOx, ROG, SOx, PM_{10} and $PM_{2.5}$ will not be exceeded during construction of the proposed project.

Project-Related Operational Emissions

Operational emissions are those generated over the life of the proposed project (operation of future projects within the City resulting from the implementation of the GPU), including area, energy, and mobile sources. Area sources include consumable products, such as building maintenance and cleaning supplies, kitchen and restroom supplies, pavement off-gassing, and periodic reapplication of architectural coatings. Energy sources include the direct and indirect use of fossil fuels for energy, including natural gas and electricity use in buildings, parking lot lighting, ventilation equipment, and elevators. Mobile emissions are generated by motor vehicle trips consistent with the transportation analysis provided in this document.

Table 4.3-4 Summary of Long-Term Operational Emissions (Maximum Pounds/Day)

Emission Source	ROG/VOC	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Total (Mobile, Area, Energy, Waste, and Water Emissions)	34.1	30.5	273.7	0.7	73.8	19.2
SCAQMD Threshold	55	55	550	150	150	55
Threshold Exceeded	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod Version 2022.1. Refer to Appendix B of this DEIR for detailed tables.
Note: Ozone (O3) precursors are represented under the ROG and VOC emissions category.

As shown in **Table 4.3-4,** operational emissions from buildout conditions will not exceed SCAQMD thresholds for any criteria pollutant, and impacts will be less than significant without the need for mitigation measures.

As shown in **Tables 4.3-3** and **4.3-4**, the project will not exceed criteria pollutant emissions thresholds as a result of construction and operation of the proposed project. The air quality standards and regulatory framework stem from the Clean Air Act, which identified the primary standards to provide public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly. Ambient air quality standards, their attainment and maintenance were based on criteria to protect public health. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. As such, compliance with the established regional and localized thresholds during construction and operation are consistent with the objective of protecting public health and welfare.

The Coachella Valley portion of the SSAB is classified as a “non-attainment” area for PM_{10} and ozone. As shown in **Tables 4.3-3** and **4.3-4** above, project-related PM_{10} emissions are calculated to be below established SCAQMD Air Quality Significance Thresholds after implementing the required dust control measures under SCAQMD Rule 403/403.1. Therefore, the proposed project will result in incremental, but not cumulatively considerable impact on regional PM_{10} levels. CO, NOx, and ROG are precursors to ozone, for which the Coachella Valley is in non-attainment. The project will not exceed thresholds for these pollutants and will not result in a cumulatively considerable impact on regional ozone levels. It is

worth noting that SCAQMD deems that local sources of air pollution generated in the Coachella Valley have a limited impact on ozone levels compared to the transport of ozone precursors generated in the upwind SCAB.

Pertaining to cumulatively considerable net increases of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, less than significant impacts are anticipated.

General Plan Policies

As previously discussed, the General Plan Update establishes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. Air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan.

The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated emissions reductions. The relevant policies are *CD-1.1* (Land Use Pattern), and *CD-1.8* (Prohibited Development Types). These policies and actions are further discussed in **Section 4.11, *Land Use and Planning***, of this PDEIR.

The Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated mobile emissions and support the regional air quality efforts. The relevant policies are *M-1.1* (Development-Related Traffic Impacts), *M-1.2* (LOS Standards), *M-1.3* (Traffic Distribution), *M-1.4* (Efficient Circulation), *M-1.5* (Transportation Management System), *M-1.6* (Intersection Configurations), *M-1.7* (Minimize Environmental Impacts), *M-1.8* (Local and Regional Collaboration), *M-1.9* (Safe Routes to School), *M-1.10* (Residential Streets Traffic Calming), *M-1.11* (ADA Accessibility), *M-1.12* (Truck Routes), *M-2.1* (Multi-Modal Streets), *M-2.2* (Alternative Modes), *M-2.3* (Connectivity), *M-2.4* (New Development), *M-2.5* (Citywide Bicycle Plan), *M-2.6* (Bicyclist and Pedestrian Safety), *M-2.7* (CV Link Users), *M-2.8* (Bus Stops), *M-2.9* (Rail and Air Travel), *M-2.10* (The Living Desert). The relevant actions are *M-1a* through *M-1g*. These policies and actions are further discussed in **Section 4.16, *Transportation,*** of this PDEIR.

The policies and actions contained in the Resource Management Element that are most applicable to air quality attainment are summarized below:

Policies

RM-9.1 **Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.

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

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

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

Actions

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

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

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

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

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

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

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

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

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

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

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

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

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

c. Expose sensitive receptors to substantial pollutant concentrations

A sensitive receptor is a person in the population who is particularly susceptible (i.e., more susceptible than the population at large) to health effects due to exposure to an air contaminant. Sensitive receptors and the facilities that house them are of particular concern if they are located in close proximity to localized sources of carbon monoxide, toxic air contaminants, or odors. Land uses considered by the SCAQMD to be sensitive receptors include residences, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, childcare centers, retirement homes, and athletic facilities. The surrounding context of the project includes vacant lots, office uses, and residential uses. Construction-related emissions resulting from the project are not expected to reach or exceed the SCAQMD regional thresholds of significance and therefore would not expose sensitive receptors to substantial pollutant concentrations at a regional level.

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

As part of the LST methodology, SCAQMD has divided its jurisdiction into 37 source receptor areas (SRAs) which can be used to determine whether a project may generate significant adverse localized air quality impacts. The proposed development is located in SRA 30, which covers the Coachella Valley and City of Indian Wells. LSTs only apply to certain criteria pollutants: carbon dioxide (CO), oxides of nitrogen (NO_x) particulate matter equal to or less than 10 microns in diameter (PM_{10}), and particulate matter equal to or less than 2.5 microns in diameter ($PM_{2.5}$).

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

Table 4.3-5 Summary of Short-Term Construction Emissions in Relation to Localized Significance Thresholds (LSTs) (Pounds/Day)

Emission Source	NO_x	CO	PM_{10}	$PM_{2.5}$
Demolition	22.2	19.9	0.9	0.8
Site Preparation	31.6	30.2	1.4	1.3
Grading	29.7	28.3	1.2	1.1
Building Construction	10.4	13.0	0.4	0.4
Paving	9.9	13.0	0.4	0.3
Architectural Coating	9.4	12.9	0.3	0.3
Total Emissions	**113.2**	**117.3**	**4.6**	**4.2**
SCAQMD LST Threshold for SRA 30	304	2,292	14	8
LST Threshold Exceeded?	**No**	**No**	**No**	**No**

Sources: AQMD LST Look-Up Tables corresponding SRA 30, 5-acre increment, at 25 meters (82 feet). CalEEMod Version 2022.1. Refer to Appendix B of this DEIR for detailed tables.

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

General Plan Policies that Mitigate Potential Impacts

The General Plan Update establishes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. Air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan.

The relevant policies are *CD-1.8* (Prohibited Development Types) from the Community Development Element and *M-1.12* (Truck Routes) from the Mobility Element. These policies and actions are further discussed in **Section 4.11, *Land Use and Planning***, and **Section 4.16, *Transportation***, of this PDEIR.

The policies and actions contained in the Resource Management Element that are most applicable to air quality in relation to sensitive receptors are summarized below:

Policies

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

Actions

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

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

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

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

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Implementation of the proposed Project is not expected to result in emissions that would exceed the South Coast AQMD Air Quality Significance Thresholds pertaining to construction or operation. Moreover, the project emissions would not exceed the Localized Significance Thresholds applicable to the project setting in relation to the existing residences near the project.

The proposed project has the potential to result in short-term odors associated with operation of heavy equipment during grading, excavation, and other construction activities. However, the nature of construction-related odors is that they tend to be temporary and disperse with distance.

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

General Plan Policies

The General Plan Update establishes various policies and actions designed to support the SCAQMD efforts toward regional air quality improvements and the associated public health benefits. Air quality and public health benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan.

The relevant policy is *M-1.7* (Minimize Environmental Impacts) from the Mobility Element, as further discussed in **Section 4.16, *Transportation,*** of this PDEIR.

The policies and actions contained in the Resource Management Element that are most applicable to other air emissions are summarized below:

Policies

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

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

4.3.5 Cumulative Impacts

Using the most current California Emissions Estimator Model (CalEEMod, Version 2022.1) computer software, the project-specific construction and operational emissions have been quantified and evaluated against the localized and regional air quality standards, which have been established with the

purpose of protective public health and sensitive populations. The expected emissions will not exceed the applicable thresholds for criteria pollutants, including PM_{10} and ozone precursors.

The Coachella Valley portion of the SSAB is deemed to be in nonattainment for the 1997 8-hour ozone standard. Coachella Valley is unique in its geography due to its location downwind from the SCAB. As such, when high levels of ozone are formed in the SCAB, they are transported to the Coachella Valley. Similarly, when ozone precursors such as nitrogen oxides (NOx) and volatile organic compounds (VOCs) are emitted from mobile sources and stationary sources located in the South Coast Air Basin, they are also transported to the Coachella Valley. SCAQMD has deemed that local sources of air pollution generated in the Coachella Valley have a limited impact on ozone levels compared to the transport of ozone precursors generated in SCAB. SCAQMD continues to reduce ozone and improve air quality in the Coachella Valley, in part by providing more than $50 million in grant funding towards paving dirt roads and parking lots, clean energy projects and cleaner vehicles. Future emission reductions anticipated to occur in the South Coast Air Basin associated with current and planned regulations on mobile and stationary sources are expected to contribute to improvements in ozone air quality in the Coachella Valley and lead to attainment of the standard. By resulting in precursor emissions of ozone precursors below the established SCAQMD Air Quality Significance Thresholds, the project will prevent a condition which would impair the region's ability toward ozone attainment or one which would result in cumulative considerable exceedances.

Regarding the PM_{10} nonattainment status, the construction and operational emissions will also not reach or exceed the established standards. Project-related construction activities would take place within the required mandates and measures aimed at prohibiting fugitive dust. The required plan preparation and demonstrated compliance will be consistent with Chapter 8.20 (*Fugitive Dust Control*) of the Indian Wells Municipal Code, which is enacted to establish the minimum requirements for construction and demolition activities and other specified sources in order to reduce man-made fugitive dust and the corresponding PM_{10} emissions. The corresponding performance standards are also based upon the methodologies included in the Coachella Valley Dust Control Handbook, which has been prepared in accordance with CVSIP and SCAQMD Rule 403 and 403.1 referenced above. As such, the project is not expected to impair the region's ability to progress toward attainment or to result in cumulatively considerable exceedances for this pollutant. As such, the project is not expected to result in cumulative impacts to air quality.

4.3.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to air quality. Moreover, State, regional and local regulations will also ensure that buildout of the GPU would

result in less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required

4.3.7 Level of Significance After Mitigation

The aspect of air quality does not involve significant impacts requiring mitigation.

4.3.8 Resources

1. *Analysis of the Coachella Valley PM10 Redesignation Request and Maintenance Plan*, by the California Air Resources Board, February 2010; and sections of the SCAQMD Rule Book.
2. *Clean Air Act* (CWA).
3. *2022 Air Quality Management Plan* (AQMP), by South Coast Air Quality Management District (SCAQMD), adopted December 2, 2022.
4. *Final 2003 Coachella Valley PM10 State Implementation Plan* (CVSIP), by South Coast Air Quality Management District (SCAQMD), August 2003.

4.4 Biological Resources

4.4.1 Introduction

This section of the Indian Wells General Plan Update ("GPU") Programmatic Draft Environmental Impact Report ("PDEIR") addresses both common and sensitive biological resources that could be impacted by the implementation of the GPU on the Indian Wells Planning Area ("Planning Area"). Changes to the Whitewater River Channel are proposed as part of the proposed project consistent with ongoing efforts to improve the channel. Approximately 6.82 acres of the Whitewater River Channel will be removed from the storm channel and added to developable acreage for resort commercial uses.

This section provides a comprehensive overview of the Planning Area's biological conditions, utilizing data from the California Natural Diversity Database ("CNDDB") to identify and analyze species and habitats of concern within the Planning Area limits. Furthermore, this section examines the specific requirements outlined in the City policies and actions that pertain to the conservation and management of biological resources, ensuring that development plans align with environmental protection goals. Detailed assessments of any habitats, species diversity, and potential environmental impacts are included and discussed below.

4.4.2 Existing Conditions

Physical Features

The City of Indian Wells is located in the Coachella Valley, in Riverside County, California and encompasses approximately 14.6 square miles. The City is east and south of the City of Palm Desert, west of the City of La Quinta, and north of unincorporated Riverside County The Planning Area is a small-scale residential-resort community with land uses that include residential, commercial, and open space. A majority of the northern portion of the City is completely developed with single-family and multi-family residential, commercial amenities, and open space in the form of golf courses and private recreation. The southern portion of the City consists of the Santa Rosa Mountains within an Open Space land use designation. The Santa Rosa Mountains environmental conditions and biological resources are not thoroughly analyzed in the following discussions due to the Santa Rosa Mountains being contained in the Santa Rosa and San Jacinto Mountains Conversation Area designated by the Coachella Valley Multiple Species Habitat Conservation Plan (discussed in more detail below under *Subsection 4.4.3, Regulatory Settings*).

Due to its mostly developed condition, limited native vegetation currently exists in the Planning Area. Development throughout the Planning Area has isolated any remaining undeveloped land and severely limited any land containing sensitive biological resources. Native vegetation is primarily found in the

southern portion of the City contained in the Santa Rosa and San Jacinto Mountains Conservation Area (discussed in more detail below under the *Regulatory Settings* section).

Primary access to the Planning Area is provided by State Highway 111. Interstate 10 Freeway provides primary access to the region, and State Route 74 provides access to the Coachella Valley region from the south.

Climate

The regional climate is greatly influenced by location and elevation, with associated differences in temperature and precipitation. These factors combine with physical features of the landscape to shape the locations of natural habitat and the unique plant and wildlife species they support. The Planning Area lies within a geographical region known as the Colorado Sonoran Desert. As is typical of the desert region, annual precipitation is 4 to 5 inches per year in the City of Indian Wells. Winter temperatures are mild with a daily average of 71 °F. Winter nights occasionally drop to near freezing. The hottest days are experienced over the summer months with average daily temperature of 108 °F.

Topography

The United States Geological Survey (USGS) La Quinta 7.5-minute Quadrangle Topographic Map records the existing elevations within the Planning Area, detailing a high of 2200 feet in the southern portion of the City within the Santa Rosa Mountains, and a low of 120 feet near the center of the City along the Whitewater River.

Streambeds and Watercourses

There are two blue-line stream courses in the Planning Area as shown on the USGS La Quinta Quadrangle Topographic Map; the Whitewater River traverses the northeastern portion of the City, and the Deep Canyon Stormwater Channel runs along the base of the mountains and drains into the Whitewater River just west of Washington Street and north of State Highway 111.

The Whitewater River, which is the primary ephemeral stream in the Coachella Valley, runs generally northwest to southeast through the Coachella Valley. East of Washington Street, the river is called the Coachella Valley Stormwater Channel. The Channel qualifies as both a Water of the State and a Water of the U.S. Therefore, construction activities that may affect the Channel require consultation with both California Department of Fish and Wildlife (CDFW) and the United States Army Corps of Engineers (USACE) and the Colorado River Regional Water Quality Control Agency, and permits must be secured from each agency.

Natural Communities

Natural vegetation communities exist within the Planning Area, such as stabilized shielded desert sand fields, mesquite hummocks, Sonoran creosote bush scrub, and Sonoran mixed woody and succulent scrub. Sonoran creosote bush scrub and Sonoran mixed woody and succulent scrub exist in the Santa Rosa Mountain portion of the City and would not be affected by the GPU.

Special Status Plants and Wildlife

Special status plant and wildlife species are those that are designated through federal, State, or local process and regulated by a specific statute and/or the CEQA process. The following discussion describes the special status plant and wildlife species that have been recorded in the City in the California Natural Diversity Database (CNDDB). The CDFW tracks sensitive natural plant communities in the CNDBB. CNDDB provides locations on special status plants, animals, and natural communities.

A 2024 CNDDB search listed 17 special status species that have been previously found within the City boundaries. Descriptions of the species and their recorded sighting in the City are listed below.

Special Status Species Descriptions

Plants

Chaparral sand-verbena (Abronia villosa var. aurita) is an annual herb that typically thrives in sandy soils at elevations below 5,250 feet. Potential habitats for this species may exist within the City of Indian Wells. Although it is neither state nor federally listed, it is recognized by the California Native Plant Society as a rare or endangered plant in California. The last CNDDB recorded sighting in the City dates back to 1922, though the exact location is unknown. This species is not covered under the CVMSHCP.

Coachella Valley milk-vetch (Astragalus lentiginosus var. coachellae) is an annual and perennial herb found in desert dunes within the Sonoran Desert, particularly in the Coachella Valley, at elevations below 2,150 feet. Although not state-listed, it is federally listed as endangered since October 6, 1998, and is also considered rare or endangered by the California Native Plant Society. The last CNDDB recorded sighting in the City occurred in 1922, with the exact location remaining unknown. This species is covered under the CVMSHCP.

Glandular ditaxis (Ditaxis claryana) is a perennial herb that grows in sandy soils at elevations below 1,550 feet, typically found in the Mojave and Sonoran Deserts. The City of Indian Wells may provide suitable habitat for this species. It is neither state nor federally listed, but the California Native Plant Society classifies it as rare or endangered. A CNDDB recorded sighting in 1932 was in Deep Canyon at an estimated elevation of 300 feet, though the exact location is unknown. This species is not covered under the CVMSHCP.

California ditaxis (Ditaxis serrata var. californica) is a perennial herb typically found in the Sonoran Desert at elevations below 3,300 feet. Potential habitats exist within the City. This species is neither state

nor federally listed, and the California Native Plant Society does not consider it endangered. There were two CNDDB recorded sightings, one in 1978 and another in 1984, both occurring south of Palm Desert—one near Hidden Valley and the other on the Living Desert Reserve on Eisenhower Mountain Trail along the wash. This species is not covered under the CVMSHCP.

Slender cottonheads (Nemacaulis denudate var. gracilis) is an annual herb that inhabits coastal and desert dunes, including the Sonoran Desert, typically at elevations below 1,300 feet. Potential habitats for this species may be found within the City. Although it is neither state nor federally listed, the California Native Plant Society considers it rare or endangered. A CNDDB record from 1980 noted the species in the City, but the associated habitat has since been lost to development. This species is not covered under the CVMSHCP.

Desert spike-moss (Selaginella eremophila) is a perennial rhizomatous herb that occurs in the Chaparral and Sonoran Desert regions at elevations between 650 and 4,250 feet. Potential habitat for this species may exist within the City. It is not state or federally listed but is classified as rare or endangered by the California Native Plant Society. A CNDDB record indicates the species was observed in Deep Canyon, though the date is unspecified. This species is not covered under the CVMSHCP.

Purple stemodia (Stemodia durantifolia) is a perennial herb found in the Sonoran Desert at elevations between 600 and 1,000 feet. Parts of the City conform to these criteria and may be considered a potential habitat. The purple stemodia is neither state nor federally listed, however, the California Native Plant Society considers it a rare or endangered plant in California. The recorded date of sighting of this plant is 1928, and the location of the siting occurred in “Deep Creek”. This species is not covered under the CVMSHCP.

Invertebrates

Coachella giant sand treader cricket (macrobaenetes valgum) Coachella giant sand treader cricket is recognized on the California Department of Fish and Game’s Special Animals list and has potential to occur within active desert dunes and sand fields in the Planning Area. A CNDDB record from 1958 notes the species in the City, though the exact location of the sighting is unknown. This species is covered under the CVMSHCP.

Casey’s June beetle (Dinacoma caseyi) is listed as endangered by the U.S. Fish and Wildlife Service. The species' range, mapped by the U.S. Fish and Wildlife Service, includes parts of Palm Springs and Cathedral City, with the range ending west of Cathedral Canyon Drive, approximately 8 miles northwest of the City's northern boundary. A CNDDB record indicates the species was once present in the City but is now considered extirpated, with the last sighting occurring in 1953. This species is not covered under the CVMSHCP.

Reptiles and Amphibians

Reptile species of special concern to State and Federal government agencies that have been recorded within the City are listed below.

Flat-tailed horned lizard (Phrynosoma mcalli) is a California species of special concern. This lizard typically inhabits areas with fine sand and sparse vegetation within desert washes and desert scrub, with populations patchily distributed throughout the Coachella Valley. The species has been greatly reduced due to urban development and recreational activities. The last CNDDB record of this species in the City dates back to 1968, though the exact location is unknown. Suitable habitat may still exist in the Santa Rosa Mountains in the southern portion of the City. This species is covered under the CVMSHCP.

Coachella Valley fringe-toed lizard (Uma inornata) is federally listed as threatened and state-listed as endangered. The species requires fine, loose, windblown sand for habitat, limiting its distribution to sand dunes in the Coachella Valley. The species has potential to occur in habitats supporting sand dunes and sand fields within the Planning Area. A CNDDB record indicates the species was observed in the City in 1975. This species is covered under the CVMSHCP.

Birds

Black-tailed gnatcatcher (Polioptila melanura) is considered a special animal whose populations are monitored by the California Department of Fish and Wildlife (CDFW). It is a year-round resident of wooded desert wash habitats and may also be found in desert scrub habitats, particularly in winter. This species may occur in low densities within the City where suitable habitat is present. This species is not covered under the CVMSHCP.

Vermilion flycatcher (Pyrocephalus rubinus) is a CDFW species of special concern and a spring migrant that inhabits desert riparian habitats adjacent to watercourses, including irrigated fields, ditches, and other open, mesic areas. This species may be found in open spaces within the City where suitable habitat is present. This species is not covered under the CVMSHCP.

Crissal thrasher (Toxostoma dorsale) is a state species of special concern and is covered by the CVMSHCP. It has the potential to occur in mesquite thickets within the City. The species was last recorded in the City in 1932, though the exact location is not documented. This species is covered under the CVMSHCP.

***LeConte's thrasher (Toxostoma lecontei*)** is a state species of special concern and is covered by the CVMSHCP. It potentially inhabits desert washes and creosote bush scrub within the City. The species was last reported in the City in 1919. This species is covered under the CVMSHCP.

Prairie falcon (Falco mexicanus) is a state species of special concern. Its preferred nesting habitats are cliffs, though it may also use power lines, buildings, and rock quarries. The species has the potential to forage in agricultural fields and desert scrub habitats in the Planning Area. Based on CNDDB records, the species was recorded in the City in 1978 and 1980. This species is not covered under the CVMSHCP.

Mammals

Western yellow bat (Lasiurus xanthinus) is a state species of special concern and is covered by the CVMSHCP. It has the potential to roost within desert fan palm oasis woodland in the Planning Area. The species was recorded in the City in 1979. This species is covered under the CVMSHCP.

4.4.3 Regulatory Setting

There are a number of regulatory agencies whose responsibility includes the oversight of the natural resources of the State and Nation, including the CDFW, the USFWS, and the USACE. These agencies often respond to declines in the quantity of a particular habitat or plant or animal species by developing protective measures for those species or habitat type. The following is an overview of the federal, State, and local regulations that are applicable to implementing the General Plan Update.

Federal

Endangered Species Act

The Endangered Species Act (ESA) of 1973 provides a program for the conservation and protection of endangered and threatened plants and animals and the habitats in which they are found. Section 7 of the ESA directs federal agencies to use their legal authorities to carry out conservation programs for listed species. It also requires these agencies to ensure that any actions they fund, authorize, or carry out are not likely to jeopardize the survival of any endangered or threatened species, or to destroy or adversely modify its designated critical habitat (if any).

In general, persons subject to ESA (including private parties) are prohibited from "taking" endangered or threatened fish and wildlife species on private property and from "taking" endangered or threatened plants in areas under federal jurisdiction or in violation of state law. Under Section 9 of the ESA, the definition of "take" is to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." USFWS has also interpreted the definition of "harm" to include significant habitat modification that could result in take.

Two sections of the ESA address incidental take. Section 10 regulates incidental take if a non-federal agency is the lead agency for an action that results in take and no federal agencies are involved in permitting or funding the action. However, if a project would result in take of a federally listed species and federal discretionary action (even if a non-federal agency is the overall lead agency) is involved (e.g., a federal agency must issue a permit), the involved federal agency consults with U.S. Fish and Wildlife Service (USFWS) under Section 7 of ESA. Section 7 of ESA outlines procedures for federal interagency cooperation to protect and conserve federally listed species and designated critical habitat. Section 7(a)(2) requires federal agencies to consult with USFWS to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat.

Habitat Conservation Plans

Habitat Conservation Plans (HCPs) under section 10(a)(1)(B) of the ESA provide for partnerships with non-federal parties to conserve the ecosystems upon which listed species depend, ultimately contributing to their recovery. HCPs are planning documents required as part of an application for an incidental take permit. They describe the anticipated effects of the proposed taking; how those impacts shall be minimized or mitigated; and how the HCP is to be funded. HCPs can apply to both listed and non-listed species, including those that are candidates or have been proposed for listing. Conserving species before they are in danger of extinction or are likely to become so can also provide early benefits and prevent the need for listing.

The Federal Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 (MBTA) governs the obligation of the United States under international treaties and conventions for the protection of migratory birds. The MBTA prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase or barter, any migratory birds, their eggs, parts, and nests, except as authorized under a valid permit by the Department of Interior U.S. Fish and Wildlife Service. Under the MBTA, "take" is defined as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or any attempt to carry out these activities." A take does not include habitat destruction or alteration, as long as there is not a direct taking of birds, nests, eggs, or parts thereof. The current list of species protected by the MBTA can be found in Title 50 of the Code of Federal Regulations (CFR), Section 10.13 (50 CFR 10.13). The list includes nearly all birds native to the United States.

Clean Water Act of 1972

The purpose of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. In accordance with Section 404 of the Clean Water Act (CWA), USACE regulates the discharge of dredged or fill material into waters of the U.S. Permitting is required for filling waters of the U.S. (including wetlands). Permits may be issued on an individual basis or may be covered under approved nationwide permits. The term "waters of the United States" is defined as:

- All waters currently used, or used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide;
- All interstate waters, including interstate wetlands;
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes or natural ponds; the use, degradation, or destruction of which could affect foreign commerce including any such waters: (1) which could be used by interstate or foreign travelers for recreational or other purposes; or (2) from which fish or shell fish are, or could be taken and sold in interstate or foreign commerce; or (3) which are used or could be used for industries in interstate commerce.

- All other impoundments of waters otherwise as defined as waters of the United States under the definition;
- Tributaries of waters identified above;
- The territorial seas; and
- Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in the paragraphs above.

State

California Environmental Quality Act

The California Environmental Quality Act (CEQA) Guidelines Section 15380(b) recognizes species as rare or endangered if they meet specific criteria, akin to the Federal ESA and California Fish and Game Code. The California Environmental Quality Act (CEQA) allows agencies to safeguard species until officially designated protected, if warranted. CEQA can also mandate protection of local resources, like natural communities, despite lacking legal protection. CNDDB-designated sensitive natural communities are deemed significant by California Fish and Wildlife (CDFW) and fall under CEQA Guidelines, often noted in local planning documents like general plans.

California Endangered Species Act

The California Endangered Species Act (CESA) enacted in 1970 and subsequently amended, conserves and protects plant and animal species at risk of extinction. CDFW has the responsibility for maintaining a list of threatened and endangered species (California Fish and Game Code Section 2070). CDFW also maintains a list of "candidate species," which are species formally noticed as being under review for addition to either the list of endangered species or the list of threatened species. In addition, CDFW maintains lists of "species of special concern," which serve as "watch lists." Pursuant to the requirements of the CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed endangered or threatened species could be present on a project site and determine whether a proposed project could have a potentially significant impact on such species. In addition, CDFW encourages informal consultation on any proposed project that may affect a candidate species.

Pursuant to the CESA, a permit from CDFW is required for projects that could result in the "take" of a plant or animal species that is listed by the state as threatened or endangered. Under CESA, "take" is defined as an activity that would directly or indirectly kill an individual of a species, but the CESA definition of take does not include "harm" or "harass" like the ESA definition does. As a result, the threshold for take is higher under CESA than under ESA. Authorization for take of state-listed species can be obtained through a California Fish and Game Code Section 2081 incidental take permit.

California Fish and Game Code Section 3503, 3503.5, and 3513

Section 3503 of the Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 of the California Fish and Game Code states that it is unlawful to take, possess, or destroy any raptors (i.e., species in the orders Falconiformes and Strigiformes), including their nests or eggs. Typical violations include destruction of active nests as a result of tree removal or disturbance caused by project construction or other activities that cause the adults to abandon the nest, resulting in loss of eggs and/or young. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

California Fish and Game Code Fully Protected Species

Protection of fully protected species is described in Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code. These statutes prohibit the take or possession of fully protected species and do not provide for authorization of incidental take.

Native Plant Protection Act

The Native Plant Protection Act (NPPA) enacted in 1977 and implemented by CDFW, prohibits the killing or possession of California rare, threatened, or endangered plant species without authorization or permit by CDFW. All state departments and governing agencies are required to use their authority to enforce conservation of rare or endangered plant species.

Section 401 of the CWA

Under Section 401, the State Water Resources Control Board (SWRCB) has authority over wetlands in California through Section 401 of the CWA, as well as the Porter-Cologne Act, California Code of Regulations Section 3831(k), and California Wetlands Conservation Policy. The CWA requires that an applicant for a Section 404 permit (to discharge dredged or fill material into waters of the United States) first obtain a certificate from the appropriate State agency stating that the fill is consistent with the State's water quality standards and criteria. In California, the authority to either grant certification or waive the requirement for permits is delegated by the SWRCB to the nine regional boards. A request for certification is submitted to the regional board while an application is filed with the Army Corps of Engineers (ACOE).

Regional

Coachella Valley Multiple Species Habitat Conservation Plan

The Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (CVMSHCP) is a regional multi-agency conservation plan that provides for the long-term conservation of

ecological diversity in the Coachella Valley region of Riverside County. Significant progress has been made in plan implementation since State and federal permits were issued in September and October 2008. The term of all HCP permits is 75 years, which is the length of time required to fully fund implementation of the CVMSHCP.

The CVMSHCP includes an area of approximately 1.1 million acres in the Coachella Valley region within Riverside County. A major amendment to the Plan, completed in 2016, added 770 acres to the Plan's Conservation Areas. The plan area boundaries were established to incorporate the watersheds of the Coachella Valley within the jurisdictional boundaries of CVAG and within Riverside County. Indian Reservation Lands are not included in the CVMSHCP although coordination and collaboration with tribal governments has been ongoing.

One Conservation Area exists in the City of Indian Wells, the Santa Rosa and San Jacinto Mountains Conservation Area. There are 21 Conservation Areas in the CVMSHCP which are a system of lands that provide *Core Habitat* and *Other Conserved Habitat* for the *Covered Species*, conserves natural communities, conserves Essential Ecological Processes, and secures Biological Corridors and Linkages between Habitat areas.

Core Habitat is the areas identified in the Plan for a given species that are composed of a Habitat patch or aggregation of Habitat patches that (1) are of sufficient size to support a self-sustaining population of that species, (2) are not fragmented in a way to cause separation into isolated populations, (3) have functional Essential Ecological Processes, and (4) have effective Biological Corridors and/or Linkages to other Habitats, where feasible, to allow gene flow among populations and to promote movement of large predators.

Other Conserved Habitat is part of a Conservation Area that does not contain Core Habitat for a given species, but which still has Conservation value. These values may include Essential Ecological Processes, Biological Corridors, Linkages, buffering from edge effects, enhanced species persistence probability in proximate Core Habitat, genetic diversity, recolonization potential, and flexibility in the event of long-term Habitat change.

Covered Species are the species for which Take Authorization is provided through Permits issued in conjunction with the Implementing Agreement. These species are discussed in the CVMSHCP documents.

It is important to note that Conservation Areas protect species of various protection status. For example, California Species of Special Concern (CSSC) status species exist in Conservation Areas due to overlapping habitat. CSSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. Multiple CSSC species are Associated Covered Species. These species and other sensitive species are listed in *Table 9-1b:*

Summary of Core Habitat and Other Conserved Habitat to be Conserved in Conservation Areas, located in the CVMSHCP document.

There is a Management Program, Monitoring Program, and Adaptive Management for Conservation Areas in the CVMSHCP. The Monitoring Program includes, but is not limited to, establishing baseline conditions, and monitoring threats and habitat and species status at the landscape, natural community, and species levels. The Management Program includes, but is not limited to, patrol, law enforcement, habitat restoration, maintaining fencing, and signage. Adaptive Management costs could include pilot projects to evaluate management tools, studies in response to results of the Monitoring Program, and Changed Circumstances.

The Coachella Valley Conservation Commission (CVCC) is the agency responsible for CVMSHCP implementation. The CVCC is comprised of elected representatives of the Local Permittees including Riverside County, the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage, the Coachella Valley Water District, Mission Springs Water District, and the Imperial Irrigation District. The Riverside County Flood Control and Water Conservation District (County Flood Control), Riverside County Regional Park and Open Space District (County Parks), and Riverside County Waste Resources Management District (County Waste) are also Local Permittees.

Other Permittees include three state agencies, the California Department of Parks and Recreation (State Parks), the Coachella Valley Mountains Conservancy (CVMC), and the California Department of Transportation (CalTrans). A major amendment to include the City of Desert Hot Springs and Mission Springs Water District as Permittees was approved by the CVCC in March 2014 and all local Permittees approved the Major Amendment in 2014. The US Fish and Wildlife Service (USFWS) approved the Major Amendment in December 2015. The final approval of the Major Amendment by CDFW was in August 2016. The CVMSHCP involves the establishment of an MSHCP Reserve System to ensure the conservation of the covered species and conserved natural communities in perpetuity. The existing conservation lands managed by local, State, or federal agencies, or non-profit conservation organizations form the backbone of the MSHCP Reserve System.

As stated above, the City of Indian Wells is a signatory to the CVMSHCP; therefore, development projects outside Conservation Areas are required to pay the prescribed mitigation fee to offset the potential impacts of the development on the natural environment and ensure the future availability of funds to purchase regional conservation lands.

Development adjacent or within a Conservation Area, like areas in the City that are adjacent to the Santa Rosa and San Jacinto Conservation Area, are required to follow Land Use Adjacency Guidelines outlined in the CVMSHCP. These guidelines (Outlined in 4.5 Lands Use Adjacency Guidelines of the CVMSHCP) aim to prevent or reduce negative impacts on Conservation Areas from nearby development. Such impacts

can include noise, light pollution, drainage issues, human intrusion, and the introduction of invasive species.

To address these issues, the Land Use Adjacency Guidelines recommend avoiding development directly adjacent to Conservation Areas and minimizing edge effects through measures like fencing, landscaping, and careful planning.

4.4.4 Impact Analysis

Thresholds of Significance

According to the CEQA Guideline's Appendix G Environmental Checklist, to determine whether impacts to biological resources are significant environmental effects, the following questions are analyzed and evaluated. Would the Project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of 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?

Methodology

This program-level analysis identifies the potential impacts of implementation of the GPU on biological resources. The following analysis is based upon full buildout of the City. To perform this analysis, a 2024 CNDDB search and aerial imagery were reviewed and analyzed.

Adoption of the GPU would not result in any changes to existing conditions; however, subsequent development could affect biological resources. The analysis below evaluates potential biological resources impacts from future developments. The analysis evaluates the ability of GPU policies and actions as well as local plans to avoid or substantially reduce adverse impacts on biological resources.

Project Impact

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to biological resources are significant environmental effects, the following thresholds are analyzed and evaluated. Would the Project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service

As discussed above, the Planning Area can be characterized as a resort town, mostly developed with residential, commercial, and open space land uses. There are only a few areas of the Planning Area that have not been developed or disturbed. However, this does not negate the presence of special status species occurring in these areas. The implementation of the GPU would not directly approve or entitle any development or infrastructure projects. However, implementation would allow and facilitate future development in Indian Wells, which could result in adverse impacts to special-status plant and wildlife species, as well as sensitive remaining natural habitat.

According to a 2024 CNDDB search of the City, a search revealed 17 special status species within the City boundaries (listed under *Special Status Species,* above). Subsequent development under the GPU could result in the direct loss of habitat areas associated with these special status species since suitable habitat for some of these species does still exists within the City. Additionally, indirect impacts to special status plant species could occur with implementation of the GPU.

In order to ensure that less than significant impacts occur to any special status species located in the City, any future development would be required to follow City policies and actions. Applicable policies and actions to special status species include *Policy RM-1.1,* to preserve biological communities that contribute to the region's biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements. *Policy RM-1.6* states that the City should direct development away from areas of sensitive biological habitat unless effective mitigation measures can be implemented. *Policy RM-1.7* requires development proposals to identify significant biological resources and provide mitigation including the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques and other appropriate measures. *Policy RM1-1.8* encourages the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels. *Action RM-1a* states that the City shall strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants. *Action RM-1d* states that the City will use the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) to help assess potential project impacts and mitigation requirements. *Action RM-1d* states how development in the City must comply

with CVMSHCP in terms of payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. *Action RM-1e* states that where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. *Action RM-1f* states that the City shall review each development proposal submitted to the City to assure that the potential impacts on the natural environment are minimized. *Action RM-1g* requires that any development proposed in areas of "high ecological sensitivity" are required to conduct a biological study for the area.

Adherence to these policies and actions would ensure that impacts are minimized. Policies required by developers will be enforced by the City, and policies and actions will be implemented when the GPU is approved. In addition, all future development would be required to comply with applicable federal and State laws and regulations that concern the preservation of biological resources, including the CVMSHCP, CEQA, and MBTA.

Any future development would be required to follow the Migratory Bird Treaty Act (MBTA) and all applicable laws pertaining to nesting birds and birds of prey. The MBTA prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase or barter, any migratory birds, their eggs, parts, and nests, except as authorized under a valid permit by the Department of Interior U.S. Fish and Wildlife Service.

As discussed above, if a project is to be developed next to a Conservation Area, it is required that the project follow CVMSHCP's Land Use Adjacency Guidelines. These guidelines are necessary to avoid or minimize edge effects. These requirements include light shielding to reduce the effects of light on habitat and setbacks, berms, or walls, as appropriate to minimizing the effects of noise. Where appropriate, the City and/or applicable agencies may require projects not adjacent to Conservation Areas to require similar measures to CVMSHCP's Land Use Adjacency Guidelines. The City's Staff will review each project and the necessary biological studies on a subject property to inform best practices are used and avoidance and or reduction of biological impacts are implemented.

The policies and actions and federal and State measures discussed above would reduce impacts on candidate, sensitive, and/or special-status species to less than significant levels.

General Plan Policies that Mitigate Potential Impacts

Policies

RM-1.1 **Biodiversity.** Preserve biological communities that contribute to the region's biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements.

RM-1.6 **Sensitive Biological Habitat.** Direct development away from areas of sensitive biological habitat unless effective mitigation measures (such as preconstruction

biological surveys to identify whether candidate, sensitive, and/or special-status species occur onsite) to reduce potential impacts can be implemented.

RM-1.7 **Pre-Development Review.** Require development proposals to identify significant biological resources and provide mitigation to reduce impacts, including through the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques, and other appropriate impact reduction measures.

RM-1.8 **Riparian Preservation**. Encourage the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels through the development review process.

Actions

RM-1a Develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall continue to strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.

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

RM-1e Where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City of Indian Wells Planning Department prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a 300-foot buffer around the active nest. For listed raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to

ensure the nesting behavior is not adversely affected by construction activity, pursuant to the Migratory Bird Treaty Act (MBTA). Prior to the commencement of construction activities and the issuance of any permits, results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Indian Wells Planning Department, California Department of Fish and Wildlife (CDFW), and other appropriate agencies.

RM-1f Review each development proposal as it is submitted to the City to assure that the potential impacts on the natural environment are minimized in accordance with the provisions of CEQA.

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

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife Service

The GPU could facilitate development that could impact existing vegetation communities. According to *Natural Community Accounts and Conservation Measures* from the Final Major Amendment to the CVMSHCP (August 2016) mesquite hummocks were formerly widespread from the dune areas of Indian Wells but are now restricted to undeveloped lots amid urban lands. Changes in soil moisture and water table declines may have reduced the occurrence of these hummocks.

The City has policies and actions regarding natural communities, to ensure less than significant impacts occur. *Policy RM-1.1* states that the City should preserve biological communities that contribute to the region's biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements. *Policy RM-1.6* states that the City should direct development away from areas of sensitive biological habitat unless effective mitigation measures can be implemented. *Policy RM-1.7* requires development proposals to identify significant biological resources and provide mitigation including the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques and other appropriate measures. *Policy RM1-1.8* encourages the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels. Applicable actions include *Action RM-1a*, stating that the City develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants. *Action RM-1d* states that the City should cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the CVMSHCP to help assess potential project impacts and mitigation requirements. Development in the City

shall be required to comply with the applicable terms of the MSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. *Action RM-1f* states that the City shall review each development proposal submitted to the City to assure that the potential impacts on the natural environment are minimized. *Action RM-1g* requires that any development proposed in areas of "high ecological sensitivity" are required to conduct a biological study for the area.

Adherence to these policies and actions would ensure that impacts are minimized. Policies required by developers will be enforced by the City, and policies and actions will be implemented when the GPU is approved. In addition, all future development would be required to comply with applicable federal and state laws and regulations that concern the preservation of biological resources, including the CVMSHCP, MBTA, and CEQA.

As discussed above, a future project developed near a Conservation Area would be required to follow CVMSHCP's Land Use Adjacency Guidelines. These guidelines are designed to prevent or reduce edge effects and include requirements such as light shielding to minimize light impact on habitats, as well as setbacks, berms, or walls to mitigate noise. In some cases, the City or relevant agencies may also require projects not directly adjacent to Conservation Areas to implement similar measures in line with CVMSHCP guidelines. City Staff will review each project along with any necessary biological studies on the property to ensure best practices are followed. Impacts to sensitive vegetation communities and riparian habitat associated with development facilitated by the GPU would be less than significant.

General Plan Policies and Actions

Policies

RM-1.1 **Biodiversity.** Preserve biological communities that contribute to the region's biodiversity, with a special focus on sensitive, rare, or endangered plant and wildlife species in accordance with State and federal resource agency requirements.

RM-1.6 **Sensitive Biological Habitat.** Direct development away from areas of sensitive biological habitat unless effective mitigation measures to reduce potential impacts can be implemented.

RM-1.7 **Pre-Development Review.** Require development proposals to identify significant biological resources and provide mitigation to reduce impacts, including through the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques, and other appropriate impact reduction measures.

RM-1.8 **Riparian Preservation**. Encourage the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels through the development review process.

Actions

RM-1a Develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall continue to strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.

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

RM-1e Where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City of Indian Wells Planning Department prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a 300-foot buffer around the active nest. For listed raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure the nesting behavior is not adversely affected by construction activity, pursuant to the Migratory Bird Treaty Act (MBTA). Prior to the commencement of construction activities and the issuance of any permits, results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Indian Wells Planning Department, California Department of Fish and Wildlife (CDFW), and other appropriate agencies.

RM-1f Review each development proposal as it is submitted to the City to assure that the potential impacts on the natural environment are minimized in accordance with the provisions of CEQA.

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

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?

The City does not contain federally protected wetlands, marshes, or other natural drainage features. There is the Whitewater River and Deep Canyon Stormwater Channel in the City. Both waterways are managed by the Coachella Valley Water District (CVWD). Federal standards prohibit development in the floodways though some watercourse areas are used for golfing.

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

The Whitewater River Channel is not a Conservation Area, nor have any sensitive species been found in the portion of the Channel in the Planning Area. However, in order to ensure that improvements on the storm channel and the removal of 6.82 acres from the storm channel does not negatively impact biological resources, appropriate biological surveys will be conducted if deemed necessary by City Staff and applicable public agencies. GPU *Policy RM-1.7* requires development proposals to identify significant biological resources and provide mitigation including the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques and other appropriate measures. *Policy RM1-1.8* encourages the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels. These policies are supported by *Action RM-1a*, stating that the City develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants. *Action RM-1d* states that the City should cooperate with the County of Riverside to develop and manage preserve areas within the urban landscape. During the review of development proposals, use the CVMSHCP to help assess potential project impacts and mitigation requirements. Development in the City shall be required to comply with the applicable terms of the MSHCP including, but not limited to, the payment of mitigation fees, narrow endemic surveys, riparian/riverine policy, and other applicable surveys. *Action RM-1f* states that the City shall review each development proposal submitted to the City to assure that the potential impacts on the natural environment are minimized. *Action RM-1g* requires that any development proposed in areas of "high ecological sensitivity" are required to conduct a biological study for the area. Overall, implementation of the GPU would not result in the direct removal, filling, or other hydrological interruption to any of these resources.

General Plan Policies and Actions

Policies

RM-1.7 **Pre-Development Review.** Require development proposals to identify significant biological resources and provide mitigation to reduce impacts, including through the use of adequate buffering, selective preservation, the provision of replacement habitats, the use of sensitive site planning techniques, and other appropriate impact reduction measures.

RM-1.8 **Riparian Preservation**. Encourage the preservation of areas of riparian vegetation and wildlife habitat along the Whitewater River and Deep Canyon storm channels through the development review process.

Actions

RM-1a Develop a Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous vegetation. In addition, the City shall continue to strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.

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

RM-1e Where feasible, vegetation and tree removal should occur outside of the bird nesting season (February 1 to August 31). If not feasible, the project applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to the commencement of construction activities. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City of Indian Wells Planning Department prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a 300-foot buffer around the active nest. For listed raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to

ensure the nesting behavior is not adversely affected by construction activity, pursuant to the Migratory Bird Treaty Act (MBTA). Prior to the commencement of construction activities and the issuance of any permits, results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Indian Wells Planning Department, California Department of Fish and Wildlife (CDFW), and other appropriate agencies.

RM-1f Review each development proposal as it is submitted to the City to assure that the potential impacts on the natural environment are minimized in accordance with the provisions of CEQA.

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

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?

The City does not act as a wildlife movement corridor due to the current built environment as well as the presence of urban/suburban development encompassing much of the City. Any development occurring from the GPU shall comply with the CVMSHCP through the payment of mitigation fees required by new developments (*Action RM-1d*). Additionally, development in the City is required to follow *Action RM-1g* set forth by the City. *Action RM-1g* states that prior to the approval of any development proposed in areas of "high ecological sensitivity," the applicant is required to prepare a biological study for the area.

Additionally, if any future development were to occur adjacent to the Santa Rosa and San Jacinto Conservation Area, development would be required to follow the Land Use Adjacency Guidelines outlined in the CVMSHCP as discussed under the *Regulatory Setting* section above. These guidelines were developed to reduce impacts to biological resources in the Conservation Area to less than significant levels.

Both required actions and compliance with the CVMSHCP as well as compliance with all applicable federal, State, and regional laws and regulations that relate to migratory wildlife corridors and native wildlife nursey sites would ensure that impacts to these biological resources would not be expected.

General Plan Actions

Actions

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

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

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

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City lies within the boundary of the CVMSHCP which outlines policies for conservation habitats and natural communities and is implemented by the City of Indian Wells. There are no other unique local policies or ordinances protecting biological resources that would cause a conflict. Any development occurring from the GPU shall comply with the CVMSHCP through the payment of mitigation fees required by new developments within the City (*Action RM-1d*). If any future development were to occur adjacent to the Santa Rosa and San Jacinto Conservation Area, development would be required to follow the Land Use Adjacency Guidelines outlined in the CVMSHCP as discussed under the *Regulatory Setting* section of this Section. These guidelines were developed to reduce impacts to biological resources in the Conservation Area to less than significant levels.

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?

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

4.4.5 Cumulative Impacts

Implementation of the proposed Indian Wells General Plan Update (GPU) will not result in project-level effects to biological resources. However, when considered in combination with other cumulative

developments within the area, there is potential for adverse cumulative effects to biological resources. Environmental protection laws and regulations have been applied with increasing rigor since the early 1970s and include the California Endangered Species Act, Federal Endangered Species Act, and the Clean Water Act, as described in the *Regulatory Setting* section earlier in this Biological Resources Section. The City is also a permittee of the CVMSHCP.

The Proposed GPU and other future projects within the City would be required to comply with local, State, federal laws, City policies and actions as well as all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts on biological resources.

Therefore, with adherence to laws, policies, and programs identified in this section, all new development within the Planning Area will assist in minimizing cumulative impacts in regard to biological services and are expected to be less than significant.

4.4.6 Mitigation Measures

The City of Indian Wells is almost fully built-out with few parcels left to be developed. For the vacant lots that can be developed in the future, the City has created multiple policies and actions that address biological resources. To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to biological resources. Moreover, State, regional and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required

4.4.7 Level of Significance After Mitigation

Not applicable.

4.4.8 Resources

1. California Natural Diversity Database (CNDDB) 2024 Database for the City of Indian Wells
2. Environmental Protection Agency, May 2020 https://www.epa.gov/laws-regulations/summary-endangered-species-act
3. U.S. Fish and Wildlife Service, https://www.fws.gov/endangered/what-we-do/hcp-overview.html
4. U.S. Fish and Wildlife Service, National Wetlands Inventory Map Viewer, https://www.fws.gov/wetlands/data/mapper.html
5. U.S Fish and Wildlife Service, Casey's June Beetle Range Map, https://www.fws.gov/species/caseys-june-beetle-dinacoma-caseyi/map

6. Indian Wells 2018 General Plan, Chapter 5 Conservation and Open Space
7. Coachella Valley Multiple Species Habitat Conservation Plan 2019 Annual Report
8. California Native Plant Society, Inventory of Rare and Endangered Plants http://www.rareplants.cnps.org/
9. Coachella Valley Multiple Species Habitat Conservation Plan, Conservation Areas Map https://cvmshcp.org/Plan_Maps.htm

4.5 Cultural and Tribal Cultural Resources

4.5.1 Introduction

This section provides a background discussion of the prehistory, ethnology, historical period background, and cultural resources found in Indian Wells. In addition, this section discusses the cultural resources that may be present in the project site or in the vicinity and assesses impacts on these resources from the development associated with implementation of the Indian Wells General Plan Update (GPU). This analysis relies upon the results of the Cultural and Paleontological Resource Study for the GPU (Appendix D).

The City received 2 comment letters related to this environmental topic during the NOP comment period. The Native American Heritage Commission (NAHC) submitted a letter dated August 1, 2024. The comment letter provided an overview of tribal consultation requirements. The issues raised in this letter have been addressed in this chapter of the Draft EIR.

4.5.2 Existing Conditions

The City of Indian Wells is located in the Coachella Valley, approximately 17 miles east of the City of Palm Springs, and 30 miles west from the present-day shoreline of the Salton Sea. Regional access is provided by the Interstate 10, State Route (SR) 74 and SR-111. The central east-west artery of the City is SR-111. Generally, the area of the Indian Wells GPU is nestled between the cities of Palm Desert to the north and west, La Quinta to the east, and unincorporated Riverside County Land to the north, south and west. The developed areas of the City are predominantly the northern and western areas with much of the City undeveloped rugged desert mountains to the south.

Cultural Setting

Prehistoric Period

The Paleoindian Period (10,500-9,500 BP) & San Dieguito Period (9,500-8,500 BP)

Within the Colorado Desert, the Paleoindian Period is characterized as the earliest archaeological sequence. However, there are no known Paleoindian sites in the Coachella Valley, specifically within the City of Indian Wells, and this chronological framework is applied from data collected in adjacent desert and coastal areas of California.

The same is true of the San Dieguito period in the Coachella Valley. Wallace noted similarities between the “Lake Mojave Period” to the north and the “San Dieguito Tradition” and implied that they represent regional variants of an early hunting tradition that prevailed over a wide geographical area. Artifacts

such as fluted points, crescents, Lake Mojave and Silver Lake points, and leaf shaped projectile points associated with ancient terraces and playas are sparsely found during this time in the southern California deserts. In the Colorado Desert, investigations on the Salton Sea Test Base produced two crescent-shaped artifacts like those in the Lake Mojave Complex which were associated with Late Pleistocene habitation. Additionally, an absence of ground stone and milling stone from this period has been viewed as an indicator of a lack of plant protein in the diet. However, substantial data associated with San Dieguito period are relatively rare in the Colorado Desert.

The Archaic Period: Early (8,500-5,800 BP), Middle (5,000-3,500 BP), Late (3,000-1,150 BP)

The Early Archaic Period is highly underrepresented in the Colorado Desert compared to southwestern California and Arizona. Very few archaeological remains have been found during this time when the Colorado Desert appeared to have low population densities. Groups living in the desert during this period are characterized as hunter-gatherers who practiced wide-range procurement strategies and produced distinct stemmed or notched point types such as the Pinto Basin projectile point which is often found associated with heavy-keeled scrapers near ephemeral lakes and springs. The six Pinto projectile points documented during site evaluations conducted at the Salton Sea Test Base are the few artifacts found during the Early Archaic period.

It is proposed that during the Middle Archaic Period of the Colorado Desert, population growth occurred in the region, but it is based on the transitional Middle Archaic in Arizona, where population density appears to have increased along with mixed forager-collector strategies. Shackley (1986) concluded from obsidian studies and artifact morphology that territorial ranges of social groups were being defined at this time, possibly because of population increase and competition for resources. Due to a variability of projectile point types, it is possible that groups were competing for resources.

The Late Archaic Period coincides with the production of smaller points and the occurrence of late Pinto and Gypsum cultural patterns. The Indian Hill rock-shelter in Anza Borrego Desert State Park contained burials that date to the Late Archaic, and the Yuha burial near Truckhaven, initially dated to a pre-Paleoindian period, have since been confirmed to date to the Archaic period. The small amount of human remains recovered during this time indicates a low population density of hunter gatherer groups who shared strategies and projectile point styles.

The Late Prehistoric Period (1,300 BP-Contact)

The Late Prehistoric Period (1,300 BP-Contact) in the Colorado Desert has been generally represented by the Patayan sequence with the emergence of brown and buff ceramics and agriculture in the region. When Lake Cahuilla began to fill after about 1,070 BP, it has been suggested groups from the Colorado River area moved west and brought Patayan II pottery and Desert Side-notched points into northern Coachella Valley. Additionally, San Luis Rey groups coming from coastal and interior southern California

introduced Cottonwood points which created a blend of Patayan II and Palomar traits to form the Peninsular I cultural assemblage.

Peninsular Phase:

Peninsular I phase (900-800 BP), Peninsular II phase (ca. 750-300 BP), Peninsular III phase (200-160 BP)

The Peninsular I phase settlement systems consisted of generally permanent lakeshore villages that exploited lacustrine resources and created special use sites in various ecozones to exploit terrestrial resources. An excavation at Myoma Dunes contained both Desert Side-notched and Cottonwood Triangular points, LCB pottery, shell beads from both the Pacific and Gulf of California coasts, and considerable evidence of the use of lacustrine resources from shell and coprolites. Additionally, a cultural site located within the Project area and three miles from the last high shoreline of Lake Cahuilla consisted of a cremation, a complete Cottonwood Triangular point, chipped stone, fire affected clay, fire-affected rocks, fish bones, and mammal bones

Peninsular II phase is defined by the appearance of Tizon Brown pottery, a new funerary complex, stone fish traps that were built as lake levels began to fluctuate and begin to decline, and an adoption of a new settlement system. Many of these traits can be seen along the Lake Cahuilla high stand shoreline near La Quinta. Stone and ceramic straight pipes, no ceramic figurines, a roughly even mixture of Tizon Brown and Salton Buff (Patayan II) pottery, cremations in "containers", very little obsidian (largely from unidentified sources), *Olivella dama* beads, and both lacustrine and terrestrial fauna were found in the Coachella Valley as well.

The start of the Peninsular III phase begins with the disappearance of Lake Cahuilla around 300 BP which causes an abrupt change in settlement and subsistence systems, material culture, mortuary practices, and rock art. Paddle-shaped type ceramic figurines found at Tahquitz Canyon mark the beginning of a style specific to the ethnographic Cahuilla and Luiseno known as the "Northern Tradition". Principal settlements began to relocate away from the former lakeshore to near springs along the fringes of the northern Peninsular Ranges or wells on the desert floor. Additionally, special use sites were in upland and desert ecozones and no longer on the lakeshore, a similar system implemented by the ethnographic Cahuilla. The Tahquitz Canyon site began as a small Peninsular II upland special purpose site, but when Lake Cahuilla disappeared, the principal settlement population moved from the shorelines and established a Peninsular III settlement that evolved into an ethnohistoric Cahuilla village.

Ethnographic Period

The Planning Area is located within the boundaries of the Cahuilla ancestral territory. The Cahuilla Indians are commonly divided by anthropologists into three groups: the Pass Cahuilla of the San Gorgonio Pass-Palm Springs area, the Mountain Cahuilla of the San Jacinto and Santa Rosa Mountains

and the Cahuilla Valley, and the Desert Cahuilla of the eastern Coachella Valley. Generally, their territory included the southeast side of the San Bernardino Mountains in the north to the northern Chocolate Mountains and Borrego Springs in the south, and from the Colorado Desert in the east to the northeastern slopes of Palomar Mountain in the west. The Cahuilla spoke a dialect of the Cupan group of the Takic language family. Shoshonean speakers (a subgroup of the greater Uto-Aztecan family languages) migrated sometime between 3,000 BP – 1500 BP from the Great Basin region of Nevada, Utah, and eastern California into southern California. This family of languages included what was to become the late-prehistoric Takic language of Cahuilla, the principal linguistic group of the Coachella Valley.

Each clan of Cahuilla lived in villages that were independent, politically autonomous from other villages. Numerous lineages were part of a clan, each of which had their own communal area owned within the larger clan area. Additionally, both lineages and individuals in those lineages had ownership rights to various food collecting, mineral collecting, hunting, fishing, and sacred area locations. The Cahuilla often lived in canyons or near drainages on alluvial fans and were arranged so that each lineage or community was placed in an area near significant water and food resources. Important sources of food were acorns, pinyon nuts, mesquite, legumes, agave, wild fruits and berries, tubers, cactus bulbs, roots and greens, deer, antelope, big horn sheep, rabbits, and wood rats. Typically, Cahuilla women gathered, and men hunted, although work tasks often overlapped in a highly developed, seasonal mobility system. They adapted to the arid conditions of the desert floor, the lacustral cycles of Holocene Lake Cahuilla, and the environments of the nearby mountains. The lake provided an abundance of freshwater resources, particularly during its high stands. However, when it desiccated, the Cahuilla relied upon terrestrial resources and trade for subsistence. The Cahuilla were also part of the Northern Sonoran Desert Amity Enmity System shared with the Serrano to the north and the Gabrielino to the northwest. This large-scale alliance helped the tribes in various socioeconomic activities such as trade, marriage, shared rituals, and war.

Historic Period

In California, the historic era is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present). The first Europeans in California were the Spanish. In 1542 Juan Rodriguez Cabrillo entered what would become known as San Diego Harbor where he met a group of Kumeyaay Indians while on shore. Over the next few hundred years there were several maritime excursions along the California coast, but it would be more than 225 years until the Spanish established a permanent settlement. To protect its interests, Spain sent four excursions into California, two by land and two by sea. The entire expedition was led by Captain Gaspar de Portolá, military commander of California. Portola came through the Los Angeles basin area in 1769 while travelling from San Diego to Monterey. To fulfill some of the religious goals of the expedition Father Junípero Serra was sent to California to establish a system of Catholic

Missions. It was not until two years later, on September 8, 1771 that Mission San Gabriel Arcángel was established by Fathers Pedro Cambon and Angel Somera. Ten years later, on September 4, 1781, Los Angeles was founded. Early settlers farmed and they built a system of zanjas, or irrigation ditches, to transport water from the Los Angeles River to plots of land. With Mexican Independence in 1821, Los Angeles and California experienced great economic independence and growth.

Very little is presently known about the history of the Coachella Valley prior to 1820. However, in 1821, a party of Cocomaricopa Indians arrived at the San Gabriel Mission, announcing they had traveled from the Colorado River in only six days using the Cocomaricopa trail. In 1825, Jose Maria Romero along with Jose Maria Estudillo, and Romualdo Pacheco departed from present day Los Angeles and headed east through the San Gorgonio Pass across the Coachella Valley to Blythe in search of the Cocomaricopa Trail leading to Yuma. Shortly after the expedition, another route to the south was discovered going from Yuma to San Diego which became known as the "Southern Route". The "Southern Route" was later used extensively by immigrants and prospectors during the California Gold Rush of the late 1840s and early 1850s. The route became so popular that the Butterfield Overland Mail Company began operating a semi-weekly stage service in 1858. However, by 1862, the discovery of gold near the town of Blythe produced a demand for a direct route eastward from California to Arizona. In that same year, William David Bradshaw met that demand and reached the Colorado river northeast of Blythe with the help of a hand drawn map from Cahuilla Chief, Cabazon. The trail was then called the Bradshaw trail and served as the means of communication and main thoroughfare between southern California and Texas until the completion of the Southern Pacific Railroad in 1883.

By the late nineteenth and early twentieth century, non-Indian settlements began to emerge in many areas of what is now Riverside County, encouraged by two federal acts. The Homestead Act of 1862 established a three-fold homestead acquisition process for U.S. citizens or foreign immigrants intending citizenship: filing an application, improving the land measuring 160 acres, and filing for deed of title. Secondly the Desert Land Act of 1877 encouraged and promoted the economic development of the arid and semiarid public lands of the western United States as married couples could apply for a desert-land entry to reclaim, irrigate, and cultivate 640 acres of land. Within the context of these acts, settlement in present day City of Indian Wells began as a drinking stop by many who made their journey through the Bradshaw trail and those who came later via the Southern Pacific Railroad in the 1880s.

Early prominent settlers such as Melvin Harmon and William Hayhurst along with others homesteaded in what is today the City of Indian Wells and opened the first market and post office by 1915. Until the passage of the Taylor Grazing Act of 1934, however, no control was exercised over the California desert lands. Because of the extreme aridity of the California deserts and subsequent lack of grazing land, this Act had virtually no practical impact on the region until the Bureau of Land Management (BLM) assumed control of range lands in 1946. Since that time, the BLM also has been engaged in evaluating lands for various "uses," and classifying them for different types of management.

The paucity of water in many areas of the Colorado Desert discouraged farming, and subsequently agricultural development flourished only when water was imported in significant quantities. However, because of the relatively high-water table in the Coachella Valley, the agricultural industry began to develop prior to the importation of water by means of drilling artesian wells. The use of these wells for grape, date and fig cultivation led to dropping groundwater levels despite plans to export Coachella Valley groundwater to Imperial Valley. These factors led local farmers to create the Coachella Valley County Water District in 1918. Following passage of the Boulder Canyon Project Act of 1928, the All-American Canal and Coachella Valley Extension were developed to harness the waters of the Colorado River for the development of agriculture in Imperial and Coachella Valleys. Branching off from the All-American Canal, the Old Coachella Canal extends 199 km (123.5 mi) north to the northern Coachella Valley, bringing the first imported irrigation water to the valley in 1949.

Fueled by the abundance of water from the various federal water canals, by the mid twentieth century a considerable growth in recreational development and a boom of country club living and resort hotels began to appear. The City of Indian Wells was incorporated in July of 1967. The first mayor of the City of Indian Wells, E.M. “Pete” Peterson established the first property owner’s association and solidified the City of Indian Wells as a unique desert destination.

Existing Historic and Prehistoric Resources

The Eastern Information Center (EIC), located at the University of California, Riverside, is the designated repository of the California Historical Resources Information System (CHRIS), for records concerning archaeological and historical resources and associated studies in Riverside County. The EIC provides archaeological and historical resources information on a fee-for-service basis, to local governments and individuals with responsibilities under the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and the California Environmental Quality Act (CEQA).

Records from the EIC indicate that there are 72 confidential cultural resources mapped within the City, which are summarized in **Table 4.5-1** below. The resources include 38 prehistoric archaeological sites, 18 prehistoric isolates, three (3) multicomponent sites, seven (7) historic archaeological sites, one (1) historic isolate, and five (5) historic built environment resources. Of the five (5) historic built environment resources listed within the Built Environment Resource Directory, three (3) were determined potentially eligible for inclusion on the National Register of Historic Places but are no longer extant.

Table 4.5-1 Previously Recorded Cultural Resources

Resource Type	Quantity
Prehistoric Site	38
Prehistoric Isolate	18
Multi-Component Site	3
Multi-Component Isolate	0
Historic Built Environment	5
Historic Resource	7
Historic Isolate	1
TOTAL	**72**

A total of seven historic archaeological sites, one historic isolate, and five historic built environment resources are within the City. The two most abundant type of historic site or site component are refuse deposits and standing structures. The two types of historic built environment resources are single-family properties and farms or ranches. According to the EIC records, three of the five historic built environment resources within the City are P33-007517, P33007522 and P33-007523 are listed as potentially eligible for inclusion in the NHRP.

P33-007517 is the Cavanagh adobe, a single-family farm recorded by Carpenter (1982a). It is described as a two-story adobe situated in a date garden. This house is rectangular in plan with the massive fireplace a prominent feature of the exterior design. The entrance porch and a portion of the first-floor roof (once used for & sleeping deck in summer) were later enclosed to make additional rooms. The shed roof of hand-made tile distinguishes this Mediterranean/Spanish Revival structure of adobe brick made on the premises. Sturdy lintels of 8" timbers support the small, well-proportioned windows in 18" thick walls. The Cavanagh adobe is significant because it is one of the oldest buildings in the Coachella Valley's Cove area built between 1922 to 1928. The 20 acre-land on which the Cavanagh adobe sits was purchased from Caleb Cook, Coachella Valley's date industry pioneer, who encouraged the Cavanagh brothers to become successful date ranchers themselves. The building is extant, in excellent condition and is eligible under NRHP criteria A and C.

P33-007522 is assigned to the Ripple's Date Garden recorded by Carpenter (1982b). It is described as a one-story commercial building is of Spanish Revival design. A long porch supported by huge posts with a tiled canopy is the outstanding feature of this roadside shop on State Route 111. A portion of the main building, once used as a residence, has a gable roof. The Ripple's Date Garden was built in 1933 and significant because it represented the importance of the date industry to Coachella Valley's growth. The building is no longer extant as it was destroyed with the development of luxury residential properties.

P33-007523 records a mansion historically known as Billikie Ranch as recorded by Bowie & Carpenter (1982). The resource is an imposing two-story structure in Mediterranean/Spanish Revival style, this stucco mansion has a gabled entrance with massive wrought iron gates with intricate leaf design. The roof, a combination of hip and shed, is of tile made in the La Quinta area. A separate garage is connected

with the main house by an 8-foot wall which extends around the building and unifies the compound. Billikie Ranch was a significant cultural resource because it was owned by J.E. "Doc" and Ruth A. Gurley, a prominent pioneering family in the Coachella Valley. It was also the most admired home in the area because of the complete unity of the site with the buildings. The prominent hill is simply landscaped with an expansive grass lawn, shrubs, and a few trees. Additionally, Billikie, a prominent builder in the region, constructed the Gurley's mansion in 1931. The building is no longer extant as it was destroyed with the development of luxury residential properties.

A reconnaissance-level overview of the City was conducted by DUKE CRM on December 22, 2020. Reconnaissance survey consisted of visiting previously recorded prehistoric and historic archaeological sites and built environment resources. Revisits to site and resource locations were cursorial in effort. The goal was to determine if the resource was present and if the surrounding area of the resource has been disturbed. A total of 72 cultural resources have been previously recorded within the City. Of these, 21 sites were accessible in the field. Of these, four (4) sites were relocated. The remainder of the sites could not be relocated due to development projects or were not within the public right of way and located on inaccessible private property.

The reconnaissance-level survey of the City revealed that land use within the City is predominantly modern-age residential and luxury country club development. The foothills of the City consist of a mix of modern residential, luxury golf and country clubs, and modern commercial buildings. The Santa Rosa and San Jacinto Mountains surround the City of Indian Wells and are primarily undeveloped.

Currently, multiple construction projects are underway in the City. The general character within the City consists of modern, nonhistorical era buildings, less than 50 years old. Many of the residential homes within the City have a Spanish Colonial Revival or modern Mid-Century style.

Most prehistoric archaeological sites and isolates are located along the foothills and toes of the slopes of Eisenhower Mountain and along the Coachella Valley Stormwater Channel. Of these, most sites and isolates are or include ceramic artifacts. Additionally, flaked stone artifacts and bedrock milling features are the next most frequent type of prehistoric resource or component of resources in the City. The next most frequent type of prehistoric resource or component of resources is habitation debris and trails/linear earthworks. The various other types of resources are all approximately 10% or less.

Prehistoric and historic archaeological sensitivity is mapped within the City and includes the eastern segment of SR-111 and a small section just south of the Whitewater River Channel. Archaeological sensitivity within the City has been mapped using a concentration of previously identified prehistoric and historic resources described in the records search and on historic maps. Prehistoric sensitivity is concentrated in two locations within the City: north and south of the Whitewater River Channel and the eastern segment of SR-111. Twenty-five (25) prehistoric sites and isolates have been previously identified along the Whitewater River Channel including the Native American village site of *Kavinish* which may contain prehistoric, ethnographic and historic era buried deposits. The second location of

prehistoric sensitivity within the City is located in Hidden Valley, in the southwest corner, in the foothills west of Eisenhower Mountain. Although the area has gone through a large-scale country club development known as the "Reserve", there is a potential for buried deposits from the concentration of 31 prehistoric sites and isolates in the vicinity. Historic sensitivity within the City is along the SR-111 corridor where historic sites and historic built environment resources are focused. The Bradshaw trail, where SR-111 is now, was used extensively during the 1860s and could potentially yield resources during highway improvements.

4.5.3 Regulatory Setting

Federal

National Historic Preservation Act of 1966

The National Historic Preservation Act (NHPA) (54 USC 300101 et seq.) instituted a multifaceted program, administered by the Secretary of the Interior, to encourage sound preservation policies of the nation's cultural resources at the federal, State, and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP), established the position of State Historic Preservation Officer, and provided for the designation of State Review Boards. The NHPA also set up a mechanism to certify local governments to carry out the goals of the NHPA and created the Advisory Council on Historic Preservation (ACHP).

Section 106 of the NHPA (54 USC 306108) states that federal agencies with direct or indirect jurisdiction over federally funded, assisted, or licensed undertakings must take into account the effect of the undertaking on any historic property that is included in or eligible in the NRHP. After an undertaking is identified, federal agency stakeholders must consult by notifying the appropriate consulting parties. Consultation is between the federal agency, the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO), and other consulting parties. including but not limited to the ACHP, certified local governments, and members of the general public with an economic, social or cultural interest in the project.

National Register of Historic Places

The National Register of Historic Places (NRHP) was established by the NHPA in 1966 as "an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment" (36 CFR part 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association.

A property is eligible for the NRHP if it is significant under one or more of the following criteria:

- **Criterion A:** It is associated with events that have made a significant contribution to the broad patterns of our history.
- **Criterion B:** It is associated with the lives of persons who are significant in our past.
- **Criterion C:** It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- **Criterion D:** It has yielded, or may be likely to yield, information important to prehistory or history. Ordinarily cemeteries, birthplaces, or graves of historic figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historic buildings; and properties that are primarily commemorative in nature are not considered eligible for the NRHP unless they satisfy certain conditions. In general, a resource must be 50 years of age to be considered for the NRHP unless it satisfies a standard of exceptional importance.

State

California Register of Historical Resources

Created in 1992 and implemented in 1998, the California Register of Historical Resources (CRHR) is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" Public Resources Code (PRC) (Sections 21083.2 and 21084.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest program, identified as significant in historical surveys, or designated by local landmark programs, may be nominated for inclusion in the CRHR. According to PRC Section 5024.1 (c), a resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the State Historical Resources Commission determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- **Criterion 2:** It is associated with the lives of persons important in our past.
- **Criterion 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

California Environmental Quality Act

CEQA requires lead agencies to determine if a project would have a significant effect in the environment, including significant effects on historical or archaeological resources. Under PRC Section 21084.1, a project that may cause a substantial adverse change to the significance of a historical resource is a project that may have a significant effect on the environment. CEQA guidelines recognize that historical resources include:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the CRHR;
- A resource included in a local register of historical resources, as defined in PRC Section 5020.1(k), or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); and
- Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

If a lead agency determines that an archaeological site is a historical resource, then the resource under CEQA must be protected. If a project may cause a substantial adverse change to the resource and avoidance is not feasible, the lead agency must identify potentially feasible measures to lessen the impact to less than significant levels.

If an archaeological site does not meet the historical resource criteria contained in the State CEQA Guidelines, and it is not deemed a unique archaeological resource in accordance with PRC § 21083.2 and CEQA Guidelines § 15064.5, no further action would be required.

California Health and Safety Code

The California Native American Graves Protection and Repatriation Act of 2001 is intended to provide a seamless and consistent state policy to ensure that all California Indian human remains, and cultural items be treated with dignity and respect. The intent of the legislature shall also do the following:

- Apply the state's repatriation policy consistently with the provisions of the Native American Graves Protection and Repatriation Act (25 U.S.C. Sec. 3001 et seq.), which was enacted in 1990.
- Facilitate the implementation of the provisions of the federal Native American Graves Protection and Repatriation Act with respect to publicly funded agencies and museums in California.
- Encourage voluntary disclosure and return of remains and cultural items by an agency or museum.

- Provide a mechanism whereby lineal descendants and culturally affiliated California Indian tribes that file repatriation claims for human remains and cultural items under the Native American Graves Protection and Repatriation Act (25 U.S.C. Sec. 3001 et seq.) or under this chapter with California state agencies and museums may request assistance from the commission in ensuring that state agencies and museums are responding to those claims in a timely manner and in facilitating the resolution of disputes regarding those claims.
- Provide a mechanism whereby California tribes that are not federally recognized may file claims with agencies and museums for repatriation of human remains and cultural items.

Senate Bill 18

As of March 1, 2005, California Government Codes 65092; 65351; 65352; 65352.3; 65352.4; 65352.5; and 65560, formerly known as Senate Bill 18 (SB 18), requires that cities and counties contact and consult with Native American tribes prior to amending or adopting any general plan or specific plan, or designating lands as open space. The purpose of SB 18 is to involve Native Americans at the onset of the planning process to allow for considerations concerning the protection of traditional tribal cultural places in the context of broad local land use policy prior to individual site-specific, project level land use decisions. Tribes have 90 days from the date on which they receive notification to request consultation unless a shorter time has been agreed to by the tribe. At least 45 days before a local government adopts or amends a general plan or specific plan, the local government must refer the proposed action to any Native American tribes identified by NAHC, for review and comment.

California Assembly Bill 52 (AB 52)

In addition to Native American Consultation that occurs as part of the Cultural Resource Assessment, AB 52, which went into effect on July 1, 2015, requires a lead agency to consider a project's impacts on Tribal Cultural Resources ("TCR"). TCR as defined in Public Resources Code § 21074 are as follows:

(a) "Tribal cultural resources" are either of the following:

(1) Sites, features, places cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) 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 of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of

this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

Section 1 (a)(9) of AB 52 establishes that "a substantial adverse change to a tribal cultural resource has a significant effect on the environment." Effects on tribal cultural resources should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures "capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Further, if a California Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to tribal cultural resources, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3[a]).

Under AB 52, the CEQA Lead Agency is required to begin consultation with a California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. Tribal consultation can be initiated once a project application is deemed complete. Once the Lead Agency has contacted necessary tribal governments, tribes have 30 days to respond to comments or request for consultation. "Consultation" is the meaningful and timely process of seeking, discussing, and carefully considering the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes must be conducted in a way that is mutually respectful of each party's sovereignty. Consultation must also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance. Consultation concludes when either: the parties agree on measures to mitigate or avoid significant impacts to TCRs or a party, in good faith and after reasonable effort, concludes that a mutual agreement cannot be reached.

Regional and Local

City of Indian Wells Municipal Code

Chapter 16.26 – Adoption of California Historical Building Code (CHBC)

The California Historical Building Code, Title 24, Part 8, 2022 Edition and appendices thereof, as approved by the California Building Standards Commission, prescribing regulations for the preservation, restoration, rehabilitation, relocation, or reconstruction of buildings or properties designated as qualified historical buildings or properties within the City, are adopted by reference as the historical building code of the City. With a few exceptions, these are buildings or properties over 50 years in age. The CHBC is intended to save California's architectural heritage by recognizing the unique construction issues inherent in maintaining and adaptively reusing historic buildings.

Chapter 18.06 – Archeological Resources Grading Standards

This chapter contains grading regulations relating to archeological, paleontological, and historical sites within the City of Indian Wells. Section 18.06.020, Known Sites, describes that permits to preform grading at or near known archaeological, paleontological, or similar sites of historical significance may be conditioned in such a manner as to: (a) Ensure the preservation of the site; (b) Minimize adverse impacts on the site; (c) Allow reasonable time for qualified professionals to perform archaeological investigations at the site; or (d) Preserve for posterity, in such other manner as may be necessary or appropriate in the public interest, the positive aspects of the cultural or historical site involved.

Section 18.06.030, Unknown Sites, requires where a grading (or encroachment permit) has been issued with respect to an area not known at the time of issuance to include an archaeological, paleontological, or historical site, where it is subsequently learned, either by representatives of the City or by any person doing grading pursuant to a grading permit, that an archaeological, paleontological, or historical site may be encompassed within the area to be graded or being graded, all grading shall cease, and the grading permit shall be deemed suspended. Details on reporting and conditions for specific permits can be found in Chapter 18.06

Chapter 26.16.100 – Mills Act

The City of Indian Wells authorized the creation of a Mills Act Program in 2015 (22.16.100 Preservation incentive(s)) for the preservation of historically significant properties. The Mills Act of 1972 is an economic incentive program by the State of California to encourage private property owners to restore and preserve qualified historic buildings. Local governments (Counties and Municipalities) can choose to implement and administer contracts with property owners to provide tax abatement, establish their own criteria for qualified historic buildings, and determine how many contracts they will allow in their jurisdiction. California State Codes relating to the Mills Act include the California Government Code, Article 12, Sections 50280 – 50290 and the California Revenue and Taxation Code, Article 1.9, Sections 439 – 439.4.

The Mills Act is a formal agreement executed between the City of Indian Wells and the property owner for a revolving, automatic ten-year term. Owners of qualified historic properties may apply for the program if they pledge to rehabilitate and maintain the historical and architectural character of their

properties for the perpetual ten-year term of the contract. A qualified historic property in the City is a property listed on the NRHP, the CRHR, or the California Historical Landmarks (CHL).

Contracts are renewed each year so that the term of the contract can extend for ten years automatically. Under this contract, property owners agree to restore, maintain, and protect the property in accordance with specific historic preservation standards and other conditions identified in the contract. Inspections by City officials every five years ensure proper upkeep of the property to the standards included in the contract. Either the property owner or the City may elect not to renew for any reason. The effect of non-renewal is to terminate the contract at the end of the current ten-year plan. The owner may also petition the City to initiate an immediate cancellation. If cancelled, a penalty is imposed. The City may also cancel the contract, but only in the case of breach of the contract conditions. The contract is transferred to new owners if the property is sold and is binding to all successive owners.

Participation in the Mills Act is a benefit to qualified property owners, especially for recent buyers of historic properties but also for current owners of historic buildings who have made major improvements to their properties. An income approach to value rather than by the standard market approach determines the appraised value. The income approach, divided by a capitalization rate, determines the assessed value of the property. In general, the income potential for an owner-occupied residential property is calculated by examining comparable rents for similar properties in the area, while the income amount on a commercial property is based on actual rent received. Because rental values vary from area to area, actual property savings may vary. In addition, as counties are required to assess all property annually, Mills Act properties may realize slight increases in property taxes each year.

Chapter 22.16 – Cultural Resource

Cultural Resources Preservation (Chapter 22.16) of the Indian Wells Municipal Code has been implemented to establish a mechanism by which community resources such as buildings, structures and sites within the City of Indian Wells may be identified, protected, enhanced and perpetuated to promote public awareness, education and enjoyment of historic resources within the City of Indian Wells. The provisions of the cultural resource preservation ordinance are applicable to any cultural and archeological resource, archeological district or historic structure within the City boundaries.

4.5.4 Project Impact Analysis

Thresholds of Significance

The thresholds used to evaluate potential impacts to cultural resources are derived from Appendix G of the CEQA Guidelines. The significance determination is based on the recommended criteria set forth in Section 15064.5 of the CEQA Guidelines. For analysis purposes, development of the proposed project would have a significant effect on cultural resources if it is determined that the project would:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?
c. Disturb any human remains, including those interred outside of formal cemeteries.

Additionally, a significant impact related to tribal cultural resources would occur if the project would:

d. Cause a substantial adverse change in the significance of a Tribal cultural resource defined in PRC Section 21074 as either as site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, scared place, or object with cultural value to a California Native American Tribe and that is:
    i. Listed or eligible for listing in the CHHR, or in local register of historical resources as defined in PRC Section 5020.1 (k), or
    ii. A resource determined by a Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource toa California Native American.

Methodology

A cultural resources assessment was prepared for the project to review and summarize available information regarding known archaeological and historical resources within the City (**Appendix D**). The focus and purpose of this report are to support the Indian Wells GPU and, therefore, are broad and programmatic in scope. Baseline paleontological, archaeological, and historical data was compiled from record searches at various research facilities and online. Multiple survey methods, including desktop and reconnaissance, were employed over the large area of the City. The reconnaissance field survey was limited due to the lack of access to archaeological and historic resources on private property.

a. Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?

Impact Analysis

The GPU will accommodate future growth in Indian Wells, including new businesses, expansion of existing businesses, and new residential uses. The buildout analysis utilizes a 20-year horizon, and for analysis purposes 2045 is assumed to be the buildout year of the General Plan. Buildout of the proposed General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan).

Analysis of EIC and other databases of previously recorded resources within the GPU indicate five historic built environment resources are currently identified within the City. None are listed on the NRHP or CRHR. Three built environment resources were previously determined eligible for the NRHP. Of these, two buildings are no longer extant and one is still intact. The remaining two previously recorded built environment resources were determined not eligible for the NRHP or the CRHR.

While the GPU does not propose any site-specific plans that would affect an identified historical resource, future developments may have the potential to impact a historic resource at the project level.

As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the City's General Plan, Municipal Code, and other applicable State and Local regulations. Subsequent development and infrastructure projects would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA and mitigation may be required as future projects are planned. The City's Resource Management Element of the GPU includes *Policy RM-4.1, RM-4.3, RM-4.4* and *Actions RM-4a, RM-4b, RM-4c, RM-4e, RM-4j,* and *RM-4k* that would ensure that impacts to historic resources are taken into consideration and reduced or minimized in conjunction with future development.

Therefore, potential impacts to historical resources associated with growth forecast under the GPU would be less than significant because all future projects will abide by State and local regulations, and the City policies and actions listed below.

General Plan Policies and Actions

Policies

RM-4.1 **Preservation**. Protect areas containing significant historic, archaeological, paleontological and tribal cultural resources, as defined by the California Public Resources Code.

RM-4.2 **Tribal Consultation**. Consult with Native American tribes whose tribal cultural resources may be impacted by proposed development, as necessary, and in accordance with state, local, and tribal intergovernmental consultation requirements, to mitigate or avoid significant effects to resource(s).

RM-4.3 **Historic Resources**. Identify, designate, and protect buildings, districts, eligible properties and sites of historic importance within Indian Wells.

RM-4.4 **Funding.** Identify funding programs to assist private property owners in the preservation of historic resources.

Actions

RM-4a Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).

RM-4b For structures that potentially have historic significance, the City shall require that a study be conducted by a professional archaeologist or historian to determine the actual significance of the structure and potential impacts of the proposed development in accordance with CEQA Guidelines Section 15064.5. The City may require modification of the project and/or mitigation measures to avoid any impact (including visual impacts) to a historic structure, when feasible.

RM-4c For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts, or require mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.

RM-4d The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable palaeontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation.

RM-4e The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.

RM-4f In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of

the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.

RM-4g Prior to adopting any general plan, specific plan, or any amendment thereto, the City shall notify appropriate tribes of the opportunity for consultation for the purpose of preserving, or mitigating impacts to, cultural places located on land within the City's jurisdiction that may be affected by the proposed plan or amendment.

RM-4h Prior to the adoption or substantial amendment of a general plan or specific plan, the City shall refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the City's jurisdiction for a 45-day comment period.

RM-4i Prior to designating open space, the City shall consult with tribes if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code section 65092.

RM-4j Develop and implement programs and/or incentives to private property owners to help preserve, restore, or reuse historic structures while enhancing their historical significance and integrity.

RM-4k Conduct a historic properties inventory that takes into consideration buildings, neighborhoods, tribal cultural resources, eligible properties and other features of historic, architectural, or cultural significance and pursue official designation as warranted.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Future development consistent with the GPU could result in the impact of archeological resources. Seventy-two (72) archaeological resources have been previously recorded within the City. However, many of the areas mapped as previously containing archaeological resources have been developed and cultural resources therein destroyed from development.

Prehistoric and historic archaeological sensitivity mapped within the City include the eastern segment of SR-111 and a small section just south of the Coachella Valley Stormwater Channel. Archaeological sensitivity within the City has been mapped using a concentration of previously identified prehistoric and historic resources described in the records search and on historic maps. Prehistoric sensitivity is concentrated in two locations within the City: north and south of the Coachella Valley Stormwater Channel and the eastern segment of SR-111. Twenty-five (25) prehistoric sites and isolates have been previously identified along the Coachella Valley Stormwater Channel including the Native American village site of *Kavinish* which may contain prehistoric, ethnographic and historic era buried deposits.

The second location of prehistoric sensitivity within the City is located in Hidden Valley, in the southwest corner, in the foothills west of Eisenhower Mountain. Although the area has gone through a large-scale country club development known as the "Reserve", there is a potential for buried deposits from the concentration of 31 prehistoric sites and isolates in the vicinity.

The Santa Rosa mountains that encompass a majority of the southern portion of the City have unknown sensitivity.

Section 5097.5 of the California Public Resources Code also prohibits the removal, destruction, or defacement of archaeological resources on public lands without express permission by the jurisdiction (State of California 2015). As future projects are planned, they must adhere to GPU policies such as *RM-4.1* discussed above and GPU *Actions RM-4a, RM-4c, RM-4e* and all applicable regulations to ensure that impacts to archaeological resources are considered as future development is proposed.

Potential impacts to archaeological resources associated with growth forecast under the GPU would be less than significant.

General Plan Policies and Actions

Policies

RM-4.1 As outlined above in discussion a.

Actions

RM-4c For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts,

or require mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.

RM-4e The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.

c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Future development associated with the GPU could disturb native soils and therefore could have the potential to encounter human remains. Therefore, all development in the City must comply with applicable laws related to the discovery of human remains. Including but not limited to the California Health and Safety Code Section 7050.5, which states that in the event of discovery of any human remains on the project site, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the coroner determines the remains to be Native American or has reason to believe that they are those of Native American, the coroner shall contact the NAHC within 24-hours, and the NAHC will be responsible for identifying the Most Likely Descendant (MLD) and contacting them for ongoing consultation and resolution. The project will be subject to these requirements during all construction and excavation activities. Compliance with the California Health and Safety Code and GPU Action RM-4f of the GPU Resource Management Element will ensure that should there be a discovery of any human remains during project construction activities, impacts would be reduced to less than significant levels.

General Plan Policies and Actions

Actions

RM-4f In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating

the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.

d. Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in PRC Section 21074 as either a site, features, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

i. Listed or eligible for listing in the CHHR, or in local register of historical resources as defined in PRC Section 5020.1 (k), or

ii. A resource determined by a Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource toa California Native American.

The GPU will facilitate future growth in Indian Wells, including new businesses, expansion of existing businesses, and new residential uses. The buildout analysis of the 20-year horizon, and 2045 buildout will result in a total of 6,271 residential units, which is consistent with the Current General Plan; additional square feet of nonresidential space; and 6,310 jobs.

While much of the City has been developed, there is potential for encountering buried resources associated with Native American Tribes. The potential for intact cultural deposits at certain depths is probable at locations deemed sensitive or in proximity to known recorded archaeological resources. All prehistoric archaeological sites and isolates are Tribal Cultural Resources (TCR); however, plants and other natural resources, as well as geographic locations can also be a TCR. Unless already documented, TCRs can only be identified by Tribal representatives or persons working on their behalf.

To determine the potential for Tribal cultural resources from the GPU, the City sent notices to the NAHC and local Tribes as required under AB 52 and SB 18. The City sent out 14 notification letters to Native American Tribes. The City received one response to the notification letters. The City also engaged in Tribal consultation with the Agua Caliente Band of Cahuilla Indians, per their request, and in compliance with AB 52 and SB 18. As discussed above, the construction of future development has the potential to unearth unknown cultural resources and TCRs. Site-specific development would undergo further CEQA review and AB 52 consultation that may identify unknown TCRs that have not been formally recorded during the consultation of the GPU. Moreover, the City's Resource Management Element includes Goals and Policies such as *Policy RM-4.2* and *Actions RM-4a, RM-4c, RM-4e, RM-4f, RM-4g, RM-4h, RM-4* and

RM-4k outlined below. Adherence to the State, tribe, and local regulations in conjunction with the GPU policies would ensure impacts to TCRs would be reduced to less than significant levels.

General Plan Policies and Actions

Policies

RM-4.2 **Tribal Consultation**. Consult with Native American tribes whose tribal cultural resources may be impacted by proposed development, as necessary, and in accordance with state, local, and tribal intergovernmental consultation requirements, to mitigate or avoid significant effects to resource(s).

Actions

RM-4a Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).

RM-4c For all development proposals within areas with the potential to contain prehistoric/historic resources, the City shall require a study to be conducted by a professional archaeologist pursuant to CEQA. The objective of the study will be to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources. If significant impacts are identified, the City may require the project to be modified to avoid the impacts, or require mitigation measures to mitigate the impacts. Mitigation may involve archaeological investigation and resources recovery.

RM-4e The City shall make provisions for historic archeological resources accidentally discovered during construction for projects where the City has approval authority over the project. These provisions shall include an immediate evaluation of the find and contingency funding and time allotment sufficient to allow for the recovery of the historic archeological resource or implement measures to avoid disturbing the resource if the historic archeological resource is determined to be unique.

RM-4f In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall halt excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the descendants from the deceased Native Americans have made a

recommendation to the landowner or the persons responsible for the excavation work, regarding appropriate means of treating the ancestral remains, with appropriate dignity, including the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being granted access to the site.

RM-4g Prior to adopting any general plan, specific plan, or any amendment thereto, the City shall notify appropriate tribes of the opportunity for consultation for the purpose of preserving, or mitigating impacts to, cultural places located on land within the City's jurisdiction that may be affected by the proposed plan or amendment.

RM-4h Prior to the adoption or substantial amendment of a general plan or specific plan, the City shall refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the City's jurisdiction for a 45-day comment period.

RM-4i Prior to designating open space, the City shall consult with tribes if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code section 65092.

RM-4k Conduct a historic properties inventory that takes into consideration buildings, neighborhoods, tribal cultural resources, eligible properties and other features of historic, architectural, or cultural significance and pursue official designation as warranted.

4.5.5 Cumulative Impacts

Cumulative impacts relating to cultural and Tribal cultural resources are regional in nature, due to the wide range of Native peoples in the Coachella Valley. Build out of the General Plan area, has the potential to cumulatively impact cultural resources. Future site-specific development shall be subject to the City's standard requirements, any development specific mitigation measures (as applicable), and compliance with federal and State law. Although continued development has the potential to cumulatively impact these resources, the continued application of City policies, and General Plan policies such as R*M-4.1* through *RM-4.4* and *Actions RM-4a* through *RM-4k* shall assure that cumulative impacts associated with cultural resources shall be less than significant.

Therefore, with adherence to policies as identified in this section, all new development within the proposed project is expected to be less than significant.

4.5.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to cultural and tribal cultural resources. Moreover, State and local regulations will also ensure that buildout of the GPU would result in less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.5.7 Level of Significance After Mitigation

The Cultural and Tribal Cultural Resources section does not involve significant impacts requiring mitigation.

4.5.8 Resources

1. Indian Wells General Plan, Resource Management Element
2. Indian Wells Municipal Code; https://ecode360.com/IN4940
3. *Cultural and Paleontological Resource Study for the General Plan Update* conducted by Duke Cultural Resources Management, LLC., 2021.

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4.6 Energy Resources

4.6.1 Introduction

This section of the Indian Wells GPU PDEIR describes the existing energy resources setting and the possible significant energy impacts resulting from construction and operation of future projects within the City from the implementation of the GPU. Information for this section was obtained in September 2024 from the calculations provided by CalEEMod Version 2022.1.1 for the GPU. The CalEEMod calculation is included in **Appendix B** of this PDEIR. **Section 4.3, *Air Quality***, **Section 4.8, *Greenhouse Gas Emission***, and **Section 4.16, *Transportation,*** of this PDEIR provide further discussion regarding the GPU's estimated energy use and infrastructure, as well as their associated environmental impacts. This portion of the PDEIR primarily concentrates on energy consumption via electricity, natural gas, and mobility-related petroleum (gasoline and diesel fuel).

4.6.2 Environmental Setting

Existing Conditions

The City of Indian Wells covers approximately 15 square miles in Riverside County. Energy sources are made available to the City of Indian Wells by private and public agencies. Major energy providers in the Coachella Valley include Southern California Edison (SCE), Imperial Irrigation District (IID), and the Southern California Gas Company (The Gas Company or SoCalGas). Electricity and natural gas are the primary sources of energy in the City of Indian Wells. SCE provides electricity to a majority of the City, while IID provides electricity to approximately 1,810 acres of the southeast portion of the City (primarily undevelopable land). **Figure 4.6-1** illustrates the electric service areas and facilities within the City.

Title 24 of the California Administrative Code sets efficiency standards for new construction, regulating energy consumed for heating, cooling, ventilations, water heating, and lighting. These building efficiency standards are enforced through the City's building permit process.

Electricity

As previously stated, SCE provides electricity to a majority of the City. SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. SCE derives electricity from varied energy resources including fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers.

The California Energy Commission (CEC) is the state's primary energy policy and planning agency and plays a critical role in implementing and creating policies and programs to create a low-carbon economy. According to the CEC's Energy Consumption Database, SCE's service area consumed 107,876 GWh of electricity in 2022. Commercial uses consumed 42,240 GWh of SCE's electricity, followed by residential uses, which consumed 39,400 GWh, industrial uses consumed 17,353 GWh, and the transportation sector consumed 688 GWh. Electricity usage in SCE's service area for differing land uses varies substantially by the type of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. SCE is regulated by the California Public Utilities Commission (CPUC) and the Federal Energy Regulatory Commission (FERC). SCE receives electric power from a variety of sources. According to the Edison International 2023 Sustainability Report, SCE delivered an estimated 52 percent carbon-free power to customers.

IID is the sixth largest electrical utility in California, serving more than 150,000 customers. The IID energy service territory covers 6,471 square miles, including all of Imperial County along with parts of Riverside and San Diego counties. According to the CEC Energy Consumption Database, approximately 3,733 GWh were consumed in IID's service area in 2022. IID provides residents and businesses in its service area with various assistance and renewable energy programs.

Due to the State's energy efficiency standards and efficiency and conservation programs, California's per capita electricity use had remained stable for more than 30 years, while the national average has steadily increased. The California Independent System Operator (ISO) governs the transmission of electricity from power plants to utilities.

Natural Gas

California accounts for less than 1 percent of total U.S. natural gas reserves and production. California imports 90 percent of its supply of natural gas. Natural gas from out-of-state production basins is delivered into California via the interstate natural gas pipeline system. As with crude oil, California's natural gas production has experienced a gradual decline since 1985. In 2019, about 37 percent of natural gas delivered to consumers went to the state's industrial sector, and about 28 percent was delivered to the electric power sector. Natural gas fueled more than two-fifths of the state's utility-scale electricity generation in 2019. The residential sector, where two-thirds of California households use natural gas for home heating, accounted for 22 percent of natural gas deliveries. The commercial sector received 12 percent of the deliveries to end users and the transportation sector consumed the remaining 1 percent.

According to the Energy Information Administration (EIA), California used approximately 200,871 million therms of natural gas in 2021 (the most recent year for which data is available). In 2021, the industrial sector consumed 33 percent of the State's natural gas, the electric power sector consumed 30 percent, the residential sector consumed 21 percent, the commercial sector consumed 11 percent, the

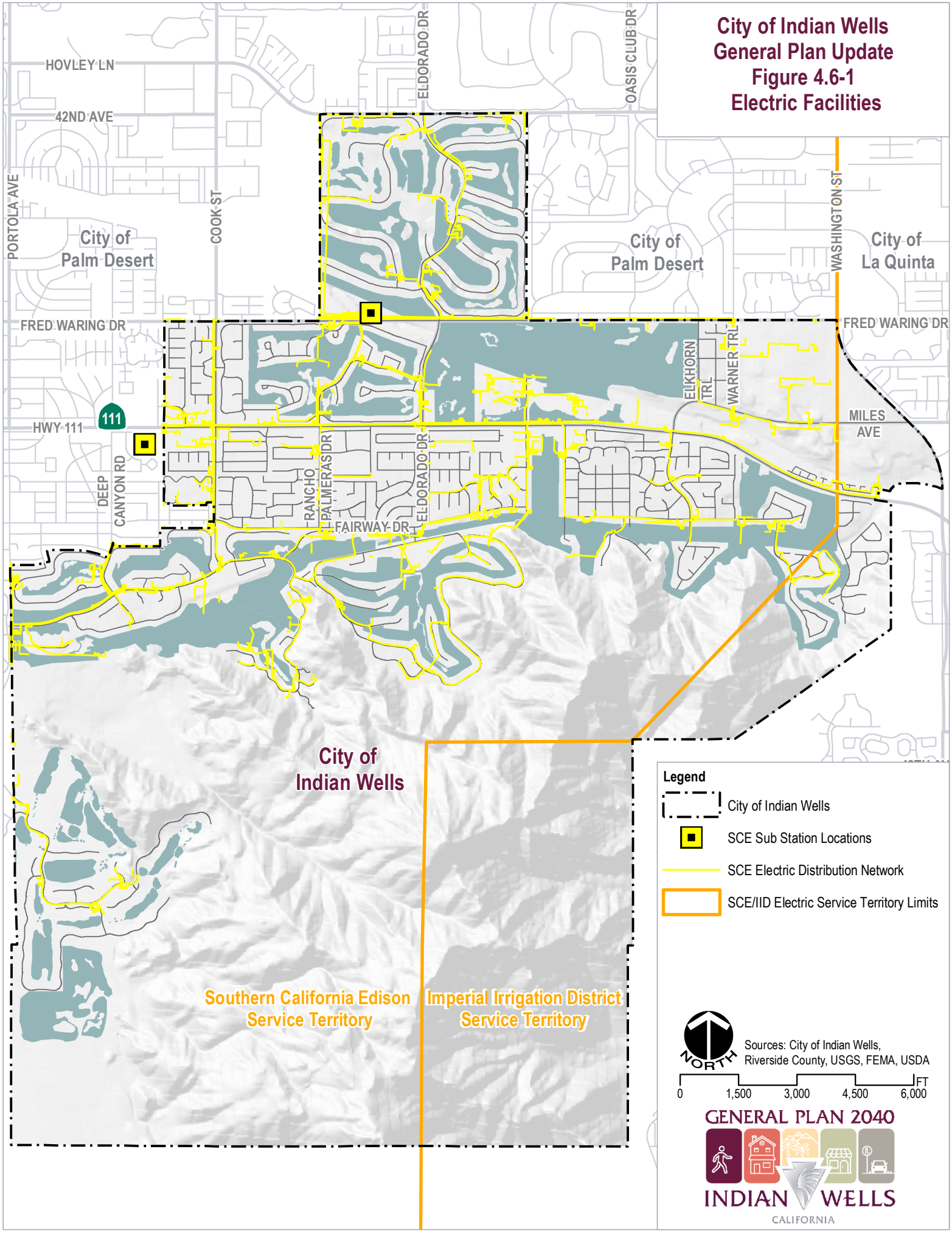
transportation sector consumed 1 percent, and the remaining 3 percent was utilized for operations, processing, and production of natural gas itself.

SoCalGas provides service to about 5.9 million customers. SoCalGas transports natural gas to the Coachella Valley through regional high-pressure lines. Limiting stations transfer the gas to supply lines with reduced pressure, which feeds local accounts. According to the CEC Gas Consumption Database, approximately 5,026.5 million therms was consumed in SoCalGas service area in 2022**.** High-pressure distribution lines are also located along Highway 111, Cook Street, Washington Street, and Country Club Road.

Petroleum

According to the CEC, transportation accounts for nearly 37 percent of California's total energy consumption. Petroleum-based fuels account for approximately 92 percent of California's transportation energy sources. Technological advances, market trends, consumer behavior, and government policies could result in significant changes to fuel consumption by type and total. Various policies, rules, and regulations have been enacted to improve vehicle fuel efficiency, promote the development and use of alternative fuels, reduce transportation-source air pollutants and Greenhouse Gas (GHG) emissions, and reduce vehicle miles traveled (VMT), at the federal and state levels. Technological advances have made use of other energy resources or alternative transportation modes increasingly feasible, as market forces have driven the price of petroleum products steadily upward.

Highway 111 is a regional route that serves the City of Indian Wells, and connects the City to the surrounding desert cities. Highway 111 extends from its juncture with Interstate-10 (I-10), several miles west of Palm Springs and southeast to Brawley, in the Imperial Valley. Other major transportation roadways within the City includes Fred Waring Drive, Cook Street, Washington Street, and Hovley Lane.


City of Indian Wells
General Plan Update
Figure 4.6-1
Electric Facilities
HOVLEY LN
42ND AVE
PORTOLA AVE
COOK ST
ELDORADO DR
OASIS CLUB DR
WASHINGTON ST
City of Palm Desert
City of Palm Desert
City of La Quinta
FRED WARING DR
FRED WARING DR
HWY 111
111
DEEP CANYON RD
RANCHO PALMERAS DR
ELDORADO DR
FAIRWAY DR
ELKHORN TRL
WARNER TRL
MILES AVE
City of Indian Wells
Southern California Edison Service Territory
Imperial Irrigation District Service Territory
Legend
City of Indian Wells
SCE Sub Station Locations
SCE Electric Distribution Network
SCE/IID Electric Service Territory Limits
NORTH
Sources: City of Indian Wells, Riverside County, USGS, FEMA, USDA
0
1,500
3,000
4,500
6,000
FT
GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

4.6.3 Regulatory Setting

Federal

Corporate Average Fuel Economy Standards

First established by the US Congress in 1975, the Corporate Average Fuel Economy (CAFE) Standards reduce energy consumption by increasing the fuel economy of passenger cars and light trucks. The National Highway Traffic Safety Administration (NHTSA) and the US Environmental Protection Agency (USEPA) jointly administer the CAFE standards. The US Congress has specified that CAFE standards must be set at the "maximum feasible level" with consideration given for: (1) technological feasibility; (2) economic practicality; (3) effect of other standards on fuel economy; and (4) need for the nation to conserve energy.

Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission (FERC) is an independent agency that regulates the transmission and sale of electricity, natural gas, and oil in interstate commerce, licensing of hydroelectric projects, and oversight of related environmental matters. The setting and enforcing of interstate transmission sales is also regulated by FERC.

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Federal Energy Policy and Conservation Act to serve the nation's energy demands and promote feasibly attainable conservation methods. This act established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards were approved for model year 2017 passenger cars and light trucks at 54.5 miles per gallon. Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

Intermodal Surface Transportation Efficiency Act of 1991

The Intermodal Surface Transportation Efficiency Acts of 1991 (ISTEA) promoted the development of intermodal transportation systems to maximize mobility, as well as address national and local interests in air quality and energy. ISTEA contained factors that metropolitan planning organizations were to address in development transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, metropolitan planning organizations adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

The Transportation Equity Act for the 21st Century

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds on the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of informed transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

Energy Policy Act of 2005

The Energy Policy Act of 2005 addresses energy production in the United States, including (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) tribal energy; (6) nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (8) hydrogen; (9) electricity; (10) energy tax incentives; (11) hydropower and geothermal energy; and (12) climate change technology. The act includes provisions such as increasing the amount of biofuel that must be mixed with gasoline sold in the United States and loan guarantees for entities that develop or use innovative technologies that avoid the by-production of greenhouse gases (GHGs).

Energy Independence and Security Act of 2007

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the EISA includes other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standard (Sections 301-325)
- Building energy Efficiency (Sections 411-441)

This federal legislation requires ever-increasing levels of renewable fuels to replace petroleum. The EPA is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel.

Additional provisions of the EISA addresses energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green” jobs.

State

California Code of Regulations Title 13, Section 2449(d)(3) and 2485

California Air Resources Board (CARB) is responsible for enforcing California Code of Regulations (CCR) Title 13 Sections 2449(d)(3) and 2485, which limit idling from both on-road and off-road diesel-powered equipment.

California's Energy Efficiency Standards for Residential and Nonresidential Buildings

Located in CCR Title 24, Part 6 and commonly referred to as "Title 24", these energy efficiency standards were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The goal of Title 24 energy standards is the reduction of energy use. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. In December 2018, the CEC adopted the 2022 Building and Energy Efficiency Standards with the effective date beginning January 1, 2023. Title 24 of the California Administrative Code sets efficiency standards for new construction, regulating energy consumed for heating, cooling, ventilation, water heating, and lighting. These building efficiency standards are enforced through the City's building permit process.

Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen). The CALGreen standard took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The 2022 CALGreen standards became effective on January 1, 2023. Part 11 establishes design and development methods that include environmentally responsible site selection, building design, building siting and development to protect, restore and enhance the environmental quality of the site and respect the integrity of adjacent properties.

Energy Action Plan II

The CEC, California Power Authority, and California Public Utilities Commission (CPUC) adopted an Energy Action Plan (EAP) to establish goals for California's energy future and a means to achieve these goals. EAP II supports and expands on the commitment of State agencies to cooperate and reflect on the energy actions since original EAP adoption. EAP II includes a coordinated implementation plan for state energy policies that have been articulated through Executive Orders, instructions to agencies, public positions, and appointees' statements; CEC's integrated Energy Policy Report; CPUC and CEC processes; agencies' policy forums; and legislative direction.

Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statues of 2002) requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the State's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources;

protect the environment; ensure reliable secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety (Public Resources Code Section 25301[a]). The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report.

The 2022 Integrated Energy Policy Report (IEPR) was adopted February 2023, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2022 IEPR introduces a new framework for embedding equity and environmental justice at the CEC and the California Energy Planning Library which allows for easier access to energy data and analytics for a wide range of users. Additionally, energy reliability, western electricity integration, gasoline cost factors and price spikes, the role of hydrogen in California's clean energy future, fossil gas transition and distributed energy resources are topics discussed within the 2022 IEPR.

State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

California Code of Regulations Title 13, Section 2449(d)(3) and 2485

The California Air Resources Board (CARB) is responsible for enforcing California Code of Regulations (CCR) Title 13 Sections 2449(d)(3) and 2485, which limit idling from both on-road and off-road diesel-powered equipment.

California's Energy Efficiency Standards for Residential and Nonresidential Buildings

Located in CCR Title 24, Part 6 and commonly referred to as "Title 24", these energy efficiency standards were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The goal of Title 24 energy standards is the reduction of energy use. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. In December 2018, the CEC adopted the 2022 Building and Energy Efficiency Standards with the effective date beginning January 1, 2023. Title 24 of the California Administrative Code sets efficiency standards for new construction, regulating energy consumed for heating, cooling, ventilation, water heating, and lighting. These building efficiency standards are enforced through the City's building permit process.

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Renewable Portfolio Standards

First established in 2002 under Senate Bill (SB) 1078, California's Renewable Portfolio Standards (RPS) requires retail sellers of electric services to increase procurement from eligible renewable resources to 33 percent of total retail sales by 2020.

State Vehicle Standards

The CARB Advanced Clean Cars program for passenger vehicles – cars and light trucks – serves to reduce petroleum consumption by increasing the operating efficiencies of vehicles and accelerating the penetration of plug-in hybrid and zero-emission vehicles in California. CARB has also adopted regulations that enhance the operating efficiencies of various types of construction equipment. While such regulations primarily are adopted to reduce air pollution, co-benefits in the form of reduced petroleum consumption are common.

Regional

Coachella Valley Association of Governments Desert Cities Energy Partnership

The Coachella Valley Association of Governments (CVAG) is a sub-regional organization within the Southern California Association of Governments (SCAG). CVAG operates as part of larger jurisdictional or regional teams within the Coachella Valley, made up of ten cities, Riverside County, and two Native American Indian tribes. CVAG initiated the Desert Cities Energy Partnership (DCEP) with SCE and SoCalGas through an Agreement effective January 2010. The First Amendment to the agreement between CVAG and the utilities to continue the partnership through December 31, 2014 was authorized by CVAG Executive Committee in December 2012. Since then, the Second through Fifth Amendments to the agreement extended DCEP each year and provided an authorized budget. The Fifth Amendment was approved to extend the program to December 2018, including a reduction in the SCE budget amount for the DCEP. SCE, SoCalGas, and the CPUC continue to evaluate the benefits as well as the future of these partnerships.

The goal of the DCEP is to help local governments effectively lead their communities to increase energy efficiency, reduce greenhouse gas emissions, protect air quality and ensure that their communities are more livable and sustainable. The partnership provides performance-based opportunities for the Coachella Valley jurisdictions to demonstrate energy efficiency leadership in our communities through energy saving activities.

Indian Wells Climate Action Plan

The City of Indian Wells adopted a Climate Action Plan (CAP) in 2013 consistent with both Assembly Bill (AB) 32, known as the Global Warming Solutions Act of 2006, and Senate Bill (SB) 32. The Climate Action Plan is a framework for the development and implementation of policies and programs that will reduce the City's emissions. It addresses the major sources of emissions in seven spheres of daily life: (1) residential, (2) business, (3) building, (4) transportation, (5) municipal, (6) hospitality/recreation, and (7) education. For each sphere, the Plan suggests a number of programs or policies that can be implemented by Indian Wells to meet its goals. The measures in the CAP are listed below.

Where We Live (Residential)
Residential PACE: Partner and aggressively promote Residential PACE Program to reach 25% of homes with property-secured funding for 100% of the cost of energy upgrades and renewable energy systems.
Pool Pumps: Promote high-efficiency, variable speed pool pumps to households at community fairs and retail outlets to achieve a minimum of 500 units.
Peak Demand Reduction: Partner with SCE to provide local promotion of the residential Summer Discount Program to cut peak demand in 10% of the housing stock.
On-Bill Finance/Repayment: Partner with SCE and SCG to locally promote on-bill financing/repayment for residential energy efficiency retrofits in 15% of housing stock.
Solid Waste Diversion: Increase solid waste diversion rate by 5% to 78.8% by 2015 potentially through use of tiered rate structure.
Drought Tolerant Landscaping: Promote and augment CVWD rebates for drought tolerant planting, turf replacement and buy-back.
Where We Work (Business)
Commercial Energy Audits: Promote energy audits for 500,000 square feet of commercial buildings and confirm replacement/upgrade schedule.
Commercial PACE Program: Partner and aggressively promote commercial PACE program to provide commercial property owners —from retail to resorts—with property-secured funding for 100% of the cost of energy efficiency upgrades/renewable energy installations.
Commercial On-Bill Financing/Repayment: Encourage On-Bill Financing/Repayment through SCE and SCG with green messaging and teamwork in the community.

Peak Demand Reduction: Collaborate with SCE and encourage 100 businesses to enroll in Energy Efficiency and Demand Response programs such as the Summer Discount Program.
Water Efficient Landscaping Ordinance: Build on and exceed current Water Efficient Landscaping Ordinance in the commercial sector by 20% by 2020.
Food Waste Composting at Restaurants: Increase restaurant composting program for food waste to reach all restaurants that serve more than 100 meals a day.
Car-Pooling and Mass Transit: Promote "Shared Vehicle at Work" programs to increase carpooling and mass transit by 20% with a "guaranteed-ride home".
How We Build (Building)
Green Building Program: Adopt the Voluntary Green Building Program to prepare for enhanced Title 24 requirements and green building standards.
Shade Trees: Promote properly sited and selected shade trees in 100% of new construction to reduce heat islands and provide shade to offset air conditioning.
Affordable Housing: Promote additional construction of energy-efficient affordable housing with private-sector partners.
How We Get Around (Transportation)
Electric Vehicles: Promote the lease and purchase of 250 electric vehicles in the community with recognition and preferential parking for participants.
"Golf Cars:" Provide special financing, leasing and bulk purchase of Golf Cars to the community to increase the community fleet by 250 new cars.
Bike, Walking, NEV "Parkway:" Support Parkway 1e11 as a Valley amenity and means to alternative forms of transportation and to promote health in Indian Wells.
Bus Route Maximization: Collaborate with Sun Line officials to reform routes to promote smaller buses with more routes and frequencies to increase ridership by 1,500 riders.
Van Pools: Partner and recognize all Indian Well's major employers with over 50 employees for van pools.
How We Govern (Municipal)
Sustainability Committee: Form and facilitate a "blue ribbon committee" for sustainability issues and management.
Desert Cities Energy Partnership: Continue to actively partner with serving utilities to fully utilize energy efficiency and demand response programs in municipal facilities.
Municipal Facility Efficiency Upgrades...Payback Threshold Policy: Establish energy policy within City's Energy Action Plan to invest in measures with less than a four-year, simple payback.
Municipal Facility Efficiency Upgrades: Complete 100% of remaining Energy Action Plan measures developed in EAP (2015-2020).

Efficient and Green New Construction: Establish policy that 100% of new municipal buildings and major remodels adhere to Voluntary Green Building Program standards and are minimum LEED Silver or equivalent.
Utility Manager Software: Maximize use of the Los Angeles County Energy Enterprise Management Information System (EEMIS) to manage municipal facilities.
Benchmarking: Abide by the Energy Benchmarking Policy to gauge relative energy use and efficiency of municipal facilities.
Retro Commissioning: Abide by the Retro-Commissioning (RCx) policy and guidelines for qualifying municipal buildings.
Public/Private Partnerships: Explore private- public partnerships for renewable energy installations and energy-efficiency upgrades on municipal facilities (performance-based contracts and power purchase agreements).
Solar Ready Ordinance: Develop and implement an ordinance requiring 100% of new homes be solar ready (PV).
Water Feature Efficiency: Update water feature ordinance to maintain amenities while increasing water and energy efficiency through time of use and seasonal timers.
Where We Visit and Play (Hospitality/Recreation)
Comprehensive Pool Efficiency: Promote comprehensive pool efficiency including variable speed pool pumps, covers, wind breaks, and solar heating for 1,000 pools.
Resort Management: Revise management contracts for resorts to include efficiency as a performance metric.
Neighborhood Electric Vehicles: Design and promote Neighborhood Electric Vehicle program to achieve minimum of 400 NEVs for Valley residents and visitors.
Irrigation System Controls: Promote the installation of irrigation control sensors at parks and golf courses.
Drought-Tolerant Landscaping: Promote reduced need for golf course irrigation through design and use of drought-tolerant plants.
How We Teach and Learn (Education)
Green Building Lectures and Continuing Education: Provide lectures, seminars and training on green building based on Voluntary Green Building Program guide and training materials emphasizing desert conditions and opportunities.
Workforce Development: Promote workforce development in partnership with College of the Desert, UCR, and CSUSB to achieve 500 "green careers" by 2020.

Indian Wells Municipal Code

The City's Municipal Code includes provisions that encourage the use of alternative transportation means that reduce the use of non-renewable energy and the use of energy efficient appliances and building design standards. The following list includes some of these provisions:

- Chapter 16.25 – *California Energy Code*: Adoption of t Title 24, Part 6, 2022 Edition and appendices thereof, as approved by the California Building Standards Commission, prescribing regulations governing the building envelope, space-conditioning system, water-heating systems, indoor lighting systems, outdoor lighting systems, and indoor and outdoor signs installations, construction, maintenance, alteration, and repair, are adopted by reference as the energy code of the City.
- Chapter 16.50 – *Transportation Demand Management Requirements for Specified New Development Projects*: intended to protect the public health, safety and welfare by reducing air pollution, traffic congestion and energy consumption attributable to vehicle trips and vehicle miles traveled.

4.6.4 Project Impact Analysis

Thresholds of Significance

The following thresholds or criteria are derived from Appendix G of the CEQA Guidelines and are used to determine the level of potential effect. The significance determination is based on the recommended criteria set forth in Section 15064 of the CEQA Guidelines. For analysis purposes, development of the GPU would have a significant effect on energy resources if the project will:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Methodology

The analysis in this section is derived from the project-specific California Emissions Estimator Model (CalEEMod) Version 2022.1.1 Modeling Data. CalEEMod is a Statewide land use emissions computer model designed to provide a uniform platform to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from land use projects. Fuel consumption by construction equipment was calculated based on the equipment mix and usage factors provided in the CalEEMod construction output files. Fuel consumption from construction worker and vendor trucks was calculated using the trip rates and distances provided in the CalEEMod construction output files. Total VMT were then calculated for each type of construction-related trip and divided by the corresponding miles per gallon factor using the USEPA's Greenhouse Gas Equivalency Calculator.

Annual Consumption of electricity and natural gas was calculated using demand factors provided in CalEEMod also included in **Section 4.8, *Greenhouse Gas Emissions*** of this PDEIR. Daily Trip Generation used in this analysis was also based on the inputs from CalEEMod, which calculated the annual VMT. Based on the annual VMT, gasoline and diesel consumption rates were calculated for operations.

Construction of the proposed GPU is anticipated to occur in 2025 through 2029, as a conservative estimate based on the most feasible and shortest time frame for buildout of the remaining developable areas in the City. Construction emissions resulting from project implementation account for the demolition, site preparation, grading, building construction, paving, and architectural coating (painting) stages in order to construct the new land uses associated with the General Plan Update. The CalEEMod calculations reflect land use changes to APNs 633-150-077 and 633-150-071, which would change from the Golf and Recreation land use to the Resort Commercial land use; and APNs 633-310-035 and 633-410-051, which would change from Community Commercial land use to Resort Commercial land use. The 'Health Club' land use type within CalEEMod was determined to be the best proxy land use within CalEEMod for this land use type; additionally, the amount of building square footages analyzed was estimated by CalEEMod, based on the total lot acreages associated with these APNs, since actual building square footages are not known at the current time. For analysis purposes, all project components have been analyzed concurrently over a single period, as this buildout scenario represents the worst-case scenario conditions compared to a phased implementation. This is also conservative because it assumes buildout would occur by 2029, sixteen years before the buildout year for the GPU of 2045, since construction vehicles would because more efficient over time.

Project Impacts

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation

Electricity and natural gas are provided to the project property by Southern California Edison (SCE) and Imperial Irrigation District (IID), and the Southern California Gas Company (The Gas Company or SoCalGas). SCE/IID and SoCalGas would continue to serve the City of Indian Wells. Energy resources, including electricity, natural gas and mobility-related petroleum, further discussed in this section.

The General Plan Update proposes buildout of the City of Indian Wells, with a horizon year of 2045. Buildout of the GPU includes residential, commercial, and resort uses (see **Chapter 3.0, *Project Description***). The amount of energy used in the Planning Area at buildout would directly correlate to the type and size of development, the energy consumption associated with unit appliances, outdoor lighting, and energy use associated with other buildings and activities. Other major sources of Planning Area energy consumption include fuel used by vehicle trips generated during construction and operational activities, and fuel used by off-road construction vehicles during construction. The following discussion

provides calculated levels of energy use expected for the GPU, based on commonly used modelling software (CalEEMod V2022.1.1 and the California Air Resource Board's EMFAC2017). The following analysis provides an estimate of energy consumption in the Planning Area in buildout year 2045.

Transportation Energy

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

Heavy-duty construction equipment of various types would be used during each phase of construction. CalEEMod was used to estimate construction equipment usage. Fuel consumption from construction equipment was estimated by converting the total CO_2 emissions from each construction phase (i.e., demolition, site preparation, grading, building construction, paving, and architectural coating) to gallons using the conversion factors shown in the tables provided.

Table 4.6-1, *Construction Worker Gasoline Demand*, illustrates the estimated demand of gasoline for construction worker trips for the various construction phases. The number of worker trips was automatically estimated within CalEEMod, based on the lot acreages associated with these APNs, and other project characteristics. Construction worker demand would result in a total demand of 38,148.3 gallons of gasoline.

Table 4.6-1 Construction Worker Gasoline Demand

Const. Phase	Days	Trips	Miles	VMT	KgCO2e	Kg/CO2/ Gallon	Gallons
Demolition	50	15	18.5	13,875	4660	8.89*	524.2
Site Prep.	30	17.5	18.5	9,712.5	3260	8.89	366.7
Grading	75	20	18.5	27,750	9310	8.89	1,047
Building Const.	740	139	18.5	1,902,910	316400	8.89	35,590.6
Paving	55	15	18.5	15,262.5	4820	8.89	542.2
Arch. Coating	55	27.7	18.5	28,184.75	690	8.89	77.6
Total Construction Worker Gasoline Demand							**38,148.3**

*https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references
https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator

Table 4.6-2, *Construction Vendor Diesel Demand*, illustrates the demand of diesel fuel for construction vendor trips. These trips are associated with the delivery of construction materials during the construction phase. Construction vendors are estimated to consume 56,620.8 gallons of diesel fuel during construction.

Table 4.6-2 Construction Vendor Diesel Demand

Const. Phase	Days	Trips	Miles	VMT	KgCO2e	Kg/CO2/ Gallon	Gallons
Demolition	50	0	0	0	0	10.18*	0
Site Prep.	30	0	0	0	0	10.18	0
Grading	75	0	0	0	0	10.18	0
Building Const.	740	54.1	10.2	408,346.8	576,400	10.18	56,620.8
Paving	55	0	0	0	0	10.18	0
Arch. Coating	55	0	0	0	0	10.18	0
Total Construction Vendor Diesel Demand							**56,620.8**

*https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references
https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator

Table 4.6-3, *Construction Hauling Diesel Demand,* illustrates the demand of diesel fuel for construction hauling trips to and from the site (i.e., the lots associated with APNs 633-150-077, 633-150-071, 633-310-035 and 633-410-051) during demolition of portions of the site. The demolition phase was assumed to include demolition of an estimated total of 25,000 total square feet of existing building area, based on an analysis of the total existing building area located within these APNs. Construction hauling demand during demolition equals a total of 916.5 gallons of diesel fuel.

Table 4.6-3 Construction Hauling Diesel Demand

Const. Phase	Days	Trips	Miles	VMT	KgCO2e	Kg/CO2/ Gallon	Gallons
Demolition	50	5.76	20	5,750	9,330	10.18	916.5
Site Prep.	30	0	0	0	0	10.18	0
Grading	75	0	0	0	0	10.18	0
Building Const.	740	0	0	0	0	10.18	0
Paving	55	0	0	0	0	10.18	0
Arch. Coating	55	0	0	0	0	10.18	0
Total Construction Hauling Diesel Demand							**916.5**

https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references
https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator

Table 4.6-4, *Construction Equipment Diesel Demand*, displays the demand of diesel fuel for constriction vehicles on-site during the various construction phases. Construction equipment diesel demand is expected to 119,917.6 gallons of diesel fuel.

Table 4.6-4 Construction Equipment Diesel Demand

Const. Phase	Days	Equipment Units	KgCO2e	Kg/CO2/ Gallon	Gallons
Demolition	50	6	77,900	10.18	7,652.3
Site Prep.	30	7	72,300	10.18	7,102.2
Grading	75	8	225,000	10.18	22,102.2
Building Const.	740	9	807,500	10.18	79,322.2
Paving	55	6	37,800	10.18	3,713.2
Arch. Coating	55	1	260	10.18	25.5
Total Construction Equipment Diesel Demand					**119,917.6**

https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references
https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator

As stated throughout, the City of Indian Wells is largely developed. Buildout of the lots that would be converted to the Resort Commercial Land Use under the GPU, as explained above, would involve the development of 44.57 acres (representing an estimated total building square footage of approximately 330,000 square feet) for Resort Commercial land uses. This reflects the total acreages associated with APNs 633-150-077, 633-150-071, 633-310-035 and 633-410-051, which were modeled within CalEEMod.

This total development is estimated to consume approximately 38,148.3 gallons of gasoline and 177,454.9 gallons of diesel fuel during project construction. In total, buildout of these lots would consume a total of 215,603.2 gallons of petroleum. In the event construction activities are extended over a longer period of time, it is possible that more gasoline would be used for workers traveling to and from the site, but any such increase would be relatively minor, and would not change any of the impact determinations stated in this section. Petroleum use is also necessary to operate construction equipment. The US EPA implements a Tier 4 program in order to reduce the impacts of motor vehicles emissions on air quality and public health. These vehicle emissions standards reduce both tailpipe and evaporative emissions from passenger cars, light-duty trucks, medium duty passenger vehicles, and some heavy-duty vehicles. Future projects will be required to operate off-road diesel construction equipment rated at 50 horsepower (hp) or greater in compliance with EPA/CARB Tier 4 off-road emissions standards or equivalent, during all construction activities. The use of Tier 4 engines or higher during construction would assist in reducing construction-related emissions within the Planning Area. The GPU will not conflict or obstruct the EPA/CARB Tier 4 emissions standards. Additionally, energy used during construction of the project would be limited to the construction period and would not involve long-term petroleum use. As such, energy consumption during construction activities would not be considered excessive, inefficient or unnecessary.

As noted above, there are no unusual land use characteristics or construction processes that would require the use of equipment that would be more energy intensive than what is used for comparable activities or use of equipment that would not conform to current emissions standards (and related fuel efficiencies). Thus, construction of the GPU would not consume petroleum in a wasteful or inefficient manner.

Operation of the GPU would generate vehicle trips during its operational phase. Based on the *Transportation Analysis* prepared for the project (**Appendix F**), total VMT associated with the City of Indian Wells as a result of implementation of the GPU (in addition to existing development) could generate up to 542,972 VMT per day; however, the GPU itself does not propose any specific development. In order to calculate operational on-road vehicle energy use and emissions, default trip lengths generated by CalEEMod were used, which are based on the Planning Area location and urbanization level parameters (i.e., Riverside County). These values are provided by the individual districts or use a default average for the State, depending on the location of a project.

The consumption and use of petroleum-based fuels related to vehicular travel is anticipated during operation of the GPU. Operation of the GPU would add approximately 579,783 vehicle miles traveled daily. As shown in **Table 4.6-5, *Operational Annual Petroleum***, it was calculated that on-road vehicle energy usage in the Planning Area at buildout year 2045 would be approximately 1,126,231.7 gallons of gasoline per year, and 79,744.6 gallons of diesel per year, for a total of 1,205,976.3 gallons of petroleum per year.

Table 4.6-5 Operational Annual Petroleum

Fuel Type	Daily VMT	CO2e	Kg/CO2/Gallon	Gallons
Gasoline	502,249.1	10,012.2	8.89	1,126,231.7
Diesel	40,722.9	811.8	10.18	79,744.6
			Total Annual Petroleum	**1,205,976.3**

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

Although the GPU would result in an increase in petroleum use during operation compared to the existing conditions, the project-specific petroleum use would be expected to diminish over time as fuel efficiency improves, including the use of zero-emission and low-emission vehicle use (GPU *Policy RM-9.2* and *Action RM-9b*). The GPU also provides policies that promote multiple modes of transportation and safety for multi-modal transportation in *Policies M-1.9, M-2.1, M-2.2, M-2.5, M-2.6, M-2.7, M-2.8,* and *M-2.9*, and the thoughtful connectivity between land uses to reduce vehicle miles traveled and subsequently petroleum consumed in *Policies M-2.3* and *M-2.4*, and *Action M-1e* and *M-1f.* Therefore, petroleum use on the project area would not contribute to substantial or excessive consumption.

Electricity and Natural Gas

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

Natural gas will not likely be used during construction of the GPU. Fuels used for construction would primarily consist of petroleum distillates, including diesel and gasoline fuels, which are discussed above.

No adverse effects to nonrenewable energy resources are anticipated with the operation of the proposed GPU. As shown in **Table 4.6-7, *GPU Operational Electricity and Natural Gas Usage***, the GPU's new energy demand would be approximately 3,157,794 kWh of electricity per year, 14,173,607 thousand British thermal units, and (kBTU) of natural gas per year.

Table 4.6-7 GPU Operational Electricity and Natural Gas Usage

Source	Units	GPU Buildout
Electricity Total	kWh/yr	3,157,794
Natural Gas Total	kBTU/yr	14,173,607

Notes: kWh/year = thousand kilowatt-hours per year; kBTU/yr = thousand British Thermal Units per year. Electricity and Natural Gas for the project is total operational usage.

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

Conclusion

Necessity, Efficiency and Wastefulness:

The consumption of diesel, gasoline, and electric fuels in construction-related off-road equipment and vehicle trips are necessary to achieve buildout of the proposed GPU, which would ensure long-term

economic benefits and stability for the City, adding employment-generating land uses that would create new jobs for the City, and providing development that results in a connected, complete place with housing and commercial uses.

The proposed GPU establishes land use and development regulations that provide balanced and sustainable residential and non-residential development, based on the unique characteristics of the Planning Area, and given its infrastructure, public service, and utility needs, to ensure the comprehensive and coordinated planning of the GPU's land uses. The GPU, therefore, would result in the orderly and efficient development of the Planning Area pursuant to applicable Municipal Code and policy requirements. The use of energy resources to develop the Planning Area would not be inefficient.

The proposed GPU policies and actions discussed herein promotes efficient buildings (*Policies RM-10.1, RM-10.3, RM-10.4,* and *RM-10.5*), energy conservation (*Policies RM-10.2,* and *RM-10.6*), renewable energy (*Policies RM-10.7, RM-10.8,* and *RM-10.9*), and multi-modal transportation (*Policies M-2.1* through *M-2.9,* and *RM-9.2*). The proposed GPU's energy consumption would be necessary and occur in an efficient manner. Energy conservation policies ensure that the GPU would not result in wasteful use of energy.

This would be a less than significant impact.

General Plan Policies and Actions

Policies

RM-10.1 **Green Building Standards Code.** Ensure that new construction and major redevelopment complies with the most current version of the California Green Building Standards Code.

RM-10.2 **Energy Conservation**. Promote energy conservation by residents and businesses in existing structures, in close coordination with other agencies and local energy providers, including Southern California Edison and Southern California Gas Company.

RM-10.3 **Energy Efficient Design**. Encourage energy efficient design including site planning techniques, building orientation, and building methods that reduce energy use, conserve non-renewable energy and materials, and promote water efficient landscaping to support energy conservation.

RM-10.4 **Conditions of Approval**. Require all new development projects obtaining discretionary action by the City to comply with energy related conditions of approval.

RM-10.5 **Retrofitting**. Encourage energy-efficient retrofitting of existing buildings, including homes, throughout the City.

RM-10.6 **Public Education.** Improve public dissemination of information for possible energy conservation solutions.

RM-10.7 **Renewable Energy.** Encourage the use of renewable energy and non-traditional energy sources such as wind, hydrologic, and solar to reduce dependence on traditional energy sources.

RM-10.8 **Solar Design.** Encourage the use of active or passive solar design whenever feasible.

RM-10.9 **Solar Access.** Continue to protect solar access in accordance with the Solar Rights Act.

RM-10.10 **Multi-Jurisdictional Efforts**. Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.

RM-10.11 **Municipal Buildings and Vehicles**. Continue efforts to reduce dependency on fossil fuels in all municipal buildings and vehicles.

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

M-1.9 **Safe Routes to School.** Work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School.

M-2.1 **Multi-Modal Streets.** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities.

M-2.2 **Alternative Modes.** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.

M-2.3 **Connectivity.** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.

M-2.4 **New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.

M-2.5 **Citywide Bicycle Plan.** Implement construction of the bike network system by requiring new development to provide bike lanes on public roads and update the plan as needed.

M-2.6 **Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.

M-2.7 **CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.

M-2.8 **Bus Stops.** Work with SunLine and other providers to improve bus stop amenities.

M-2.9 **Rail and Air Travel.** Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.

Actions

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

RM-10b Provide the public with current information on energy grants, incentives and energy conservation programs.

RM-10c Implement the Home Energy Assistance Link (HEAL) program, a monetary incentive program, that assists Indian Wells residents purchase energy and water efficient appliances.

RM-10d Develop a green building resource guide that will encourage the following:

- Reduction or elimination of toxic and harmful substances within buildings and their surrounding environments.
- Selection of materials and products based on their life-cycle environmental impacts and use of materials and products with recycled content.

RM-10e Audit existing City facilities and operations to identify energy efficiency improvements and seek grant funding to implement these improvements.

RM-10f Investigate incorporating sustainable materials and construction elements into the Capital Improvement Program.

RM-10g Continue the City's program for recycling green waste from City maintained landscape areas and the Golf Resort into mulch for use as ground cover.

RM-10h Utilize LED light fixtures and motion detectors at City Hall to reduce the demand on electrical power.

RM-10i Pursue Leadership in Energy and Environmental Design (LEED) certification for future construction of affordable housing at City Housing Authority properties.

RM-10j Incorporate into City codes, when feasible, planning and building standards which minimize consumption of non-renewable resources, such as natural gas and fossil fuels.

RM-10k Permit the use of solar panels to maximize energy efficiency provided the panels are in accordance with the City's/State's design guidelines contained in the Zoning Code and establish a program to waive permit fees for solar installation.

RM-10l Explore cooperative efforts with other jurisdictions and entities related to renewable energy and distributed generation systems.

RM-10m Coordinate with Coachella Valley Association of Governments (CVAG) to hold workshops on the use of renewable energy and the local development associated industries in the Coachella Valley.

M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.

M-1f Consider streetscape improvements such as landscaping, sidewalks, paths, lighting, and other pedestrian-oriented features in the City.

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

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

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

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

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

In addition, the mix of land uses, and the various forms of multi-modal transportation (i.e., bus, bicycle, pedestrian, golf cart) would contribute to reduced VMT and the efficient use of mobile source energy resources, to reduce petroleum fuel consumption (*Policies M-2.1* through *M-2.9,* and *RM-9.2*).

Senate Bill 100

Senate Bill 100 (De Leon, 2018), the 100 Percent Clean Energy Act of 2018, requires California's renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers, and 100 percent of electricity procured to serve state agencies, by 2045. Energy providers are working to integrate new clean energy technologies to meet the State's 2045 deadline. The proposed GPU policies and actions discussed herein promotes efficient buildings (*Policies RM-10.1, RM-10.3, RM-10.4,* and *RM-10.5*), energy conservation (*Policies RM-10.2,* and *RM-10.6*), renewable energy (*Policies RM-10.7, RM-10.8,* and *RM-10.9*), and multi-modal transportation (*Policies M-2.1* through *M-2.9,* and *RM-9.2*). The listed policies will assist in achieving the State's 2045 goal.

Title 24

Title 24's Building Energy Efficiency Standards are designed to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings. Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen), which instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. Title 24 establishes new multi-family (including hotels and motels) building envelope (e.g., roof deck and ceiling insulation, roof solar reflectance, window insulation and glazing, window heat gain, etc.), building systems (e.g., space and water heating), lighting, and solar requirements. The GPU will be required to meet the standards of Title 24, as required in GPU *Policy RM-10.1, RM-10.3, RM-10.8,* and *RM-10.9*.

Indian Wells Climate Action Plan

The City of Indian Wells's Climate Action Plan (CAP) also outlines measures to reduce energy consumed by existing and future developments within the City. The CAP details strategies and actions in seven sectors (residential, business, building, transportation, municipal, hospitality/recreation, and education) to achieve the greenhouse gas emissions reduction goal. Although the City's CAP was adopted in 2013,

some of the measures remain applicable to City's goal to reduce greenhouse gas emissions, including those related to solid waste diversion, drought-tolerant and efficient landscaping, energy efficient construction and buildings, and alternative transportation systems. GPU *Policies RM-7-1* through *RM-7.7* are consistent with solid waste diversion in compliance with local, regional and State regulations (see **Section 4.17, *Utilities and Service Systems***). See *Policies RM-6.4* and *RM-6.6*. GPU *Policies RM-6.4* and *RM-6.6* promotes the incorporation of water-wise native landscaping or alternative water saving materials wherever feasible in the City and encourages the use of reclaimed water for landscaping and irrigation needs in an effort to reduce water and energy consumption and remain energy efficient. GPU *Policy RM-7.7* encourages the recycling/composting of all City organic materials including landscape and food waste materials. As discussed above, the GPU will be required to meet the standards of Title 24, as required in GPU *Policy RM-10.1, RM-10.3, RM-10.8,* and *RM-10.9*. The GPU encourages the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by providing sufficient and convenient infrastructure and parking facilities to accommodate these vehicles in *Policy RM-9.2.* As stated above, GPU *Policies M-2.1* through *M-2.9* promote multiple forms of transportation throughout the City including bicycle, pedestrian, low speed vehicles, and public transit. Specifically, working with SunLine and other providers to improve bus stop amenities. With the foregoing, the GPU is consistent with and would not obstruct implementation of the applicable strategies and actions contained in the City's CAP.

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

General Plan Policies and Actions

See policies and actions listed in threshold discussion a. (above).

4.6.5 Cumulative Impacts

As future development projects are received and reviewed by the City in subsequent years, those projects will be reviewed for consistency with the GPU and all relevant State-level programs and requirements. All future projects must implement the most current version of the Title 24 energy efficiency requirements, as required by State law. Consistency with the GPU and other mandatory State-level programs would ensure that future project-level contributions to inefficient, wasteful, or unnecessary energy use would be less than significant. Moreover, as identified above, buildout of the GPU would not be expected cause an inefficient, wasteful, or unnecessary use of energy resources nor conflict with or obstruct a State or local plan for renewable energy or energy efficiency. As a result, the proposed GPU's incremental contribution to cumulative greenhouse gas, climate change, and energy impacts would be less than cumulatively considerable.

4.6.6 Mitigation Measures

No mitigation measures are necessary because all potential impacts would be less than significant. To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to energy resources. Moreover, federal, State, and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.6.7 Level of Significance After Mitigation

Compliance with existing State, regional, and City regulations, plans, and actions, in addition to the incorporation of the use of energy efficient building materials and design features, would ensure that project impacts related to energy resources would be less than significant. Additionally, submittal, review, and approval of plans through the City and relevant energy providers would ensure future energy demands would be manageable. Therefore, less than significant impacts related to energy resources are expected with the implementation of the GPU.

4.6.8 Resources

1. California Energy Demand 2018-2030 Revised Forecast, California Energy Commission, Demand Analysis Office, February 2018.
2. Carbon Neutrality by 2045, Governor's Office of Planning and Research, https://opr.ca.gov/climate/carbon-neutrality.html#:~:text=SB%20100%20(De%20Leon%2C%202018,serve%20state%20agencies%2C%20by%202045.
3. Corporate Average Fuel Economy, National Highway Traffic Safety Administration, available at https://www.nhtsa.gov/laws-regulations/corporate-average-fuel-economy
4. Electricity Consumption by Planning Area, California Energy Commission, California Energy Consumption Database, http://www.ecdms.energy.ca.gov/elecbyplan.aspx
5. Greenhouse Gas Equivalencies Calculator – Calculations and References, Environmental Protection Agency, available at https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references
6. Natural Gas and California, California Public Utilities Commission, available at https://www.cpuc.ca.gov/natural_gas/

4.7 Geology and Soils

4.7.1 Introduction

This section of the Indian Wells GPU PDEIR describes the current conditions of the Planning Area relative to geology and soils, including paleontological resources. This section also analyzes the potential impacts from geologic conditions and the impacts to possible paleontological resources within the City from the implementation of the GPU. This section is organized with an existing setting, regulatory setting, and impact analysis. Descriptions and analysis in this section is based on information sourced from City documents, United States Geological Survey (USGS) La Quinta 7.5-minute Quadrangle Topographic Map, USGS Landslide Inventory and Interactive Map, Sustainable Groundwater Management Act (SGMA) Data Viewer Application, California Department of Conservation Earthquake Zone Application, *2020 Coachella Valley Regional Urban Water Management Plan*, and the *Cultural and Paleontological Resource Study for the General Plan Update, City of Indian Wells, Riverside County* in January 2021, by DUKE Cultural Resources Management (Duke CRM).

4.7.2 Existing Conditions

Regional

The City of Indian Wells is located in the Coachella Valley, Riverside County, the westernmost extension of the Colorado Sonoran Desert, which lies south of the Mojave Desert in Imperial, Riverside, and San Diego Counties. The Coachella Valley is part of the Colorado Desert Geomorphic Province (CDGP) and the Salton Trough, a large northwest-trending structural basin extending about 180 miles from the San Gorgonio Pass to the Gulf of California. This basin, including the below-sea-level Salton Sea, has been gradually filling with sediment from local mountain ranges, the Colorado River, and incursions from the Gulf of California since at least the late Miocene Epoch. Sediments in the Salton Trough, including alluvium and colluvium, are estimated to be two to five miles thick.

The Colorado Sonoran Desert is bordered by the Peninsular Range and the Pacific Coastal Plain to the west and the Colorado River to the east. The Peninsular Ranges province features northwest-trending mountain ranges and valleys shaped by faults related to the San Andreas Fault. The Coachella Valley is bordered to the north and east by the Little San Bernardino, Cottonwood, and Orocopia Mountains, and to the south and west by the Santa Rosa and San Jacinto Mountains. Portions of the Santa Rosa Mountain Range extend into the southern part of the City. The closest faults to the City include the San Andreas and San Jacinto Faults (discussed further in the *Seismic Hazards* subsection below).

The Coachella Valley experiences a semi-arid climate with seasonal temperature extremes and distinctive wind patterns. The surrounding mountains, which reach elevations of 6,000 to 10,000 feet,

create a rain shadow effect, resulting in minimal precipitation on the eastern slopes and valley floor. The annual average rainfall is 3.2 inches, mostly during winter, though occasional summer tropical storms from the Gulf of Mexico can cause flash floods. Runoff from seasonal streams in the washes sinks quickly into the alluvial fans at the mouths of canyons.

Topography

The City of Indian Wells encompasses approximately 14.6 square-miles within the Coachella Valley. The United States Geological Survey (USGS) La Quinta 7.5-minute Quadrangle Topographic Map records the existing elevations within the City, detailing a high of 2,200 feet in the southern portion of the City within the Santa Rosa Mountains, and a low of 120 feet near the center of the City along the Coachella Valley Stormwater Channel. The developed portion of the City is found primarily on the valley floor and gently sloping alluvium.

The City is designed to drain stormwater generated throughout the City to the existing Deep Canyon Stormwater Channel (DCSC) and the Coachella Valley Stormwater Channel (CVSC). The DCSC runs alongside the base of the mountains, ultimately directing flows towards the CVSC. The CVSC is a 50-mile storm channel that runs from the Whitewater area north of Palm Springs to the Salton Sea, crossing through the City's northeaster portion along the way.

Paleontological Resources

Paleontological resources represent the remains of prehistoric life, excluding human remains, and include the localities where fossils are found as well as the sedimentary rock formations in which they are discovered. Fossils are generally defined by their geologic age, typically older than 12,000 years, marking the boundary between the late Pleistocene (circa 2.6 million to 12,000 years B.P.) and the current Holocene epoch (circa 12,000 years B.P. to the present). In the Coachella Valley, fossils are often discovered within lacustrine sediments linked to ancient Lake Cahuilla, whose shoreline reached the 42-foot elevation contour during its last high stand in the late 17th century.

Common fossil remains in the region include marine shells, bones and teeth of fish, amphibians, reptiles, and mammals, as well as leaf assemblages and petrified wood. Fossil traces, such as internal and external molds or casts, are also found. These resources serve as critical indicators of the age of the rock formations in which they are found and may help determine the timing of geologic events and the relationships between different rock deposits. They also provide valuable data about evolutionary processes, environmental conditions, and biological communities.

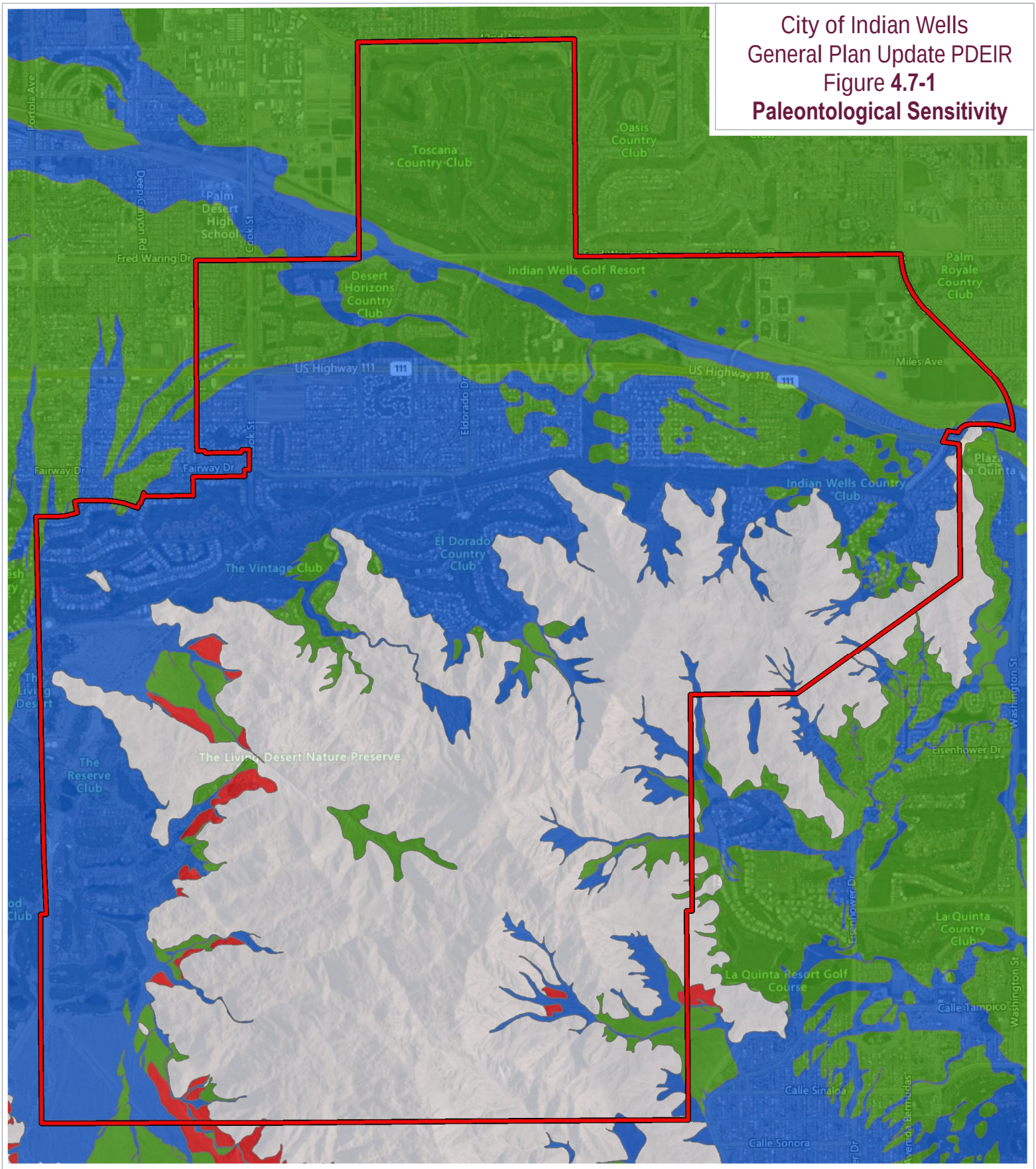
Fossil resources are typically found in sedimentary rock formations like sandstone, siltstone, mudstone, claystone, or shale. Vertebrate fossils are considered nonrenewable due to their rarity. Fossils can occasionally be exposed through natural erosion or human activities, but they are often buried beneath surface soils. The absence of fossils on the surface does not rule out the possibility of their presence in subsurface deposits, and surface fossils often indicate that more may lie below.

Paleontological resources are considered scientifically significant if they meet certain criteria, including providing information about evolutionary relationships, aiding in the dating of rock units, contributing to the understanding of biological communities, or showcasing unusual historical life circumstances. Additionally, they may be of importance if they are rare or at risk of depletion through natural or human factors.

These resources are typically found in older soils that have accumulated in the valley over millions of years. Paleontological surveys and record searches are typically conducted to identify fossil localities within specific areas and determine their potential significance.

Figure 4.7-1, *City of Indian Wells Paleontological Sensitivity*, depicts what areas of the City are expected to have either no paleontological sensitivity, low sensitivity, high sensitivity at depth, or high sensitivity at the surface.

City of Indian Wells
General Plan Update PDEIR
Figure **4.7-1**
Paleontological Sensitivity



High sensitivity at the surface
High sensitivity at depth
Low sensitivity
No sensitivity
Project Area

Source: Cultural and Paleontological Resource Study for the General Plan Update, City of Indian Wells, Riverside County, DUKE Cultural Resources Management, January 2021

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Paleontological Sensitivity in Geologic Units

The City of Indian Wells is underlain by a range of geologic units, each with varying degrees of paleontological sensitivity. These geologic formations represent the deposition of sediments over millions of years, influenced by the environmental conditions of the Pleistocene and Holocene epochs. The paleontological potential of these units is determined by their age, depositional environment, and the presence of fossils, which provide valuable insights into the region's prehistoric ecosystems and climatic history.

Geologic units within the City range from middle to late Pleistocene old alluvial deposits to late Holocene alluvial fan and wash deposits. These deposits include sediments carried by rivers, streams, and wind, with their composition varying from unconsolidated sands to slightly consolidated gravels and boulders.

This section provides an overview of the geologic units within the City, detailing their composition, depositional characteristics, and associated paleontological significance. **Figure 4.7-2, *City of Indian Wells Geologic Units,*** depicts the geologic units found within the City. Additionally, the geologic units found within the City are described below.

Old alluvial valley deposits (Qoa) (middle to late Pleistocene)

Old alluvial valley deposits are composed of slightly to moderately consolidated silt to boulder deposits issued from confined valleys or canyons in the southeastern corner of the City.

Old alluvial fan deposits (Qof) (middle to late Pleistocene)

Old alluvial fan deposits are composed of slightly to moderately consolidated clay to gravel deposited along stream valleys and floodplains of large rivers associated with the Chino Canyon Fan. These deposits are found in the foothills of the highlands in the southwestern portion of the City.

The climate of Southern California during the Pleistocene was cooler and moister than the modern Mediterranean climate. In contrast to the harsh, cold conditions in high latitudes near the ice sheets, Southern California experienced a relatively milder climate during this time. During this time, the area was inhabited by the familiar Pleistocene or “Ice Age” fauna, such as mammoth, mastodons, horses, camelids, and ground sloths. Towards the end of the Pleistocene, the Colorado River delta would have started to form a “dam” between the Salton Trough and the Gulf of California, initiating the first iterations of the Lake Cahuilla when the river meandered west and infilled the trough.

Young eolian and dune deposits (Qye) (late Pleistocene to Holocene)

Young eolian and dune deposits are composed of unconsolidated to slightly consolidated wind-blown sands and are found in the northeastern portion of the City.

Young alluvial valley deposits (Qya) (late Pleistocene to Holocene)

Young alluvial valley deposits are composed of unconsolidated to slightly consolidated, clay to gravel along stream valleys and alluvial flats of larger rivers. These deposits are found in the northwest corner of the Project, and in an isolated location within the San Jacinto Mountains to the south.

Young alluvial fan deposits (Qyf) (late Pleistocene to Holocene)

Young alluvial fan deposits are composed of unconsolidated to slightly consolidated, silt to boulders issued from confined valleys or canyons. In the Project area, these are commonly isolated deposits within the Chino Canyon Fan. As stated above, these deposits are found in the foothills of the highlands in the southwestern portion of the City.

Eolian and dune deposits (Qe) (late Holocene)

Eolian and dune deposits are composed of unconsolidated, well-sorted wind-blown sand, occasionally forming dunes or sheet sands. These deposits are found in one location in the northeast portion of the City.

Alluvial wash deposits (Qw) (late Holocene)

Alluvial wash deposits are composed of unconsolidated silt, sand, and gravel deposited in recent active streams and rivers, and cover a significant portion of the western and northern areas of the City.

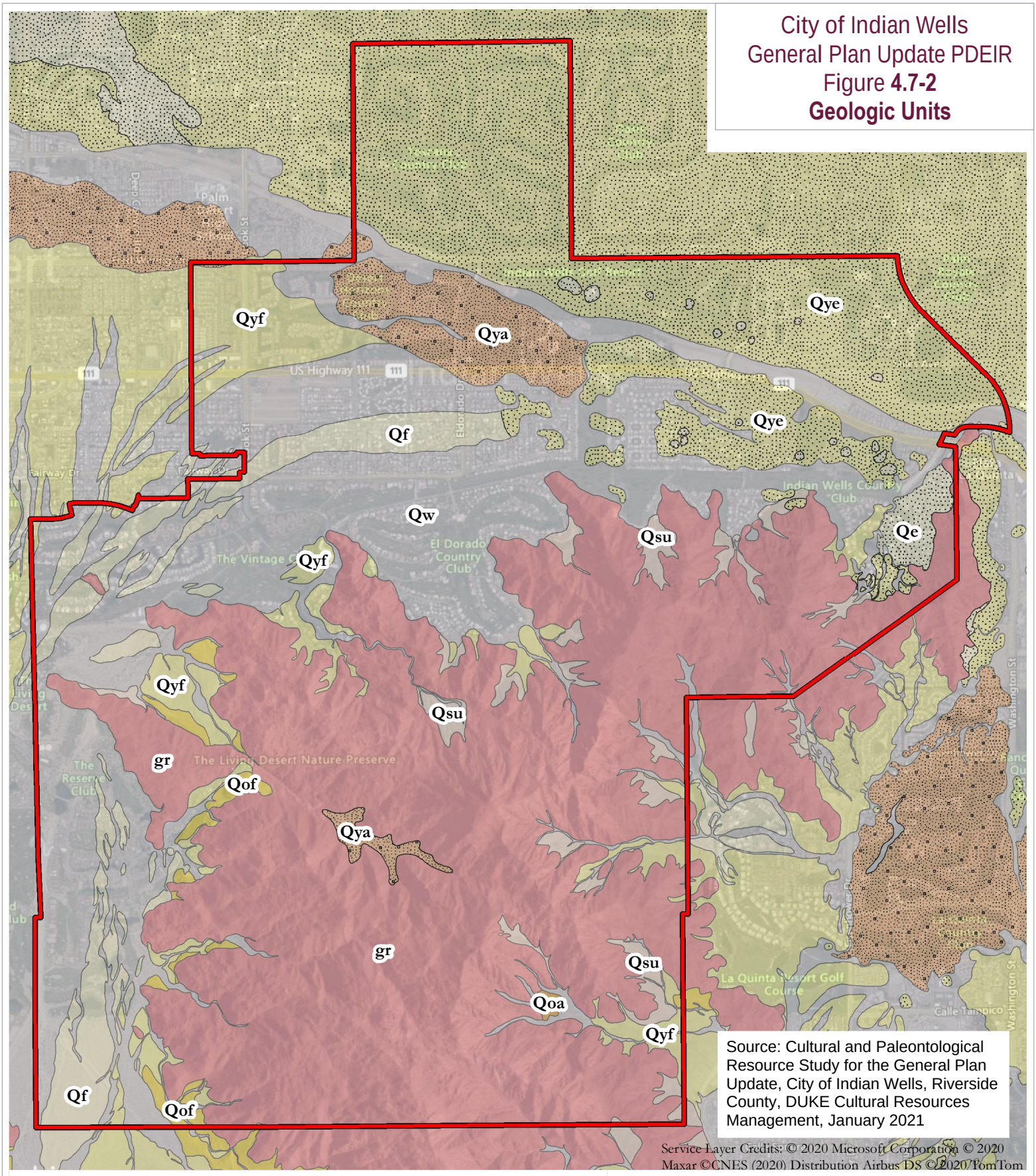
Alluvial fan deposits (Qf) (late Holocene)

Alluvial fan deposits are composed of unconsolidated silt to boulders deposited as a fan-shaped cone at the end of a canyon or valley. These deposits are found in the southwestern corner of the City.

Undifferentiated surficial deposits (Qsu) (late Holocene)

These deposits include various lithologies (colluvium, slope wash, talus deposits, etc.) resulting from recent sedimentary processes. These deposits are found in isolated locations in the San Jacinto Mountains in the southern portion of the City.

City of Indian Wells
General Plan Update PDEIR
Figure 4.7-2
Geologic Units



Source: Cultural and Paleontological Resource Study for the General Plan Update, City of Indian Wells, Riverside County, DUKE Cultural Resources Management, January 2021

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Geology from Lancaster, et al. (2012):

- Qsu: undifferentiated surficial deposits
- Qw: alluvial wash deposits
- Qf: alluvial fan deposits
- Qe: eolian and dune deposits
- Qyf: young alluvial fan deposits
- Project Area
- Qya: young alluvial valley deposits
- Qye: young eolian and dune deposits
- Qof: old alluvial fan deposits
- Qoa: old alluvial valley deposits
- gr: granitic and other intrusive crystalline rocks of all ages

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Paleontological Sensitivity and Geologic Activity

Continued uplift and slip along the San Jacinto Fault Zone (SJFZ) in the Holocene Epoch has resulted in erosion and sedimentation in the valley floor of the Salton Trough, combined with contributions from the southeast-flowing Whitewater River. As a result, the sediment underlying the lower-lying areas of the Project are dominated by the various late Pleistocene to Holocene units described above. Units from the late Holocene (*Qe*, *Qw*, *Qf*) are too young to have accumulated or preserved significant amounts of biologic material and are assigned a low sensitivity at the surface. The upper deposits of units from the late Pleistocene to Holocene (*Qye*, *Qya*, *Qyf*) are similarly too young to contain fossils, but transition with depth to older, higher-sensitivity deposits. As a result, these units are assigned a high sensitivity at depth. The depth of this transition varies across the Planning Area. The high sensitivity of the older, deeper deposits is particularly important due to the proximity to prehistoric Lake Cahuilla.,

The San Jacinto Mountains in the southeastern portion of the City are predominantly composed of granitic and other intrusive rocks of all ages (*gr*). Due to the igneous nature of these rocks, they have no potential to contain paleontological resources and are assigned no paleontological sensitivity.

No fossil localities are documented within the City; however, during recent development in the neighboring City to the east (the City of La Quinta), paleontological resources connected to the prehistoric Lake Cahuilla were found (snails, clams, algae, ostracods).

Due to fossil material being previously discovered in deposits from the Pleistocene Epoch in vicinity of the Project, old alluvial valley deposits (*Qoa*) and old alluvial fan deposits (*Qof*) are assigned a high paleontological sensitivity at the surface, and young eolian and dune deposits (*Qye*), young alluvial valley deposits (*Qya*), young alluvial fan deposits (*Qyf*) are assigned a high paleontological sensitivity at depth.

Table 4.7-1, *Geologic Units Existing in the City and their Paleontological Potential*, further explains the paleontological sensitivity found in the geologic units existing in the City.

Table 4.7-1 Geologic Units Existing in the City and their Paleontological Potential

Age	Geologic Unit	Fossils Present	Paleontological Sensitivity
Holocene	Eolian and dune deposits (*Qe*), Alluvial wash deposits (*Qw*), Alluvial fan deposits (*Qf*), Undifferentiated surficial deposits (*Qsu*)	Snails, clams, algae, and ostracods	Low Sensitivity
	Young eolian and dune deposits (*Qye*), Young alluvial valley deposits (*Qya*), Young alluvial fan deposits (*Qyf*)		High Sensitivity at Depth
Pleistocene	Old alluvial valley deposits (Qoa), Old alluvial fan deposits (Qof)	None	High Sensitivity at the Surface
Mesozoic and older	Granitic and other intrusive rocks of all ages (*gr*)	None	No Sensitivity

Seismic Hazards

Seismicity and Faulting

Faulting

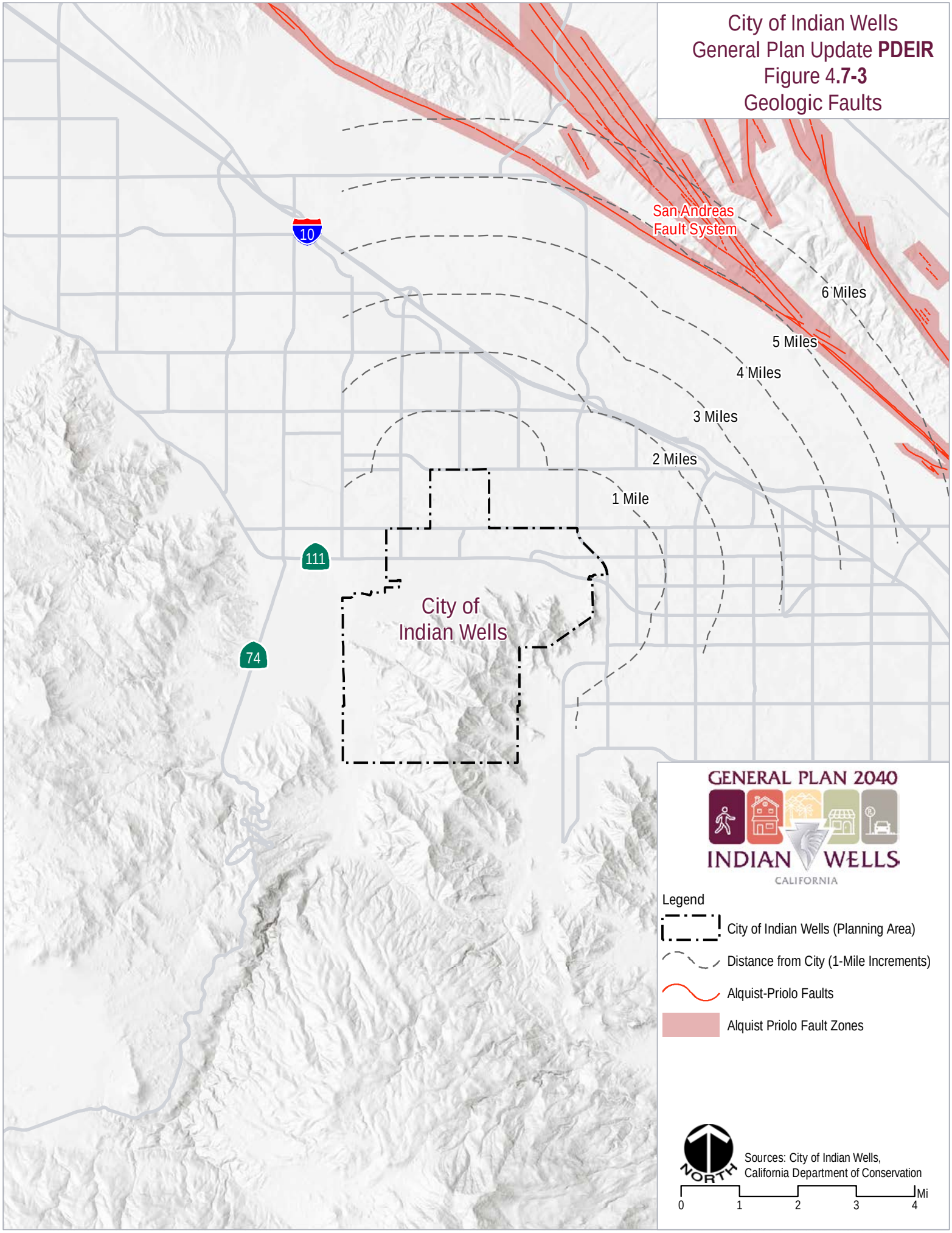
Faults are classified as Historic, Holocene, Late Quaternary, Quaternary, and Pre-Quaternary according to the age of most recent movement. These classifications are described as follows:

- **Historic**: Faults on which surface displacement has occurred within the past 200 years;
- **Holocene**: shows evidence of fault displacement within the past 11,000 years, but without historic record;
- **Late Quaternary**: shows evidence of fault displacement within the past 700,000 years, but may be younger due to a lack of overlying deposits that enable more accurate age estimates;
- **Quaternary**: shows evidence of displacement sometime during the past 1.6 million years;
- **Pre-Quaternary**: without recognized displacement during the past 1.6 million years.

Faults are further distinguished as active, potentially active, or inactive:

- **Active**: An active fault is a Historic or Holocene fault that has had surface displacement within the last 11,000 years;
- **Potentially Active**: A potentially active fault is a pre-Holocene Quaternary fault that has evidence of surface displacement between about 1.6 million years and 11,000 years ago; and
- **Inactive**: An inactive fault is a pre-Quaternary fault that does not have evidence of surface displacement within the past 1.6 million years. The probability of fault rupture is considered low; however, this classification does not mean that inactive faults cannot, or will not, rupture.

There are no active faults mapped within the City boundaries, and the site is not located within a fault-rupture hazard zone as defined by Alquist-Priolo Earthquake Fault Zones Act. As shown in **Figure 4-7.3, *Geologic Faults***, the closest seismically active faults are the San Andreas Fault located approximately 5.0 miles to the northeast of City boundaries. Meanwhile, the San Jacinto Fault is located approximately 13 miles southwest of City boundaries.


City of Indian Wells
General Plan Update PDEIR
Figure 4.7-3
Geologic Faults
San Andreas
Fault System
6 Miles
5 Miles
4 Miles
3 Miles
2 Miles
1 Mile
10
111
74
City of
Indian Wells
GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA
Legend
City of Indian Wells (Planning Area)
Distance from City (1-Mile Increments)
Alquist-Priolo Faults
Alquist Priolo Fault Zones
NORTH
Sources: City of Indian Wells,
California Department of Conservation
0
1
2
3
4
Mi

There are other regionally active, more distant faults that could produce ground shaking at the site, which include the Elsinore Fault and Brawley Seismic Zone, among others. Below is a brief summary of the two closest faults to the City:

- **San Andreas Fault**: The San Andreas Fault zone trends east-southeast about 5 miles northeast of Indian Wells. This fault is widely recognized as the longest and most active fault in the state. The San Andreas Fault is categorized as a strike-slip fault: a fracture in the Earth's crust where two blocks of rock slide past each other horizontally, parallel to the strike of the fault. Strike-slip faults are caused by shearing stress, which forces the blocks of rock to move in opposite directions.

  The San Andreas Fault has been mapped from Cape Mendocino in northern California to an area near the Mexican border, approximately 500 miles. Abundant evidence of historic earthquakes indicates that the fault is active, including those that have caused extensive surface rupture and displacement of recent sediments. A maximum probable earthquake of M 8.3 (magnitude of 8.3 on the Richter Scale) has been assigned to the San Andres in Southern California.

- **San Jacinto Fault**: This active fault is similar to the San Andreas in that it is a large strike-slip fault that has been active for several million years. It has been the principal focus of historical release of strain in Southern California between the North American continental plate and Pacific Ocean plate. Surface rupture has been associated with several historic earthquakes on the fault. A maximum probable earthquake for the San Jacinto of M 7.2 is based upon historic seismicity and rupture length. The San Jacinto Fault Zone trends southeast about 13 miles southwest of Indian Wells. The fault contains active segments (CBC Seismic Source Type A) that would cause severe seismic shaking in the City.

Seismicity

An active earthquake fault, per California's Alquist-Priolo Act, is one that has raptured within the Holocene Epoch, or the last 11,000 years. Based on this criterion, the California Geological Survey identifies Earthquake Fault Zones. These Earthquake Fault Zones are identified in Special Publication 42 (SP42), which is updated as new fault data become available. The SP42 lists all counties and cities within California that are affected by designated Earthquake Fault Zones. The Fault Zones are delineated on maps within SP42 (Earthquake Fault Zone Maps).

Southern California is subject to seismic hazards of varying degrees depending on the proximity, degree of activity, and capability of nearby faults. These hazards can be primary (i.e., directly related to the energy release of an earthquake such as surface rupture and ground shaking) or secondary (i.e., related to the effect of earthquake energy on the physical world, which can cause phenomena such as liquefaction and ground lurching). Since there are no active faults at the site, the potential for primary ground rupture is considered very low. The primary seismic hazard for the site is ground shaking.

Rupture

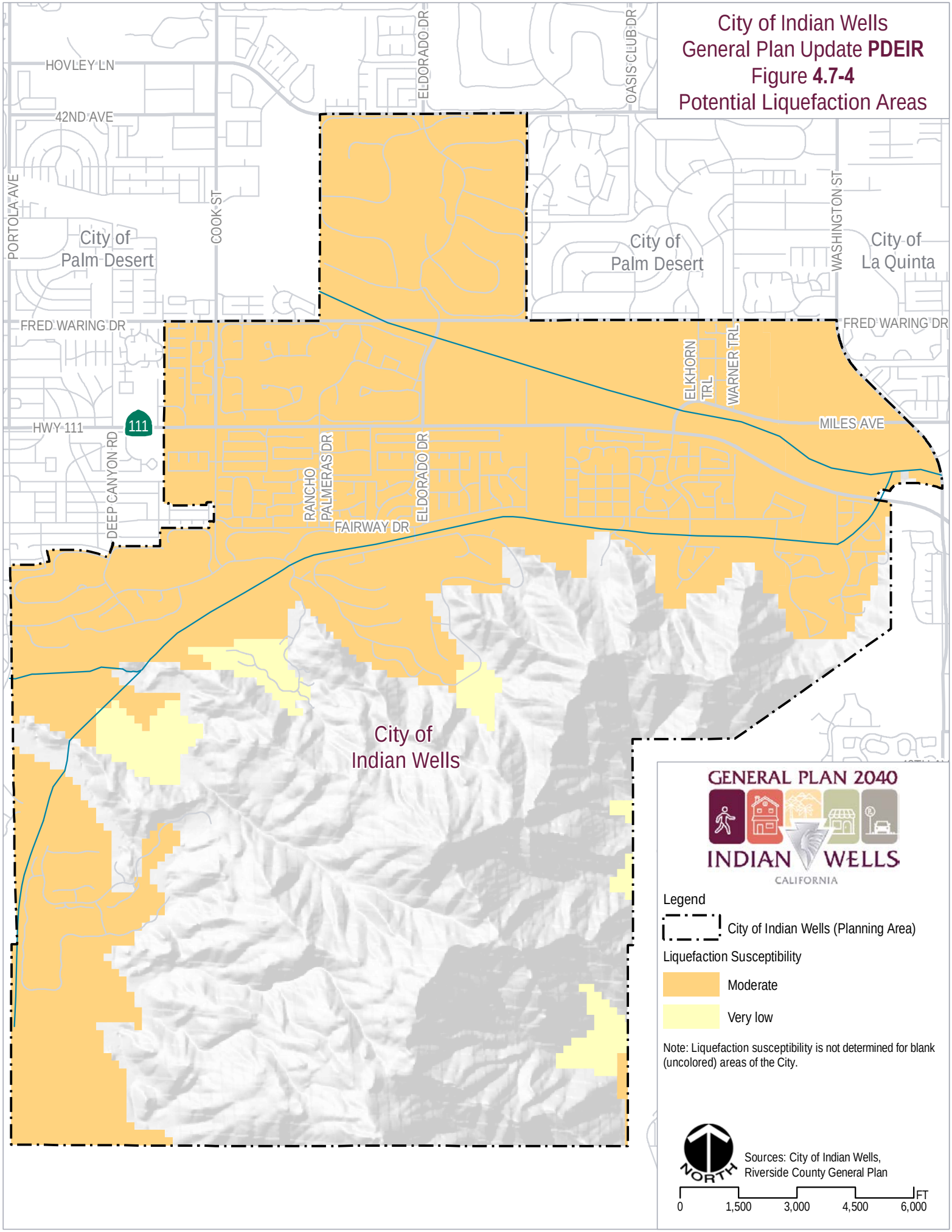
Surface rupture occurs when movement on a fault breaks through to the surface. Fault rupture typically follows preexisting fault lines since they are zones of weakness. Rupture may occur suddenly during an earthquake or slowly in the form of fault creep. Sudden displacements are more damaging to structures because they are accompanied by shaking. However, not all earthquakes result in surface rupture.

Liquefaction

Liquefaction occurs when strong seismic shaking of saturated sand or silt causes intergranular fluid (pore-water) pressures to increase to levels where grain-to-grain contact is lost, and material temporarily behaves as a viscous fluid. Liquefaction can cause settlement of the ground surface, loss of bearing, settlement and tilting of structures, flotation and buoyancy of buried structures and fissuring of the ground surface. A common surface manifestation of liquefaction is the formation of sand boils – short-lived fountains of soil and water that emerge from fissures or vents and leave freshly deposited, usually conical mounds of sand or silt on the ground surface. *Action PS-4b* of the General Plan Update requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

Figure 4-7.4, *Potential Liquefaction Areas*, depicts susceptibility of an area for liquefaction to occur, in terms of moderate or very low susceptibility.

City of Indian Wells General Plan Update **PDEIR** Figure **4.7-4** Potential Liquefaction Areas

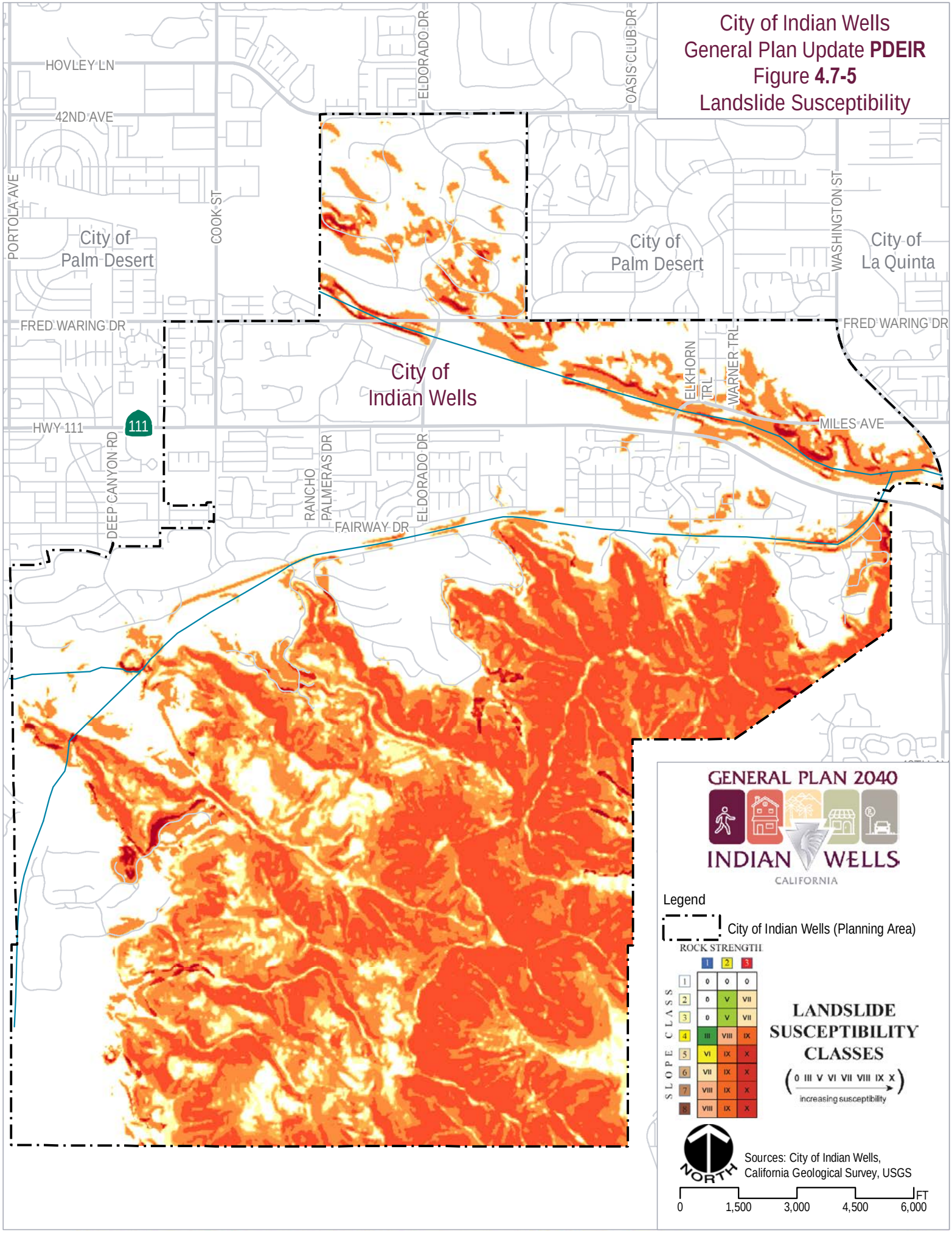


Landslides

As a result of seismic ground shaking, secondary effects such as slope failures, rockfalls and landslides may occur in the City, especially throughout elevated areas. Failed slopes also pose risks for potential landslides and other associated hazards, such as compressible soils. *Action PS-4a* requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. The Action also requires development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

Figure 4-7.5, *Landslide Susceptibility*, depicts what areas of the City have potential for landslides, categorized by rock strength and slope class.

City of Indian Wells General Plan Update **PDEIR** Figure **4.7-5** Landslide Susceptibility



Erosion

Climate, topography, soil and rock types, and vegetation are all factors that influence erosion, runoff, and sedimentation. Soil erosion typically results from concentrated runoff on unprotected slopes and from wind erosion occurring in flat, bare areas, dry sandy soils or anywhere sand is loose and finely granulated.

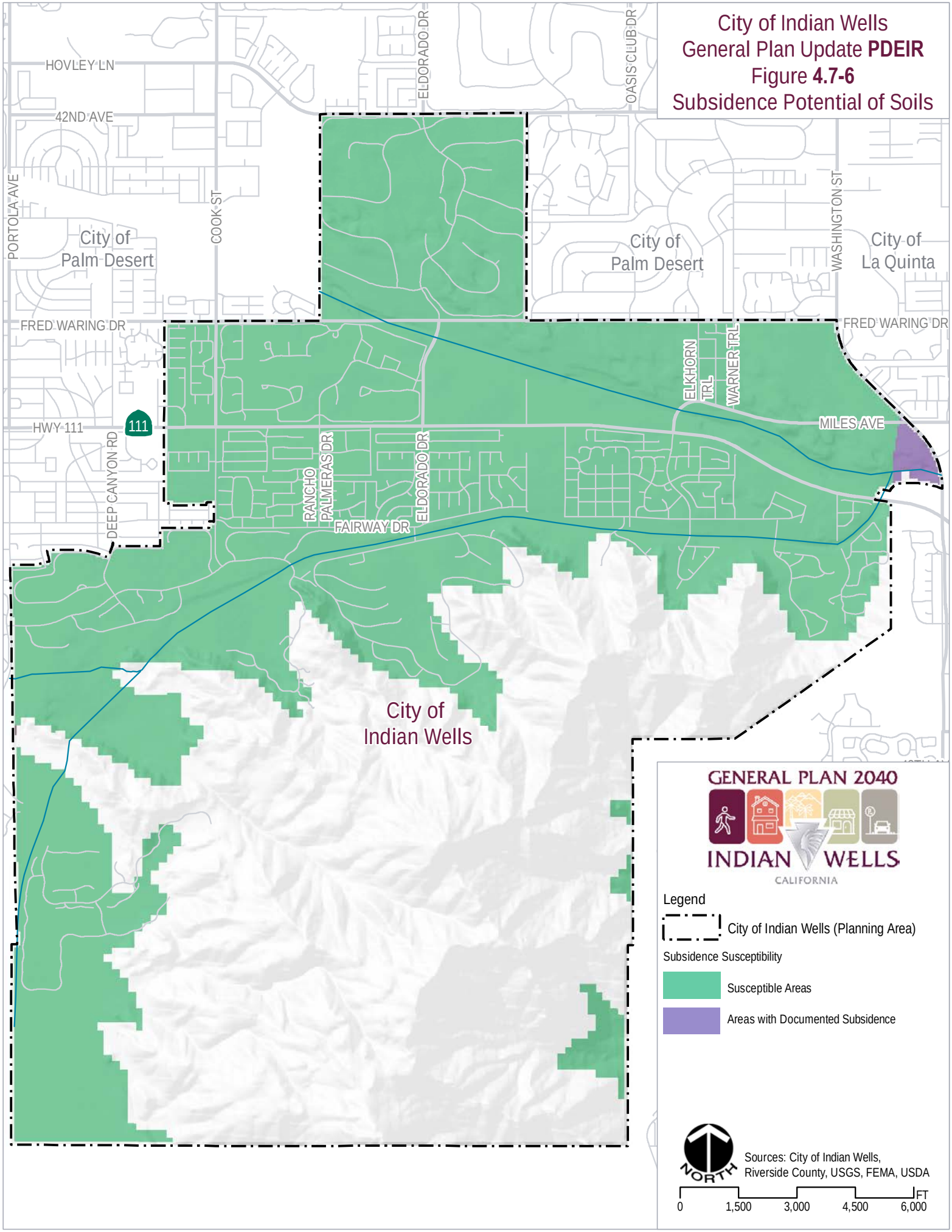
Ground Subsidence

Ground subsidence is the gradual settling or sinking of the ground surface with little or no horizontal movement. It is caused by both human activities (i.e., groundwater extraction) and natural activities (i.e., earthquakes) and can cause regional damage. According to the *2020 Coachella Valley Regional Urban Water Management Plan*, the City sits above the Indio Subbasin of the Coachella Valley Groundwater Basin The subbasin is managed by Coachella Valley Water District (CVWD), Desert Water Agency (DWA), Coachella Water Authority (CWA), and Indio Water Authority (IWA). These districts are collectively a Groundwater Sustainability Agency (GSA) over their respective service areas. CVWD has been designated an "exclusive" GSA over its service area by the Department of Water Resources (DWR) in the Indio Subbasin. The four agencies are working collaboratively to implement the Sustainable Groundwater Management Act (SGMA) in the Indio Subbasin.

Proper groundwater management should minimize subsidence throughout the City; however, more frequent drought conditions could lead to heavier reliance on groundwater which would increase the probability of ground subsidence.

Below, **Figure 4-7.6, *Subsidence Potential of Soils***, shows what areas of the City have either experienced subsidence or are susceptible to subsidence.

City of Indian Wells General Plan Update **PDEIR** Figure **4.7-6** Subsidence Potential of Soils



Expansive Soils

Expansive soils, also referred as swelling soils, are soils that tend to increase in volume with an increase in the moisture content. These soils swell when water is added to them and shrink when they dry out. Foundations with swelling soils will heave and can cause lifting of a building or structure when the moisture content rises. This can ultimately lead to the failure of foundations and structures.

Collapse

Soil collapse, also referred to as hydrocompaction, typically occurs in recently deposited sediments that accumulate in an arid or semi-arid environment. Sediments prone to collapse are commonly associated with alluvial fan and debris flow sediments deposited during flash floods. These deposits are typically dry and contain minute pores and voids. The soil particles may be partially supported by clay, silt, or carbonate bonds. When saturated, collapsible soils undergo a rearrangement of their grains and a loss of cementation, resulting in substantial and rapid settlement under relatively light loads. An increase in surface water infiltration, such as from irrigation or a rise in the groundwater table, combined with the weight of a building or structure, can initiate rapid settlement and cause foundations and walls to crack. Typically, differential settlement of structures occurs when landscaping is heavily irrigated near the structure's foundation.

Seiche and Tsunami

A seiche is defined as "an occasional and sudden oscillation of the closed water body (enclosed water body, lake, bay, estuary, etc.) producing fluctuations in the water level." There are many causes of seiches, for example, wind, earthquakes, and changes in barometric pressure. The seiche hazard in the valley includes above-ground water reservoirs, golf course lakes and other impoundments. Domestic water reservoirs in the valley have been constructed to resist the effects of ground shaking that could compromise the integrity of these structures.

4.7.3 Regulatory Setting

Federal

National Earthquake Hazards Reduction Act

In October 1977, the U.S. Congress passed the Earthquake Hazards Reduction Act to reduce the risks to life and property from future earthquakes in the United States. To accomplish this, the act established the National Earthquake Hazards Reduction Program (NEHRP). The mission of NEHRP includes improved understanding, characterization, and prediction of hazards and vulnerabilities; improved building codes and land use practices; risk reduction through post-earthquake investigations and education; development and improvement of design and construction techniques; improved mitigation capacity;

and accelerated application of research results. The NEHRP designates the Federal Emergency Management Agency as the lead agency of the program and assigns several planning, coordinating, and reporting responsibilities.

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) was created in 1972 in the Clean Water Act to address water pollution by regulating point sources that discharge pollutants into waters of the United States. The regulations provide that discharges of storm water to waters of the United States from construction projects that encompass five or more acres of soil disturbance are effectively prohibited unless the discharge is in compliance with an NPDES Permit. Regulations (Phase II Rule) that became final on December 8, 1999, lowered the permitting threshold from five acres to one acre.

The NPDES Program has been delegated to the State of California for implementation through the State Water Resources Control Board (SWRCB) and its Regional Water Quality Control Boards. The SWRCB administers the NPDES permit program regulating storm water for construction activities, known as the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, also known as the Construction General Permit. The main compliance requirement of NPDES permits is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for construction projects, addressing on-site pollutants and establishing appropriate storm water best management practices (BMPs) during grading and construction as well as post-construction BMPs (please see **Section 4.10**, ***Hydrology and Water Quality***).

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was enacted in 1972 to prohibit the location of developments and structures for human occupancy across the trace of active faults. To assist with this, the State Geologist delineates appropriately wide earthquake fault zones (Alquist-Priolo Zones) to encompass potentially and recently active traces, which are submitted to city and county agencies to be incorporated into their land use planning and construction policies. A trace is a line on the earth's surface defining a fault, and an active fault is defined as one that has ruptured in the last 11,000 years. The minimum distance a structure for human occupancy can be placed from an active fault is generally fifty feet.

Seismic Hazard Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 directs the Department of Conservation, California Geological Survey to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the SHMA is to reduce the threat to

public safety and to minimize the loss of life and property by identifying and mitigating these seismic hazards.

The SHMA requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development.

California Code of Regulations, Title 24 (California Building Standard Code)

The California Building Standards Law states that every local agency enforcing building regulations must adopt the provisions of the California Building Code (CBC) within 180 days of its publication; however, each jurisdiction can require more stringent regulations issued as amendments to the CBC. The publication date of the CBC is established by the California Building Standards Commission, and the code is known as Title 24 of the California Code of Regulations. In the past, the CBC was modeled on the Uniform Building Code; however, beginning with the 2007 version, the CBC is now modeled after the International Building Code. Building codes provide minimum requirements to prevent major structural failure and loss of life related to floods, fires, and earthquakes. *Policy PS-4.4* of the General Plan Update states that the City adopts and maintains high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Regional and Local

South Coast Air Quality Management District

South Coast Air Quality Management District (SCAQMD) is the regulatory agency responsible for improving air quality for Orange County and portions of Los Angeles, San Bernardino, and Riverside counties, including the Coachella Valley. SCAQMD is responsible for controlling emissions primarily from stationary sources of air pollution, including grading and construction sites. The main source of pollution from grading and construction activities is fugitive dust, which is particulate matter that is suspended in the air by direct or indirect human activities. Two South Coast AQMD rules were adopted with the purpose of reducing the amount of fugitive dust entrained as a result of human activities. Rule 403 applies to any activity capable of generating fugitive dust. Rule 403.1 is supplemental to Rule 403 and applies only to fugitive dust sources in Coachella Valley.

Rule 403 – Fugitive Dust

Rule 403 requires the implementation of best available dust control measures (BACM) during active operations capable of generating fugitive dust. This rule also requires activities defined as “large operations” to notify the South Coast AQMD by submitting specific forms. A large operation is defined

as any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 5,000 cubic yards, three times during the most recent 365-day period.

Rule 403.1 – Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources

Rule 403.1 is a supplemental rule to Rule 403 and is applicable to man-made sources of fugitive dust in the Coachella Valley. The purpose of this rule is to reduce fugitive dust and resulting particulate matter (PM10) emissions from man-made sources. Rule 403.1 requires a Fugitive Dust Control Plan approved by South Coast AQMD or an authorized local government agency prior to initiating any construction/ earth-moving activity. These requirements are applicable to construction projects with 5,000 or more square feet of surface area disturbance.

City of Indian Wells Municipal Code

The Indian Wells Municipal Code (IWMC) acts as a regulatory guideline, compliant with state and federal laws, for the City of Indian Wells. The IWMC regulates businesses, zoning, animals, vehicles and traffic, peace and morals, health and safety, and more.

Title 16 - Buildings and Construction

Should building, construction, and grading activities occur within the City, future development projects would be subject to Title 16 of the Indian Wells Municipal Code, which governs the conditions, construction, and maintenance of all property, buildings, and structures within the City. Title 16 is based on the most current CBC, which sets minimum design and standards for construction of buildings and structures that must also meet minimum seismic design standards.

4.7.4 Impact Analysis

Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to geology and soils are significant environmental effects, the following thresholds are analyzed and evaluated. Would the implementation of the GPU:

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?
    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, creating substantial direct or indirect 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 or site or unique geologic feature?

Project Impacts

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to geology and soils are significant environmental effects, the following thresholds are analyzed and evaluated. Would the GPU:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault

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

ii. Strong seismic ground shaking

While no active faults exist within Indian Wells, the region faces seismic hazards primarily from the San Andreas and San Jacinto faults, located 5 to 15 miles from City boundaries respectively. These faults, including others in the area, pose the risk of seismic ground shaking. Development within the City may thus expose structures and inhabitants to the adverse effects of earthquakes, including ground shaking and related ground failure. Factors influencing ground motion effects and structural damage include earthquake intensity, distance from the epicenter, soil composition, and building design. While accurate earthquake predictions remain elusive, statistical risk analyses estimate the probability of magnitude 7 or greater earthquakes along the San Andreas fault. The Southern Segment of the San Andreas fault, with a characteristic earthquake estimated at magnitude 7.7, poses a notable risk due to its past ruptures. The San Jacinto fault, also active, adds to the seismic risk.

The GPU contains policies and actions that address strong seismic ground shaking that could occur. *Policy PS-4.1* requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. *Policy PS4.2* discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. *Policy PS-4.4* requires the use of the most current seismic hazards of the Uniform Building Code. *Action PS-4a* requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. It also requires development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. *Action PS-4b* requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, *Action PS-4c* requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate.

The City policies and actions also include *Policy PS-4.3* which states that the City will maintain the City's geologic and seismic hazards map in concert with updates from the California Geologic Survey and local surveys and update as appropriate. In addition, *Action PS-4d* states that the City will update building, zoning, and grading codes as needed to ensure adopted standards mitigate potential seismic hazards and comply with the Alquist-Priolo Act. *Action PS-4e* states that the City will develop a structural hazards reduction program (per Section 8875 of the Government Code) for the upgrading of seismically hazardous buildings. Implementation of all the GPU applicable policies and actions discussed above and described below would ensure the structural integrity during seismic events, thus reducing seismic impact for new developments in the City to less than significant levels.

General Plan Policies and Actions

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.3 **Map Maintenance.** Maintain the City's geologic and seismic hazards map in concert with updates from the California Geologic Survey and local surveys and update as appropriate.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

PS-4d Update building, zoning, and grading codes as needed to ensure adopted standards mitigate potential seismic hazards and comply with the Alquist-Priolo Act.

PS-4e Develop a structural hazards reduction program (per Section 8875 of the Government Code) for the upgrading of seismically hazardous buildings.

iii. Seismic-related ground failure, including liquefaction

Liquefaction

As discussed above under "Seismic Hazards", liquefaction involves sudden loss of strength in a saturated, cohesionless soil (typically sand) which is the result of shock or strain, such as in an earthquake. This shock causes the soil to behave like a liquid. If the liquefied soils are near the surface, buildings may substantially sink or tilt. Lightweight structures may float upwards to the ground surface and foundations may displace laterally, causing structural failures. If the liquefied soils are located in the subsurface, this may provide a sliding surface for material above the liquefied layer. Liquefaction is most likely to occur where groundwater is less than 30 feet from the surface. According to the Sustainable Groundwater Management Act (SGMA) Data Viewer application, State Well Number 05S06E24G001S in the City, east and south of Miles Avenue, north of Highway 111, and west of Washington Street has a recorded depth to groundwater at approximately 162 feet as of March 2024.

In order to ensure that future development in the City is not at risk of liquefaction, development would be required to follow City policies and actions. *Policy PS-4.1* strives to reduce the risk of impacts from geologic and seismic hazards by applying proper and up-to-date land use planning, development engineering, building construction, and retrofitting requirements. *Policy PS-4.2* discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. *Policy PS-4.4* enforces the most current seismic standards of the Uniform Building Code. *Action PS-4a* requires assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards. *Action PS-4b* requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, *Action PS-4c* states that during review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey. Through the implementation of these City policies and actions, potential impacts from liquefaction would be reduced to less than significant.

General Plan Policies and Actions

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

iv. Landslides

Landslides and rockfall can occur when unstable slope conditions are worsened by strong ground motion caused by seismic events. Conditions that lead to landslide vulnerability include high seismic potential; rapid uplift and erosion that creates steep slopes and deeply incised canyons; folded and highly fractured rock; and rock with silt or clay layers that are inherently weak. Landslides are not likely to occur within the region, since the areas of steep slopes, located in the southern part of the City, are primarily composed of strong bedrock. Additionally, according to the USGS U.S. Landslide Inventory and Interactive Map, there are no records of landslides within or near the City. Nevertheless, rockfall hazards can occur in the mountains and foothills during a strong earthquake. *Policy PS-4.1* requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. *Policy PS-4.2* discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with

high seismic or geologic hazards. *Policy PS-4.4* requires the use of the most current seismic hazards of the Uniform Building Code. *Action PS-4a* requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. *Action PS-4b* requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, *Action PS-4c* requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Implementation of the General Plan Update applicable policies and actions would ensure no impacts would occur to new developments from landslides.

Therefore, impacts to the City and its future development due to potential landslides and rock fall will be reduced to less than significant.

General Plan Policies and Actions

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified

in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

b. Result in substantial soil erosion or loss of topsoil

Windborne Erosion

Construction would involve ground disturbing activities, such as the clearing and grubbing of existing vegetation, and grading.

In order to reduce the effect of windborne erosion at construction locations, projects shall be required to implement the Coachella Valley PM10 State Implementation Plan (SIP)requirement for a Fugitive Dust Control Plan. A Fugitive Dust Control Plan is required in Indian Wells Municipal Code Chapter 8.20 for any area of more than five thousand square feet. The Fugitive Dust Control Plan requires the implementation of best available control measures (BACMs) including but not limited to the use of perimeter fencing, applying adhesive dust suppressant, and watering the project site. The project property shall implement the BACMs for on- and off-site improvements detailed within the project-specific Fugitive Dust Control Plan during construction of the project site. Therefore, the implementation of a Fugitive Dust Control Plan for a development site in the City would reduce soil erosion or the loss of topsoil during construction resulting from wind to less than significant levels. Refer to **Section 4-3, *Air Quality***, of this environmental document for further information on the Fugitive Dust Control Plan.

Waterborne Erosion

Erosion from rainfall and runoff at the development site during grubbing, grading and construction activities would have adverse effects if not addressed. Therefore, in conjunction with the requirements for water protection detailed in **Section 4-10, *Hydrology and Water Resources***, and prior to site disturbance, the project contractor would be required to apply to the State Water Resources Control Board (SWRCB) for coverage under the Construction General Permit (Order No. 99-08-DWQ) (CAS000002). This requirement applies best management practices (BMPs) to remove eroded soils from

stormwater discharges during clearing, grading, and excavation. The Construction General Permit requires an applicant to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP includes a list of the BMPs that would be implemented to prevent soil erosion that could contaminate nearby water resources. The SWPPP for a proposed project and offsite construction relating to the project would be prepared in conjunction with the final grading permit, and would require a range of BMPs, including but not limited to:

- *Temporary Soil Stabilization:* hydraulic mulch, soil polymers and geotextiles;
- *Temporary Sediment Control:* sandbag barriers, straw bale barriers, sediment traps, and fiber rolls.
- *Wind Erosion Control: wind fencing,* water of the construction site, straw mulch;
- *Tracking Control:* staging/storage area, track-out plates and street sweeping;
- *Non-stormwater Management:* clear water diversion and dewatering; and
- *Waste Management and Materials Pollution Control:* vehicle and equipment cleaning, concrete waste management, and contaminated soils management.

Therefore, the implementation of a SWPPP for a development site in the project area would reduce soil erosion or the loss of topsoil during construction resulting from stormwater to less than significant levels. This issue is discussed further in **Section 4.10, *Hydrology and Water Quality,*** of this Draft EIR.

Landscaped areas would include ground coverings, trees, and/or shrubs that would stabilize the ground surface. Any irrigation systems (i.e., sprinklers or drip irrigation) would also be maintained according to City standards during project operation to ensure that overwatering of plants (which leads to waterborne erosion) does not occur. Any drainage and retention facilities would be maintained according to City standards during project operation to ensure their intended function. The required routine maintenance of onsite drainage and retention facilities and associated infrastructure would reduce the likelihood of flooding on a developed property. Additionally, development could introduce impervious, paved areas. The impervious surfaces would reduce the potential for erosion during operation by stabilizing the ground surface and minimizing the amount of exposed soil. These features would establish stabilized surfaces and onsite maintenance at a development site, thereby decreasing the likelihood of onsite windborne and waterborne erosion during operation. The implementation of the Fugitive Dust Control Plan (**Section 4.3, *Air Quality***) and the SWPPP (**Section 4.10, *Hydrology and Water Quality***), as well as any mitigation measures detailed in a project-specific survey of soil and geologic conditions (*Action PS-4c*) would ensure that impacts from erosion created from the site and any offsite construction relating to the development would be less than significant.

General Plan Actions

Actions

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

c. *Located on geologic unit that is unstable, or become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse*

Development allowed under the General Plan Update could result in the exposure of people and structures to conditions that have the potential for adverse effects associated with ground instability or failure. Soils and geologic conditions in the Indian Wells Planning Area could have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse. Each are below:

Landslides and Rockfalls

Landslides and rockfall can occur when unstable slope conditions are worsened by strong ground motion caused by seismic events. Conditions that lead to landslide vulnerability include high seismic potential; rapid uplift and erosion that creates steep slopes and deeply incised canyons; folded and highly fractured rock; and rock with silt or clay layers that are inherently weak. Landslides are not likely to occur within the region, since the areas of steep slopes, located in the southern part of the City, are primarily composed of strong bedrock. Additionally, according to the USGS U.S. Landslide Inventory and Interactive Map, there are no records of landslides within or near the City. Nevertheless, rockfall hazards can occur in the mountains and foothills during a strong earthquake. *Policy PS-4.1* requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. *Policy PS-4.2* discourages the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in area with high seismic or geologic hazards. *Policy PS-4.4* requires the use of the most current seismic hazards of the Uniform Building Code. *Action PS-4a* requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. *Action PS-4b* requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies

as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, *Action PS-4c* requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Implementation of the General Plan Update applicable policies and actions would ensure no impacts would occur to new developments from landslides.

Therefore, impacts to the City and its future development due to potential landslides and rock fall will be reduced to less than significant.

General Plan Policies and Actions

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure

compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Lateral Spreading

Lateral spreading generally is a phenomenon where blocks of intact, non-liquefied soil move down slope on a liquefied substrate of large areal extent. The potential for lateral spreading is present where open banks and unsupported cut slopes provide a free face (unsupported vertical slope face). Ground shaking, especially when inducing liquefaction, may cause lateral spreading toward unsupported slopes.

Policy PS-4.1 requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. *Policy PS-4.4* requires the use of the most current seismic hazards of the Uniform Building Code. *Action PS-4a* requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. *Action PS-4b* requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, *Action PS-4c* requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate.

The applicable City policies and actions would ensure that impacts relating to lateral spreading would be mitigated, and less than significant impacts could occur to future projects in the City.

General Plan Policies that Mitigate Potential Impacts

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services

buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Subsidence

Groundwater is an important water supply source in the Coachella Valley. The demand for water has exceeded the deliveries of imported surface water in the past, and groundwater levels have historically declined as a result of increased pumping.

Based on a review of the Riverside County Land Information System website, the City is situated in an area susceptible to ground subsidence due to the withdrawal of groundwater. The United Stated Geological Survey (USGS), with Coachella Valley Water District (CVWD), completed subsidence monitoring reports for the Coachella Valley in 2001 and 2007 showing subsidence rates in the Coachella Valley had been increasing rapidly.

According to the 2020 Coachella Valley Regional Urban Water Management Plan (RUWMP), CVWD and DWA jointly operate groundwater replenishment programs (GRPs) in the West Whitewater River Subbasin and Mission Creek Subbasin management areas, and CVWD operates a replenishment program in the East Whitewater River Subbasin area of benefit (AOB). These programs have had a significant beneficial effect on overdraft. To recover the cost of the GRP, a Replenishment Assessment Charge (RAC) is applied to all non-exempted groundwater production. These RACs are calculated and managed separately by each agency for each of the AOBs. In 2002, CVWD adopted the Coachella Valley Water Management Plan (CVWMP) to address groundwater overdraft and is working collaboratively with other agencies to implement that plan.

Additional programs focusing on conversion of groundwater pumpers to recycled and imported Coachella Canal water over the next ten years are intended to prevent future overdraft. During extended drought periods when State Water Project (SWP) Exchange water deliveries for replenishment are reduced, continued groundwater pumping could result in short-term overdraft. Reduced replenishment could result in lower groundwater levels, which are expected to recover when normal supply conditions resume. Short-term reductions in replenishment due to droughts are not expected to affect long-term supply reliability.

Therefore, valley-wide effort from water agencies to manage groundwater levels would ensure that ground subsidence would be at less than significant levels for future developments in the City.

Liquefaction

As discussed previously, in section a) iii., liquefaction occurs when ground shaking of relatively long duration and intensity causes loose, unconsolidated soils to act like a liquid and lose strength

Liquefaction involves sudden loss of strength in a saturated, cohesionless soil (typically sand) which is the result of shock or strain, such as in an earthquake, causing the soil to behave like a liquid. Generally, liquefaction can occur if all of the following conditions apply: liquefaction-susceptible soil, groundwater within a depth of 50 feet or less, and strong seismic shaking.

The Riverside County seismic-geologic map identifies no areas of potential liquefaction in the City of Indian Wells. The nearest areas of potential liquefaction encompass the eastern portions of La Quinta and Indio to the east of the Planning Area. Additionally, development would be required to have surveys of soil and geologic conditions (*Action PS-4c*) conducted where project specific liquefaction potential can be addressed and mitigated.

Action PS-4c requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Implementation of the General Plan Update applicable policies and actions (discussed in

further detail above in section a) iii. and listed below) would ensure impacts related to liquefaction would be less than significant.

General Plan Policies that Mitigate Potential Impacts

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Collapse

Soil collapse occurs in recently deposited sediments that accumulated in an arid or semi-arid environment. Young alluvial and wind-deposited sediments in the City may be locally susceptible to soil collapse due to their low density, rapid deposition in the desert environment, and the generally dry condition of the upper soils. As previously stated, the soils at the project site includes interbedded Lacustrine and Alluvial Deposits (Ql/Qa), per the Geotechnical Investigation.

AS discussed throughout this impact section, future projects in the City would be required to follow City policies and actions. The City of Indian Wells has established a comprehensive set of policies and actions to mitigate the risks associated with geologic and seismic hazards. *Policy PS-4.1* emphasizes the importance of applying up-to-date land use planning, development engineering, building construction, and retrofitting requirements to reduce geologic hazard impacts. *Policy PS-4.2* discourages the development of sensitive uses, such as critical facilities and high-occupancy buildings, in high seismic risk areas, promoting instead the use of these areas for landscaped open spaces. Additionally, *Policy PS-4.4* ensures the maintenance of high seismic performance standards by adopting and enforcing the latest seismic standards in the Uniform Building Code.

To implement these policies, the City requires thorough hazard assessments and mitigation measures for new development projects and city improvements in geologically susceptible areas (*Action PS-4a*). This includes specific design considerations to minimize hazards such as falling rocks in hillside areas. *Action PS-4b* mandates professional inspections of geotechnical aspects during site development for sites prone to significant seismic hazards. Furthermore, *Action PS-4c* ensures compliance with the California Health and Safety Code's earthquake protection provisions and other relevant building standards. This includes requiring surveys of soil and geologic conditions by licensed professionals and mandating mitigation measures for identified geologic impacts before project approval. These measures collectively aim to safeguard public safety and infrastructure integrity against the risks of collapse due to geologic hazards. Less than significant impacts are expected.

General Plan Policies and Actions

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

Flooding, Tsunami, and Seiche

As noted in the Water Erosion section above, the City is protected from upstream flooding by the Deep Canyon Stormwater Channel and the Coachella Valley Stormwater Channel. Future projects within the City of Indian Wells will design flood control infrastructure that will safely convey flooding away from future and existing development.

Indian Wells is located far inland and not near any ocean body of water that would be susceptible to a tsunami. Therefore, the City will not be impacted by tsunamis. However, aboveground water tanks are located at the southeastern City boundary. The reservoirs are owned and operated by the CVWD. To ensure impacts of seismic events, and their secondary effects (including seiches), do not result in the failure of an aboveground water reservoir, construction requirements are established for the safe development and maintenance of the storage tanks. Structural requirements include the implementation of appropriate building materials, foundational standards, and loading factors. Further discussion is

provided in **Section 4.10, *Hydrology and Water Quality.*** Impacts related to flooding, tsunami, and seiches in the City would be less than significant.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property

Varying amounts of fine-grained silts and clays within soils may shrink or swell as moisture content changes as described in the Environmental Setting section above. Indian Wells consists of mostly Quaternary alluvium, lake, dune sand, and Pleistocene nonmarine deposits, with Mesozoic granitic rocks along the Santa Rosa Mountains, which encompass the southern portion of the project area. The City is situated primarily upon soils that are characterized as gravelly sand. Therefore, expansive soils are not anticipated.

Policy PS-4.1 requires that projects within the City use the most up to date land use planning, development engineering, building construction, and retrofitting standards. *Policy PS-4.4* requires the use of the most current seismic hazards of the Uniform Building Code. *Action PS-4a* requires the assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design. *Action PS-4b* requires professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. Additionally, Action PS-4c requires projects to be compliant with California Health and Safety Code Section 19100 et seq (Earthquake Protection Law), current federal, State, and local building standards. It also requires surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. Therefore, impacts associated with expansive soils are considered less than significant with the implementation of the described policies and actions.

General Plan Policies and Actions

Policies

PS-4.1 **Geologic Hazard Reduction.** Reduce the risk of impacts from geologic and seismic hazards by applying proper and up to date land use planning, development engineering, building construction, and retrofitting requirements.

PS-4.2 **Sensitive Site Location.** Discourage the development of new sensitive uses and the construction of critical facilities, high-occupancy buildings, and essential services buildings, in areas with high seismic or geologic hazards. Rather, encourage landscaped open space uses for areas within these areas.

PS-4.4 **Building Codes.** Maintain high standards for seismic performance of buildings through prompt adoption and careful enforcement of the most current seismic standards of the Uniform Building Code.

Actions

PS-4a Require assessment and mitigation of hazards related to geologic hazards for new development projects or City improvement projects that are identified by the City as susceptible to potential seismic hazards or are located in or adjacent to hillsides. Require development adjacent to hillside areas to minimize the potential hazard of falling rocks through project design.

PS-4b Require professional inspection of geotechnical aspects, such as excavation earthwork, during site development construction on sites that have been specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard.

PS-4c Review development proposals to ensure compliance with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces such as earthquakes and wind. Before approval, review development proposals to ensure compliance with the current federal, State, and local building standards. During review of discretionary development and redevelopment proposals, require surveys of soil and geologic conditions by State licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.

e. General Plan implementation does not have the potential to 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

Any new development within the City would not be serviced by septic tanks or alternative wastewater disposal systems. Therefore, there would be no impact. See PDEIR **Section 4.17, *Utilities and Service Systems*.**

f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature*

According to the cultural and paleontological resources study conducted by Duke CRM in June 2021, no paleontological resources have been documented within the City; however, geologic formations present in the City are known to contain paleontological localities with rare, well-preserved fossil materials that

offer important information about the plant or animals and/or its evolutionary history. Five formations (*Qoa*, *Qof*, *Qye*, *Qya*, and *Qyf*) have been determined to be highly sensitive for paleontological resources. These important resources are most often destroyed because of construction, such as excavation, trenching, and tunneling. Impacts can be mitigated through pre-construction and construction mitigation programs.

The report also discussed that the northeastern portion of the City, below an elevation of 200 feet, has an undetermined potential for containing paleontological resources and that studies should be undertaken to determine the possibility of resources in these elevations. With the implementation of a project-specific paleontological study for new development, impacts associated with paleontological resources are considered less than significant. This is implemented by GPU *Policy RM-4.1,* which requires the protection of paleontological resources, and *Actions RM-4a* and *RM-4d. Action RM-4a* requires that the City continue to assess development proposals for potential impacts to sensitive paleontological resources pursuant to the California Environmental Quality Act (CEQA). The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable paleontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation. This is implemented by *Action RM-4d.*

General Plan Policies and Actions

Policies

RM-4.1 **Preservation.** Protect areas containing significant historic, archaeological, paleontological and tribal cultural resources, as defined by the California Public Resources Code.

Actions

RM-4a Continue to assess development proposals for potential impacts to sensitive historic, archaeological, and paleontological resources pursuant to the California Environmental Quality Act (CEQA).

RM-4d The City shall require an assessment of the potential for development proposals to significantly impact paleontological resources pursuant to the CEQA. If the project involves earthworks, the City may require a study conducted by a professional paleontologist to determine if paleontological assets are present, and if the project will significantly impact the resources. If significant impacts are

identified, the City may require the project to be modified to avoid impacting the paleontological materials, require monitoring of rock units with high potential to contain significant nonrenewable paleontologic resources, or require mitigation measures to mitigate the impacts, such as recovering the paleontological resources for preservation.

4.7.5 Cumulative Impacts

The City could be adversely impacted by geotechnical hazards. To address seismic ground shaking, ground failure, liquefaction, subsidence, loss of topsoil, and expansive or corrosive soils, any project would be required to follow the City's policies and actions that address using the most current federal, State, and local building standards and requiring surveys of soil and geologic conditions. This is required by *Policies PS-4.1 through PS-4.4* and *Actions PS-4a through PS-4e.* Additionally, the implementation of project specific SWPPPs and WQMPs would further reduce development within the Indian Wells Plan Area will not cause or contribute to any cumulative impacts associated with geology and soils and are thus considered to be less than significant. Moreover, implementation of *Policy RM-4.1* and *Actions RM-4a* and *RM-4d* would ensure the cumulative impacts to paleontological resources are less than significant.

4.7.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to geology and soils. Moreover, Moreover, State requirements and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.7.7 Level of Significance After Mitigation

Not applicable.

4.7.8 References

1. Cultural and Paleontological Resource Study for the General Plan Update, City of Indian Wells, Riverside County, DUKE Cultural Resources Management, January 2021
2. City of Indian Wells General Plan 2018, Seismic Hazards Section and Paleontological Resources Section of the Public Safety Section (Chapter 4), 2018. https://static1.squarespace.com/static/5f639a7de05d1e43d92ad6a5/t/5f7f8f3d8ecd9933dd0a4057/1602195361668/_General+Plan+Updated+2018.pdf

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4. Jennings, C.W., Strand, R.G., and Rogers, T.H., 1977, Geologic Map of California: California Division of Mines and Geology, scale 1:750,000.
5. California Department of Conservation EQ Zapp: California Earthquake Hazards Zone Application.
6. California Department of Conservation, Fault Activity Map of California, https://maps.conservation.ca.gov/cgs/fam/app/
7. California Department of Conservation, Landslide Inventory, https://maps.conservation.ca.gov/cgs/lsi/app/
8. USGS Areas of Land Subsidence in California, https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html
9. USGS U.S. Landslide Inventory and Interactive Map, https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=ae120962f459434b8c904b456c82669d
10. USGS US Topo 7.5-minute map for La Quinta, CA 2015,
11. USDA NRCS Web Soil Survey, https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx
12. 2020 Coachella Valley Regional Urban Water Management Plan, Water Systems Consulting, Inc., 2021, https://www.cvwd.org/DocumentCenter/View/5482/Coachella-Valley-RUWMP

4.8 Greenhouse Gas Emissions

4.8.1 Introduction

This section of the PDEIR describes the existing greenhouse gas (GHG) conditions in the Coachella Valley and analyzes the potential impacts, in terms of GHG emissions, resulting from construction and operation of future projects within the City from the implementation of the GPU. The GHG principles, descriptions and supporting analysis rely on the relevant background research and information made available in various public regulatory and reference documents cited throughout this section.

Reference documentation include sections of the federal *Clean Air Act* (CWA); *Final 2022 Air Quality Management Plan* (AQMP), by South Coast Air Quality Management District (SCAQMD), adopted by SCAQMD on December 2, 2022 and approved by California Air Resources Board (CARB) Board of Directors on January 26, 2023; *2016 Air Quality Management Plan* (AQMP), by SCAQMD, March 2017; *Final 2003 Coachella Valley PM_{10} State Implementation Plan* (CVSIP), by SCAQMD, August 2003; *Analysis of the Coachella Valley PM_{10} Redesignation Request and Maintenance Plan*, by the CARB, February 2010; sections of the SCAQMD Rule Book; and *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators*, 2019 Edition, by the CARB; Release No. 18-37 & 19-35, California Air Resources Board Press Release, July 2018 and August 2019.

The findings also rely on the project-specific quantitative results from the California Emissions Estimator Model™ (CalEEMod), Version 2022.1. CalEEMod is a statewide land use emissions computer model developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts, to provide a uniform platform for quantifying potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. To determine the findings of significance, project-specific emissions quantities are compared against SCAQMD's pertinent significance thresholds. The supporting air emissions modeling results referenced herein are provided in the Appendices of this PDEIR (**Appendix B**).

4.8.2 Existing Conditions

According to the U.S. Environmental Protection Agency (EPA), greenhouse gases (GHG) are a group of gases that trap solar energy in the Earth's atmosphere and are steadily increasing global land and ocean temperatures. Greenhouse gases include, but are not limited to, water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrochlorofluorocarbons (HCFCs), ozone (O_3), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Carbon dioxide is the most abundant GHG while other GHGs are more potent pound for pound. Human activities (such as burning carbon-based fossil fuels) also generate water vapor and CO_2 as byproducts, thereby increasing the level of atmospheric warming.

Carbon dioxide-equivalence (CO_2e) is a metric used to compare emissions and associated warming of various greenhouse gases. It is the mass of carbon dioxide that would produce the same estimated warming as a given mass of another greenhouse gas.

Global Climate Change is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms.

GHGs are the result of both natural and human activities, including motor vehicle travel, air travel, consumption of fossil fuels for power generation, industrial processes, heating and cooling, landfills, and agriculture. Wildfires, both natural and human-caused, are also a major source of GHG emissions. The significant adverse effects of increasing GHG concentrations in the atmosphere have resulted in the adoption of governmental policies and regulations on federal, state and local levels that are intended to reduce GHG emissions by development projects, transportation and other activities.

4.8.3 Regulatory Setting

Federal

Clean Air Act

The federal Clean Air Act (CAA) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants. The CAA has served as the primary basis for federal regulation of greenhouse gas emissions, particularly through CAA section 111, which covers emissions regulation for stationary facility sources. Under Section 111(b) of the CAA, the EPA is authorized to set New Source Performance Standards for GHG emissions from new, modified, and reconstructed fossil fuel-fired power plants.

State

California Assembly Bill 32 (AB 32)

In September 2006, Governor Schwarzenegger signed AB 32, the California Global Warming Solutions Act of 2006, which required that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction was to be accomplished through an enforceable statewide cap on GHG emissions beginning in 2012. To implement the cap, AB 32 directs California Air Resources Board (CARB) to develop and implement regulations to reduce statewide GHG emissions from stationary sources. In November 2007, CARB completed its estimates of 1990 GHG levels and established 427 million metric tons of carbon dioxide equivalent ($MTCO_2e$) as the total statewide aggregated greenhouse gas 1990 emissions level and the 2020 emissions limit or target. The California GHG Emissions Inventory and Trends

discussion provided below summarizes the State's progress in reducing GHGs based on information collected through various AB 32 programs.

Senate Bill 32 (SB 32)

Senate Bill 32 (2016) adds Section 38566 to the Health and Safety Code and requires that CARB ensure statewide GHG emissions meet the 40 percent reduction target no later than December 31, 2030.

CARB Scoping Plan

2022 CARB Scoping Plan

On December 15, 2022, CARB adopted the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan builds on the 2017 Scoping Plan as well as the requirements set forth by AB 1279, which directs the state to become carbon neutral no later than 2045. To achieve this statutory objective, the 2022 Scoping Plan lays out how California can reduce GHG emissions by 85 percent below 1990 levels and achieve carbon neutrality. The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world.

The key elements of the 2022 CARB Scoping Plan focus on transportation - the regulations that will impact this sector are adopted and enforced by CARB on vehicle manufacturers and outside the jurisdiction and control of local governments. Under the 2022 Scoping Plan, the State will lead efforts to meet the 2045 carbon neutrality goal through implementation of a number of objectives (provided in Appendix H of the Plan).

The 2022 Scoping Plan lays out the framework to achieve the AB 1279 target of 85 percent below 1990 levels by 2045 and identifies a need to accelerate the 2030 target to 48 percent below 1990 levels.

Senate Bill 375 (Sustainable Communities and Climate Protection Act)

SB 375, signed into law in September 2008, aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. The act requires metropolitan planning organizations (MPOs), such as SCAG, to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) that prescribes land use allocation in that MPO's regional transportation plan (RTP). CARB, in consultation with MPOs, provided regional reduction targets for GHGs for the years 2020 and 2035.

SB 100

The 100 Percent Clean Energy Act of 2018, otherwise known as Senate Bill 100 (SB 100, De León), set a 2045 goal of powering all retail electricity sold in California and state agency electricity needs with renewable and zero-carbon resources, such as solar and wind energy that do not emit climate-altering greenhouse gases. SB 100 also updated the state's Renewables Portfolio Standard to ensure that by 2030

at least 60 percent of California's electricity is renewable and required the Energy Commission, Public Utilities Commission and Air Resources Board to use programs under existing laws to achieve 100 percent clean electricity and issue a joint policy report on SB 100 by 2021 and every four years thereafter.

AB 1493

California AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The standards were projected to result in about a 22 percent reduction compared with the 2002 fleet, and the mid-term (2013–2016) standards will result in about a 30 percent reduction. The updated regulations are projected to reduce GHGs from new cars by 34 percent from 2016 levels by 2025.

AB 1279

AB 1279 or the "California Climate Crisis Act, declared the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 85 percent below the 1990 levels. The law required the California Air Resources Board to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals and to identify and implement a variety of policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage technologies in California.

S-3-05

In 2005, Governor Schwarzenegger issued Executive Order S-3-05 establishing various GHG reduction targets for the State of California, including GHG emissions to 2000 levels by 2010, GHG emissions to 1990 levels by 2020, and GHG emissions to 80 percent below 1990 levels by 2050.

B-30-15

In 2015, Governor Brown issued Executive Order B-30-15 to establish a new interim statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. All state agencies with jurisdiction over sources of greenhouse gas emissions were required to implement measures, pursuant to statutory authority, to achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

N-79-20

In 2020, Governor Newsom issued Executive Order N-79-20, setting new statewide goals for phasing out gasoline-powered cars and trucks in California, including a zero-emission requirement for all in-state sales of new passenger cars and trucks by 2035. Similarly, under this Order, 100 percent of in-state sales of medium- and heavy-duty trucks and buses are to be zero-emission by 2045, where feasible; and 100 percent of off-road vehicles and equipment sales are to be zero-emission by 2035, where feasible.

Regional and Local

South Coast Air Quality Management District (SCAQMD)

The South Coast Air Quality Management District (SCAQMD) is responsible for air quality planning and regulation in the South Coast Air Basin. When it comes to projects requiring an SCAQMD permit, the agency addresses their climate change impacts. SCAQMD serves as the lead agency if it is the only one with discretionary approval for the project. If a land use agency also needs to approve discretionary permits, SCAQMD acts as a responsible agency. The SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions, so the agency helps local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SCAB. The Working Group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, which could be applied by lead agencies. The working group has not provided additional guidance since the release of the interim guidance in 2008. The SCAQMD Board has not approved the thresholds; however, the Guidance Document provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to the project's operational emissions. If a project's emissions are below one of the following screening thresholds, then the project is less than significant:
    - Residential and commercial land use: 3,000 $MTCO_2e/yr$
    - Industrial land use: 10,000 $MTCO_2e/yr$

    - Based on land use type: residential: 3,500 $MTCO_2e$/yr; commercial: 1,400 $MTCO_2e$/yr; or mixed use: 3,000 $MTCO_2e$/yr
- Tier 4 has the following options:
    - Option 1: Reduce Business-as-Usual (BAU) emissions by a certain percentage; this percentage is currently undefined.
    - Option 2: Early implementation of applicable AB 32 Scoping Plan measures
    - Option 3: 2020 target for service populations (SP), which includes residents and employees: 4.8 $MTCO_2e$ per SP per year for projects and 6.6 $MTCO_2e$ per SP per year for plans;
    - Option 3, 2035 target: 3.0 $MTCO_2e$ per SP per year for projects and 4.1 $MTCO_2e$ per SP per year for plans
- Tier 5 involves mitigation offsets to achieve target significance threshold.

The SCAQMD's interim thresholds used the Executive Order S-3-05-year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO2 concentrations at 450 ppm, thus stabilizing global climate.

SCAQMD only has authority over GHG emissions from development projects that include air quality permits. At this time, it is unknown if the project would include stationary sources of emissions subject to SCAQMD permits. Notwithstanding, if the project requires a stationary permit, it would be subject to the applicable SCAQMD regulations.

SCAQMD Regulation XXVII, adopted in 2009 includes the following rules:

- Rule 2700 defines terms and post global warming potentials.
- Rule 2701, SoCal Climate Solutions Exchange, establishes a voluntary program to encourage, quantify, and certify voluntary, high quality certified GHG emission reductions in the SCAQMD.
- Rule 2702, GHG Reduction Program created a program to produce GHG emission reductions within the SCAQMD. The SCAQMD would fund projects through contracts in response to requests for proposals or purchase reductions from other parties.
- Rule 201 (Permit to Construct). A person shall not build, erect, install, alter or replace any equipment or agricultural permit unit, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce or control the issuance of air contaminants without first obtaining written authorization for such construction from the Executive Officer. A permit to construct shall remain in effect until the permit to operate the equipment or agricultural permit unit for which the application was filed is granted or denied, or the application is canceled.
- Rule 203 (Permit to Operate). A person shall not operate or use any equipment or agricultural permit unit, the use of which may cause the issuance of air contaminants, or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit

to operate from the Executive Officer or except as provided in Rule 202. The equipment or agricultural permit unit shall not be operated contrary to the conditions specified in the permit to operate.

- Form 400-A. This is the basic permit application providing information about the equipment that will be constructed and operated and the company that will own the equipment, among other details. This form is required for all Rule 201 and Rule 203 applications.

SCAQMD is the agency responsible for air quality planning and regulation in the Salton Sea Air Basin (SSAB). The SCAQMD addresses the impacts to climate change of projects subject to SCAQMD permit as a lead agency if they are the only agency having discretionary approval for the project and acts as a responsible agency when a land use agency must also approve discretionary permits for the project. The SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions, so the agency helps local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

Indian Wells Climate Action Plan (CAP)

The City of Indian Wells adopted a Climate Action Plan (CAP) in 2013 consistent with both Assembly Bill (AB) 32, known as the Global Warming Solutions Act of 2006, and Senate Bill (SB) 32. The Climate Action Plan is a framework for the development and implementation of policies and programs that will reduce the City's emissions. It addresses the major sources of emissions in seven spheres of daily life: (1) residential, (2) business, (3) building, (4) transportation, (5) municipal, (6) hospitality/recreation, and (7) education. For each sphere, the Plan suggests a number of programs or policies that can be implemented by Indian Wells to meet its goals. See **Section 4.6, *Energy Resources,*** for a list of the CAP measures.

County of Riverside CAP

The County of Riverside Climate Action Plan (CAP) was designed under the premise that the County of Riverside, and the community it represents, is uniquely capable of addressing emissions associated with sources under the County of Riverside jurisdiction, and that the County of Riverside emission reduction efforts should coordinate with the state strategies of reducing emissions in order to accomplish these reductions in an efficient and cost-effective manner.

The CAP Update (November 2019) establishes GHG emission reduction programs and regulations that correlate with and support evolving State GHG emissions reduction goals and strategies. The CAP Update includes reduction targets for the year 2030 and year 2050. These reduction targets require the County of Riverside to reduce emissions by at least 525,511 MT CO_2e below the adjusted business-as-usual (BAU) scenario by 2030 and at least 2,982,948 MT CO_2e below the adjusted BAU scenario by 2050.

To evaluate consistency with the CAP Update, the County of Riverside has implemented CAP Update Screening Tables to aid in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated in development projects. To this end, the Screening Tables establish

categories of GHG Implementation Measures. Under each Implementation Measure category, mitigation or project design features (collectively "features") are assigned point values that correspond to the minimum GHG emissions reduction that would result from each feature.

Relative to new commercial and industrial development, the GHG emissions reductions offered by each measure were assigned a point value calculated in the CAP methodology at 0.0322 $MTCO_2e$ per point, per 1,000 square feet of gross building area.

Projects that yield at least 100 points are considered to be consistent with the GHG emissions reduction quantities anticipated in the County of Riverside GHG Technical Report and support the GHG emissions reduction targets established under the CAP Update.

The potential for such projects to generate direct or indirect GHG emissions that would result in a significant impact on the environment; or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would be considered less-than significant.

4.8.4 Project Impact Analysis

Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts from the implementation of the GPU would have a significant effect on greenhouse gas emissions. The significance determination is based on the recommended criteria set forth in Section 15064 of the CEQA Guidelines:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Methodology

Like the Air Quality section of this document, this GHG analysis relies on the quantitative results of running the most current version of the California Emissions Estimator Model (CalEEMod, Version 2022.1), which serves as a statewide platform to calculate criteria air pollutants and greenhouse gas emissions from construction and operation aspects of land development projects. CalEEMod utilizes widely accepted methodologies for estimating emissions, including but not limited to, the U.S. EPA AP-42 emission factors, CARB vehicle emission models, and studies commissioned by California agencies such as the California Energy Commission (CEC) and California Department of Resources Recycling and Recovery (CalRecycle). In addition, some local air districts provided customized values for their default data and existing regulation methodologies for use for projects located in their jurisdictions. As

subsequently explained, the analysis relies on SCAMQD's interim tiered threshold GHG guidance, particularly Tier 3, which establishes a threshold of 3,000 $MTCO_2e$ for non-industrial projects.

Project Impact Analysis

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment

Project implementation would result in construction and operational GHG emissions. Construction-related GHG emissions will be short-term, while operational emissions will occur throughout the life of the project. At buildout, five emission source categories will contribute either directly or indirectly to operational GHG emissions: energy/electricity usage, water usage, solid waste disposal, area emissions (pavement and architectural coating off-gassing), and mobile sources.

Construction GHG Emissions

The California Emissions Estimator Model (CalEEMod), version 2022.1, was used to calculate project-related GHG emissions during the construction phase, and annual operational emissions. The results are summarized in **Tables 4.8-1** and **4.8-2** and explained below.

Construction of the proposed project is anticipated to occur in 2025 through 2029, as a conservative estimate based on the most feasible and shortest time frame for buildout of the remaining developable areas in the City. For analysis purposes, all project components have been analyzed concurrently over a single period, as this buildout scenario represents the worst-case scenario conditions compared to a phased implementation. This is also conservative because it assumes buildout would occur by 2029, sixteen years before the buildout year for the General Plan Update of 2045, since construction vehicles would become more efficient over time. As shown in **Table 4.8-1**, proposed project construction would result in a total of approximately 2,455 $MTCO_2e$. To determine if construction emissions will result in a significant impact, build out GHG emissions were amortized over a 30-year period and added to annual operational emissions to be compared to applicable GHG thresholds (**Table 4.8-2**). Standard emission control requirements were applied to construction.

Table 4.8-1 Summary of Construction Greenhouse Gas (GHG) Emissions

Year	Emissions (MT/yr)					
	$NBCO_2$	CO_2T	CH_4	N_2O	R	Total CO_2e
2025	448.6	448.6	0	0	0.1	451.4
2026	699.1	699.1	0	0	0.6	711.2
2027	690.4	690.4	0	0	0.5	702.0
2028	570.2	570.2	0	0	0.4	579.3
2029	11.2	11.2	0	0	0	11.3
Total Construction Emissions	2,419.6	2,419.6	0.1	0.1	1.5	2,455.2
Construction emissions amortized over 30 years	80.7	80.7	0	0	0.1	81.8

Sources: CalEEMod Version 2022.1. Refer to Appendix B of this DEIR for detailed tables.

Operational GHG Emissions

Operational emissions are attributed to five sources: energy/electricity usage, water usage, solid waste disposal, area emissions (pavement and architectural coating off-gassing), and mobile sources.

On December 5, 2008, the SCAQMD formally adopted a greenhouse gas significance threshold of 10,000 $MTCO_2e$/yr that applies to stationary source projects (industrial uses) for which SCAQMD is the lead agency (SCAQMD Resolution No. 08-35). This threshold was adopted based upon an October 2008 staff report and draft interim guidance document that also recommended a threshold for all projects using a tiered approach. It was recommended by SCAQMD staff that a project's greenhouse gas emissions would be considered significant if it could not comply with at least one of the following "tiered" tests:

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

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

Tier 3: Is the project's incremental increase in GHG emissions below or mitigated to less than the significance screening level (10,000 $MTCO_2e$ per year for industrial projects; 3,000 $MTCO_2e$ for residential projects/commercial projects; 3,500 $MTCO_2e$ for mixed use projects)? If yes, there is a presumption of less than significant impacts with respect to climate change.

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

1: Reduce Business-as-Usual (BAU) emissions by a certain percentage; this percentage is currently undefined;

2: Early implementation of applicable AB 32 Scoping Plan measures

3: 2020 target for service populations (SP), which includes residents and employees: 4.8 $MTCO_2e$/SP per year for projects and 6.6 $MTCO_2e$ per SP per year for plans;

Option 3, 2035 target: 3.0 $MTCO_2e$/SP per year for projects and 4.1 $MTCO_2e$ per service population per year for plans

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

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

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

Table 4.8-2 Summary of Greenhouse Gas (GHG) Emissions

Emission Source	Emissions (MT/yr)			
	CO_2T	**CH_4**	**N_2O**	**Total CO_2e**
Annual construction-related emissions amortized over 30 years	80.7	0	0	81.8
Mobile	10,670	0.3	0.5	10,824
Area	4.8	0	0	4.8
Energy	1,125.6	01	0	1,130.6
Water	17.1	0.6	0	37.6
Waste	167.8	16.8	0	587.2
Total CO_2e (All Sources)	**12,666**			
SCAQMD Threshold for Non-Industrial Projects	**3,000**			
Threshold Exceeded?	**Yes**			

Sources: CalEEMod Version 2022.1. Refer to Appendix B of this DEIR for detailed tables.

As shown in **Table 4.8-2** resulting from the CalEEMod calculations, the proposed Project is expected to generate approximately 12,666 $MTCO_2e$ per year from construction, area, energy, mobile sources, waste, and water usage sources. As such, the project GHG emissions would be above with the threshold of significance set at 3,000 $MTCO_2e$ per year (i.e. Tier 3 of the SCAQMD's greenhouse gas significance

thresholds). However, the proposed project would be consistent with Tier 4 of the SCAQMD's greenhouse gas significance thresholds, since the proposed Project would generate approximately 6,217 jobs; therefore, the MT CO_2e per employee would be approximately 2.04, which is below the SCAQMD Tier 4 threshold of 6.6 $MTCO_2e$ per SP.[1]

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

General Plan Policies

The General Plan Update establishes various policies and actions designed to support the statewide efforts toward GHG emissions reductions and the associated benefits in climate change. GHG and climate change benefits are supported and influenced, directly and indirectly, by a wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan.

The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated GHG reductions. The relevant policies are *CD-1.1* (Land Use Pattern), and *CD-1.8* (Prohibited Development Types). These policies and actions are further discussed in **Section 4.11, *Land Use and Planning***, of this PDEIR.

The Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated GHG reductions. The relevant policies are *M-1.1* (Development-Related Traffic Impacts), *M-1.2* (LOS Standards), *M-1.3* (Traffic Distribution), *M-1.4* (Efficient Circulation), *M-1.5* (Transportation Management System), *M-1.6* (Intersection Configurations), *M-1.7* (Minimize Environmental Impacts), *M-1.8* (Local and Regional Collaboration), *M-1.9* (Safe Routes to School), *M-1.10* (Residential Streets Traffic Calming), *M-1.11* (ADA Accessibility), *M-1.12* (Truck Routes), *M-2.1* (Multi-Modal Streets), *M-2.2* (Alternative Modes), *M-2.3* (Connectivity), *M-2.4* (New Development), *M-2.5* (Citywide Bicycle Plan), *M-2.6* (Bicyclist and Pedestrian Safety), *M-2.7* (CV Link Users), *M-2.8* (Bus Stops), M-2.9 (Rail and Air Travel), *M-2.10* (The Living Desert). The relevant actions are *M-1a* through *M-1g*. These policies and actions are further discussed in **Section 4.16, *Transportation,*** of this PDEIR.

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

The policies and actions contained in the Resource Management Element that are most applicable to greenhouse gas reduction are provided below:

Policies

CD-1.1 **Land Use Pattern.** Promote an appropriate land use plan that fosters and enhances community livability and public health; sustains economic vitality; relates to the City's resort industry; promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in this Element and Land Use Map.

CD-1.8 **Prohibited Development Types.** Prohibit undesirable development types, including linear or strip commercial development, heavy polluting industry, and billboards.

M-1.1 **Development-Related Traffic Impacts.** Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.

M-1.2 **LOS Standards.** Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.

M-1.3 **Traffic Distribution.** Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.

M-1.4 **Efficient Circulation.** Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.

M-1.5 **Transportation Management System.** Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.

M-1.6 **Intersection Configurations.** Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.

M-1.7 **Minimize Environmental Impacts.** Manage the circulation system to minimize congestion and improve flow and air quality.

M-1.8 **Local and Regional Collaboration.** Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments

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

M-1.9 **Safe Routes to School.** Work with schools and school districts within the city to encourage parents and children to walk or bike to school through programs such as Safe Routes to School.

M-1.10 **Residential Streets Traffic Calming.** Continue implementing traffic calming measures to discourage speeding and cut-through traffic on residential streets, where appropriate.

M-1.11 **ADA Accessibility.** Ensure the City's transportation network is safe, accessible, and consistent with the Americans with Disabilities Act (ADA), to allow mobility-impaired users, such as disabled persons and seniors, to safely travel within and beyond the city.

M-1.12 **Truck Routes.** Maintain a network of truck routes to facilitate goods movement to regional roads and to discourage the use of residential roads.

M-2.1 **Multi-Modal Streets.** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities.

M-2.2 **Alternative Modes.** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City’s residents, workers and visitors to local and regional destinations.

M-2.3 **Connectivity.** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.

M-2.4 **New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.

M-2.5 **Citywide Bicycle Plan.** Implement construction of the bike network system by requiring new development to provide bike lanes on public roads and update the plan as needed.

M-2.6 **Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.

M-2.7 **CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.

M-2.8 **Bus Stops.** Work with SunLine and other providers to improve bus stop amenities.

M-2.9 **Rail and Air Travel.** Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.

M-2.10 **The Living Desert.** Coordinate with The Living Desert to ensure Indian Wells residents have access to the reserve's nature walks and hiking trails.

RM-9.1 **Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.

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

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

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

Actions

M-1a Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:

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

M-1b Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the

California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements.

M-1c Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.

M-1d Evaluate opportunities to implement roundabouts as traffic control, considering safety, traffic calming, cost and maintenance.

M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.

M-1f Consider streetscape improvements such as landscaping, , sidewalks, paths, lighting, and other pedestrian-oriented features in the City.

M-1g Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City’s charm and unique appeal.

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

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

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

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

1. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.

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

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

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

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

- Provide onsite solar/renewable energy in excess of regulatory requirements.

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

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

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

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

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases

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

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

which are increasingly variable because of the climate change California is already witnessing.[2] The SCAQMD adopted the interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to projects where the SCAQMD is the lead agency.

CARB's statewide GHG emission inventory has tracked California's progress in reducing GHG emissions. On July 11, 2018, CARB announced that greenhouse gas pollution in California had fallen below 1990 levels for the first time since emissions peaked in 2004, an achievement roughly equal to taking 12 million cars off the road or saving 6 billion gallons of gasoline a year. Moreover, the agency findings also indicated a declining GHG emissions trend between 2007 and 2017. In 2017, emissions from GHG emitting activities statewide were 424 million $MTCO_2e$, 5 million $MTCO_2e$ lower than 2016 levels and 7 million $MTCO_2e$ below the 2020 GHG Limit of 431 million $MTCO_2e$. The largest reductions are attributed to the electricity sector, which continues to see decreases as a result of the State's climate policies. The transportation sector remains the largest source of GHG emissions in the state, but saw a 1 percent increase in emissions in 2017, the lowest growth rate over the past 4 years. The transportation sector, the state's largest source of greenhouse gases, saw a 2 percent increase in emissions in 2016 because of increased fuel consumption. The state has also documented the increased use of biofuels as a result of the state's Low Carbon Fuel Standard. These low-carbon alternative fuels, consisting mostly of biodiesel, renewable diesel, and ethanol, reduced emissions by 14 million metric tons of carbon dioxide, when compared to what would have been generated if conventional fossil fuels had been used.

More recently, CARB's Statewide GHG emission inventory tracked year 2023 data. GHG emissions for 2023 totaled approximately 381 million $MTCO_2e$, 43 million $MTCO_2e$ below the year 2017 levels. The transportation sector remained the largest GHG sector, with 39 percent of total emissions, followed by the Industrial sector with 22 percent, Electricity at 16 percent, Agriculture & Forestry at 8 percent, Residential at 8 percent, and Commercial at 6 percent.

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

General Plan Policies

Previously discussed, the General Plan Update establishes various policies and actions designed to support the statewide efforts toward GHG emissions reductions and the associated benefits in climate change. GHG and climate change benefits are supported and influenced, directly and indirectly, by a

[2] Additionally, it should be noted that CARB's latest Scoping Plan accounts for more recent State GHG-related legislation, including AB 1279.

wide range of policies and actions, including those stemming from the Community Development, Mobility, and Resource Management elements of the General Plan.

The Community Development Element will include policies and actions designed to promote efficient land use allocations and compatible development, thus contributing to transportation efficiency and associated GHG reductions. The relevant policies are *CD-1.1* (Land Use Pattern), and *CD-1.8* (Prohibited Development Types). These policies and actions are further discussed in **Section 4.11, *Land Use and Planning,*** of this PDEIR.

The Mobility Element will include various policies and actions designed to promote transportation efficiency across multiple modes, thus helping reduce the associated GHG reductions. The relevant policies are *M-1.1* (Development-Related Traffic Impacts), *M-1.2* (LOS Standards), *M-1.3* (Traffic Distribution), *M-1.4* (Efficient Circulation), *M-1.5* (Transportation Management System), *M-1.6* (Intersection Configurations), *M-1.7* (Minimize Environmental Impacts), *M-1.8* (Local and Regional Collaboration), *M-1.9* (Safe Routes to School), *M-1.10* (Residential Streets Traffic Calming), *M-1.11* (ADA Accessibility), *M-1.12* (Truck Routes), *M-2.1* (Multi-Modal Streets), *M-2.2* (Alternative Modes), *M-2.3* (Connectivity), *M-2.4* (New Development), *M-2.5* (Citywide Bicycle Plan), *M-2.6* (Bicyclist and Pedestrian Safety), *M-2.7* (CV Link Users), *M-2.8* (Bus Stops), *M-2.9* (Rail and Air Travel), *M-2.10* (The Living Desert). The relevant actions are *M-1a* through *M-1g*. These policies and actions are further discussed in **Section 4.16, *Transportation,*** of this PDEIR.

The policies and actions contained in the Resource Management Element that are most applicable to air quality plan implementation are summarized below:

Policies

RM-9.1 **Reduce Greenhouse Gas Emissions.** Consider and adopt new local policies and programs that provide energy efficient alternatives to fossil fuel use to reduce local greenhouse gas emissions and improve air quality.

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

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

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

Actions

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

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

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

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

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

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

- Require all off-road diesel equipment greater than 50 horsepower (hp) to meet USEPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board Certified Level 3 Diesel

Particulate Filter (DPF) or equivalent. The DPF reduces diesel particulate matter and NOx emissions during construction activities.

- Require a minimum of 50 percent of construction debris be diverted for recycling.
- Require building materials to contain a minimum 10 percent recycled content.
- Require materials such as paints, primers, sealants, coatings, and glues to have a low volatile organic compound concentration compared to conventional products. If low VOC materials are not available, architectural coating phasing should be extended sufficiently to reduce the daily emissions of VOCs.

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

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

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

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

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

4.8.5 Cumulative Impacts

Amortized construction and operational emissions of the proposed project would not exceed established SCAQMD thresholds for GHG emissions, therefore, potential cumulative impacts are considered less than significant.

4.8.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to greenhouse gas emissions. Moreover, State, regional and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.8.7 Level of Significance After Mitigation

The project does not exceed GHG thresholds, therefore no mitigation measures are required.

4.8.8 Resources

1. *Analysis of the Coachella Valley PM10 Redesignation Request and Maintenance Plan*, by the California Air Resources Board, February 2010;
2. *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators*, 2019 Edition, California Air Resources Board; Release No. 18-37 & 19-35, California Air Resources Board Press Release, July 2018 and August 2019.
3. Federal *Clean Air Act* (CWA);
4. *2022 Air Quality Management Plan* (AQMP), by South Coast Air Quality Management District (SCAQMD), Adopted December 2, 2022.
5. *Final 2003 Coachella Valley PM10 State Implementation Plan* (CVSIP), by SCAQMD, August 2003; and sections of the SCAQMD Rule Book;

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4.9 Hazards and Hazardous Materials

4.9.1 Introduction

This section describes the existing setting and proposed improvements to the City of Indian Wells that could result in the use, transport, or disposal of hazardous materials from on-site or off-site activities. Hazards include man-made or natural materials or natural conditions that may pose a threat to human health, life, property, or the environment. This section analyzes impacts associated with the GPU that may potentially affect public health and safety or degrade the environment. The analysis is based on the information contained in the *Indian Wells General Plan Update* regarding proposed land use, as well as public resources provided by the Department of Toxic Substance Control (DTSC), the State Water Resources Control Board, and the Environmental Protection Agency. Additional federal, State, and local programs and regulations related to hazards and the use of hazardous materials are referenced in this section.

4.9.2 Existing Conditions

Hazardous Materials

The Code of Federal Regulations (CFR Title 40, Part 261) defines hazardous materials based on ignitability, reactivity, corrosivity, and/or toxicity properties. The State of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive and/or corrosive, which have the capacity of causing harm or a health hazard during normal exposure or an accidental release. As a result, the use and management of hazardous or potentially hazardous substances is regulated under existing federal, state, and local laws.

Hazardous Waste

The United States Environmental Protection Agency (EPA) simply defines hazardous waste as a waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment. Hazardous waste is generated from sources ranging from industrial manufacturing process wastes to batteries and may come in many forms, including liquids, solids, gases, and sludges. These can include everyday commercial products, such as pesticides, cleaning fluids, and household sprays, as well as byproducts of manufacturing processes. The EPA has classified hazardous waste into four categories:

- Listed wastes – wastes from common manufacturing and industrial processes, waste from specific industries such as petroleum refining or pesticide manufacturing, and discarded commercial products;

- Characteristic wastes – non-listed wastes that exhibit ignitability, corrosively, reactivity, and toxicity;
- Universal wastes – batteries, mercury-containing equipment, and fluorescent lamps and bulbs; and
- Mixed wastes – radioactive and hazardous waste components.

A hazardous material may become hazardous waste upon its accidental release into the environment. All hazardous wastes must be discharged into a Class I landfill. No Class I landfill is currently operated within Riverside County. Hazardous Waste generated within Riverside County and disposed of off-site, transported to Kern County or Santa Barbra County, where active Class I landfills are located. Some waste is also transported out of the State.

The Riverside County Environmental Health Hazardous Materials Branch is the sole overseeing agency for hazardous waste generation throughout the County. The purpose of the hazardous waste program is to protect both people and the environment by ensuring that hazardous wastes will be properly disposed of and managed.

Hazardous wastes require special handling and disposal methods to reduce their potential to damage public health and the environment. Manufacturer's specifications dictate the proper use, handling, and disposal methods for the specific substances. All hazardous waste poses a threat to humans and the environment, and therefore is regulated by federal, State and local programs. In most cases, it is a violation of federal or State law to improperly store, apply, transport, or dispose of hazardous materials and waste.

Transportation of Hazardous Materials

The transportation of hazardous materials within California is subject to various federal, State, and local regulations. It is illegal to transport explosives or inhalation hazards on any public highway not designated for that purpose, unless the use of the highway is required to permit delivery, or the loading of such materials (California Vehicle Code Section 31602(b), 32104(a)). The California Highway Patrol (CHP) designates through routes to be used for the transportation of hazardous materials. Transportation of hazardous materials is restricted to these routes expect in cases where additional travel is required from that route to deliver or receive hazardous materials to and from users.

Within the City of Indian Wells, Highway 111 traverses the City in an east-west direction and provides primary access to and through the City. Primary access to the region is by Interstate 10 ("I-10"), located approximately 1.60 miles north of the City. I-10 is a major transportation corridor that traverses the United States in an east-west fashion, connecting California to Florida. State Route 74, located approximately 1.7 miles west of the City, also provides access to the City and Coachella Valley region.

Hazardous Materials Generators

Hazardous materials and waste generators can consist of large industrial operations, to small business operations, to household use of cleaning products. Small businesses such as dry cleaners, auto repair shops, medical facilities or hospitals, photo processing centers, and metal plating shops are usually generators of small quantities of hazardous wastes. Generators of large quantities of hazardous waste include chemical manufacturers, large electroplating facilities, and petroleum refineries. All significant spills, releases or threatened releases of hazardous materials must be immediately reported.

Hazardous Waste Disposal

Since July 2010, Burrtec Waste and Recycling Services provides free at-home collection of Household Hazardous Wastes to the residents of Indian Wells. The hazardous wastes to be collected includes paint, oils, pesticides, cleaners, solvents, medication, sharps, fluorescent light bulbs/tubes, household batteries, auto batteries, chemicals, toner cartridges, and similar products.

Development activities have the potential to encounter previously unknown hazardous materials contamination from historical use of a property. Such contamination can be mediated by existing federal, State, and local policies and procedures implemented by the designated local enforcement agency.

Free residential services provided to the City of Indian Wells from Burrtec includes the pick-up of bulky items (i.e., furniture, bundled wood, white goods, sporting equipment, barbeques and patio furniture), electronic waste (i.e., televisions, phones computers, printers, monitors, small appliances, radios/music players, DVDs, power tools), household hazardous waste (HHW), and used motor oil. HHW consist of antifreeze, paint, oils, pesticides, cleaners, solvents, medications, sharps, fluorescent light bulbs and tubes, batteries, pool chemicals, pesticides and herbicides, fertilizers, and toner cartridges. Household hazardous waste require special handling at disposal facilities and cannot be placed in residential or commercial containers. Pick-up of the items listed above is not an automatic service and the resident must coordinate with Burrtec prior to pick-up.

GeoTracker

GeoTracker is the California Water Resources Control Board's data management system for managing sites that impact groundwater, especially those that require groundwater cleanup (Underground Storage Tanks, Department of Defense, Site Cleanup Program) as well as permitted facilities such as operating USTs and land disposal sites.

There are three locations within Indian Wells that are listed in the GeoTracker database. The registered sites are classified as a leaking underground storage tank (LUST); however, all cases are complete. The table below lists the locations of the sites listed within the GeoTracker database.

Table 4.9-1 Indian Wells GeoTracker Database Sites

Site	Location	Type	File Location / Potential Contaminants of Concern	Cleanup Status
Indian Wells Country Club	46000 Club Dr.	LUST Cleanup Site	Local Agency Warehouse; Diesel	Completed – Case Closed 7/10/1992
City of Indian Wells Maintenance	44900 Eldorado Dr.	LUST Cleanup Site	Local Agency Warehouse, Gasoline	Completed – Case Closed 4/21/1997
Indian Wells Civic Center	44950 Eldorado Dr.	LUST Cleanup Site	Local Agency; Diesel	Completed – Case Closed 12/10/2007

EnviroStor Data Management System

The California Department of Toxic Substances Control (DTSC) maintains the EnviroStor Data Management System, which provides information on hazardous waste facilities (both permitted and corrective action) as well as any available site cleanup information. This site cleanup information includes Federal Superfund Sites (NPL), State Response Sites, Voluntary Cleanup Sites, School Cleanup Sites, Corrective Action Sites, Tiered Permit Sites, and Evaluation/Investigation Sites. The hazardous waste facilities include Permitted-Operating, Post-Closure Permitted, and Historical Non-Operating.

There is one location with an Indian Wells address that is listed in the EnviroStor database. The site is listed as a school investigation site with no further action required. The table below lists the location and status of the school investigation site.

Table 4.9-2 Indian Wells EnviroStor Database Sites

Site	Location	Type	Cleanup Status
Gerald R. Ford Elementary School	44210 Warner Trail	School Investigation - Site Cleanup Program	No Contaminants Found No Action Required as of 2/20/2020

ECHO

The Enforcement and Compliance History Online (ECHO) is the EPA's national database that focuses on inspection, violation, and enforcement data for the Clean Air Act (CAA), Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) and also includes Safe Drinking Water Act (SDWA) and Toxics Release Inventory (TRI) data.

There are 27 locations with an Indian Wells address that is listed in the ECHO database. The table below lists the location and status of the registered sites.

Table 4.9-3 Indian Wells ECHO Database Sites

Site	Location	Industry	Status/Universe	Identification	Status
Ralphs Grocery #179	74895 Highway 111	Food/ Beverage Retailers	RCRA Active LQG*	FRS 110055673481 RCRA CAR000244673	No Violation Identified
Value Cleaners	74903 Highway 111	Personal / Laundry Service	RCRA Active/Inactive Other	FRS 110005994861 RCRA CAD981639958 RCRA CAD981638828	No Violation Identified
Hyatt Grand Champions	44600 Indian Wells	N/A	RCRA Active SQG	FRS 110012184484 RCRA CAR000081752	No Violation Identified
Indian Wells Golf Resort	77075 Fred Waring Dr.	Amusement, Gambling, Recreation Industries	RCRA Active Other	FRS 110070443011 RCRA CAL000033572	No Violation Identified
Indian Wells Golf Resort	77075 Fred Waring Dr.	N/A	RCRA Active SQG	FRS 110006480361 RCRA CAD982507030	No Violation Identified
Stanley Silverman	76273 Fairway Dr.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070441712 RCRA CAC002988038	No Violation Identified
Charles A. Hibbeler	78180 Cortez Ln.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070579039 RCRA CAC003014507	No Violation Identified
City of Indian Wells – City Managers Department	44950 Eldorado Dr.	Executive, Legislative, Other General Government Support	RCRA Active Other	FRS 110070409283 RCRA CAH111001228	No Violation Identified
CVS Pharmacy No. 9779	74955 US Highway 111	Health and Personal Care Stores	RCRA Active LQG	FRS 110055439547 RCRA CAR000238659	No Violation Identified
Desert Horizons Country Club	44900 Desert Horizons Dr.	Amusement, Gambling, Recreation Industries	RCRA Active Other	FRS 110070443066 RCRA CAL000059502	No Violation Identified
El Dorado LLC - SFR	46645 E. El Dorado Dr.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070573447 RCRA CAC003008112	No Violation Identified
Eldorado Country Club	46000 Fairway Dr.	Amusement, Gambling, Recreation Industries	RCRA Active/Inactive Other	FRS 110070442889 RCRA CAC003115223 RCRA CAL000099191	No Violation Identified
Travis Erwin	45525 Navajo Dr.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070402879 RCRA CAC002975000	No Violation Identified
Fuji Photo Film USA, Inc.	4400 Indian Wells Ln.	N/A	RCRA Active SQG	FRS 110012188729 RCRA CAR000106625	No Violation Identified
Fuji Photo Film USA, Inc.	Renaissance Esmeralda Toulon	N/A	RCRA Active SQG	FRS 110070799992 RCRA CAP000096792	No Violation Identified
Garden of Champions, LLC	78200 Miles Ave.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070408513 RCRA CAC002989028	No Violation Identified
Indian Wells Country Club	46000 Club Dr.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070446007 RCRA CAL000037664	No Violation Identified
Indian Wells Tennis Garden	78200 Miles Ave.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070404817 RCRA CAC002983583	No Violation Identified

Site	Location	Industry	Status/Universe	Identification	Status
Jessica Ledbetter	76805 Roadrunner Dr.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070585154 RCRA CAC003024850 RCRA CAC003021487	No Violation Identified
Jim Greenlee	78180 Cortez Ln.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070579043 RCRA CAC003014511	No Violation Identified
John Sund	74855 Chateau Circle	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070398714 RCRA CAC002965277	No Violation Identified
Michael Naughton	45065 Camino Dorado	Waste Management/ Remediation Services	RCRA Active/Inactive Other	FRS 110070575290 RCRA CAC003010200 RCRA CAC003133233	No Violation Identified
Ralphs #0179-703	74895 Highway 111	Food/ Beverage Retailers	RCRA Active LQG	FRS 110062924563 RCRA CAD981580673	No Violation Identified
Renaissance Esmeralda Resort	44400 Indian Wells Ln.	Accommodation	RCRA Active Other	FRS 110070475679 RCRA CAL000365368	No Violation Identified
The City of Indian Wells	44950 Eldorado Dr.	Executive, Legislative, Other General Government Support	RCRA Active Other	FRS 110070450744 RCRA CAL000257798	No Violation Identified
Tom Sager – SFR	75691 Camino De Plata S	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070586949 RCRA CAC003023582	No Violation Identified
Travis Erwin	45525 Navajo Dr.	Waste Management/ Remediation Services	RCRA Active Other	FRS 110070403000 RCRA CAC002975421	No Violation Identified

* LQG: Large Quantity Generators; SQG: Small Quantity Generators.

Cortese List

The Hazardous Waste and Substance Sites (Cortese) list is a planning document used by the State, local agencies, and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency to develop at least annually updated Cortese List. DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. There are no hazardous materials release sites located in the Planning Area.

Local Schools

One school is located within the boundaries of Indian Wells. The school, Gerald R. Ford Elementary School, located at the southeast corner of Fred Waring Drive and Warner Trail, at 44120 Warner Trail. The Elementary School lies within Desert Sands Unified School District (DSUSD) and teaches Kindergarten to fifth grade.

Public Airports/Private Airstrips

The Bermuda Dunes Airport, located at 79880 Avenue 42 in Bermuda Dunes, is the closest airport to the City of Indian Wells. This airport is situated approximately 2.20 miles northeast of the City. Due to the Airport's distance from the City of Indian Wells, the City is not located within the Bermuda Dunes Airport Land Use Compatibility Plan (ALUCP).

The second closest airport to the City is the Jacqueline Cochran Regional Airport, located at 56850 Higgins Drive, in Thermal. This Airport is approximately 9.0 miles southeast of the City of Indian Wells. The Palm Springs International Airport, located at 3400 East Tahquitz Canyon Way in Palm Springs, is the third closest airport to the City, situated approximately 10.70 miles northwest of the City boundaries. The project site is outside the Airport Land Use Compatibility Zone.

Urban/Wildland Interface

The City of Indian Wells is located adjacent to both undeveloped natural mountain slopes and developed urban residential and commercial uses. The natural open space area to the south is associated with the Santa Rosa Mountains and is designated as a Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Disturbance within the Conservation Area are not proposed.

4.9.3 Regulatory Setting

Key federal, State, and local laws, regulations and policies that are relevant to hazards and hazardous materials are summarized below. The regulatory setting establishes a framework for addressing all aspects of hazards and hazardous materials that would be affected by construction and operations of the proposed General Plan Update.

Federal Programs

United States Environmental Protection Agency

The Environmental Protection Agency (EPA) is a national organization with the mission to protect human health and the environment by ensuring that:

- Americans have clean air, land and water;
- National efforts to reduce environmental risks are based on the best available scientific information;
- Federal laws protecting human health and the environment are administered and enforced fairly, effectively and as Congress intended;
- Environmental stewardship is integral to U.S. policies concerning natural resources, human health, economic growth, energy, transportation, agriculture, industry and international trade, and these factors are similarly considered in establishing environmental policy;

- All parts of society – communities, individuals, businesses, and state, local and tribal governments – have access to accurate information sufficient to effectively participate in managing human health and environmental risks;
- Contaminated lands and toxic sites are cleaned up by potentially responsible parties and revitalized; and
- Chemicals in the marketplace are reviewed for safety.

The EPA accomplishes their mission by developing and enforcing regulations, providing grants, studying environmental issues, sponsoring partnerships, publishing information, and educating people about the environment.

According to the EPA, hazardous wastes are characterized as wastes that exhibit any one or more of the following characteristic properties: ignitability, corrosivity, toxicity, or reactivity. The EPA also contains a list of hazardous materials and procedures when dealing with hazardous waste and materials. Various rules regulate the use, storage, transportation and disposal of hazardous materials.

A waste is determined to be a hazardous waste if it is specifically listed on one of four lists (the F, K, P and U lists) found in title 40 of the Code of Federal Regulations (CFR) in Section 261 and discussed in further detail below:

- **The F-list** identifies wastes from common manufacturing and industrial processes as hazardous from non-specific sources (40 CFR Section 261.31). They can be divided into seven groups depending on the type of manufacturing or industrial operation that creates them. These groups include spent solvent wastes, electroplating and other metal finishing wastes, dioxin-bearing wastes, chlorinated aliphatic hydrocarbons production, wood preserving wastes, petroleum refinery wastewater treatment sludges, and multisource leachate.
- **The K-list** identifies hazardous wastes from specific sectors of industry and manufacturing and are considered source-specific wastes. To qualify as a K-listed hazardous waste, a waste must fit into one of the following industries: wood preservation, organic chemicals manufacturing, pesticides manufacturing, petroleum refining, Veterinary pharmaceuticals manufacturing, inorganic pigment manufacturing, inorganic chemical manufacturing, explosives manufacturing, iron and steel production, primary aluminum production, secondary lead processing, ink formulation, and coking (processing of coal to produce coke).
- **The P and U lists** designate as hazardous waste pure and commercial grade formulations of certain unused chemicals that are being disposed. For a waste to be considered a P- or U-listed waste it must meet the following three criteria: (1) the waste must contain one of the chemicals listed on the P or U list; (2) the chemical in the waste must be unused; and (3) the chemical in the waste must be in the form of a commercial chemical product. The P-list identifies acute hazardous wastes from discarded commercial chemical products, while the U-list identifies hazardous wastes from discarded commercial chemical products.

More recent EPA efforts and responsibilities for managing hazardous waste includes the management of wastes from homeland security incidents. The Waste Management for Homeland Security Incidents Act requires EPA to provide technical support to federal, State, local, and tribal authorities on waste management and cleanup efforts resulting from natural disasters, terrorist attacks, major accidents, and disease outbreaks. EPA's main responsibility is to promote pre-planning efforts to deal with hazardous waste disasters and encourage various stakeholders to prepare for natural and man-made disasters. EPA is also required to review emergency response plans for federal agencies, and participate in exercises with federal, State, local and tribal emergency responders.

Resource Conservation and Recovery Act

The EPA has the authority and responsibility to regulate hazardous waste by the Resource Conservation and Recovery Act of 1976 (RCRA). Through RCRA, EPA is responsible for monitoring the generation, transportation, treatment, storage, and disposal of hazardous waste. Amendments to RCRA, including the 1984 Federal Hazardous and Solid Waste Amendments, and those established in 1986, forced EPA to increase enforcement of underground storage tanks for petroleum and other hazardous substances, focus on waste minimization programs, such as phasing out hazardous wastes from landfills, and finally mandating corrective measures regarding the release of hazardous waste.

More recent EPA efforts and responsibilities for managing hazardous waste include management of wastes from homeland security incidents. The Waste Management for Homeland Security Incidents Act requires EPA to provide technical support to federal, State, local, and tribal authorities on waste management and cleanup efforts resulting from natural disasters, terrorist attacks, major accidents, and disease outbreaks. EPA's main responsibility is to promote pre-planning efforts to deal with hazardous waste disasters and encourage various stakeholders to prepare for natural and man-made disasters. EPA is also required to review emergency response plans for federal agencies, and participate in exercises with federal, State, local and tribal emergency responders.

Hazardous Materials Transport Regulations

The United States Department of Transportation (DOT) was established on October 15, 1996 by Congress. The U.S. DOT's purpose is to ensure the safest, most efficient and modern transportation system is provided to improve the quality of life of people and communities and increase the productivity and competitiveness of workers and businesses in the nation.

The Pipeline and Hazardous Materials Safety Administration's (PHMSA) Office of Hazardous Materials Safety is a component of the U.S. DOT that carries out a national safety program, including security matters, to protect against the risks to life and property inherent in the transportation of hazardous materials in commerce by all transportation modes. This is accomplished by developing, proposing and implementing regulatory policy initiatives and regulations governing the safe and secure transportation of hazardous materials. The PHMSA conducts safety inspections and investigations to

ensure transportation safety and security by conducting compliance inspectors and incident and accident response and investigations.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act, otherwise known as CERCLA or Superfund, was established to provide a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the EPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup.

The EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, the EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. The EPA also recovers costs from financially viable individuals and companies once a response action has been completed. Superfund site identification, monitoring, and response activities in states are coordinated through state environmental protection or waste management agencies.

Superfund Amendments and Reauthorization Act

The Superfund Amendments and Reauthorization Act (SARA) or 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities.

Emergency Planning and Community Right-To-Know Act

The Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted in 1986 by Congress as national legislation on community safety. This law is designed to help local communities protect public health, safety, and the environment from chemical hazards. Congress requires each state to appoint a State Emergency Response Commission (SERC) as a part of EPCRA. The SERCs are required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee (LEPC) for each district. The EPCRA requires industry to report on the storage, use and releases of hazardous substances to federal, state, and local governments.

Clean Water Act

The Clean Water Act (CWA) was established in 1972 as the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Under the CWA, the EPA has implemented pollution control programs such as setting wastewater standards for industries. The EPA has also developed national water quality criteria recommendations for pollutants in surface waters.

It is unlawful under the CWA to discharge any pollutant from a point source, which is a discrete conveyance such as pipes or man-made ditches, into navigable waters unless a permit was obtained. The National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. Compliance monitoring under the NPDES Program encompasses a range of techniques in order to address the most significant problems and to promote compliance among the regulated community.

EPA Enforcement and Compliance History Online

EPA's Enforcement and Compliance History Online (ECHO) is a national database that focuses on inspection, violation, and enforcement data for the Clean Air Act (CAA), Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) and also includes Safe Drinking Water Act (SDWA) and Toxics Release Inventory (TRI) data. ECHO can be used to search for facilities, investigate pollution sources, search for EPA enforcement cases, examine and create enforcement-related maps, and analyze trends in compliance and enforcement data.

State Programs

Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) is the primary hazardous waste management system in the State of California. The HWCL specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure their proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reused as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning, and as much broader requirement for permitting facilities that treat hazardous waste. It also regulates a number of types of waste management activities that are not covered by federal law with the RCRA.

Tanner Act

Although there are numerous State policies dealing with hazardous waste materials, the most comprehensive is the Tanner Act (AB 2948) that was adopted in 1986. The Tanner Act governs the preparation of hazardous waste management plans and the siting of hazardous waste facilities in the State of California. The act also mandates that each county adopt a Hazardous Waste Management Plan. To be in compliance with the Tanner Act, local or regional hazardous management plans need to include provisions that define (1) the planning process for waste management, (2) the permit process for new and expanded facilities, and (3) the appeal process to State available for certain local decisions.

California Environmental Protection Agency

As a branch under the EPA, the California Environmental Protection Agency (CalEPA) has broad jurisdiction over hazardous materials management in the State of California. CalEPA's mission to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality is achieved by developing, implementing and enforcing environmental laws. These laws regulate air, water, and soil quality, pesticide use, and waste recycling and reduction. CalEPA oversees and coordinates with the Air Resources Board (ARB), Department of Resources Recycling and Recovery (CalRecycle), Department of Pesticide Regulation (DPR), Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment (OEHHA), and the State Water Resources Control Board (SWRCB) to improve California's environment.

Department of Toxic Substance Control

DTSC is responsible for protecting public health and the environment from hazardous waste generated in California. It regulates under the authority of the federal RCRA of 1976 and the California Health and Safety Code. DTSC operates a variety of programs including the following:

- Overseeing cleanups at improperly managed waste sites.
- Ensuring those who generate, handle, transport, store and dispose of hazardous waste do so properly.
- Enforcement actions against those who fail to manage hazardous waste appropriately.
- Exploring and promoting pollution prevention and encouraging reuse and recycling.
- Evaluating soil, water and air samples at sites and developing new analytical methods.
- Practicing other environmental sciences, including toxicology, risk assessment, and technology development.
- Involving the public in DTSC's decision-making.

Within CalEPA, the Department of Toxic Substances Control (DTSC) has primary regulatory responsibility for hazardous waste management and cleanup to protect California and Californians from exposures to hazardous wastes. The DTSC achieves this by regulating hazardous waste and discovering ways to reduce the hazardous waste produced in California. Enforcement of regulations for the generation, transport, and disposal of hazardous materials are delegated to local jurisdictions, in agreements with the DTSC. The DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA of 1976 and the California Health and Safety Code.

DTSC is required to compile and update each year, or as appropriate, a list of hazardous waste sites pursuant to the Cortese Lists under Government Code Section 65962.5(a). DTSC has created the EnviroStor database of properties throughout California that may be contaminated.

EnviroStor

EnviroStor is a database maintained by the State of California DTSC. The EnviroStor database identifies sites with known contamination or sites for which there may be reasons to investigate further. It includes the identification of formerly contaminated properties that have been released for reuse; properties where environmental deed restrictions have been recorded to prevent inappropriate land uses; and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.

Government Code Section 65962.5 (Cortese List)

The provisions of Government Code Section 65962.5 are commonly referred to as the Cortese List. The Cortese List is a planning document used by State and local agencies to provide information about hazardous materials release sites. Government Code Section 65962.5 requires CalEPA to develop an updated Cortese List annually, at minimum. The DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List.

State Water Resources Control Board

SWRCB is responsible for regulating wastewater discharges to surface waters and groundwater. This includes discharges from all construction, industrial, municipal, and agricultural activities. The SWRCB delegates these responsibilities to various regional water quality control boards throughout California.

GeoTracker

GeoTracker is a database maintained by the State of California Water Resources Control Board that provides online access to environmental data. It serves as the management system for tracking regulatory data on sites that can potentially impact groundwater, particularly those requiring groundwater cleanup and permitted facilities, such as operating underground storage tanks and land disposal sites.

Hazardous Material Management Plans

In January 1996, CalEPA adopted regulations implementing a Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program). The six program elements of the Unified Program are hazardous waste generators and hazardous waste on-site treatment, underground storage tanks, above-ground storage tanks, hazardous material release response plans and inventories. The program is implemented at the local level by a local agency, the Certified Unified Program Agency (CUPA). The CUPA is responsible for consolidating the administration of the six program elements within its jurisdiction.

State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored and disposed of, and, in the event that such materials are accidentally released, to prevent or to mitigate injury to health or the environment.

California Hazardous Material Release Response Plan and Inventory Law

Chapter 6.95 of the Health and Safety Code (HSC) requires that in order to protect the public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials (Article 1), as well as implement regulations regarding hazardous material management (Article 2), emergency planning and Community Right-to-Know Act of 1986 (Article 3) and the California Toxic Release Inventory Program Act of 2007 (Article 4).

California Emergency Response Plan

California has developed an emergency response plan to coordinate emergency services provided by federal, State, and local governments and private agencies. Response to hazardous materials incidents is one part of this plan. The plan is managed by the California Governor's Office of Emergency Services, which coordinates the responses of other agencies, including CalEPA, California Highway Patrol (CHP), RWQCB, and the Riverside County Emergency Management Department.

California Occupational Safety and Health Administration

The Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, protects workers from health and safety hazards on the job in almost every workplace in California through its research, standards, enforcement, and consultation programs. Cal/OSHA enforces complaint and accident investigations, targeted and programmed inspections, citations, special orders and orders to take special action, orders prohibiting use, as well as permits, certifications, licenses, approvals, and classification.

California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection (CAL FIRE) protects over 31 million acres of California's privately-owned wildlands and provides varied emergency services in 36 of the State's 58 counties via contracts with local governments. The Department's Fire Protection Program consists of multiple activities including wildland pre-fire engineering, vegetation management, fire planning, education, and law enforcement. Typical fire prevention projects include brush clearance, prescribed fire, defensible space inspections, emergency evacuation planning, fire prevention education, fire hazard severity mapping, and fire-related law enforcement activities. CAL FIRE provides Fire Hazard Severity Zone Maps for State Responsibility Area lands and Very High Fire Hazard Severity Zone Maps

for Local Responsibility Area lands for each county in California. These maps allow state and local agencies to identify areas susceptible to wildfire hazards.

California Certified Unified Program Agencies

The California Certified Unified Program Agencies (CUPA) is a collection of State and regional agencies in charge of regulating hazardous waste. They are responsible for the administration, permits, inspection and enforcement of various environmental and emergency management programs, including the Underground Storage Tank Program, the Aboveground Petroleum Storage Act Program, Hazardous Materials Release Response Plans, and Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs. The California Environmental Protection Agency (CalEPA) is responsible for administrating and certifying the CUPA's. Two State agencies that are also heavily involved with CUPA activities include the California Department of Toxic Substances Control (DTSC) and the State Water Resource Control Board (SWRCB).

Regional and Local Programs

Regional Water Quality Control Board

The State Water Resources Control Board (SWRCB) is responsible for regulating wastewater discharges to surface waters and groundwater. This includes discharges from all construction, industrial, municipal, and agricultural activities. The SWRCB delegates these responsibilities to various Regional Water Quality Control Boards (RWQCB) throughout California. The RWQCB acts under Cal EPA and is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. RWQCB regulations are contained in Title 27 of the California Code of Regulations (CCR). Additional State regulations applicable to hazardous materials are contained in Title 22 of the CCR. Title 26 of the CCR is a compilation of those hazardous material, waste, and toxic-related regulations contained in CCR Titles 3, 8, 13, 17, 19, 22, 23, 24, and 27 that are applicable to hazardous materials.

The City of Indian Wells falls under the jurisdiction of the Colorado River Basin Regional Water Quality Control Board. The Colorado River Basin RWQCB is responsible for overseeing corrective actions associated with leaks and improper disposal from underground storage tanks, such as gas station tanks, and provides assistance to County of Riverside Department of Environmental Health on underground storage leaks.

Riverside County Department of Environmental Health

The Riverside County Department of Environmental Health (DEH) provides programs and services related to protecting public health, safety, and the environment. Within the DEH are two divisions, District Environmental Service, and Environmental Protection and Oversight. The Environmental

Protection and Oversight Division (EPO) is responsible for handling and regulating hazardous materials, land use, water systems, underground storage tanks, solid waste and business emergency plans and is responsible for managing a list of all hazardous waste generators in the County. In the City of Indian Wells such generators of hazardous waste include golf courses, gas stations, dry cleaners, grocery stores, and the City's maintenance facility yard.

Riverside County Hazardous Materials Management Division

The Riverside County DEH's Hazardous Materials Management Division was designated as the Riverside County Certified Unified Program Agency (CUPA). As CUPA for Riverside County, the Division manages the following elements of the Unified Program:

- Hazardous Waste Generators
- Hazardous Materials Business Plan Program (HMBP) and the Hazardous Materials Release Response Plan and Inventory Program
- Hazardous Materials Emergency Response Team
- Risk Management Prevention Program
- Underground Storage Tank (UST) Program
- Aboveground Petroleum Storage Act (APSA) Program

Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP)

The Riverside County Multi-Jurisdictional LHMP identifies the County's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences and set goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The Riverside County LHMP was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 to achieve eligibility and potentially secure mitigation funding through Federal Emergency Management Agency (FEMA) Flood Mitigation Assistants, Pre-Disaster Mitigation and Hazard Mitigation Grant Programs.

Riverside County General Plan

According to the Safety Element of the Riverside County General Plan, hazardous materials include the entire spectrum of such substances from pre-product materials to waste. Laws and regulations that govern hazardous materials, and how they are stored, transported, and handled distinguish between hazardous materials and hazardous waste. For regulatory purposes, "hazardous materials" are defined as manufactured hazardous items and materials, as well as the pre-product hazardous substances used to create them. These materials, both pre- and post-production, are subject to extensive management for safety requirements. The waste generated by, or resulting from, the production that process becomes "hazardous waste," which must be safely disposed of in an appropriate manner.

The Riverside County General Plan emphasizes the County's susceptibility to natural hazards such as fires, in particular, the hillside terrain of Riverside County. Fire potential for Riverside County is typically greatest in the months of August, September, and October, when dry vegetation is paired with the dry Santa Ana winds. To minimize the potential for disastrous loss of structures and life (human and wildlife), a coordinated program to manage development in the hazardous areas has been identified in the Safety Element of the County General Plan.

Indian Wells Local Hazard Mitigation Plan

The City of Indian Wells' latest Local Hazard Mitigation Plan (LHMP) was adopted in 2017. The purpose of the LHMP is to identify the County's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences, and set goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards.

The City of Indian Wells is conducting a 5-year update to our Local Hazard Mitigation Plan to help reduce or remove long-term risk and protect people and property from the effects of events like earthquake, fire, flood, terrorism, etc. A 2023 draft of the LHMP is currently under review. Under the Disaster Mitigation Act of 2000 (Public Law 106-390), State, Local and Tribal governments are required to develop a hazard mitigation plan to be eligible for certain federal disaster assistance through Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance, Pre-Disaster Mitigation, and Hazard Mitigation Grant Programs. The goal of the is to develop and maintain an all-inclusive plan to include all jurisdictions, special districts, businesses and community organizations to promote consistency, continuity and unification. According to the LHMP, floods, earthquakes, severe weather, drought, and urban fires are the top five hazards anticipated in the City.

Indian Wells Emergency Operations Center

The City of Indian Wells Emergency Operations Center (EOC) is a centralized location for decision making about the jurisdiction's emergency response. The EOC is where the City's emergency response actions can be managed and resource allocations and responses can be tracked and coordinated with the field, operational area, and Office of Emergency Services (OES) region.

The City of Indian Wells EOC is staffed by City employees who are organized around the five Standardized Emergency Management System (SEMS) functions. EOC staff are asked to refer to our Standardized Operating Procedures (SOP) manual for position descriptions and checklists.

The City EOC is activated when field response agencies need support, a citywide perspective is needed, or multiple departments with a role to play in response and recovery need to coordinate. The EOC may be partially or fully staffed to meet the demands of the situation and various liaisons may be invited into the EOC including representatives from the Sheriff and Fire Departments, American Red Cross, utility providers, etc.

Communication and coordination occur between the Incident Commander(s) and the EOC. Indian Wells EOC staff also communicate and coordinate with the Riverside County Operational Area EOC and other EOCs within Riverside County. EOC staff facilitate decisions for overall local government level emergency response activities use multi-agency or inter-agency coordination. If mutual aid is required, the City of Indian Wells will request it through the Riverside County Operational Area EOC.

City of Indian Wells Municipal Code

The City of Indian Wells Municipal Code Titles 8, Health and Sanitation, 16, Building and Construction, and 21, Zoning Code, establish City personnel responsibilities, standards, and regulations that address the handling and management of hazardous materials and wastes.

4.9.4 Project Impact Analysis

Thresholds of Significance

The following standards and criteria for establishing significance of potential impacts related to hazards and hazardous materials were derived from the CEQA Guidelines, Appendix G. Development of the proposed project would have a significant effect to if it is determined that the project would:

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?

Methodology

Available data to determine the potential for impacts associated with hazards and hazardous materials was assessed based upon the consideration of the General Plan Update. Whether there is a potential for cumulative impacts associated with hazards and hazardous materials were assessed, based upon the consideration of the City, the City location, and related projects.

Project Impacts

a&b. Create a significant hazard to the public or the environment due to routine transport, use, or disposal of hazardous materials; or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment

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

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

Construction

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

manufacturer's instructions and industry standards, the risk involved with handling these materials is considerably reduced.

Furthermore, to prevent a threat to the environment during construction, the management of potentially hazardous materials and other potential pollutant sources may be regulated, in part, through the implementation of measures in the Storm Water Pollution Prevention Plan (SWPPP), if required by code at a project site. The implementation of a SWPPP requires a list of potential pollutant sources and the identification of construction areas where additional control measures are necessary to prevent pollutants from being released on-site or into the surroundings. Best management practices (BMPs) are necessary for proper material delivery and storage; material use; and spill prevention and control. As required by the SWPPP, the contractor will be required to identify a controlled staging area within the project limits for storing materials and equipment. These temporary measures outline the required physical improvements and procedures to prevent impacts of pollutants and hazardous materials to workers and the environment during construction. For example, all construction materials, including paints, solvents, and petroleum products, must be stored in controlled areas and according to the manufacturer's specifications. In addition, perimeter controls (fencing with wind screen), linear sediment barriers (gravel bags, fiber rolls, or silt fencing), and access restrictions (gates) would help prevent temporary impacts. Nonetheless, all hazardous materials would be stored, handled, and disposed of in accordance with local ordinances and State and federal regulatory requirements to reduce the risk of an accidental spill. Lastly, and upon project completion of construction, all hazardous materials would be removed from the project site. With such standard measures in place, less than significant impacts are anticipated during construction of future development.

Additionally, future construction activities would be conducted under the emergency response plan requirements set forth by the County of Riverside and the City of Indian Wells Municipal Code. Therefore, construction related impacts to the transport, use, and disposal of hazardous materials would be reduced to less than significant levels.

Operation

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

and offices and professional buildings in order to carry out the necessary operations in each facility or use. However, these materials would not be expected to be present in sufficient quantities to pose a significant hazard to public health and safety, or the environment.

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

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

Future development proposed within the City will be required to comply with *Policies PS-5.1* through *PS-5.6,* listed below. The policies outlined within the GPU will reduce the GPU's likelihood to create a significant hazard to the public or an accidental release of hazardous materials by regulating the use, transport, storage, and disposal of hazardous substances enforced by existing Federal, State, and local ordinances (*PS-5.1* and *PS-5.5*); utilize the Riverside Countywide Integrated Waste Management Plan to ensure that local regulation and practices are consistent with the policy direction and action programs that the County recommends and provide free Household Hazardous Waste (HHW) pick-up program for residents (*PS-5.2* and *PS-5.6*); work with RCFD and other responding agencies to ensure

that emergency personnel respond safely and effectively to a hazardous materials incident in the City (*PS-5.3*); and require that developers coordinate with the Riverside County Department of Environmental Health (DEH) to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe (*PS-5.4*).

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

General Plan Policies and Actions

Goal PS-5 *Hazardous materials are properly maintained to reduce potential public threats to the greatest extent possible.*

Policies

PS-5.1 **Hazardous Ordinances**. Enforce existing Federal, State, and local ordinances regulating the use, manufacture, sale, transport, treatment, storage, and disposal of hazardous substances.

PS-5.2 **Regional Consistency.** Utilize the Riverside Countywide Integrated Waste Management Plan to ensure that local regulation and practices are consistent with the policy direction and action programs that the County recommends.

PS-5.3 **Multi-Jurisdictional Coordination.** Work with RCFD and other responding agencies to ensure that emergency personnel respond safely and effectively to a hazardous materials incident in the City.

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

PS-5.5 **Hazardous Waste**. Promote the proper disposal of hazardous waste, including paint, tires, medications, medical sharps, infectious waste, asbestos waste, construction waste, and electronic waste, through education, monitoring, and enforcement of proper use, storage, handling, and disposal.

PS-5.6 **Household Hazardous Waste Disposal.** Support the sitting waste and recycling service provider to continue the free Household Hazardous Waste (HHW) pick-up program for residents. Coordinate with the City's waste service provider and the County of Riverside to increase public awareness about proper disposal related to household hazardous waste; inform the Indian Wells community regarding relevant services and programs to address issues related to hazardous waste and materials; and discourage household storage of hazardous materials.

PS-5 Actions

PS-5a As part of the development review process, determine the potential for the production, use, storage, transport, and/or disposal of hazardous materials and provide for reasonable controls and mitigation measures on such hazardous materials as to protect both the residents and the environment, and to mitigate the risks to an acceptable level.

PS-5b Review development proposals to ensure the proximity between users and transporters of substantial hazardous materials and sensitive uses, such as schools and residential neighborhoods, remains at or above safe and acceptable levels, regardless of growth and new development.

PS-5c Require the submittal of information regarding hazardous materials manufacturing, storage, use, transport, and/or disposal by existing and proposed businesses and developments to RCFD.

PS-5d Advertise the Household Hazardous Waste Collection Program, established by the City's waste service provider. Provide informational materials at public locations and links on the City's website about the City's Household Hazardous Waste Collection Program, the County's Antifreeze, Batteries, Oil, and Paint (ABOP) program, collection facilities, drop-off centers, and the 24-hour Household Hazardous Waste hotline.

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

c. Emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school

The City of Indian Wells is served by the Desert Sands Unified School District (DSUSD). The only school within the City of Indian Wells is Gerald R. Ford Elementary School, at 44210 Warner Trail. The table below provides a summary of the schools serving the DSUSD population.

Table 4.9-4 Public Schools Serving Indian Wells

School	Address	Grades Served	Enrollment (2021-2022 school year)	Average Class Size
Elementary Schools				
Abraham Lincoln	74100 Rutledge Way, Palm Desert	K-5	577	18.6
Amelia Earhart	45250 Dunes Palms Rd, Indio	K-5	805	19.6
Andrew Jackson	82850 Kenner St, Indio	K-5	675	21.8
Benjamin Franklin	77800 Calle Tampico, La Quinta	K-5	567	16.7
Carrillo Rancho	43775 Madison St, Indio	K-5	501	14.7
Dr. Reynaldo J. Carreon Jr. Academy	47368 Monroe St, Indio	K-5	587	16.3
George Washington Charter	45768 Portola Ave, Palm Desert	K-5	741	21.8
Gerald Ford	44210 Warner Tr, Indian Wells	K-5	624	18.4
Harry S. Truman	78870 Avenue 50, La Quinta	K-5	663	15.8
Herbert Hoover	44300 Monroe St, Indio	K-5	355	12.7
James E. Carter	74251 E Hovley Ln, Palm Desert	K-5	528	15.1
James Madison	80845 Avenue 46, Indio	K-5	356	14.8
James Monroe	42100 Yucca Ln, Bermuda Dunes	K-5	586	17.2
John F. Kennedy	45100 Clinton St, Indio	K-5	436	15.1
Lyndon B. Johnson	44640 Clinton St, Indio	K-5	525	15
Martin Van Buren	47733 Van Buren St, Indio	K-5	537	16.8
Richard R. Oliphant	41633 Gore St, Indio	K-5	614	23.6
Ronald Regan	38900 Liberty Dr, Palm Desert	K-5	801	20
Theodore Roosevelt	83200 Dr. Carreon Blvd, Indio	K-5	460	14.8
Middle School				
Colonel Mitchell Paige	43495 Palm Royale Dr, La Quinta	6-8	520	11.3
Desert Ridge Academy	79767 Avenue 39, Indio	6-8	998	20.4
Indio	79655 Miles Ave, Indio	6-8	763	19.1
John Glenn	79655 Miles Ave, Indio	6-8	1,092	21
La Quinta	78900 Avenue 50, La Quinta	6-8	719	22.5
Palm Desert Charter	74200 Rutledge Way, Palm Desert	6-8	1,298	28.2
Thomas Jefferson	83089 Highway 111, Indio	6-8	501	12.2
High School				
Amistad	83501 Dillon Ave, Indio	9-12	255	12.8
Indio	81750 Avenue 46, Indio	9-12	2,016	24
La Quinta	79255 Blackhawk Way, La Quinta	9-12	2,582	24.4
Palm Desert	74910 Aztec Rd, Palm Desert	9-12	2,122	28.3
Shadow Hills	39225 Jefferson St, Indio	9-12	1,952	26.4
Horizon School & Summit	43330 Palm Royale Dr, La Quinta	--	939	49.4

Source: 2022 Long Range Facilities Master Plan, Desert Sands Unified School District.

Construction access to and activities on future development within the City could result in the exposure of hazardous materials near the existing school, Gerald Ford Elementary School. However, as stated in the previous discussion, construction materials would be properly stored in an approved location. As stated in the previous discussions, implementation of the Storm Water Pollution

Prevention Plan (SWPPP) during construction activities, and if required by code, will ensure that hazardous materials and waste are handled per manufacturer's instruction so that they are not released into the environment in a manner that results in impacts to the surrounding uses.

The GPU Land Use Element includes land use designations, but does not propose actual development or proposed businesses. As such, it is not possible to determine if a specific use will result in hazardous emissions or require handling of hazardous or acutely hazardous materials, substances or waste. The land use designations with the highest possibility of having businesses that result in hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste would be commercial, and light industrial uses. The GPU does not propose industrial or light industrial uses within the City. However, commercial uses are proposed in the vacant areas north of Highway 111 and north and south (east and west where applicable) of Miles Avenue. Developable land north of Miles Avenue could introduce commercial uses within at least 750 feet of an existing school. Commercial uses may use a variety of hazardous materials commonly found in urban areas including paints, cleaners, and cleaning solvents. If handled per standards established by the manufacturer, these materials do not pose a significant risk. The commercial and resort uses generally provide for a variety of retail, professional office, medical, and service-oriented business activities that are compatible with the urban environment.

The GPU is not anticipated to directly lead to the establishment of new businesses that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste because the GPU does not approve any specific development project. However, given the unknown nature of future business establishments within the commercial use areas, the potential for hazardous materials is present. This is considered a potentially significant impact, which would be mitigated to a less than significant level through the implementation of the policies and actions listed below. In addition to the policies and actions, all businesses dealing with hazardous materials would be required to be handled in accordance with federal, State, and County requirements, which would limit the potential for a project to expose nearby uses, including schools, to hazardous emissions or an accidental release. Hazardous emissions are monitored by the SCAQMD, RWQCB, DTSC, and the local CUPA. In the event of a hazardous materials spill or release, notification and cleanup operations would be performed in compliance with applicable Federal, State, and local regulations and policies, including hazardous mitigation plans. As part of the development review process, the City's proposed GPU also requires projects that may result in significant risks associated with hazardous materials to include measures to address and reduce the risks to an acceptable level such that surrounding uses are not exposed to hazardous materials in excess of adopted State and Federal standards, and also requires the submittal of information regarding hazardous materials manufacturing, storage, use, transport, and/or disposal by existing and proposed businesses and developments to the Riverside County Department of Environmental Health (DEH). Compliance with all existing regulations as well

as GPU policies and actions related to land use compatibility and hazardous materials would ensure that the impact is less than significant.

As stated in *Action PS-5b*, below, the City shall review development proposals in proximity to sensitive uses (i.e., schools, residential neighborhoods, etc.) (*Action PS-5b*). Future projects proposed within the City will be required to comply with *Policies PS-5.1* through *PS-5.6* and the associated actions to ensure that the future developments would not emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school.

General Plan Policies and Actions

Policies

See *Policies PS-5.1* through *PS-5.6,* above.

Actions

PS-5b Review development proposals to ensure the proximity between users and transporters of substantial hazardous materials and sensitive uses, such as schools and residential neighborhoods, remains at or above safe and acceptable levels, regardless of growth and new development.

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

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies and developers to comply with CEQA requirements to provide information about the location of hazardous materials release sites. Government Code section 65962.5 requires that a list of these sites be maintained and updated least annually. The State's Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List.

The resources consulted included GeoTracker, Envirostor and the EPA Enforcement and Compliance History Online (ECHO), in March 2024.

Three facilities were identified in the GeoTracker database; however, all sites were designated as completed, case closed (see **Table 4.9-1,** above). The Envirostor database identified one site within the City. The site was a school investigation site, however, no contaminants were found and no action is required (see **Table 4.9-2,** above). Finally, the ECHO databased listed 27 locations within the City of Indian Wells. All 27 sites list on ECHO had a status of "No Violation Identified" within the three-year reporting period (see **Table 4.9-3,** above).

Development allowed by the General Plan Update could create a hazard to the public or the environment through a disturbance or release of contaminated sites without appropriate measures

to contain or mitigate potential contamination. This is considered a potentially significant impact, however, the implementation of the policies and actions listed below.

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

Additionally, future projects proposed within the City will be required to comply with *Policies PS-5.1* through *PS-5.6*. Specifically, *Policy PS-5.4* requires that developers coordinate with the Riverside County Department of Environmental Health (DEH) to confirm that hazardous waste cleanup sites located within the City are remediated by the property owner in a manner that keeps the public safe. As stated in *Action PS-5e*, a Phase I Environmental Site Assessment (ESA) shall be conducted at sites identified on any list of hazardous materials complied pursuant to Government Code Section 65962.5. The Phase I ESA would identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified Hazardous Materials Specialist with Phase II/site characterization experience prior to demolition, and/or construction. Impacts of the GPU will be less than significant.

General Plan Policies and Actions

Policies

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

Actions

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

material(s) found (e.g., removal and disposal; bio-remediation; pump and treat; soil vapor extraction, and in situ oxidation), as necessary.

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

The City of Indian Wells is located approximately 2 miles southwest of the closest airport, the Bermuda Dunes Airport. The City is not located within the Bermuda Dunes Land Use Compatibility Plan. Therefore, the PDEIR will not analyze the project's potential to result in a safety hazard or excessive noise for people residing or working in the City associated with an Airport Land Use Compatibility Plan. No impacts are expected. See **Chapter 6.0, *Effects Found to have No Impact,*** of this PDEIR.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

The Community Safety Element of the City's GPU identifies safety hazards relevant to the City of Indian Wells, and emergency preparedness in the City. The City also adopted a Local Hazard Mitigation Plan, which is continually updated, addresses the planned response to extraordinary emergency situations associated with natural or human caused disasters. Based on these resources, the main evacuation routes in the City include Highway 111, Washington Street, Fred Waring Drive, and Cook Street.

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

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

The City of Indian Wells is located within a desert environment with sparse vegetation. The mountainous areas in the southern part of the City consist primarily of rock outcroppings, with very

little vegetative fuel to feed a wildfire. The County of Riverside publishes a "hazardous high fire areas map," which is updated periodically. The map delineates areas susceptible to wildland fires. According to the map, the unincorporated areas southwest of the City's boundaries are designated as Very High and High Fire Hazard Severity Zones (FHSZ) within State Responsibility Areas. Areas within the City are not designated as Moderate, High, or Very High FHSZs because of the lack of vegetative fuel in the mountainous areas within the City, as stated above. Urban fires are more of a concern in Indian Wells, however, compliance with State building and fire codes, which are also included in the Indian Wells Municipal Code in Chapters 16.12 and 16.32, respectively.

Development under the GPU would place people and structures in currently developed and urbanized areas along the valley floor of Indian Wells, i.e., areas not considered wildland urban interface (WUI). WUI areas are more likely to have a risk of wildland fires due to the sloped features and vegetative cover[1]. The valley floor of Indian Wells contains landscaped features that are regularly watered. Development is not proposed along the slopes or wildland areas that make up the southern portion of the City. Future development would occur in the urban areas of the City, primarily north of Highway 111 and north and south (and east and west) of Miles Avenue. All future projects allowed under the General Plan would be required to comply with the provisions of Federal, State, and local requirements related to building and fire codes.

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

Moreover, as future development and infrastructure projects are considered by the City, each project would be evaluated for potential impacts, specific to the project, associated with wildland fire hazards as required under CEQA.

[1] https://www.usfa.fema.gov/wui/what-is-the-wui.html and https://www.doi.gov/wildlandfire/fuels

Future projects within the City would be required to comply with California Building and Fire Codes and reduce the use of fire-prone building materials (*Policy PS-2.1* and *PS-2.4* and *Action PS-2c*); work with CALFIRE/RCFD to maintain an ongoing fire inspection program, and identify changes in regional fire severity zones (*Policy PS-2.2* and *PS-2.3* and *Action PS-2a*); educate residents on fire hazard risks and safety measures, and uphold local and regional fire protection plans (*Policy PS-2.5* and *PS-2.6* and *PS-2b*). Additionally, future development would be required to pay its pro-rata share of costs for fire services and upgrade older water mains to meet adequate water pressure for firefighting (*Action PS-2d* and *PS-2e*). Implementation of the GPU and the policies and actions listed below would result in less than significant wildfire impacts.

General Plan Policies and Action

Goal PS-2: A City that is safe and adequately prepared for fire emergencies.

Policies

PS-2.1 **Building Fire Codes**. Require that all buildings and facilities comply with local, state, and federal regulatory standards such as the California Building and Fire Codes as well as other applicable fire safety standards.

PS-2.2 **Urban Fire Risks**. Work with CAL FIRE/RCFD to maintain an ongoing fire inspection program to reduce fire hazards associated with multifamily development, critical facilities, public assembly facilities, industrial buildings, and nonresidential buildings.

PS-2.3 **Fire Hazard Identification**. Coordinate with CAL FIRE/RCFD to identify any changes in regional fire hazard severity zones to further reduce fire hazards in the community the community.

PS-2.4 **Fire-Prone Building Materials.** Restrict, after appropriate public hearings, the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk.

PS-2.5 **Public Education**. Work with RCFD to disseminate educational programs for residents on fire hazard risks and fire safety measures, including evacuation routes, with a special focus on at-risk populations such as seniors.

PS-2.6 **Fire Protection Plans.** Uphold locally and regionally adopted fire protection plans, including the City of Indian Wells Local Hazard Mitigation Plan, and regularly renew such plans as new information becomes available.

Actions

PS-2a Mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.

PS-2b Review and revise the City LHMP at least every 5 years to reflect current community needs, and to ensure the City continues to receive federal FEMA mitigation assistance.

PS-2c Require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers.

PS-2d Work with Riverside County to develop a comprehensive fire plan which forecasts future personnel and equipment needs and require new development to pay its pro-rata share of costs for fire services.

PS-2e Upgrade older water mains in the City as needed to ensure adequate water pressure for firefighting.

4.9.5 Cumulative Impacts

Typically, the release of hazardous materials is site-specific and would not result in City-wide cumulative impacts. Thus, implementation of the proposed General Plan Update would not have the potential to make a cumulatively considerable impact, in combination with impacts from past, present, or reasonably foreseeable projects and would be considered less than significant. As discussed above, future development in accordance with the GPU could result in the transport, use, storage, and handling of hazardous materials or the accidental release of hazardous materials, and would be required to comply with federal, State and local regulations, and GPU policies. Federal, State, and local regulations include the National Pollutant Discharge Elimination System, California Health and Safety Code, and Riverside County Department of Environmental Health. The GPU's contribution to hazardous materials impacts would not be cumulatively considerable.

As stated above, the GPU would not result in significant impacts to emergency response or an evacuation plan with the implementation of the General Plan policies. Additionally, future projects would be required to be reviewed and approved by the fire and police departments prior to issuance of building permits to ensure appropriate access. Thus, impacts would be less than significant and due to the localized nature of emergency response, no cumulative impacts would result from growth in the GPU area.

Finally, although the southern portion of the City is defined by steep slopes which are conducive to wildfires, the slopes do not provide dense vegetation. Therefore, wildfires are not anticipated in the City. Moreover, future development is not proposed in the sloped areas of the City. Future projects would be required to comply with all applicable code and ordinance requirements of the Riverside

County Fire Department for access, water mains, fire flows, fire sprinkler systems, and fire hydrants. Therefore, cumulative impacts would be less than significant.

4.9.6 Mitigation

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to hazards and hazardous materials. Moreover, federal, State, regional and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.9.7 Level of Significance After Mitigation

Implementation of the General Plan policies identified above, along with the federal, State, and local regulations, the GPU's potential impacts associated with hazards and hazardous materials would be less than significant.

4.9.8 References

1. GeoTracker, State Water Resources Control Board, https://geotracker.waterboards.ca.gov/
2. EnviroStor, Department of Toxic Substance Control, https://www.envirostor.dtsc.ca.gov/public/
3. Enforcement and Compliance History, EPA, https://echo.epa.gov/facilities/facility-search/results
4. Hazardous Waste and Substances Site List (Cortese), Department of Toxic Substance Control, https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29
5. Indian Wells 2023 Draft Local Hazard Mitigation Plan, December 2022, https://www.cityofindianwells.org/home/showpublisheddocument/8010/638090451359970000
6. 2022 Long Range Facilities Master Plan, Desert Sands Unified School District, Ruhnau Clarke Architects, https://www.dsusd.us/common/pages/DownloadFileByUrl.aspx?key=xv4tCcttbRn%2badjBJsX86hso7d5xRf7sLLdOE%2fcn9SeKBYuGHEnobaraXQN%2bN2wpXHhJ1SxRTXaQKfxwAFV8czdy0TTTI6032s%2bT8rbR66gaNfyskNW7eex4i63M4NYIOeAOnRb4g5IyECC8FPLu%2btFida0%2b2UHe

HCZy2UuyQIq1DeaoO96Fvt2M5ltt3PRne5HFjqo8g6CelMO3baThWm1A9ThhoH43DpZVjqFJJBwknmAo

4.10 Hydrology and Water Quality

4.10.1 Introduction

This section of the Indian Wells General Plan Update ("GPU") Programmatic Draft Environmental Impact Report ("PDEIR") provides a background discussion of the regional hydrology, flooding, water quality, water purveyors, and water sources in Indian Wells. This section is organized with an existing setting, regulatory setting, and impact analysis. The subject principles, descriptions and supporting analysis are based on multiple regulatory and reference documents cited throughout this section, as these provide relevant background information.

This assessment considers that hydrology, surface water quality, groundwater resources, and related compliance matters are actively regulated at various levels (federal, state, regional, city, project-specific), such that City actions at the level of a General Plan typically do not entail distinct impacts or new measures, but rather work toward maintaining the City's compliance with the governing framework. Moreover, this analysis assumes that future projects and related development will be subject to the Federal Clean Water Act (CWA) programs and regulations, as applicable to the project-level activity.

4.10.2 Existing Conditions

Relevant Principles in Hydrology and Stormwater Management

Hydrology refers to the occurrence, distribution, and movement of surface water, including water found in rivers and stormwater drainage systems. Stormwater refers to the surface runoff and drainage resulting from rain events. Stormwater runoff and surface drainage patterns are determined by the topography and associated gradients of the land. Surface water quality refers to selected physical, chemical, or biological characteristics found in stormwater in relation to an established standard. Groundwater is the water found underground in the voids in soil, sand, and rock. It is stored in and moves slowly through aquifers. Groundwater supplies are replenished, or recharged, by precipitation that seeps into the land's surface. In the Coachella Valley, groundwater is also recharged by imported Colorado River Water.

This section in part analyzes how the principles of hydrology and urban stormwater runoff management will be implemented as part of any future projects to address the relevant thresholds of significance pertaining to hydrology and water quality.

The traditional process of urbanization and land development generally results in the conversion of a natural ground surface cover (pervious pre-development condition) into a setting with higher impervious characteristics, occurring through the introduction of buildings, hardscape, and pavement (post-development condition). Such development process typically results in a lower capacity to infiltrate

stormwater runoff. Therefore, land development that is not regulated by hydrology and stormwater controls can potentially result in a post-development condition in which 1) total stormwater runoff volume increases, 2) the runoff conveyance occurs more rapidly, and 3) the peak discharge is greater. The increase in runoff volume results from the decrease in infiltration and storage. The shortened runoff conveyance time results from the greater flow velocities along impervious surfaces and drainage systems compared to a natural surface. The increase in peak discharge is the effect of larger runoff volume occurring over a shorter time compared to the pre-development condition. These effects, without engineering controls have the potential to result in degradation or modification to surface drainage, soil erosion and siltation, and water quality impairments.

The effects of unregulated land development typically have the potential to result in degradation to surface drainage, soil erosion and siltation, and water quality impairments. However, as this section explains, the robust mandates established at the federal, State, regional, and local level are designed to prevent individual land development activities from incurring or causing such hydrologic or water quality impacts. Stormwater management and adherence to surface water quality standards are achieved through mandated measures rather than voluntary actions, such that physical disturbance, vegetation clearing, earth movement, grading, and construction activities are not permitted without demonstrating compliance with the local, regional, and State permitting authorities. The proposed GPU does not involve the approval of new land development that would be subject to separate permitting and would not preclude individual projects from carrying out the respective compliance measures as applicable to that activity.

Regional Hydrologic Conditions

The City of Indian Wells encompasses approximately 14.6 square miles in the Coachella Valley, in the County of Riverside. The City is located in the Whitewater River Watershed, which is an arid desert region encompassing approximately 1,645 square miles. Within this watershed, a sub-area of approximately 367 square miles (22 percent) encompassing most of the existing development in the region, is regulated under the established *Whitewater River Region Municipal Separate Storm Sewer System Permit* (MS4 Permit). Riverside County Flood Control and Water Conservation District (RCFC&WCD), Coachella Valley Water District (CVWD) and the incorporated Coachella Valley cities, including Indian Wells, have joint permittee responsibility for coordinating the regional MS4 Permit compliance programs and other activities aimed at reducing potential pollutants in urban runoff from land development construction, municipal, commercial, and industrial areas to the maximum extent possible.

Based on the Whitewater River Region MS4 Permit, precipitation in the Whitewater River Region averages 3.6 inches per year, which is 65% to 75% less annual precipitation than western portions of Riverside County and the coastal counties in Southern California. The Whitewater River Watershed has no defined rainy (wet) season, considering that convective rainfall events (summer thunderstorms) make up a large portion of Whitewater River Region annual rainfall, in contrast to the general winter

precipitation that dominates rainfall events in western Riverside County and the coastal plains. When storms occur, they tend to be discrete convective cells, and feature short but intense rainfall, typical of monsoonal thunderstorms; individual storm events typically are localized and rarely affect the entire drainage network.

The Whitewater River Region is drained primarily by the Whitewater River that carries flows to the Coachella Valley Stormwater Channel (CVSC), which outlets to the Salton Sea. It is worth noting that the Salton Sea body of water is not deemed part of the Whitewater River Watershed regulation, as it is separately managed and also receives inflow from Alamo River and New River in a separate watershed in Imperial County. Therefore, the Whitewater River Region includes the Coachella Valley surface drainage up to, but not including, the Salton Sea.

Due to soil type and lack of interflow contributions, time and volume of flow in receiving waters after storm events are minimal. According to the referenced MS4 Permit, Whitewater River flow in the Coachella Valley floor is so infrequent that several sections of the channel have been integrated into golf courses as a regular practice. Drainage integration into golf course settings is a common practice in the Coachella Valley, as it allows for proper stormwater controls under conditions that are actively maintained by public and private operators.

In the subsequent hydrology discussions, references to stormwater runoff, volumes, drainage, retention, and related dynamics, will pertain directly to the prevailing temporary ephemeral conditions occurring after precipitation events, in contrast to perennial drainage, which occurs more permanently throughout the year, but is not applicable to the regional or local hydrologic setting.

Storm Event Criteria

Portions of this analysis involve references to the one-hundred-year (100-year) storm event magnitude, primarily when denoting the requirements and basis for sizing the project's storm drain design and stormwater retention capacity. Based on the Federal Emergency Management Agency (FEMA) and United States Geological Survey (USGS) literature, the 100-year storm is a rainfall event, the intensity and duration of which has a reoccurrence interval (or probability of return) of 100 years, which is equivalent to a one-percent chance of being equaled or exceeded during any given year. The 100-year, or 1-percent storm event also determines the base flood conditions for purposes of FEMA flood zone designations, including those deemed to be at higher risk, like Special Flood Hazard Areas (SPHA). For hydrology purposes, the "controlling" 100-year storm event is one with the intensity and duration capable of generating the maximum stormwater volume or being the worst-case scenario as a basis for properly sizing the storm drain facilities, including inlets, pipes, outlets, and retention basins.

Chapter 16.52 (Storm Water Management and Discharge Controls) of the City's Municipal Code states that the City may require, in its discretion, a new development or redevelopment project to control the volume and rate of storm water runoff from the project so as to prevent any deterioration of water

quality which would impair the subsequent or competing uses of the water. The City's Director may establish standards and guidelines implementing BMPs designed to control the rate and volume of storm water runoff from new developments and redevelopments as may be appropriate to minimize the discharge and transport of pollutants.

Based on the City's Municipal Code, acceptable methods and standards for controlling storm water runoff volumes, rates, and pollutant load may include, but are not limited to, the following:

- Avoid placing impervious surfaces in highly porous soil areas; incorporate landscaping and open space into the project design, use porous materials for or near driveways and walkways, incorporate detention ponds and infiltration pits into the project's design; avoid placing pavement and other impervious surfaces in low lying areas.
- Direct storm water runoff away from impermeable areas to swales, berms, green strip filters, gravel beds, and trench drains.
- Use retention structures, subsurface areas, cisterns, or other structures to store storm water runoff for reuse or slow release.

Local Hydrologic Conditions and Existing Infrastructure

The southern portion of the City of Indian Wells is met by hillside terrain corresponding to the Santa Rosa Mountains, while the remainder of the City consists of relatively flat terrain. The United States Geological Survey (USGS) La Quinta 7.5-minute Quadrangle Topographic Map records the existing elevations within the City referencing the North American Vertical Datum of 1988. The elevations vary from a high of 2,200 feet within the mountains in the southern portion of the City, to a low of 120 feet near the center of the City, along the Whitewater River.

In addition, the City is composed of several residential and commercial uses, along with large areas designated as open space throughout the City. There exist two large flood control infrastructures that work to direct flows away from the development within the City: the Deep Canyon Stormwater Channel and the Whitewater Channel. The Deep Canyon Stormwater Channel runs roughly alongside the northern toe of slope of the Santa Rosa Mountains, ultimately directing flows towards the Whitewater Channel. The Whitewater Channel is a 50-mile storm channel that runs from the Whitewater area north of Palm Springs to the Salton Sea, crossing through the City's northeastern portion along the way.

In addition to the drainage courses, the City is equipped with several forms of storm drain facilities throughout, effectively capturing and directing stormwater runoff to designated areas. Chapter 16.36 (Floodplain Management) of the City's Municipal Code specifies construction standards for all areas of special flood hazard. All new construction and improvements are required to be constructed using methods and practices that minimize flood damage and provide adequate drainage.

Water Supply

The City is located within the Coachella Valley Water District (CVWD) service area. CVWD encompasses approximately 640,000 acres, mostly within Riverside County, but also extending into northern Imperial and northeastern San Diego Counties. CVWD is one of the six urban water suppliers in the Coachella Valley, including Mission Springs Water District (MSWD), Coachella Water Authority (CWA), Desert Water Agency (DWA), Indio Water Authority (IWA), and Myoma Dunes Mutual Water Company. These suppliers collaborate on the planning and implementation of water resource management, conservation, and contingency programs.

Groundwater Resources

California's Groundwater Update 2020 (Bulletin 118), completed in November of 2021 by the California Department of Water Resources, is the State's most current compendium of Statewide data and information on groundwater resources and management. According to the Department's Basin Boundaries Data Viewer, the City is underlain by the Indio Subbasin (Basin No. 7-021.01). The Indio Subbasin encompasses approximately 400 square miles and underlies the cities of Indian Wells, Palm Springs, Cathedral City, Rancho Mirage, Palm Desert, La Quinta, Indio, and Coachella, and the unincorporated communities of Thousand Palms, Thermal, Bermuda Dunes, Oasis, and Mecca.

The Indio Subbasin is divided for management into the West Valley and the East Valley. Generally, the West Valley, which includes the cities of Indian Wells, Palm Desert, Palm Springs, Cathedral City, and Rancho Mirage has a predominately resort/recreation-based economy that relies on groundwater as its principal water source. In the West Valley portion of the Indio Subbasin, underlying sediment profiles consist of coarse sand and gravel with minor amounts of clay. The aquifer in this area is unconfined, allowing water that is applied on the ground surface to percolate directly into the underlying aquifer system, making recharge simple and efficient.

The Indio Subbasin as well as the Mission Creek, Desert Hot Springs, and San Gorgonio subbasins make up the greater Coachella Valley Groundwater Basin as the groundwater source for the region. Based on a 1964 estimate by 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. In 1964, DWR estimated that the Indio Subbasin contained approximately 29.8 million AF of water in the first 1,000 feet below the ground surface, or approximately 76 percent of the total groundwater in the Coachella Valley Groundwater Basin.

Coachella Valley Water District (CVWD) works with other local water agencies and Coachella Valley stakeholders to implement water conservation, water reuse, and groundwater recharge strategies to ensure water availability and system capacity to meet the growing needs of the Coachella Valley cities, including Indian Wells.

Hydrologic Unit

The City lies within the Whitewater River Watershed in the Colorado River Region (Region 7). Within the Whitewater River Watershed are multiple drainage areas. Based on the Watershed Boundary Dataset (WBD) that forms part of the U.S. Geological Survey (USGS) National Hydrography Dataset (NHD), the City of Indian Wells is located within three different 10-digit hydrologic units (watershed level), identified as the Upper Whitewater River (10-Digit Hydrologic Unit Code 1810020106), Deep Canyon (10-Digit Hydrologic Unit Code (1810020105), and Middle Whitewater River (10-Digit Hydrologic Unit Code 1810020107).

Upper Whitewater River (10-Digit Hydrologic Unit Code 1810020106):

This drainage area occupies approximately 2,928 acres of the northern part of the City. It comprises a combination of residential communities, public facilities, and commercial structures north and south of Highway 111 that drain to the Whitewater River and CVSC.

Deep Canyon (10-Digit Hydrologic Unit Code 1810020105):

The Lower Deep Canyon drainage area occupies approximately 5,100 acres of the City of Indian Wells. This drainage area is delineated by the peak of the Santa Rosa Mountains (at the border of the Bear Creek drainage area) and drains to the north and west. Similar to Bear Creek drainage area, the Santa Rosa Mountains largely define the drainage courses within the Lower Deep Canyon drainage area. The slopes of the Santa Rosa Mountains are undeveloped; however, various residential communities are located at the base of the mountainous areas. The Deep Canyon Channel is located within this drainage area. Stormwater runoff produced within the Lower Deep Canyon drainage area travels to the Deep Canyon Channel via outlets and surface runoff, which eventually confluences with the Whitewater River.

Middle Whitewater River (10-Digit Hydrologic Unit Code 1810020107):

The Middle Whitewater River drainage area lies in the southeastern portion of the site, occupying approximately 1,304 acres of the City. In the City of Indian Wells, this drainage area is delineated by the peak of the Santa Rosa Mountains and drains southeast, towards the City of La Quinta. This area is largely defined by slopes of the Santa Rosa Mountains. No development in the City occurs in this drainage area.

4.10.3 Regulatory Setting

Federal

Federal Clean Water Act

The Clean Water Act (CWA) of 1972 was enacted to restore and maintain the chemical, physical, and biological integrity of the nation's waters by regulating the discharge of pollutants to waters of the U.S. from point sources. As part of the National Pollutant Discharge Elimination System (NPDES) program, subsequent amendments to the CWA established a framework for regulating non-point source

discharges from urban land runoff and other diffuse sources that were also found to contribute to runoff pollution. Under the CWA, the Environmental Protection Agency (EPA) delegated the NPDES permit program to various state, tribal, and territorial governments, enabling them to perform many of the permitting, administrative, and enforcement aspects of the program. California is a delegated NPDES State and has authority to administer the NPDES program within its limits. The pertinent sections of the CWA regulatory structure are summarized below:

Section 102 requires the planning agency of each State to prepare a basin plan to set forth regulatory requirements for protection of surface water quality, including designated beneficial uses for surface waterbodies, and specified water quality objectives to protect those uses.

Section 303(d) requires each State to provide a list of impaired surface waters that do not meet or are expected not to meet state water quality standards as defined by that section.

Section 402 requires that all point-source discharges, including, but not limited to, construction-related runoff discharges to surface waters and some post-development dischargers, be regulated through the National Pollutant Discharge Elimination System (NPDES) program. Project sponsors must obtain an NPDES permit from the State Water Resources Control Board (SWRCB).

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying potential hazards and determining the need for and availability of federal flood insurance. As mandated by the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973, FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized federal flood insurance to residents of communities where future floodplain development is regulated. FEMA has developed FIRMS to determine the need for and availability of federal flood insurance. FIRM maps rely on a variety of flood risk information based on historic, meteorological, hydrologic and hydraulic data, as well as existing development, open space and topographic conditions within an area. FEMA mapping also incorporates the results of engineering studies to delineate Special Flood Hazard Areas (SFHAs), which are considered at higher risk of inundation and flood-related hazards.

State and Local

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (California Water Code section 13000 et seq.) is the principal law governing water quality regulation for surface waters in California, thus effectuating the delegated provisions of the federal CWA and its NPDES program. It has set forth a comprehensive program to protect water quality and the beneficial uses applicable to surface waters, wetlands, and ground water and to point and nonpoint sources of pollution. The Porter-Cologne Act establishes that, as a matter of policy, all the waters of the State shall be protected; all activities and factors affecting the

quality of water shall be regulated to attain the highest water quality within reason; and that the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

To regulate and protect water quality pursuant to NPDES and to exercise rulemaking and regulatory activities, the Porter-Cologne Act established the State Water Resources Control Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs). In this context, the City and Coachella Valley are located within Region 7, Colorado River Regional Water Quality Control Board.

Another mechanism of the Porter-Cologne Act is the requirement to adopt water quality control plans containing the guiding policies of water pollution management in the state. Under this framework, the Colorado River Basin Water Quality Control Plan (Basin Plan) serves as the applicable document prepared, adopted, and maintained to identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The Basin Plan is the guiding document that outlines the Colorado River Basin Regional Water Quality Control Board's plan for preserving and enhancing water quality in the region for the protection of beneficial uses for present and future generations.

NPDES Stormwater General Permit for Construction Activities

Under the federal CWA, discharges of stormwater from construction sites must comply with the conditions of a NPDES permit. The SWRCB has adopted the Construction General Permit that applies to projects resulting in 1 or more acres of soil disturbance. These requirements occur under the state's most current Construction General Permit (CGP), Stormwater General Permit Order WQ 2022-0057-DWQ (2022 CGP), effective September 1, 2023. Compliance with the CGP involves the development and implementation of a project-specific Storm Water Pollution Prevention Plan (SWPPP) for projects exceeding one acre of disturbance, designed to prevent potential adverse impacts to surface water quality, including erosion and siltation, during the period of construction. As applicable, the SWPPP is required to provide limits of temporary disturbance and will indicate the specific locations where storm water Best Management Practices (BMPs) will be implemented. Storm water BMPs refer to a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent, eliminate, or reduce the pollution of receiving waters. BMPs are standardized in a handbook made available by the California Stormwater Quality Association (CASQA).

Whitewater River Watershed Municipal Separate Storm Sewer System (MS4)

In 1987, Congress amended the Federal Clean Water Act (CWA) to require public agencies which serve urbanized areas with a population greater than 100,000 to obtain permits to discharge urban stormwater runoff from municipally owned drainage facilities including streets, highways, storm drains and flood control channels. In November 1990, the United States Environmental Protection Agency (USEPA) promulgated enforceable regulations establishing Municipal Separate Storm Sewer System

(MS4) Permit requirements under its National Pollutant Discharge Elimination System (NPDES) Program. In California, USEPA has delegated its NPDES permitting authority to the California State Water Resources Control Board (CSWRCB), which issues and enforces NPDES MS4 Permits through its nine designated regions.

The Whitewater River Region MS4 Permit applies to an area of approximately 367 square miles, which generally corresponds to the urbanized portions of the watershed and Coachella Valley. The MS4 Permit compliance programs are administered by Riverside County Flood Control and Water Conservation District (RCFC&WCD), CVWD, and the incorporated Coachella Valley cities, including Indian Wells. The objective of the MS4 regulations is in part to reduce potential pollutants in urban runoff from land development construction, municipal, commercial, and industrial areas to the maximum extent possible.

City of Indian Wells Municipal Code

Chapter 21.46 – Watercourse Zone Development Standards

The intent of this chapter is to protect and enhance the water quality of city watercourses, water bodies, and groundwater in a manner pursuant to and consistent with the federal Clean Water Act. This intent is achieved through the regulation of non-stormwater discharges to the municipal separate storm drain; control of the discharge to municipal separate storm drains from spills, dumping or disposal of materials other than stormwater; and reduction pollutants in stormwater discharges to the maximum extent practicable.

Chapter 16.52 – Storm Water Management and Discharge Controls

The intent of this chapter is to describe what can be implemented by the City to reduce risks and prevent any deterioration of water quality which would impair the subsequent or competing uses of the water. In order to accomplish proper prevention of deterioration of water quality, the City's Director may establish standards and guidelines implementing BMPs designed to control the rate and volume of storm water runoff from new developments and redevelopments as may be appropriate to minimize the discharge and transport of pollutants. Acceptable methods and standards for controlling storm water runoff volumes, rates, and pollutant load may include, but are not limited to, the following:

- Avoid placing impervious surfaces in highly porous soil areas; incorporate landscaping and open space into the project design, use porous materials for or near driveways and walkways, incorporate detention ponds and infiltration pits into the project's design; avoid placing pavement and other impervious surfaces in low lying areas.
- Direct storm water runoff away from impermeable areas to swales, berms, green strip filters, gravel beds, and trench drains.
- Use retention structures, subsurface areas, cisterns, or other structures to store storm water runoff for reuse or slow release.

Chapter 21.70 Water Efficient Landscaping

The purpose of this Chapter is to establish effective water efficient landscape requirements for newly installed and rehabilitated landscapes. The chapter implements the requirements of the California Code of Regulations Title 23, Waters Division 2, Department of Water Resources Chapter 2.7, Model Water Efficient Landscape Ordinance (MWELO), and State of California Water Conservation in Landscaping Act.

It is further the intent of the City Council to promote water conservation through climate-appropriate plant material and efficient irrigation systems, and to create a water efficient City landscape theme through enhancing and improving the physical and natural environment.

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

4.10.4 Project Impact Analysis

Thresholds of Significance

The following standards and criteria have been drawn from Appendix G: Environmental Checklist Form of the CEQA Guidelines. Implementation of the proposed Indian Wells General Plan Update would have a significant effect on hydrology and water quality if it is determined that the project would:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    i. Result in substantial erosion or siltation on- or off-site;
    ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
    iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
    iv. impede or redirect flood flows?

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Methodology

The relevant findings throughout this section rely in part on the City of Indian Wells' hydrology and stormwater management conditions represented in the resources used to identify them, such as the Coachella Valley Water District and the Flood Insurance Rate Maps. This purpose was to analyze the effects the General Plan Update would have on potential future development, and to ensure compliance with the local hydrologic requirements.

It is also worth noting that in subsequent discussions, references to stormwater runoff, volumes, drainage, retention, and associated dynamics, will pertain to the temporary ephemeral conditions occurring after precipitation events, rather than the long-term or perennial drainage conditions that do not occur in the local setting. Moreover, this assessment at the General Plan level does not entail individual project approvals, as such are subject to their respective requirements under the federal, state, and regional regulations under the CWA and NPDES programs.

Project Impacts

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Construction-Related Water Quality Impacts

Grading, excavation, removal of vegetation cover, and loading activities associated with future construction activities could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion impacts that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas.

As required by the Clean Water Act, each subsequent development project or improvement project that exceeds one acre of disturbed surface area will require an approved Storm Water Pollution Prevention Plan (SWPPP) that includes best management practices for grading and preservation of topsoil. A SWPPP is not required if the project will disturb less than one acre. SWPPPs are designed to control storm water quality degradation to the extent practicable using best management practices during and after construction.

Future development project applicants must submit the SWPPP with a Notice of Intent to the SWRCB to obtain a General Permit. The SWRCB is an agency responsible for reviewing the SWPPP with the Notice of Intent, prior to issuance of a General Permit for the discharge of storm water during construction activities. The SWRCB accepts General Permit applications (with the SWPPP and Notice of Intent) after

specific projects have been approved by the lead agency. The lead agency for each specific project that is larger than one acre is required to obtain a General Permit for discharge of storm water during construction activities prior to commencing construction (per the Clean Water Act).

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

New Development-Related Water Quality Impacts

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

The majority of development allowed under the GPU would be within areas currently developed with urban uses (as described in the Land Use and Design Element and associated General Plan Existing Conditions Report), and the amount and type of runoff generated by various future development and infrastructure projects would be similar to existing conditions. However, new development and infrastructure projects have the potential to result in increases in the amount of impervious surfaces throughout Indian Wells. Future increases in impervious surfaces would result in increased urban runoff, pollutants, and first flush roadway contaminants, as well as an increase in nutrients and other chemicals from landscape areas. These constituents could result in water quality impacts to onsite and offsite drainage flows to area waterways.

Waters that are listed under Section 303(d) of the CWA are known as “impaired.” CWA Section 303(d) does not list any water bodies within the City of Indian Wells, however, one water body is directly adjacent to the City (beginning in the City of La Quinta at the terminus of the Whitewater River): the Coachella Valley Stormwater Channel (CVSC). The CVSC is listed as impaired from the following pollutants: Nitrogen Ammonia (2005), and Toxicity (2005). The portion of the CVSC that runs through the City is not considered to be “impaired” by the CWA.

Storm water runoff may play a role in the water quality impairments described above. Runoff that occurs as overland flow across yards, driveways, and public streets is intercepted by the storm water drainage system and conveyed to local drainages before eventually being routed to the Pacific. This storm water can carry pollutants that can enter the local waterways and result in the types of water quality impairments described above. Common sources of storm water pollution in the City include litter, trash, pet waste, paint residue, organic material (yard waste), fertilizers, pesticides, sediments, construction debris, metals from automobile brake pad dust, air pollutants that settle on the ground or attach to rainwater, cooking grease, illegally dumped motor oil, and other harmful fluids.

Due to future development and infrastructure projects, the overall volume of runoff in Indian Wells could be increased compared to existing conditions. If the City's drainage system is not adequately designed, General Plan buildout could result in localized higher peak flow rates. Localized increases in flow would be significant if increases exceed system capacity or contributed to bank erosion. This is considered a potentially significant impact, which would be mitigated to a less than significant level through the implementation of the policies and actions listed below, as well as the City's adopted Municipal Code requirements.

The GPU sets policies and actions for build-out of the City, but it does not envision or authorize any specific development project. Because of this, the site-specific details of potential future development projects are currently unknown and analysis of potential impacts of such projects is not feasible and would be speculative. However, each future development and infrastructure project is required to prepare a detailed project specific drainage plan, Water Quality Management Plan (WQMP), and a SWPPP that will control storm water runoff and erosion, both during and after construction. If future development projects involve the discharge into surface waters the project proponent will need to acquire certain regulatory permits including but not limited to an NPDES permit, and Waste Discharge permit from the RWQCB and comply with all storm water sewer system (MS4) requirements.

For new development, water quality standards and waste discharge requirements are also met through implementation of a project-specific Water Quality Management Plan (WQMP) in compliance with the NPDES permit program for post-construction conditions.

New development proposals meeting the MS4's criteria of Priority Development Project are required to develop a project-specific WQMP to address post-construction stormwater runoff quantity and quality requirements by implementing proposed storm drain and retention facilities with a mandated operation and maintenance program to meet the Low Impact Development (LID) Site Design criteria. Retention facilities typically consist of surface basins or underground systems designed to capture and infiltrate urban runoff from the design storm event applicable to the development. The overall maintenance of the private storm drain and retention systems is covered by the Operation and Maintenance (O&M) section of the Final WQMP and subject to a site-specific Stormwater Management/BMP Facilities Agreement (WQMP Agreement) with the City of Indian Wells. The O&M section of the WQMP requires the implementation, inspection, maintenance and frequency guidelines for measures which could

include education for property owners and operators; activity restrictions; common area landscape management and efficient landscape design; common area litter control; contractor/employee training; common area catch basin inspection; street sweeping of private streets and parking lots; storm drain system stenciling and signage; trash and waste storage areas to reduce pollutant introduction. The WQMP Agreement establishes the owner or operator's responsibility to maintain the said facilities in accordance with the approved WQMP, also allowing for City entry for inspection and enforcement as necessary. The WQMP Agreement is signed by the owner/operator and City representatives before recordation against the property.

As described above, under the Regulatory Setting, the City is required to implement a range of measures and procedures when reviewing new development and infrastructure projects.

Colorado River Basin Regional Water Quality Control Board

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

Local Implementation Plans

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

General Plan Policies

The General Plan Update establishes policies and actions designed to support various efforts relevant to surface water and groundwater quality. The policies and actions contained in the Resource Management Element that are most applicable to this matter are summarized below:

Policies

RM-6.1 **Regional Cooperation**. Actively participate in regional activities to assure (a) the effective management of water resources, and (b) the development of water policies at the County, State and Federal level that are favorable to the Coachella Valley.

RM-6.7 **Education**. Strengthen education programs related to water protection and conservation.

RM-2.1 **Open Space Preservation**. Designate and preserve the City's open space and scenic resources, including hillside open space, mature trees, rock outcroppings, ridgelines, watercourse open space, golf courses, and public parks.

Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to water quality standards, waste discharge requirements, or other conditions capable of degrading surface or groundwater quality.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin

The Coachella Valley Groundwater Basin is the primary groundwater source in the Coachella Valley, with the Coachella Valley Water District (CVWD) being the domestic water purveyor serving the project site. Based on a 1964 estimate by 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 the water within the upper 1,000 feet and is divided into four subbasins: Indio, Mission Creek, Desert Hot Springs, and San Gorgonio. This capacity is widely accepted and used by local water districts that serve the area, including the Coachella Valley Water District. The Coachella Valley Water District is the main water purveyor for the City of Indian Wells. Indian Wells is underlain by the Indio Subbasin, which is estimated to have 29.8 million acre-feet (AF) of water in the first 1,000 feet below the ground surface, or approximately 76 percent of the total groundwater in the Coachella Valley Groundwater Basin. CVWD works with other local water agencies and Coachella Valley stakeholders to implement water conservation, water reuse, and groundwater recharge strategies to ensure water availability and system capacity to meet the growing needs of the Coachella Valley Cities, including Indian Wells.

Groundwater is pumped by local wells and distributed for drinking and irrigation purposes. To offset the amount of water pumped by local wells, the region’s water agencies import water from the Colorado River to replenish the basin, recycle wastewater for irrigation, and incentivize conservation – this is called “groundwater management”. Local water agencies have been working on groundwater management since the 1940s when local leaders began importing water to supplement local groundwater supplies.

Historically, more groundwater has been pumped out of the Indio Subbasin each year than the amount of water that naturally replenishes the groundwater basin. Overdraft occurs when a groundwater basin has pumping (demands) that exceed recharge (supplies) over the long term. Agencies within the Indio Subbasin began to actively manage the Subbasin in 2002 with development of the 2002 Coachella Valley Water Management Plan in order to address this issue. This plan was updated in 2010 to document the accomplishments in reducing overdraft and to address changed conditions since 2002. Coachella Valley

Water District (CVWD), Coachella Water Authority (CWA), Desert Water Agency (DWA), and Indio Water Authority (IWA) collectively represent the Indio Subbasin GSAs. In January 2017, the GSAs submitted to DWR the 2010 Coachella Valley Water Management Plan (2010 CVWMP), accompanied by an Indio Subbasin Bridge Document, as a SGMA-compliant Alternative Plan. On July 17, 2019, DWR approved the Alternative Plan with a requirement to submit an Alternative Plan Update by January 1, 2022 and every five years thereafter. Based on the Indio Subbasin SGMA documentation, the combined strategies have resulted in significant groundwater levels (storage) increases across the subbasin, thus allowing the region to comply with the framework for sustainable management. The largest groundwater level increases are observed in the western Coachella Valley, near the Whitewater River Groundwater Replenishment Facility and in the eastern Coachella Valley, near the Thomas E. Levy Groundwater Replenishment Facility, where the level increases have been as much as 200 feet and 100 feet respectively. In the area on or around City of Indian Wells, groundwater level increases have ranged from 7 to 15 feet, reflecting the benefits of source substitution and conservation programs.

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

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

Artificial replenishment, or recharge, is recognized by the water districts as one of the most effective methods available for preserving local groundwater supplies, reversing aquifer overdraft and meeting demand by domestic consumers. According to the CVWD website on Groundwater Replenishment and Imported Water, local agencies have percolated over 650 billion gallons of water back into the aquifer to date. In the central part of the Coachella Valley, groundwater recharge is provided by the recently constructed first phase of the Palm Desert Groundwater Replenishment Facility. According to the CVWD web site, this facility is expected to add up to 25,000 acre-feet of Colorado River water annually into the aquifer. Combined with water conservation and efficiency requirements, individual development

projects can contribute to groundwater sustainability by implementing the required stormwater runoff retention and infiltration facilities. The proposed project location will not impede or conflict with any existing or planned groundwater recharge facility.

As further explained in the Utilities and Service Systems section of this document, the City of Indian Wells presently receives potable water from CVWD. GPU implementation would involve on-site improvements to accommodate any new development expected to result in a project-wide demand of 25.27 acre-feet per year at buildout condition. The analysis presented in the Utilities and Service Systems section has found that there are sufficient water supplies to meet the GPU buildout demands.

The proposed GPU aligns with the local and regional groundwater recharge strategies and complies with the local retention ordinance by maintaining on-site infiltration requirements applicable to future development plans.

Moreover, the City will continue to implement water conservation measures in accordance with the applicable landscape ordinance requirements pertaining to water efficient irrigation systems and drought-tolerant plant selection (Indian Wells Municipal Code 21.60). Interior fixtures are also expected to be water efficient, thus complying with the local water conservation strategies. Therefore, the implementation of the Indian Wells GPU is not expected to interfere with the regional groundwater recharge efforts or groundwater sustainability for the regional basins. Less than significant impacts are anticipated.

General Plan Policies

The GPU establishes policies and actions designed to support various efforts relevant to water conservation and sustainable groundwater management. The policies and actions contained in the Resource Management Element that are most applicable to this matter are summarized below:

Policies

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

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

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

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

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

Actions

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

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

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

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

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

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

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

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

- Requiring the incorporation of water conservation devices, including low flush toilets, flow restriction devices, and water conserving appliances in both new public and private development projects and rehabilitation projects.

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

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

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

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

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

Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to groundwater resource management, including supplies, sustainability, and recharge.

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:

ci. Result in substantial erosion or siltation on- or off-site

The City of Indian Wells has been largely developed, with residential, commercial, and open space uses throughout the northern portions of the City. Two drainage courses exist within the City: the Deep Canyon Stormwater Channel and Whitewater River (and connecting CVSC). Both channels, along with

the other methods of storm water control systems, work to direct runoff away from existing development.

Within a future project area in the City, any proposed land uses would result in an increase in impervious land cover through the introduction of structures, hardscape and streets. Without engineering controls, such land use changes would translate to an increase in total stormwater runoff volume, an increase in runoff velocity, and a greater peak discharge. However, as is required through the City's engineering standards for land subdivision and development, the project will incorporate on-site infrastructure to intercept, convey, and retain stormwater runoff resulting from the worst-case 100-year storm event.

Chapter 21.70.050, Section G, *Stormwater Management*, states that stormwater

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

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

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

In addition to complying with the NPDES programs and WQMP stormwater requirements, the updated IWGP contains policies to reduce impacts associated with stormwater and drainage including policies to maintain sufficient levels of storm drainage service, improvements to flood control facilities and channel segments, and other best practices in order to protect the community from flood hazards and minimize the discharge of materials into the storm drain system that are toxic. The implementation of the General plan would result in a less than significant impact relative to this topic.

Moreover, the GPU does not propose any development at the time of writing, however, implementation of the GPU may facilitate future development within the City. The vacant portions of the City are

primarily located in developed areas and are considered “infill” development. Therefore, the occurrence of substantial erosion or siltation due to site development within these portions is unlikely.

Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to the drainage conditions throughout the City resulting in substantial erosion or siltation.

cii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

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

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

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

Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to increases or changes to surface runoff in a manner which could result in flooding conditions.

ciii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

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

Off-site drainage from mountainside tributary areas is separately handled by the existing formal channels, which are publicly owned and maintained. Similarly, this project does not propose physical improvements that would impair the capacity of these facilities. The Deep Canyon Stormwater Channel and the Whitewater River (and the connecting CVSC) would continue to operate as designed, without receiving any excessive amounts of runoff from the surrounding areas. Additionally, future development within the City will be required to implement flood control infrastructure, thus minimizing the amount of runoff directed towards the existing channels. Less than significant impacts are anticipated.

civ. Impede or redirect flood flows?

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

Approximately 7.7 percent, or 720 acres, of the City is designated by Federal Emergency Management Agency (FEMA) as Special Flood Hazard Areas (Zones A, AE, AO). Zone A consists of low-lying areas that are in close proximity to lakes, ponds, and other large bodies of water. Zone AE flood zones are areas that present a 1% annual chance of flooding. Zone AO is the flood zone that corresponds to the areas of 1% shallow flooding where average depths are between 1 and 3 feet. Approximately 444 acres of Indian Wells is designated as Zone A, however, most of it is contained in the two primary stormwater channels. FEMA Zones AO and AE are located in the southwest corner of the city, primarily due to its adjacency to the natural alluvial fan feature, cut by braided stream channels, located southwest of the City.

Approximately 1,055 acres of the City are designated by FEMA as part of the 500-year flood zone (Zone X Shaded) and the remaining 7,558 acres are deemed to be areas of minimal hazard or areas with reduced risk due to levee improvements (Zone X).

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

The Coachella Valley Water District (CVWD) outlets assist the drainage of stormwater into the CVSC and the DCSC. CVWD also provides slope protection and service roads within the CVSC and the DCSC, for continual maintenance of the channels.

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

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation

As mentioned previously, FIRM Panel Numbers 06065C2226H, 06065C2227H, 06065C2231H, 06065C2228H, 06065C2229H, and 06065C2233H, applicable to the site since April 19, 2017, identify the current FEMA flood zone designations, which are categorized by lettered identifiers with corresponding levels of risk. According to the map panels, the majority of the City is designated as Zone X or other areas, while less than 8% is designated as Zone A, Zone AE, or Zone AO which applies to areas with a 1-percent

annual chance of flooding. These portions include the existing watersheds and drainage channels known as the Deep Canyon Stormwater Channel and the Whitewater River (and connecting CVSC). The watersheds drain towards the Deep Canyon Stormwater Channel (DCSC), where stormwater is collected and distributed towards the Whitewater River and CVSC. The CVSC then distributes flows towards the Salton Sea. As such, there are no existing or proposed habitable structures in Zone A, Zone AE, or Zone AO designations. The GPU does not propose any future development or changes to the existing special flood hazard areas. Future efforts to improve regional stormwater management and flood control infrastructure will continue to be subject to the applicable standards managed by CVWD as the governing flood control agency in the City. The GPU will not conflict with such processes.

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

e. Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan

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

The project-specific WQMP is a form of compliance document that is prepared concurrently with the engineering plans (grading, storm drain, street) and the hydrology report for the proposed development.

Aspects of the WQMP include an evaluation of existing conditions; an assessment of the regional surface water quality impairments; an assessment of the proposed land uses; and identification of source control and site design measures (BMPs) to handle runoff resulting from individual projects. Existing regional stormwater and flood control infrastructure serving the City of Indian Wells will not be impacted by individual development occurring within the GPU framework due to the applicable engineering standards and requirements for on-site retention.

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

Implementation of the GPU includes policies in the Resource Management Element to maintain consistency with the sustainable groundwater management plan strategies applicable at the regional local level. As such, development within the vacant portions of the City are not expected to obstruct the facilities, capacities, or strategies identified in the governing groundwater management and stormwater resources planning.

Therefore, implementation of the proposed GPU and associated policies is expected to result in less than significant impacts pertaining to compliance with water quality control or sustainable groundwater management plans.

4.10.5 Cumulative Impacts

The cumulative impacts of hydrology and water quality resulting from policies at the General Plan Update level are typically commensurate with the extent, magnitude, and nature of potential land use changes or new policies that may apply to local resources and future new development. The existing regulatory framework under the CWA and NPDES programs involves robust requirements applicable to project-level land development proposals and to various municipal activities. Implementation of the proposed GPU would not involve a change to land uses or resource management to an extent, magnitude or nature that would conflict with the existing CWA and NPDES programs, or in a manner which would increase the demand for water, groundwater resources, or wastewater operations that are currently managed at the regional level by the utility purveyors. Implementation of the GPU would not grant or otherwise approve project-level development.

The proposed policies and actions in the Resource Management Element of the proposed GPU would continue to promote the protection of local resources to the extent that is applicable at the City level, without precluding new development from subjected to the existing and evolving CWA and NPDES regulations during the life of the GPU. The existing City engineering standards would continue to ensure that future project proposals are reviewed for compliance and compatibility with the local development

standards prior to project-level approvals, including those calling for proper water conservation, flood protection, stormwater management and retention, and prohibition of impactful drainage modifications.

Therefore, because of the standards implemented by the City, CVWD and other responsible agencies, cumulative impacts associated with hydrology and water quality will remain less than significant for the cumulative projects under General Plan buildout because all such projects will also be required implement stormwater management respectively.

4.10.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to hydrology and water quality. Moreover, State, regional and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.10.7 Level of Significance After Mitigation

The aspect of hydrology and water quality do not involve significant impacts requiring mitigation.

4.10.8 Resources

1. City of Indian Wells 1996 General Plan, as Amended
2. Federal Clean Water Act (CWA), Environmental Protection Agency, https://www.epa.gov/laws-regulations/summary-clean-water-act
3. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) 06065C2226H, 06065C2227H, 06065C2231H, 06065C2228H, 06065C2229H, and 06065C2233H, effective April 19, 2017.
4. Indio Subbasin Sustainable Groundwater Management Act (SGMA) Plan.
5. Water Quality Control Plan for the Colorado River Basin Region (Basin Plan), January 2019.
6. Whitewater River Region Water Quality Management Plan for Urban Runoff and the associated Whitewater River Watershed MS4 Permit, effective June 20, 2013.
7. 2018 Coachella Valley Integrated Regional Water Management and Stormwater Resources Plan, December 2018.
8. Indian Wells Municipal Code
9. United States Geological Survey (USGS) La Quinta 7.5-minute Quadrangle Topographic Map

10. California Department of Water Resources (DWR)
11. Porter-Cologne Water Quality Control Act (Porter-Cologne)
12. California Code of Regulations (CCR)
13. California State Water Resources Control Board (CSWRCB)

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4.11 Land Use and Planning

4.11.1 Introduction

This section of the PDEIR addresses potential impacts associated with land use and planning that may occur with implementation of the proposed Indian Wells General Plan Update (GPU) project ("project"). This section identifies the existing land use conditions, analyzes the GPU's consistency with relevant planning documents and policies adopted for the purpose of avoiding or mitigating an environmental effect, and recommends mitigation measures to avoid or minimize the significance of potential environmental impacts. GPU policies associated with other specific environmental topics are discussed in the relevant sections of this PDEIR.

4.11.2 Existing Conditions

Existing (Baseline) Conditions

The City Limits include the area within the City's corporate boundary, over which the City exercises land use authority and provides public services. A City's Sphere of Influence (SOI) is the probable physical boundary and service area of a local agency, as adopted by a Local Agency Formation Commission (LAFCO). An SOI may include both incorporated and unincorporated areas within which a city or special district will have primary responsibility for the provision of public facilities and services. Indian Wells' SOI is contiguous with its City Limits. For the purposes of the Indian Wells General Plan Update, the Planning Area is defined as the area within the City's SOI/City Boundary that is included in the analysis and planning for the approximate 20-year horizon of the City's GPU.

Indian Wells is characterized by golf courses, private communities, world-renowned resorts, and the Santa Rosa Mountains. The City currently has many mechanisms to ensure development remains consistent with the quality of existing development and aesthetics, including but not limited to: the General Plan, Architecture and Landscape Design Standards, the Zoning Code, and private community Covenants, Conditions, and Restrictions (CC&Rs).

There are 9,333 acres within the Planning Area. The table below indicates the existing uses within the Planning Area. Currently, approximately 6,395 acres are developed as open space, parks and golf course uses, 1,403 acres are developed as residential uses, and approximately 187 acres are vacant. These are considered the baseline conditions.

The City currently includes 4,694 single family units and 349 multifamily units, for a total of 5,043 residential units; 1,546,833 square feet of nonresidential space (i.e., office, sports, commercial, etc.); and offers 1,509 jobs within the City.

Table 4.11-1 Existing Development within Indian Wells

Existing Uses	Acres
Commercial	158
Natural Preserve	155
OS, Parks, Golf	6,395
Public Facilities	22
Residential Attached	211
Residential Detached	1,193
Residential/Watercourse Interface	19
Sports Complex	63
Streets	515
Utility/Maintenance Lot	22
Vacant	187
Watercourses, Drainage Channels	391
Total	**9,333**

The majority of the undeveloped land is open space, which includes private open space in golf course residential communities and the steep terrain of the Santa Rosa Mountains in the southern part of the City. The largest areas of vacant, but potentially developable lands are located at the intersection of Miles Avenue and Washington Street adjacent to the Indian Wells Tennis Garden and the intersection of Miles Avenue and Highway 111.

Current General Plan Land Use and Zoning Designations

Existing (baseline) conditions refer to the existing built environment, which may be different from the land use or zoning designations applied to land in the City for planning purposes. The City's General Plan was last comprehensively updated in 1996 and has been amended periodically since that time. A comprehensive land use inventory of all land areas in Indian Wells was conducted between June 2005 and October 2006. The inventory was completed utilizing City base maps, aerial photos and a visual survey of the General Plan Area. The City consists of several types of community and civic land uses. Large portions of the City are designated as Golf and Open Space areas. The Santa Rosa Mountains are within the southerly portion of the City, and are designated as open space. The Housing Element was updated in 2013 (5th Cycle), and again in 2024, (6th Cycle) as required by State Housing Law.

Figure 4.11-1, *Existing General Plan Land Use Designations*, shows a map of the Current General Plan land use designations in the Planning Area. Per the Current General Plan Land Use Map, Indian Wells is dominated by large areas of open space, including open space used for golf and recreation, and by low density residential development. Resorts and sports complexes are also prominent in the City. The table below displays the parcel specific acreage for current land uses within the Planning Area. Of the designated land uses, the largest land use designation within the Planning Area is Open Space, with 4,320

acres of land designated for this use. There is also a significant amount of land designated as Very Low Density Residential (2,306 acres).

Buildout of the current General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs. The land use designation throughout the City and their acreage are shown in the table below.

Table 4.11-2 General Plan Land Use Designations

Current General Plan Designation	Acres
Civic, Public Facility	29
Commercial, Community Commercial	88
Commercial, Professional Office	7
Commercial, Resort Commercial	185
Commercial, Sports Complex	63
Low Density Residential	162
Medium Density Residential	46
Medium High Density Residential	18
Open Space, Golf and Recreation	1,317
Open Space, Natural Preserve	195
Open Space, Open Space	4,320
Open Space, Public Benefit (PB-1)	34
Open Space, Public Park	6
Open Space, Watercourse	557
Residential, Very Low Density Residential	2,306
Total	**9,333**

Proposed General Plan Land Use Designations

The GPU includes an update to the City's Land Use Map. The project proposes to change the current land use designation at two locations, as indicated in the table below. **Figure 4.11-2*, Proposed General Plan Land Use Designations***, illustrates the proposed land use designations in the City.

Table 4.11-3 Changes to the Existing GP

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

In addition, changes to the Whitewater River Channel are proposed as part of the proposed project consistent with ongoing efforts to improve the Channel. Approximately 6.82 acres of the Whitewater

River Channel will be removed from the storm channel and added to developable acreage for resort commercial uses.

Buildout of the proposed GPU would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan). The table below lists each of the land use designations in Indian Wells and provides a corresponding indication of maximum density or intensity of development. Maximum allowable development on individual parcels of land is governed by these measures of density or intensity. For various reasons, many parcels in the community have not been developed to maximum density or intensity and, in the future, maximum development can be expected to occur only on a limited number of parcels.

Table 4.11-4 General Plan Land Use 2040 Potential Buildout Summary

Land Use Designation	Acres [1]	Allowed Density and/or Intensity [2]	Units	Population	Non-Residential Square Feet	Jobs
RESIDENTIAL LAND USES						
Very Low Density Residential	2,306	1.0-3.0 du/ac	4,807	4,143	-	-
Low Density Residential	162	3.1-4.5 du/ac	547	471	-	-
Medium Density Residential	46	4.6-7.0 du/ac	303	261	-	-
Medium High Density Residential	18	7.1-12.0 du/ac	221	190	-	-
Residential Subtotal	*2,532*	-	*5,878*	*5,065*	-	-
COMMERCIAL LAND USES						
Community Commercial	74	0.75 FAR	-	-	2,295,482	3,061
Professional Office	7	0.50 FAR	-	-	162,341	216
Resort Commercial [3]	214	No FAR restriction	150	129	2,001,444	2,924
Sports Complex	63	-	-	-	685,831	75
Commercial Subtotal	*358*	-	*150*	*129*	*5,145,098*	*6,276*
PUBLIC/QUASI-PUBLIC LAND USES						
Public Benefit (PB-1)	34	Varies	238	205	-	-
Public Facility	29		-	-	14,570	34
Public Parks/Recreation	6	-	-	-	-	-
Public/Quasi-Public Subtotal	*69*	-	238	205	14,570	34
OPEN SPACE LAND USES						
Golf and Recreation	1,308	-	-	-	-	-
Natural Preserve	195	1.0 du/40 gross ac	5	4	-	-
Watercourse	550	-	-	-	-	-
Open Space	4,320	-	-	-	-	-
Open Space Subtotal	*6,373*	-	*5*	*4*	-	-
Totals	**9,332**	**-**	**6,271**	**5,403**	**5,159,668**	**6,310**

1. Acres are given as adjusted gross acreages, which do not include the right-of-way for major roadways, flood control facilities, or railroads.

2. Density/intensity includes both residential density, expressed as dwelling units per acre, and nonresidential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot. Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel, and are, on average, lower than allowed by the General Plan. Accordingly, the projections in this General Plan do not assume buildout at the maximum density or intensity but are adjusted downward to account for variations in development.
3. Residential development potential is consistent with uses allowed within adopted Specific Plans.

Residential

Very Low Density Residential: 1.0-3.0 du/ac

The Very Low Density Residential land use designation is intended for the development of very low density single-family detached homes on minimum of 12,000-square-foot lots at a density between 1 to 3 dwelling units per gross acre of land. This designation is generally most suitable in rural areas and areas where scenic and natural resources should be protected, or where natural hazards limit development potential (such as hillsides).

Low Density Residential: 3.1-4.5 du/ac

The Low Density Residential land use designation is intended for the development of low density single-family detached homes on minimum of 8,500-square-foot lots at a density between 3.1 and 4.5 dwelling units per gross acre.

Medium Density Residential: 4.6-7.0 du/ac

The Medium Density Residential land use designation is intended for single-family detached homes, cluster developments, and attached units at a density between 4.6 and 7.0 dwelling units per gross acre.

Medium High Density Residential: 7.1-12.0 du/ac

The Medium High Density Residential land use designation is intended for attached dwelling units such as townhouses, condominiums, and congregate care for seniors at a density between 7.1 and 12.0 dwelling units per gross acre.

Commercial

Community Commercial: Maximum FAR 0.75

The Community Commercial land use designation provides the community with attractively designed retail, office, and shopping areas. Uses may include retail shops, offices, restaurants, personal service shops, grocery stores, movie theaters, hotels and resort complexes, and similar uses. The maximum intensity of development is a floor area ratio (FAR) of 0.75.

Professional Office: Maximum FAR 0.50

The Professional Office land use designation is intended for attractively designed professional offices that are compatible with surrounding neighborhoods and adjacent areas. Developments will be a maximum of two stories in height and will have extensive landscaping. Parking areas will be screened from public streets with landscaping, buffer areas, or decorative walls. Typical uses would include

administrative and professional offices, medical and dental offices, and financial institutions. The maximum intensity of development is FAR of 0.50.

Resort Commercial: No FAR Restriction

The Resort Commercial land use designation is intended for attractively designed hotel and resort complexes. The developments will have quality architectural design and extensive landscaping. Parking areas will be screened from public streets with landscaping, buffer areas, or decorative walls. Uses include hotels as the primary use with ancillary tourist commercial uses that may include restaurants, related convention facilities, and supporting retail and personal services.

Sports Complex: Varies (defined by Master Development Plan)

The Sports Complex land use designation is intended for publicly and privately owned land and improvements to accommodate professional or amateur sporting events. This includes the Indian Wells Tennis Garden and related facilities. All development and uses in the sports complex (SPX) zone classification shall be in accordance with a Master Development Plan. A Master Development Plan shall establish the basic framework for land use and development standards.

Public/Quasi-Public

Public Benefit; Varies (defined by Public Benefit Zoning Designation)

Space for the provision of uses that are beneficial to the public, including affordable housing and supporting uses, such as public park, recreation, open space, and parking.

Public Facility; No FAR Restriction

The Public Facility land use designation is intended for facilities such as the Civic Center, police and fire stations, public utilities, schools, and other governmental or public facilities, such as auditoriums, museums, and libraries.

Public Parks/Recreation; No Development Potential

The Public Park land use designation is intended for publicly owned parkland which is dedicated or reserved for passive recreational use by the public.

Open Space

Golf and Recreation: No Development Potential

The Golf and Recreation land use designation is intended for public and private golf courses, tennis facilities, and other typical country club style amenities.

Natural Preserve: 1.0 du/40 gross ac

The Natural Preserve land use designation includes privately owned lands with limited residential development permitted subject to the restrictions of the Hillside Management Plan (HMP), consistent

with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The maximum intensity of development is 1.0 du/40 gross acres.

Watercourse; No Development Potential

The Watercourse land use designation includes the Whitewater River and Deep Canyon flood control channels and other areas subject to flood hazard. Federal standards prohibit development in the floodway. Some Watercourse areas, however, are used for golfing.

Open Space: No Development Potential

The Open Space land use designation includes lands maintained in a natural state comprised predominantly of Federal, State, and City-owned lands in the Santa Rosa Mountains. Development in these areas is subject to the Hillside Management Ordinance.

Overlay Zones

An overlay zone, also known as an overlay district, is a regulatory tool used in land use planning to create a special planning layer on top of an existing base land use or zoning district. Overlay zones can share boundaries with the base designation, cross them, or stand alone. They can include regulations or incentives to protect resources or guide development in a specific area. Overlay zones can control many factors, including building and urban design, permitted land use, and density.

In addition to the land use designations established by the Land Use Element (and corresponding zoning districts established by the Municipal Code), the City of Indian Wells employs the use of four overlays zones to support its unique land use planning priorities.

Golf Course

This overlay zone shall apply to all public and private golf courses within the City to ensure that they are operated and maintained for their intended purpose, the playing of golf.

Within this zone, uses not directly related to the operation and maintenance of the subject golf course shall be prohibited. Areas so designated may be included within the gross acreage of a development for purposes of calculating the communities' density. However, this shall preclude the inclusion of lands having this designation as a part of an adjoining private property so that areas so designated shall not be included within the gross acreage of a single, separate ownership lot for purposes of calculating the size of that lot for zoning and/or building purposes.

Affordable Housing

This overlay zone shall apply to residential properties only and shall indicate the City Council's intent to utilize the developer incentives programs for the development of affordable housing projects as set forth in Government Code Section 65915.

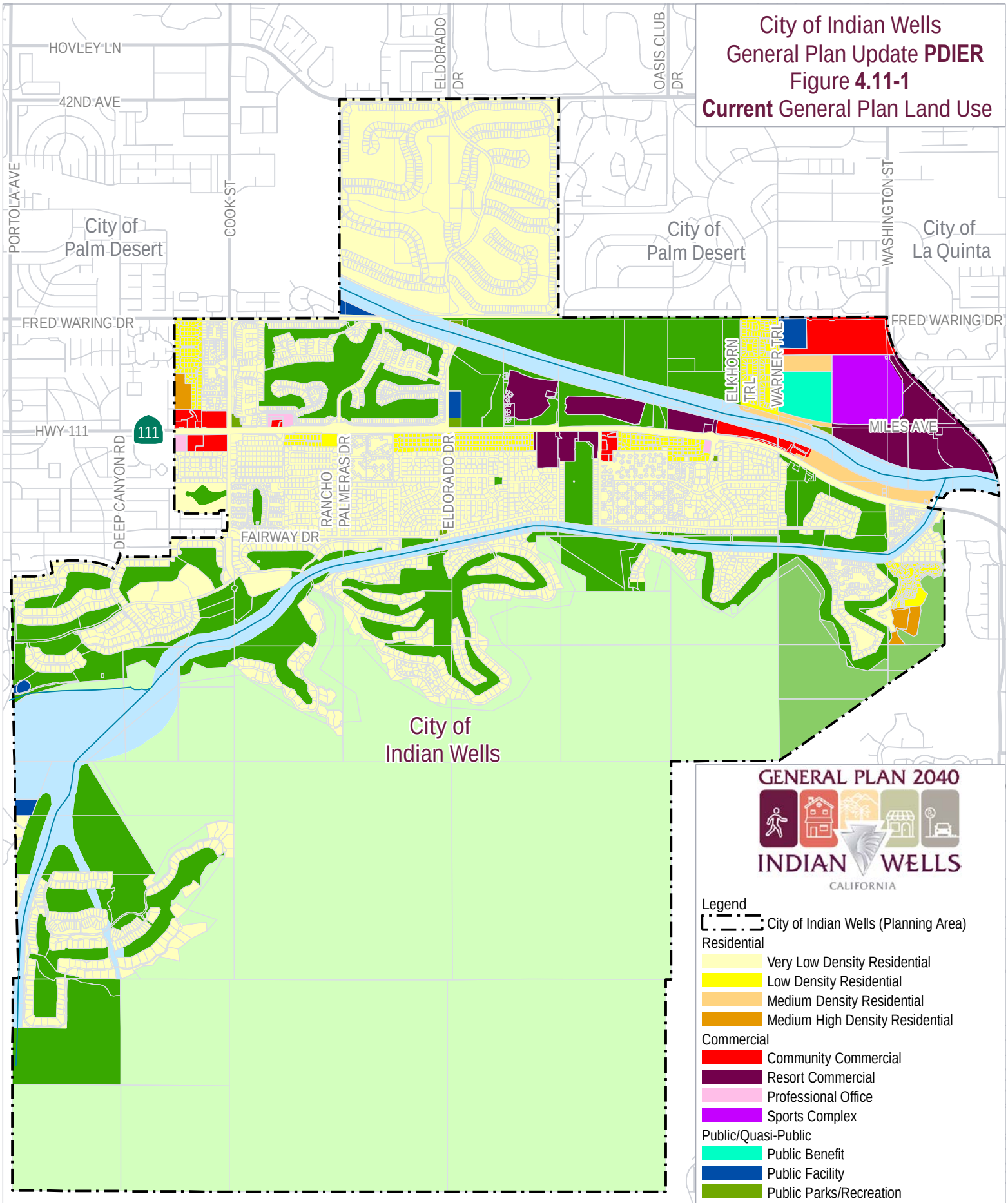
Senior Housing

This overlay zone shall apply to residential properties only and shall indicate the City Council's intent to utilize the developer incentives programs, negotiated on an individual basis with prospective developers, to provide for senior citizen housing in the City.

Special Study Area

This overlay zone shall apply to properties that offer the City unique planning and/or economic opportunities. The overlay zone establishes the City Council's intent to review alternative land use proposals that differ from those permitted by the base zone.

City of Indian Wells General Plan Update **PDIER** Figure **4.11-1** **Current** General Plan Land Use



GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

Legend

- City of Indian Wells (Planning Area)

Residential

- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential

Commercial

- Community Commercial
- Resort Commercial
- Professional Office
- Sports Complex

Public/Quasi-Public

- Public Benefit
- Public Facility
- Public Parks/Recreation

Open Space

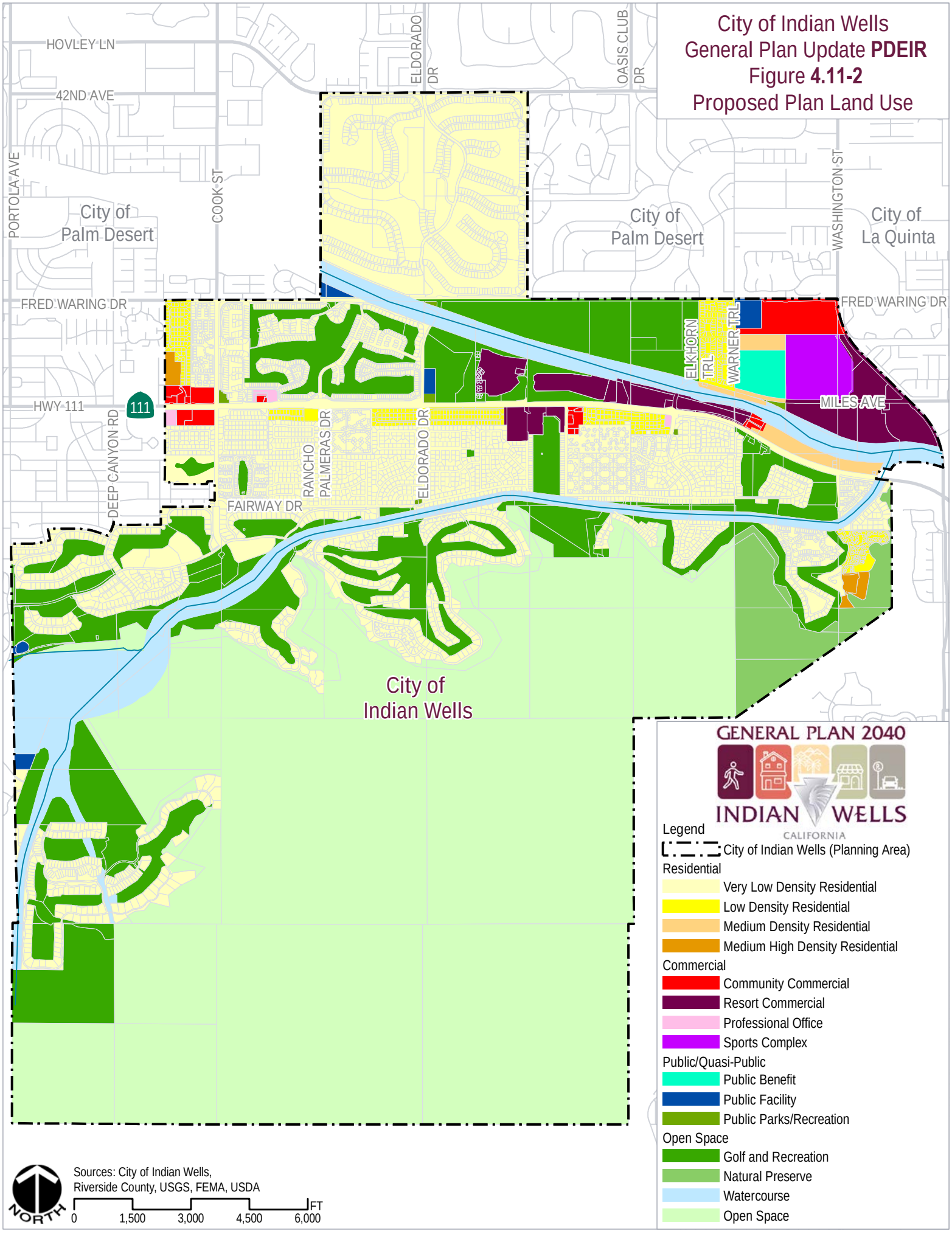
- Golf and Recreation
- Natural Preserve
- Watercourse
- Open Space

Sources: City of Indian Wells, Riverside County, USGS, FEMA, USDA

NORTH

0 1,500 3,000 4,500 6,000 FT

City of Indian Wells General Plan Update **PDEIR** Figure **4.11-2** Proposed Plan Land Use



4.11.3 Regulatory Setting

State

California General Plan Law

Government Code Section 65300 requires that each county and city adopt a General Plan "for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning."

The General Plan will include a comprehensive set of goals, policies, and actions (implementation measures), as well as a revised Land Use Map. It is a comprehensive long-term plan for the physical development of the county or city and is considered a "blueprint" for development. The General Plan must contain seven state-mandated elements: Land Use, Open Space, Conservation, Housing, Circulation, Noise, and Safety. It may also contain any other elements that the county or city wishes to include. The land use element designates the general location and intensity of buildings and grounds, recreation areas, and other land uses.

The 2017 General Plan Guidelines, established by the Governor's Office of Planning and Research (OPR) to assist local agencies in the preparation of their general plans, further describe the mandatory land use element as a guide to planners, the general public, and decision makers prescribing the ultimate pattern of development for the county or city.

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

SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (also known as "Connect SoCal") is a plan for mobility, accessibility, sustainability, and a high quality of life in the region. It is first and foremost, a transportation plan that integrates land use planning into its framework to improve mobility and access to transportation options in response to Senate Bill (SB) 375. The goals within the RTP/SCS are meant to provide guidance for the project within the context of regional goals and polices. Therefore, the goals in the RTP/SCS may be pertinent to the proposed Project.

The Goals and Guiding Policies set forth in RTP/SCS are listed below. Most of the goals can be adapted and implemented at the local level by the City of Indian Wells such as maximizing mobility and accessibility for all people and goods. This is being achieved by the City's commitment to good roads where intersections can accommodate round-abouts instead of 4-way stops or traffic signals where vehicles stop and idle; and where streets can be designed to accommodate motor vehicles and non-motorized vehicles such as bicycles and golf carts/neighborhood electric vehicles.

2020-2045 RTP-SCS Goals

RTP/SCS G1 Encourage regional economic prosperity and global competitiveness.

RTP/SCS G2 Improve mobility, accessibility, reliability, and travel safety for all people and goods.

RTP/SCS G3 Enhance the preservation, security, and resilience of the regional transportation system.

RTP/SCS G4 Increase person and goods movement and travel choices within the transportation system.

RTP/SCS G5 Reduce greenhouse gas emissions and improve air quality.

RTP/SCS G6 Support healthy and equitable communities.

RTP/SCS G7 Adapt to a changing climate and support an integrated regional development pattern and transportation network.

RTP/SCS G8 Leverage new transportation technologies and data-driven solutions that result in more efficient travel.

RTP/SCS G9 Encourage development of diverse housing types in areas that are supported by multiple transportation options.

RTP/SCS G10 Promote conservation of natural and agricultural lands and restoration habitats.

As the Metropolitan Planning Organization (MPO) for the region, SCAG is required by federal law (23 U.S.C. Section 134 et seq.) to prepare and update a long-range Regional Transportation Plan every four years. The Plan must provide for the development, integrated management and operation of transportation systems and facilities that will function as an intermodal transportation network for the SCAG metropolitan planning area. The passage of California Senate Bill 375 (SB 375) in 2008 requires that SCAG prepare and adopt a Sustainable Communities Strategy that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures and policies, will reduce GHG emissions from automobiles and light-duty trucks and achieve the GHG emissions reduction target for the region set by the California Air Resources Board (Govt. Code Section 65080(b)(2)(B)). In addition, the focus on equity in this Plan supports compliance with Title VI of the Civil Rights Act of 1964 and Environmental Justice guidance at the state and federal levels, all of which is further detailed in the Equity Analysis Technical Report.

In April 2024, SCAG updated their RTP/SCS (also referred to as “Connect SoCal 2024”). The 2024 RTP/SCS focuses on buildout of the Southern California region by 2050. The Plan includes four goals that fall into four core categories: mobility, communities, environment and economy. The goals are listed below.

2024-2050 RTP-SCS Goals

RTP/SCS G1 Mobility. Build and maintain and integrated multimodal transportation network.

RTP/SCS G2 Communities. Develop, connect and sustain communities that are livable and thriving.

RTP/SCS G3 Environment. Create a healthy region for the people of today and tomorrow.

RTP/SCS G4 Support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was developed to protect the quality of the environment and the health and safety of persons from adverse environmental effects. Discretionary projects are required to be reviewed consisted with the requirements of CEQA to determine if there is potential for the project to cause a significant adverse effect on the environment. Depending on the type of project and its potential effects, technical traffic, noise, air quality, biological resources, and geotechnical reports may be needed. If potential adverse effects can be mitigated to less than significant levels, a mitigated negative declaration may be adopted. If potentially adverse effects cannot be mitigated to less than significant levels, an environmental impact report is required. These documents have mandated content requirements and public review titles. Preparation of CEQA documents can be costly and time-consuming, potentially extending the processing time of a project by a year or longer.

Subdivision Code

A subdivision is any division of land for the purpose of sale, lease, or finance. The State of California Subdivision Map Act (Government Code § 66410) regulates subdivisions throughout the state. The goals of the Subdivision Map Act are as follows:

- To encourage orderly community development by providing for the regulation and control of the design and improvement of a subdivision with proper consideration of its relationship to adjoining areas.
- To ensure that areas within the subdivision that are dedicated for public purposes will be properly improved by the subdivider so that they will not become an undue burden on the community.
- To protect the public and individual transferees from fraud and exploitation.

The Map Act allows cities flexibility in the process of subdivisions. Indian Wells controls this process through the subdivision regulations in the Municipal Code Title 20. These regulations ensure that minimum requirements are adopted for the protection of the public health, safety, and welfare; and that the subdivision includes adequate community improvements, municipal services, and other public facilities.

Regional

Coachella Valley Association of Governments

The Coachella Valley Association of Governments (CVAG) is the regional planning agency coordinating government services in the Coachella Valley. CVAG is composed of several departments, including an

Energy and Environmental Resources Department and Transportation Department. The Energy and Environmental Resources Department promotes sustainable use of natural resources and preserving the natural heritage of the Coachella Valley by implementing plans relating to energy and air quality, waste management, water, habitat conservation, and trails.

Coachella Valley Conservation Commission

The Coachella Valley Conservation Commission (CVCC) is a joint powers authority comprised of members of the Riverside County Board of Supervisors, an elected official from each of the cities, and a member of the Board of Directors of the Coachella Valley Water District, Imperial Irrigation District, and Mission Springs Water District. Implementation of the Coachella Valley Multiple Species Habitat Conservation Plan is overseen by the CVCC. The CVCC provides policy direction for the plan, and opportunities for public participation in the decision-making process. Additional CVCC responsibilities include overseeing the Monitoring Program Administration, establishing a Reserve Management Unit, participating in the Joint Project Review Process, and preparing an Annual Report.

Coachella Valley Multiple Species Habitat Conservation Plan

The Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) is a regional multi-agency conservation plan that provides for the long-term conservation of ecological diversity in the Coachella Valley. The CVMSHCP includes an area of approximately 1.1 million acres in the Coachella Valley. The CVMSCHP ensures the conservation of the covered species and conserved natural communities in perpetuity.

The Coachella Valley Conservation Commission (CVCC) is a joint powers authority comprised of members of the Riverside County Board of Supervisors, an elected official from each of the cities, and a member of the Board of Directors of the Coachella Valley Water District, Imperial Irrigation District, and Mission Springs Water District. Implementation of the Coachella Valley Multiple Species Habitat Conservation Plan is overseen by the CVCC. The CVCC provides policy direction for the plan, and opportunities for public participation in the decision-making process. Additional CVCC responsibilities include overseeing the Monitoring Program Administration, establishing a Reserve Management Unit, participating in the Joint Project Review Process, and preparing an Annual Report.

Land Use Adjacency Guidelines

The Land Use Adjacency Guidelines were established by the CVMSHCP for projects adjacent to conservation areas. The purpose of the Guideline is to avoid or minimize indirect effects from development adjacent to or within the Conservation Areas. Such indirect effects are commonly referred to as edge effects, and may include noise, lighting, drainage, intrusion of people, and the introduction of non-native plants and non-native predators such as dogs and cats. The following Land Use Adjacency Guidelines will aid in minimizing edge effects and shall be implemented where applicable.

4.5.1 Drainage

Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

4.5.2 Toxics

Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.

4.5.3 Lighting

For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

4.5.4 Noise

Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

4.5.5 Invasives

Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in the Project-Specific Biology Report. The plants listed in the Biology Report shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

4.5.6 Barriers

Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.

4.5.7 Grading/Land Development

Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.

Local

Indian Wells Municipal Code

The Indian Wells Municipal Code (IWMC) acts as a regulatory guideline, compliant with state and federal laws, for the City of Indian Wells. The IWMC regulates businesses, zoning, animals, vehicles and traffic, peace and morals, health and safety, and more. Regulations regarding land use and zoning are discussed in great detail within Title 21, Zoning Code, in the IWMC. The purpose of the Zoning Code within the IWMC is to implement the policies of the Indian Wells General Plan by classifying and regulating the uses of land and structures within the City of Indian Wells. The Zoning Code is adopted to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and businesses in the City.

4.11.4 Project Impacts

Thresholds of Significance

The thresholds for this section are derived from Appendix G of the CEQA Guidelines and are used to determine the level of potential effect. The significant criteria are at based on the recommendations set forth in Section 15064 of the CEQA Guidelines. For analysis purposes, the proposed project would have a significant effect on land use and planning if it is determined that the project will:

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?

Project Impacts

a. Physically divide an established community

The proposed GPU establishes the City's vision for future growth and development. The land uses allowed under the proposed GPU (**Figure 4.11-2**) provide opportunities for cohesive new growth at vacant in-fill locations within existing urbanized areas of the City, as well as new growth adjacent to existing urbanized areas, but would not create physical division within the community. New development and redevelopment projects would be designed to complement the character of the existing community and neighborhoods and provide connectivity between existing development and new development. The proposed General Plan Land Use Map designates sites for a range of urban and rural developed uses as well as open space. The proposed GPU does not include any new areas

designated for urbanization or new roadways, infrastructure, or other features that would divide existing communities. The proposed GPU would have a less than significant impact associated with the physical division of an established community. The policies listed below would ensure that future development is compatible with adjacent communities and land issues.

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 and environmental effect

State Plans

The proposed GPU was prepared in conformance with State laws and regulations associated with the preparation of general plans, including requirements for environmental protection. Discussion of the GPU's consistency with State regulations, plans, and policies associated with specific environmental issues (e.g., air quality, traffic, water quality, etc.) is provided in the relevant chapters of this PDEIR. The State would continue to have authority over any State-owned lands in the vicinity of the City and the GPU would not conflict with continued application of State land use plans, policies, and regulations adopted to avoid or mitigate environmental effects.

General Plan Update

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

Similar to the existing General Plan, the proposed GPU acts to maintain the City's quality residential and resort character in Goal CD-1. Goal CD-1 intends that existing and future development maintains the well-established residential and resort character of Indian Wells. This is achieved in *Policies CD-1.1* through *CD-1.8*. *Policy CD-1.1* focuses on ensuring the land use pattern promotes and enhances community livability and public health, sustains community vitality, relates to the City's resort industry, promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in the GPU and Land Use Map.

New development would be required to fund and construct its fair share of improvements in accordance with City requirements, which is consistent with *Policy CD-1.2* and *CD-1.5*, for infrastructure, public services, and community facilities. This would be required in project conditions of approval, depending on the project.

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

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

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

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

General Plan Policies and Actions

Policies

CD-1.1 **Land Use Pattern.** Promote an appropriate land use plan that fosters and enhances community livability and public health; sustains economic vitality; relates to the City's resort industry; promotes efficient development and multiple transportation options; reduces pollution, greenhouse gas emissions, and the expenditure of energy and other resources; and ensures compatibility between uses consistent with the land use designations identified in this Element and Land Use Map.

CD-1.2 **Plan for New Development.** Ensure that new development corresponds to the provision of infrastructure, public services, and community facilities, and that new

development funds and constructs its fair share of improvements in accordance with City requirements.

CD-1.3 **Housing for All Incomes.** Assist in the development of adequate housing to meet the needs of very low, low, and moderate income households through implementation of the Housing Program set forth in the Housing Element.

CD-1.4 **Senior Resident Land Use Needs.** Promote land uses and policies that support the needs of Indian Wells' senior community, including those with mobility, sensory and other limitations or who need assistance with activities of daily living.

CD-1.5 **Public Services for Quality of Life.** Maintain appropriate sites for institutional and public facility uses that can accommodate the infrastructure and facilities needed to serve the community.

CD-1.6 **Residential Clustering.** Encourage clustering of residential uses to minimize impacts from noise, flooding, slope instability, and other environmental hazards, or to achieve other desirable City objectives.

CD-1.7 **Transitions and Buffering.** Require the use of appropriate transitions and buffering to help ensure that non-residential uses do not affect the integrity and enjoyment of adjacent residential neighborhoods.

CD-1.8 **Prohibited Development Types.** Prohibit undesirable development types, including linear or strip commercial development, heavy polluting industry, and billboards.

Actions

CD-1a Amend the City's Municipal Code to reflect zoning designations and standards consistent with land use designations included in the General Plan Element.

CD-1b At least biennially, review the City's Municipal Code, including the Zoning Code and Subdivision Code, and update as appropriate to reflect goals, policies, and actions included in the Community Development Element.

CD-1c Ensure all projects are reviewed and processed per California Environmental Quality Act (CEQA) Guidelines.

CD-1d Through the development review process, evaluate development proposals for land use and transportation network compatibility with existing surrounding or abutting development or neighborhoods.

CD-1e Analyze land use compatibility through the development review process to require adequate buffers and/or architectural enhancements that protect sensitive receptors from intrusion of development activities that may cause unwanted nuisances and health risks.

CD-1f As part of development review process, ensure that residential and non-residential developments fall within the minimum and maximum density requirements and/or allowed floor-area-ratios stipulated on the Land Use Map and included within the Land Use Descriptions. Projects shall also be reviewed for consistency with the development standards and density requirements established by any applicable Specific Plan governing the area in question.

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

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

Coachella Valley Multiple Species Habitat Conservation Plan Analysis

The City of Indian Wells lies within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The CVMSHCP covers approximately 1.1 million acres in the Coachella Valley and ensures the conservation of the covered species and conserved natural communities in perpetuity. The Coachella Valley Conservation Commission (CVCC) oversees and manages the CVMSHCP and has adopted a development impact fee structure which helps fund and implement conservation efforts of the CVMSHCP. The Indian Wells Municipal Code Chapter 22.20, *Multiple Species Habitat Conservation Plan Mitigation Fee*, enforces the impact fee which helps fund and implement conservation efforts of the CVMSHCP. Future projects within the City would be required to pay the Local Development Mitigation Fee in full at the time of the issuance of a building permit. For further discussion and mitigation, please consult **Section 4.4, *Biological Resources***, of this Draft EIR.

Additionally, the Santa Rosa and San Jacinto Mountains Conservation Area of the CVMSHCP encompasses the southern portion of the City, where developed areas meet the toe of slope of the Santa Rosa Mountains. To ensure consistency with the CVMSHCP and further protect the Conservation Area located within the City, the GPU does not allow development within the Conservation Area. This area is designated for Natural Open Space, per the GPU Land Use Map (**Figure 4.11-2**). Areas adjacent to the Conservation Area would be required to implement the Adjacency Guidelines. Therefore, implementation of the GPU would not conflict with the CVMSHCP, and impacts would be less than significant.

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

SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (also known as "Connect SoCal") is a plan for mobility, accessibility, sustainability, and a high quality of life in the region. It is first and foremost, a transportation plan that integrates land use planning into its framework to improve mobility and access to transportation options in response to Senate Bill (SB) 375. The goals within the RTP/SCS are meant to provide guidance for the project within the context of regional goals and polices. Therefore, the goals in the RTP/SCS may be pertinent to the proposed GPU.

The Goals and Guiding Policies set forth in RTP/SCS and the project's consistency with the below goals are listed below.

Table 4.11-5 SCAG Consistency Analysis

Goal	Consistency Analysis
RTP/SCS G1: *Encourage regional economic prosperity and global competitiveness.*	**Consistent:** This goal encourages regional economic prosperity and global competitiveness. The City of Indian Wells currently provides a desirable resort destination, with its various hotels and resorts and the Indian Wells Tennis Gardens, which hosts the BNP tennis tournament for two weeks in March, attracting thousands of people to the City. Currently, buildout of the General Plan would result in 5,132,104 square feet of nonresidential space. The GPU proposes a total of 5,159,667 square feet of nonresidential space (approximately 27,563 square feet more than the current General Plan). The GPU will provide additional resort, commercial and recreational facilities to continue to attract visitors and employment opportunities.
RTP/SCS G2: *Improve mobility, accessibility, reliability, and travel safety for all people and goods.*	**Not applicable but consistent:** The GPU does not propose changes to the existing circulation pattern throughout the City. The main corridor in the City is Highway 111, which provides regional access to the surrounding cities within the Coachella Valley. The GPU would not conflict or burden the regional goods mobility across the SCAG region.
RTP/SCS G3: *Enhance the preservation, security, and resilience of the regional transportation system.*	**Not applicable but consistent**. As stated above, the GPU does not propose changes to the existing circulation pattern throughout the City. The GPU would not conflict with the security and resilience of the regional transportation system.
RTP/SCS G4: *Increase person and goods movement and travel choices within the transportation system.*	**Consistent**: The aspect of person and goods movement will not change with the development of the GPU, since the GPU does not propose changes to the existing circulation pattern throughout the City. As previously stated, Highway 111 is the main travel corridor throughout the City, connecting Indian Wells to the surrounding cities. Fred Waring Drive, Washington Street, and Cook Street are also main corridors within the City. Pertaining to travel choices within the transportation system, the GPU will continue to support multi-modal transportation options, such as bicycle lanes, and golf cart access, allowing various travel choices within the City. The GPU would not conflict with the SunLine Transit Agency's periodic adjustments to service coverage or implementation of SunLine Transit network, as these are a function of demand.

RTP/SCS G5: *Reduce greenhouse gas emissions and improve air quality.*	**Consistent**: The GPU incorporates project design features aimed at reducing VMT, GHG, and criteria air pollutant emissions, including various options for non-motorized transportation. Combined with any applicable mitigation measures for future development projects, these measures will work toward attainment of the approved Air Quality Management Plan applicable in the South Coast AQMD jurisdiction.
RTP/SCS G6: *Support healthy and equitable communities.*	**Consistent:** The GPU protects the environment and health of residents by providing extensive non-motorized transportation facilities, including sidewalks, multipurpose trails, bicycle lanes and golf cart/neighborhood electric vehicle lanes throughout the City. The GPU's land use configurations reduce vehicular traffic and vehicles miles traveled by maximizing interactions between adjacent or nearby land uses and providing pedestrian and bicycle connections to adjacent streets to assure that infrastructure and amenities accommodate pedestrian and bicycle use.
RTP/SCS G7: *Adapt to a changing climate and support an integrated regional development pattern and transportation network.*	**Not applicable but consistent**: This goal relates to adapting to a changing climate and supporting an integrated regional development pattern and transportation network. The GPU does not propose changes to the existing transportation network throughout the City. Additionally, a majority of the City is built out with residential, resort, recreational, commercial, and office spaces. The remaining properties to be developed will be consistent with the existing development pattern throughout the City by providing more residential and non-residential opportunities. As previously stated, Highway 111 is the main travel corridor throughout the City, connecting Indian Wells to the surrounding cities. Fred Waring Drive, Washington Street, and Cook Street are also main corridors within the City. Pertaining to travel choices within the transportation system, the GPU will continue to support multi-modal transportation options, such as bicycle lanes, and golf cart access, allowing various travel choices within the City. The GPU land use configurations reduce vehicular traffic and VMTs by maximizing interactions between adjacent or nearby land uses and providing pedestrian and bicycle connections to adjacent streets.
RTP/SCS G8: *Leverage new transportation technologies and data-driven solutions that result in more efficient travel.*	**Not applicable**: The adoption of transportation technologies, primarily pertaining to electric vehicles or emission reductions, will be a function of state and federal requirements to which residents will be required to adapt as applicable.
RTP/SCS G9: *Encourage development of diverse housing types in areas that are supported by multiple transportation options.*	**Consistent**: The GPU encourages the development of diverse housing types within developable areas of the City. As discussed in **Section 4.14, *Population and Housing,*** the proposed GPU is intended to accommodate the City's fair share of statewide housing needs, which are allocated by the SCAG, based on regional numbers provided by the California Department of Housing and Community Development on a regular basis (every five to eight years). State law requires the Housing Element to included quantified objectives for the maximum number of units that can be constructed,

	rehabilitated or conserved. The new construction objectives shown in Table 4.14-10 (above) represents the City's overall RHNA for the 2021-2029 planning period for all income levels. The objective identified for each income level is based on historic trends and patterns of development; units affordable to lower-income households are historically more difficult to develop due to extremely limited available funding for affordable housing projects. Moderate- and above-moderate income units are more likely to be developed by the private market. As indicated in Table 4.14-10, the City of Indian Wells will develop a total of 382 homes to satisfy the 2021-2029 RHNA allocation, consisting of 58 extremely-low income, 59 very low income, 81 low income, 91 moderate income, and 93 above moderate income units. The varying residential product types will be integrated with non-motorized transportation facilities consisting of sidewalks, bicycle lanes and golf cart/neighborhood electric vehicle (NEV) lanes in addition to the street improvements for motorized travel. Therefore, the GPU would support the integration of housing and diverse transportation options.
RTP/SCS G10: *Promote conservation of natural and agricultural lands and restoration of habitats.*	**Consistent:** The GPU does not propose changes to the natural open space or natural preserve land uses within the City, which occupies 4,320 acres and 195 acres of land in the City, respectively. Therefore, the GPU would promote conservation of natural lands as applicable.

As stated previously, SCAG updated their RTP/SCS in April 2024. The plan includes four goals that fall into four core categories: mobility, communities, environment and economy. The 2024 RTP/SCS is pending approval from the California Air Resources Board (CARB). However, the Goals and Guiding Policies set forth in RTP/SCS and the project's consistency with the below goals are listed below.

Table 4.11-6 2024 SCAG Consistency Analysis

Goal	Consistency Analysis
RTP/SCS G1: *Mobility. Build and maintain an integrated multimodal transportation network.* - *Support investments that are well maintained and operated, coordinated, resilient and result in improved safety, improved air quality and minimized greenhouse gases.* - *Ensure that reliable, accessible, affordable and appealing travel options are readily available, while striving to enhance equity in the offerings in high-need communities.* - *Support planning for people of all ages, abilities and backgrounds.*	**Consistent:** As stated in Table 4.11-5, Goal 4, pertaining to travel choices within the transportation system, the GPU will continue to support multi-modal transportation options, such as bicycle lanes, and golf cart access, allowing various travel choices within the City. The GPU would not conflict with the SunLine Transit Agency's periodic adjustments to service coverage or implementation of SunLine Transit network, as these are a function of demand.
RTP/SCS G2: *Communities. Develop, connect and sustain communities that are livable and thriving.* - *Create human-centered communities in urban, suburban and rural settings to increase mobility options and reduce travel distances.* - *Produce and preserve diverse housing types in an effort to improve affordability, accessibility and opportunities for all households.*	**Consistent:** A majority of the City is built out with residential, resort, recreational, commercial, and office spaces. The remaining properties to be developed will be consistent with the existing development pattern throughout the City by providing more residential and non-residential opportunities. As indicated in **Section 4.13, *Population and Housing,*** the City of Indian Wells forecasts the housing types as required to meet RHNA standards. See also Goal 9 in Table 4.11-5, above.
RTP/SCS G3: *Environment. Create a healthy region for the people of today and tomorrow.* - *Develop communities that are resilient and can mitigate, adapt to and respond to chronic and acute stresses and disruptions, such as climate change.* - *Integrate the region's development pattern and transportation network to improve air quality, reduce greenhouse*	**Consistent**. As stated in Table 4.11-5, Goal 6, the GPU protects the environment and health of residents by providing extensive non-motorized transportation facilities, including sidewalks, multipurpose trails, bicycle lanes and golf cart/neighborhood electric vehicle lanes throughout the City. The GPU's land use configurations reduce vehicular traffic and vehicles miles traveled by maximizing interactions between adjacent or nearby land uses and providing pedestrian and bicycle connections to adjacent streets to assure that infrastructure and amenities accommodate pedestrian and bicycle use.

gas emissions, and enhance more sustainable use of energy and water. - *Conserve the region's resources.*	
RTP/SCS G4: *Support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents.* - *Improve access to jobs and educational resources.* - *Advance a resilient and efficient goods movement system that supports the economic vitality of the region, attainment of clean air and quality of life for our communities.*	**Consistent**: As stated in Table 4.11-5, Goal 1, the City of Indian Wells currently provides a desirable resort destination, with its various hotels and resorts and the Indian Wells Tennis Gardens, which hosts the BNP tennis tournament for two weeks in March, attracting thousands of people to the City. Currently, buildout of the General Plan would result in 5,132,104 square feet of nonresidential space. The GPU proposes a total of 5,159,667 square feet of nonresidential space (approximately 27,563 square feet more than the current General Plan). The GPU will provide additional resort, commercial and recreational facilities to continue to attract visitors and employment opportunities. As indicated in Goal 4 above, the aspect of person movement will not change with the development of the GPU, since the GPU does not propose changes to the existing circulation pattern throughout the City. As previously stated, Highway 111 is the main travel corridor throughout the City, connecting Indian Wells to the surrounding cities. Fred Waring Drive, Washington Street, and Cook Street are also main corridors within the City. Pertaining to travel choices within the transportation system, the GPU will continue to support multi-modal transportation options, such as bicycle lanes, and golf cart access, allowing various travel choices within the City. The GPU would not conflict with the SunLine Transit Agency's periodic adjustments to service coverage or implementation of SunLine Transit network, as these are a function of demand. As stated in Goal 6 above, the GPU protects the environment and health of residents by providing extensive non-motorized transportation facilities, including sidewalks, multipurpose trails, bicycle lanes and golf cart/neighborhood electric vehicle lanes throughout the City. The GPU's land use configurations reduce vehicular traffic and vehicles miles traveled by maximizing interactions between adjacent or nearby land uses and providing pedestrian and bicycle connections to adjacent streets to assure that infrastructure and amenities accommodate pedestrian and bicycle use.

4.11.5 Cumulative Impacts

Cumulative land use and planning impacts, such as the potential for conflicts with adjacent land uses and consistency with adopted plans and regulations, are typically site-specific.

The land uses allowed under the proposed GPU provide opportunities for cohesive new growth at in-fill locations within existing urbanized areas, as well as limited new growth within the Planning Area, but would not create physical division within existing communities. Potential new development and redevelopment projects would be designed to complement the character of existing neighborhoods and provide connectivity between existing development and new development within the cumulative analysis area. The proposed GPU does not include any new roadways, infrastructure, or other features that would divide existing communities. Therefore, the proposed GPU's incremental contribution to cumulative land use impacts would be less than cumulative considerable.

The GPU would not divide an established community and is consistent with the City's land use policies and the CVMSHCP. Development of future projects, in conjunction with other cumulative development in the area permitted by the City's GPU, would not result in citywide and regional land use and planning impacts. Upon adoption of future projects, the projects would be reviewed and determined consistent with applicable goals and policies in the City's GPU and Zoning Code.

4.11.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to land use and planning. Moreover, State, regional and local regulations, such as SCAG's RTP/SCS, and the CVMSHCP, will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required

4.11.7 Level of Significance After Mitigation

No significant impacts have been identified and no mitigation measures are necessary.

4.11.8 References

1. Coachella Valley Multiple Species Habitat Conservation Plan, Executive Summary, August 2016; http://www.cvmshcp.org/Plan%20Documents/07.%20CVAG%20MSHCP%20Plan%20Executive%20Summary.pdf
2. Connect SoCal (RTP/SCS), Southern California Association of Governments, https://scag.ca.gov/connect-socal

4.12 Noise

4.12.1 Introduction

This section describes the existing acoustic setting for the City of Indian Wells and in the vicinity and evaluates the potential noise exposure that could result from build-out of the Indian Wells General Plan Update (GPU) project. Information for this section was obtained from the *General Plan Update Noise Impact Study* (*"*Noise Impact Study*"*), prepared by MD Acoustics, LLC. in September 2024 (**Appendix E**).

4.12.2 Existing Conditions

Existing Noise Environment

The City of Indian Wells is largely developed. Primary land uses within the City include residential, resort, and commercial uses. Noise sources associated with existing land uses include residential maintenance, parking lot noise, heating, and cooling system (HVAC) noise, property maintenance noise, trash truck noise, loading and unloading noise, and recreational noise. Additional noise environments are contributed to non-stationary noise, such as vehicle traffic throughout the City, especially Highway 111.

Noise Measurements

Four long-term (24-hour noise) measurements and eleven short-term (15-minute) noise measurements were collected throughout the Planning Area to document the existing noise environment. Noise measurement locations are shown in **Figure 4.12-1**.

Short-Term Noise Measurements

Eleven short-term noise measurements (15-minute) were collected on March 25th, 2024, in order to document the daytime Leq level at different locations throughout the Planning Area. Measured noise levels ranged between 55.2 and 73.5 dBA Leq. Vehicle noise associated with Hovley Lane, Fred Waring Drive, and Washington Street were the primary sources of ambient noise. Noise measurement results are presented in **Table 4.12-1**.

Table 4.12-1 Short-Term Noise Measurement Summary

Measurement Location	Approximate Location	Start Time	A-Weighted Sound Level (dBA)							
			Leq	Lmax	Lmin	L(2)	L(8)	L(25)	L(50)	L(90)
ST1	3800 Hovley Lane	11:33 AM	73.5	85.0	54.4	81.1	78.6	74.0	66.8	58.3
ST2	Fred Waring Drive	11:18 AM	72.4	82.0	51.4	80.6	77.4	73.0	68.5	58.2
ST3	74980 California 111	11:52 AM	65.4	79.7	49.4	73.9	69.0	64.1	59.7	52.4
ST5	77494 Blackfoot Drive	9:57 AM	55.2	64.1	41.1	62.8	60.4	55.4	50.4	45.9
ST6	75268 Mansfield Drive	12:50 PM	67.1	76.3	47.3	73.0	70.4	67.8	65.8	58.2
ST7	Miles Avenue	10:35 AM	68.0	83.1	41.5	78.1	72.9	63.7	53.0	43.1
ST8	74999 Chateau Circle	12:04 PM	67.3	82.1	41.6	74.7	72.2	66.3	59.2	44.6
ST10	77758 Schubert Way	10:59 AM	67.5	74.2	55.6	71.8	70.6	69.0	67.0	59.5
ST11	75135 Chippewa Drive	12:13 PM	62.3	73.6	43.1	70.4	67.7	62.5	55.9	47.8
ST12	47495 Marrakesh Drive	12:30 PM	65.1	75.6	57.4	72.0	68.4	65.0	62.9	59.8
ST13	Washington Street	10:47 AM	72.1	79.2	51.2	77.8	76.5	74.1	70.1	57.1
Source: Noise Impact Analysis, MD Acoustics, Table 10.										

Long-Term Noise Measurements

Four long-term noise measurements (24 consecutive hours) were collected in order to document the Community Noise Equivalent Level (CNEL) at different locations throughout the Planning Area. A noise receiver or receptor is any location in the noise analysis in which noise might produce an impact. The following criteria are used to select measurement locations and receptors:

- Locations expected to receive the highest noise impacts, such as the first row of houses
- Locations that are acoustically representative and equivalent of the area of concern
- Human land usage
- Sites clear of major obstruction and contamination

The specific noise measurement locations were determined based on the areas analyzed in the Traffic Study and the anticipated redevelopment areas within the City.

The primary noise source was vehicle traffic. The table below outlines the daytime (7 AM to 7 PM), evening (7 PM to 10 PM), and nighttime (10 PM to 7 AM) Leq levels at each location. These represent the average level over each time period (day/evening/night).

Table 4.12-2 Long-Term Noise Measurement Summary

Measurement Location	Approximate Location	Date	Description	A-Weighted Sound Level (dBA)			
				Daytime Leq	Evening Leq	Nighttime Leq	CNEL
LT4	75816 Vista Del Rey	04/10/24-04/11/24	Hwy 111 & Eldorado Drive traffic noise	60.9	57.4	52.6	63.1
LT9	Hwy 111 & Miles Avenue	03/26/24-03/27/24	Hwy 111 & Miles Avenue traffic noise	76.8	75.2	67.1	78.4
LT14	78204 Miles Avenue	03/26/24-03/27/24	Hwy 111 & Miles Avenue traffic noise	61.0	57.5	50.8	61.9
LT15	77757 Fred Waring Drive	04/10/24-04/11/24	Fred Waring Drive traffic noise	76.3	75.0	67.9	78.5

Notes: dBA = A-weighted decibels; Leq = equivalent noise level; Lmax = maximum noise level; Lmin = minimum noise level; Ln = noise level exceeded in percent of the measurement period; 24-hour duration.
Source: Noise Impact Analysis, MD Acoustics, Table 11.

City of Indian Wells
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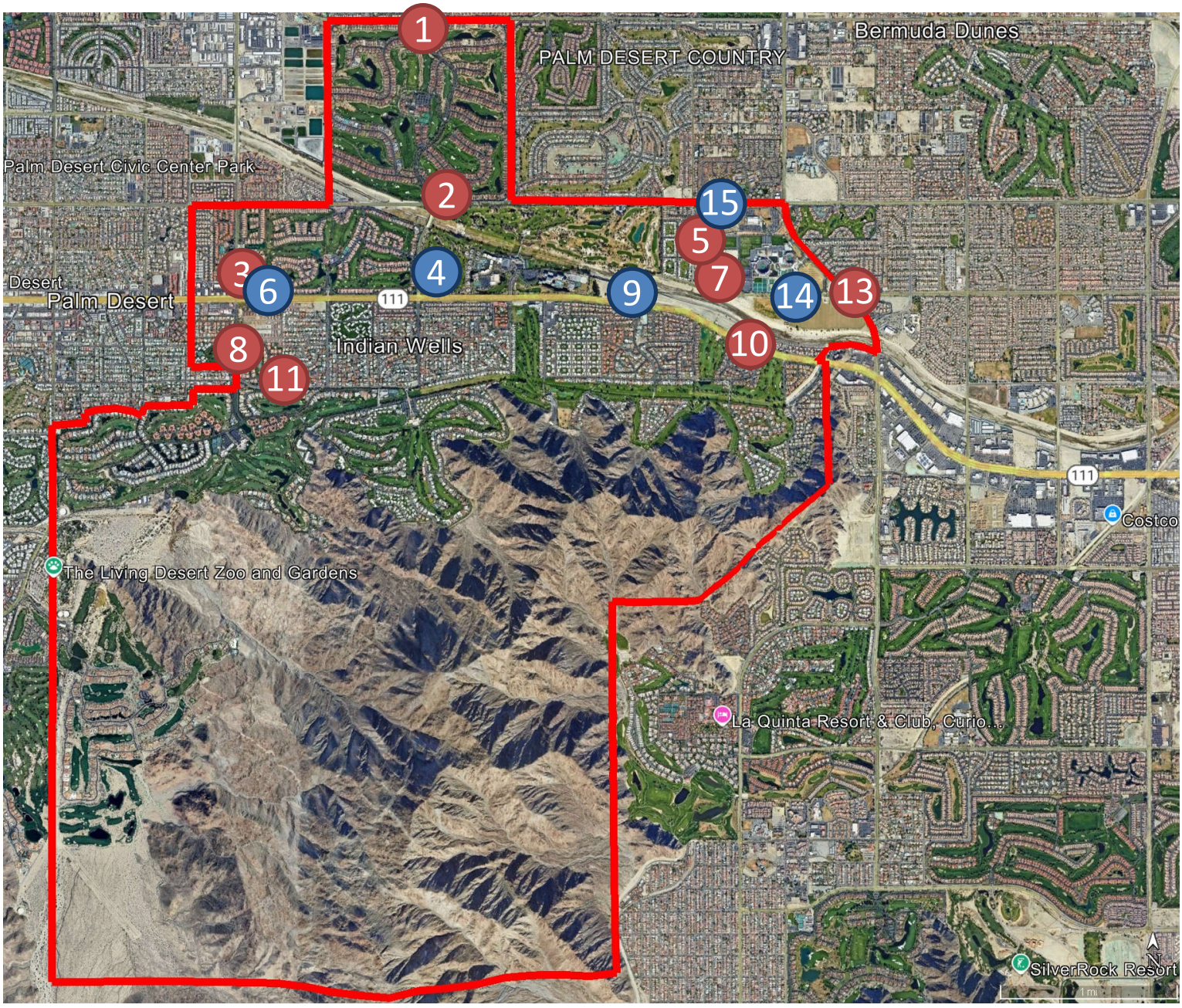
Figure **4.12**-1
Measurement Location Map



= Short-Term Monitoring Location

= Long-Term Monitoring Location

Source: Exhibit G, Noise Impact Study, MD Acoustics, LLC. September 2024.

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Existing Traffic Noise

The primary sources of noise in Indian Wells are transportation-related noises. Major roadways create ambient noise levels that affect the overall quality of life in the community. Modeled existing noise levels provided in **Table 4.12-3** and **Figure 4.12-2** confirm that there are currently sensitive land uses in the Planning Area that are exposed to noise levels above 65 dBA CNEL.

It should be noted that the modeled noise contours do not take into account factors such as existing buildings, walls, etc., that may reduce or, in some cases, amplify or reduce noise sources. The model also assumes hard site ground, when in reality, some of the City has soft site ground such as grass or dirt, which will reduce the noise levels. Measured noise levels provided in **Table 4.12-3** do take into account existing structures as well as other noise sources.

Areas in the City that currently experience sound levels greater than 65 dBA CNEL are typically near major vehicular traffic corridors. Traffic noise levels typically depend on three factors: (1) the volume of traffic, (2) the average speed of traffic, and (3) the vehicle mix (i.e., the percentage of trucks versus automobiles in the traffic flow). Vehicle noise includes noises produced by the engine, exhaust, tires, and wind generated by taller vehicles. Other factors that affect the perception of traffic noise include the distance from the roadway, terrain, heavy vegetation, and natural and structural obstacles. While tire noise from automobiles is generally located at ground level, some truck noise sources may emanate from 12 feet or more above the ground.

Table 4.12-3 Existing Exterior Noise Levels Along Roadways

Roadway	Segment Limits	CNEL, dBA @50 ft[1,2]	Distance to Contour (feet)			
			70 dBA	65 dBA	60 dBA	55 dBA
Hovley Lane	East City Boundary to West City Boundary	73.9	123	389	1,231	3,894
Fred Waring Drive	Eldorado Drive to Cook Street	78.7	373	1,178	3,727	11,785
Cook Street	Fred Waring Drive to Highway 111	72.8	95	299	945	2,989
Cook Street	Highway 111 to Fairway Drive	69.9	49	154	487	1,541
Eldorado Drive	Fred Waring Drive to Highway 111	66.1	20	64	203	642
Eldorado Drive	Highway 111 to Fairway Drive	65.3	17	53	168	531
Warner Trail	Fred Waring Drive to Miles Avenue	64.1	13	40	128	404
Highway 111	Cook Street to Rancho Palmeras Drive	77.4	275	868	2,746	8,685
Highway 111	Miles Street to Washington Street	77.1	257	813	2,571	8,129
Miles Avenue	Warner Trail to Washington Street	70.4	54	171	542	1,714
Fairway Drive	Cook Street to Rancho Palmeras Drive	63.9	12	39	123	388
Portola Avenue	Mockingbird Trail to South City Limit	69.9	49	156	492	1,557

Notes:

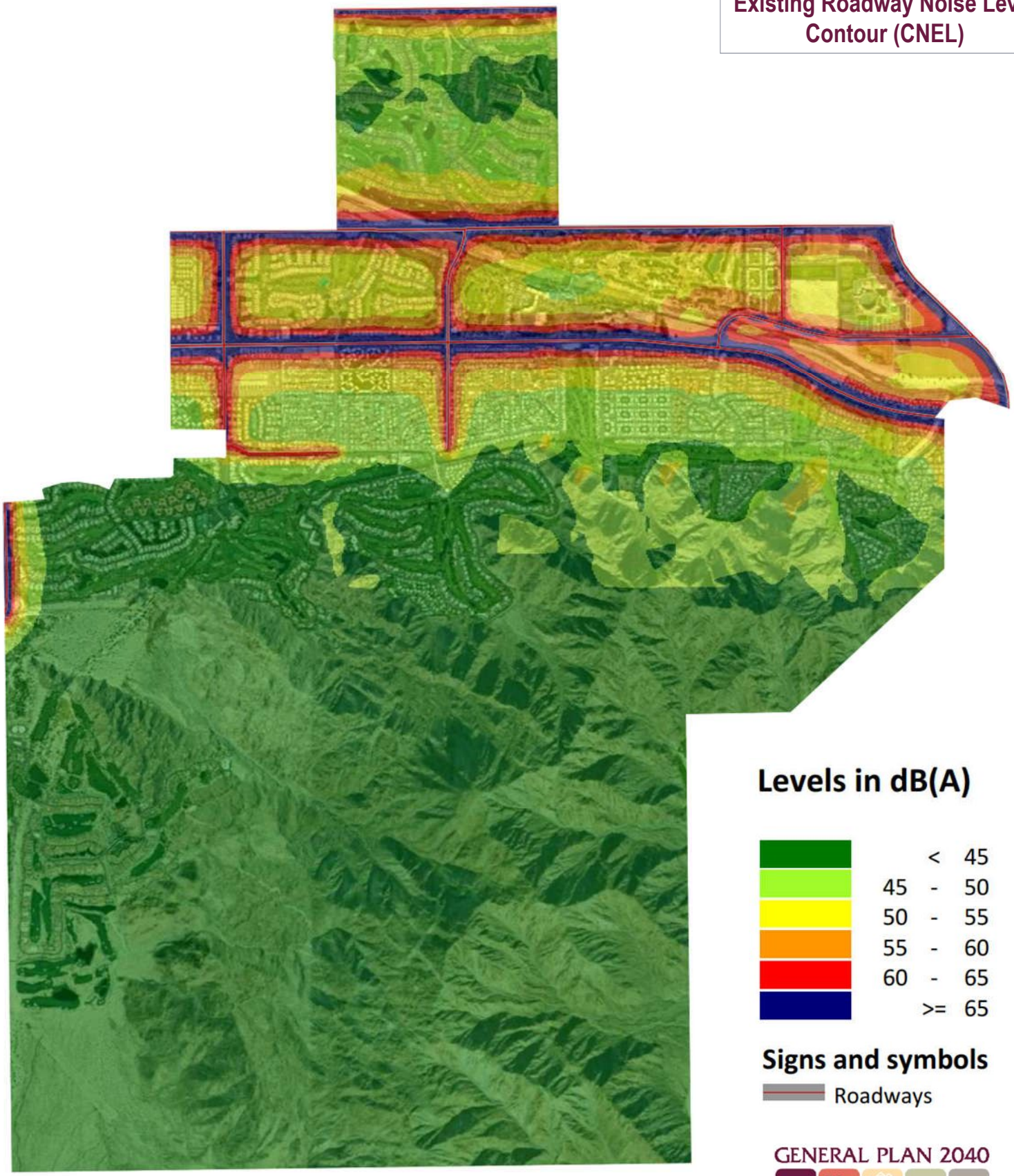
1) Exterior noise levels calculated at 5-feet above ground.

2) Noise levels calculated from centerline of subject roadway.

3) Contour distances do not take into account potential noise reduction from existing barriers such as buildings, walls or berms as a worst-case scenario for planning screening purposes. Overall levels are likely lower at sensitive receptors.

Source: Noise Impact Analysis, MD Acoustics, Table 12.

City of Indian Wells General Plan Update PDEIR
Figure **4.12-2**
Existing Roadway Noise Level Contour (CNEL)



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Source: Exhibit H-1, Noise Impact Study, MD Acoustics, LLC. September 2024.

Existing Vibration Sources

The main sources of vibration that could be expected in the Planning Area are related to vehicles and construction. Typical roadway traffic, including heavy trucks, rarely generates vibration amplitudes high enough to cause structural or cosmetic damage. However, there have been cases in which heavy trucks traveling over potholes or other discontinuities in the pavement have caused vibration high enough to result in complaints from nearby residents. These types of issues typically can be resolved by smoothing the roadway surface (Caltrans 2020).

Construction activities that produce vibration that can be felt by adjacent land uses include the use of vibratory equipment, large bulldozers, and pile drivers. The primary source of vibration during construction is usually from a bulldozer. A large bulldozer has a peak particle velocity of 0.089 inches per second (87 VdB) at 25 feet.

No rail lines run through the City of Indian Wells. Therefore, the vibration impacts from railroad activities will not affect the Planning Area.

Noise Fundamentals

The following is a discussion of the fundamentals of noise and includes definitions of common and technical terms related to noise.

Sound is a disturbance created by a moving or vibrating source and is capable of being detected by the hearing organs. Sound may be thought of as mechanical energy of a moving object transmitted by pressure waves through a medium to a human ear. For traffic or stationary noise, the medium of concern is air. Noise is defined as sound that is loud, unpleasant, unexpected, or unwanted.

Sound pressure amplitude is measured in units of micro-Newton per square meter (µN/m2), also called micro-Pascal (µPa). One µPa is approximately one hundred billionths (0.00000000001) of normal atmospheric pressure. Sound pressure level (SPL or Lp) is used to describe in logarithmic units the ratio of actual sound pressures to a reference pressure squared. These units are called decibels abbreviated dB.

Because decibels are on a logarithmic scale, sound pressure levels cannot be added or subtracted by simple plus or minus addition. When two sounds of equal SPL are combined, they will produce an SPL 3 dB greater than the single SPL. In other words, sound energy that is doubled produces a 3 dB increase. If two sounds differ by approximately 10 dB, the higher sound level is the predominant sound. When combining sound levels, estimates shown in **Table 4.12-4** may be utilized.

Table 4.12-4 Typical A-Weighted Noise Levels

When Two Decibel Values Differ by:	Add This Amount to Higher Value	Example
0 or 1 dB	3 dB	70+69=73 dB
2 or 3 dB	2 dB	74+71=76 dB
4 to 9 dB	1 dB	66+60=67 dB
10 dB or more	0 dB	65+55=65 dB

Source: Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol. Caltrans, 2013; & Noise Impact Study, MD Acoustics, Table 2

Human Response to Noise

A-scale weighting is typically used and is reported in terms of the A-weighted decibel (dBA). The A-scale was designed to account for the frequency-dependent sensitivity of the human ear. Typical A-weighted noise levels are shown in the table below.

Table 4.12-5 Typical A-Weighted Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor
	110	Rock Band
Jet flyover at 1,000 feet		
	100	
Gas lawnmower at 3 feet		
	90	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	80	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower, 100 feet	70	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	60	
		Large Business Office
Quiet urban daytime	50	Dishwasher in next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime		
	30	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	20	
		Broadcasting/recording studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

Source: Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol. Caltrans, 2013. & Noise Impact Study, MD Acoustics, Table 3

In general, the human ear can barely perceive a change in the noise level of 3 dB. As shown in the table below, a change in 5 dB is readily perceptible, and a change in 10 dB is perceived as being twice or half as loud. As previously discussed, a doubling of sound energy results in a 3 dB increase in sound,

which means that a doubling of sound energy (e.g., doubling the volume of traffic on a highway) would result in a barely perceptible change in sound level.

Table 4.12-6 Perceived Changes in Noise Levels

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Not perceptible
3	Just perceptible
5	Clearly noticeable
10	Twice (or half) as loud
Source: Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol. Caltrans, 2013. & Noise Impact Study, MD Acoustics, Table 4	

Noise Descriptors

Noise in our daily environment fluctuates over time, where some noise levels occur in regular patterns (constant), while others can be random or sporadic. Noise descriptors were created to describe the different time-varying noise levels and are defined below:

A-Weighted Sound Level: The sound pressure level in decibels as measured on a sound level meter using the A-weighted filter network. The A-weighted filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear. A numerical method of rating human judgement of loudness.

Ambient Noise Level: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Community Noise Equivalent Level (CNEL): The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five (5) decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m., and after the addition of ten (10) decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure.

Decibel (dB): A unit for measuring the amplitude of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro-pascals.

dB(A): A-weighted sound level.

Equivalent Sound Level (Leq): The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time varying noise level. The energy average noise level during the sample period. Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels. The equivalent sound level represents a steady state sound level containing the same total energy as a

time varying signal over a given sample period and is commonly used to describe the "average" noise levels within the environment.

Habitable Room: Any room meeting the requirements of the Uniform Building Code or other applicable regulations which is intended to be used for sleeping, living, cooking or dining purposes, excluding enclosed spaces such as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

L(n): The A-weighted sound level exceeding during a certain percentage of the sample time. For example, L10 is the sound level exceeded 10 percent of the sample time (similarly L50, L90 and L99, etc. are also referred to as Percent Noise Levels.

Noise: Any unwanted sound or sound which is undesirable because it interferes with speech and hearing or is intense enough to damage hearing, or is otherwise annoying. The State Noise Control Act defines noise as "…excessive undesirable sound…"

Outdoor Living Area: Outdoor spaces that are associated with residential land uses typically used for passive recreational activities or other noise-sensitive uses. Such spaces include patio areas, barbecue areas, jacuzzi areas, etc., associated with residential uses; outdoor patient recovery or resting areas associated with hospitals, convalescent hospitals, or rest homes; outdoor areas associated with places of worship which have a significant role in services or other noise-sensitive activities; and outdoor school facilities routinely used for educational purposes which may be adversely impacted by noise. Outdoor areas usually not in this definition includes: front yard areas, driveways, greenbelts, maintenance areas and storage areas associated with residential land uses; exterior areas at hospitals that are not used for patient activities; outdoor areas associated with places of worship and principally used for short-term social gatherings; and outdoor areas associated with school facilities that are not typically associated with educational uses prone to adverse noise impacts (i.e., school play yard areas).

Sound Level (Noise Level): The weighted sound pressure level obtained by use of a sound level meter having a standard frequency-filter for attenuating part of the sound spectrum.

Sound Level Meter: An instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement and determination of noise and sound levels.

Single Event Noise Exposure Level (SENEL): The dB(A) level which, if it lasted for one second, would produce the same A-weighted sound energy as the actual event.

Sound Propagation

As sound propagates from a source it spreads geometrically. Sound from a small, localized source (a point source) radiates outward in a spherical pattern as it travels away from the source. The sound level attenuates at a rate of 6 dB per doubling of distance. The movement of vehicles down a roadway

makes the source of the sound appear to propagate from a line (i.e., line source) rather than a point source. This line source results in the noise propagating from a roadway in a cylindrical spreading versus a spherical spreading that results from a point source. The sound level attenuates for a line source at a rate of 3 dB per doubling of distance. Research has demonstrated that atmospheric conditions can have a significant effect on noise levels when noise receivers are located 200 feet from a noise source. Wind, temperature, air humidity, and turbulence can further impact how far sound can travel.

Ground Absorption

As noise propagates from the source, it is affected by the ground and atmosphere. Noise models use hard site (reflective surfaces) and soft site (absorptive surfaces) to help calculate predicted noise levels. Hard site conditions assume no excessive ground absorption between the noise source and the receiver. Soft site conditions such as grass, soft dirt, or landscaping attenuate noise at a rate of 1.5 dB per doubling of distance. When added to the geometric spreading, the excess ground attenuation results in an overall noise attenuation of 4.5 dB per doubling of distance for a line source and 7.5 dB per doubling of distance for a point source.

Sound Attenuation

Noise-related land use issues are typically composed of three basic elements: (1) the noise source, (2) a transmission path, and (3) a receiver.

The appropriate acoustical treatment for a given project should consider the nature of the noise source and the sensitivity of the receiver. When the potential for a noise-related problem is present, either avoidance of the noise-related problem or noise control techniques should be selected to provide an acceptable noise environment for the receiver while remaining consistent with local aesthetic standards and practical structural and economic limits.

Fundamental Noise Control Options

Noise Barriers

Effective noise barriers can reduce noise levels by 10 to 15 dBA, cutting the loudness of traffic noise in half. To achieve that reduction, the barrier must be high enough and long enough to block the line-of-sight of the vehicles on the road. A noise barrier can still achieve a 5 dBA noise level reduction when it is tall enough to barely allow a line-of-sight of the vehicles. A noise barrier is most effective when placed close to the noise source or receiver. When the noise barrier is an earthen berm instead of a wall, the noise attenuation can be increased by another 3 dBA.

Setbacks

Noise exposure may be reduced by increasing the setback distance between the noise source and the receiving use. Setback areas can take the form of open space, frontage roads, recreational areas, and storage yards. The available noise attenuation from this technique is limited by the characteristics of the noise source but generally ranges between 4 and 6 dBA.

Site Design

Buildings can be placed on a property to shield other structures or areas affected by noise and to prevent an increase in noise levels caused by reflections. The use of one building to shield another can significantly reduce overall noise control costs, particularly if the shielding structure is insensitive to noise. An example would be placing a detached garage nearest the noise source to shield the house or backyard. Site design should guard against creating reflecting surfaces that may increase onsite noise levels. For example, two buildings placed at an angle facing a noise source may cause noise levels within that angle to increase by up to 3 dBA. The open end of U-shaped buildings should point away from noise sources for the same reason. Landscaping walls or noise barriers located within a development may inadvertently reflect noise to a noise-sensitive area unless carefully located.

Building Facades

When interior noise levels are of concern in a noisy environment, noise reduction may be obtained through the acoustical design of building facades. Standard construction practices provide a noise reduction of 10–15 dBA for building facades with open windows and a noise reduction of approximately 25 dBA when windows are closed (**Table 4.12-7**). An exterior-to-interior noise reduction of 25 dBA can be obtained by requiring that building design include adequate ventilation systems, which would allow windows facing a noise source to remain closed, even during periods of excessively warm weather.

Where greater noise reduction is required, acoustical treatment of the building facade may be necessary. Reducing relative window area is the most effective control technique, followed by providing acoustical glazing (e.g., thicker glass or increased air space between panes) within frames with low air infiltration rates, using fixed (i.e., non-movable) acoustical glazing, or eliminating windows. Noise transmitted through walls can be reduced by increasing wall mass (e.g., using stucco or brick in lieu of wood siding), or isolating wall members by using double or staggered stud walls, while noise transmitted through doorways can be lessened by reducing door area, using solid-core doors, or sealing door perimeters with suitable gaskets. Noise-reducing roof treatments include using plywood sheathing under roofing materials.

Table 4.12-7 Noise Reduction Afforded by Common Building Construction

Construction Type	Typical Occupancy	General Description	Range of Noise Reduction (dB)[1]
1	Residential, Commercial, Schools	Wood frame, stucco, or wood sheathing exterior. Interior drywall or plaster. Sliding glass windows, with windows partially open.	15-20
2	Same as 1 above	Same as 1 above, but with windows closed.	25-30
3	Commercial, Schools	Same as 1 above, but with fixed 0.25-inch plate glass windows.	30-35
4	Commercial, Industrial	Steel or concrete frame, curtain wall, or masonry exterior wall. Fixed 0.25-inch plate glass windows.	35-40
Source: California Airport Land Use Planning Handbook, 2002; & Noise Impact Analysis, MD Acoustics, Table 5.			

Landscaping

While the use of trees and other vegetation is often thought to provide significant noise attenuation, approximately 100 feet of dense foliage – with no visual path extending through the foliage – is required to achieve a 5 dBA attenuation of traffic noise. Thus, the use of vegetation as a noise barrier is not considered a practical method of noise control unless large tracts of dense foliage are part of the existing landscape.

Vegetation can be used, however, to acoustically "soften" intervening ground between a noise source and a receiver, increasing ground absorption of sound, and thus, increasing the attenuation of sound with distance. Planting trees and shrubs also offers aesthetic and psychological value, and it may reduce adverse public reaction to a noise source by removing the source from view, even though noise levels would be largely unaffected.

Ground-Borne Vibration Fundamentals

Vibration Descriptors

Ground-borne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt outdoors, it is typically only an annoyance to people indoors, where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and mainly exists indoors since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves. Several different methods are used to quantify vibration amplitude. Typical human reaction and effect on buildings due to ground-borne vibration is shown in **Table 4.12-8**. Exhibit E illustrates common vibration sources and the human and structural responses to ground-borne vibration.

Peak Particle Velocity (PPV): PPV is the maximum instantaneous peak in vibration velocity, typically given in inches per second.

Root Mean Squared (RMS): RMS can be used to denote vibration amplitude.

Vibration Level (VdB): VdB is commonly used to measure RMS and serves to reduce the range of numbers used to describe human response to vibration.

Table 4.12-8 Typical Human Reaction and Effect on Buildings Due to Ground-Borne Vibration

Vibration Level Peak Particle Velocity (PPV)	Human Reaction	Effect on Buildings
0.006–0.019 in/sec	Threshold of perception, possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08 in/sec	Vibrations readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10 in/sec	Level at which continuous vibration begins to annoy people	Virtually no risk of "architectural" (i.e., not structural) damage to normal buildings
0.20 in/sec	Vibrations annoying to people in buildings	Threshold at which there is a risk to "architectural" damage to normal dwelling – houses with plastered walls and ceilings
0.4–0.6 in/sec	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

Source: Caltrans Transportation and Construction Vibration Guidance Manual, 2020; & Noise Impact Analysis, MD Acoustics, Table 6

Vibration Perception

Typically, developed areas are continuously affected by vibration velocities of 50 VdB or lower. These continuous vibrations are not noticeable to humans whose threshold of perception is around 65 VdB. Outdoor sources that may produce perceptible vibrations are usually caused by construction equipment, steel-wheeled trains, and traffic on rough roads, while smooth roads rarely produce perceptible ground-borne noise or vibration.

The California Department of Transportation has published one of the seminal works for the analysis of ground-borne noise and vibration relating to transportation- and construction-induced vibrations and although the GPU is not subject to these regulations, it serves as useful tools to evaluate vibration impacts (California Department of Transportation, 2020).

Vibration Propagation

There are three main types of vibration propagation: surface, compression, and shear waves. They are summarized as follows:

Surface waves, or Rayleigh waves, travel along the ground's surface. These waves carry most of their energy along an expanding circular wave front, similar to ripples produced by throwing a rock into a pool of water.

Compression waves, or P-waves, are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal (i.e., in a "push-pull" fashion). P-waves are analogous to airborne sound waves.

Shear waves, or S-waves, are also body waves that carry energy along an expanding spherical wave front. However, unlike P-waves, the particle motion is transverse, or side-to-side and perpendicular to the direction of propagation.

As vibration waves propagate from a source, the vibration energy decreases in a logarithmic nature and the vibration levels typically decrease by 6 VdB per doubling of the distance from the vibration source. This drop-off rate can vary greatly depending on the soil but has been shown to be effective enough for screening purposes, in order to identify potential vibration impacts that may need to be studied through actual field tests.

4.12.3 Regulatory Setting

Federal

Noise Control Act of 1972

The Federal Office of Noise Abatement and Control (ONAC) was originally tasked with implementing the Noise Control Act. However, it was eventually eliminated leaving other federal agencies and committees (including the Department of Transportation, Federal Aviation Agency, Federal Highway Administration and Occupational Safety and Health Administration) to develop noise policies and programs.

The federal government advocates that local jurisdictions use their land use regulatory authority to arrange new development in such a way that "noise sensitive" uses are either prohibited from being constructed adjacent to a highway or that the developments are planned and constructed in such a manner that potential noise impacts are minimized. Since the federal government has preempted the setting of standards for noise levels that can be emitted by the transportation source, the City is restricted to regulating the noise generated by the transportation system through nuisance abatement Codes and land use planning.

The intent of a General Plan Noise Element or Section is to set goals to limit and reduce the effects of noise intrusion and to set acceptable noise levels for varying types of land uses. To this end, the City

has the authority to set land use noise standards and restrict private activities that generate excessive or intrusive noise. However, it should be recognized that the City does not have the authority to regulate all sources of noise within the City and various other agencies may supersede City authority. The following is a summary of some federal agency requirements that apply to noise within the Planning Area.

Federal Highway Administration

The Federal Highway Administration (FHWA) has developed noise standards that are typically used for analyzing noise generated by roadways. These noise standards are based on Leq and L10 values and are included in **Table 4.12-9, *FHWA Design Noise Levels***.

Table 4.12-9 FHWA Design Noise Levels

Activity Category	Description of Category	Design Noise Levels[1]	
		Leq (dBA)	L10 (dBA)
A	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose. Examples include natural parks or wildlife habitats.	57 (exterior)	60 (exterior)
B	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.	67 (exterior)	70 (exterior)
C	Developed lands, properties, or activities not included in Categories A or B, above.	72 (exterior)	75 (exterior)
D	Undeveloped lands.		
E	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.	52 (interior)	55 (interior)

Source: FHWA Noise Standard. 23 Code of Federal Regulations 772; & Noise Impact Analysis, MD Acoustics Table 7
Notes: Either Leq or L10 (but not both) design noise levels may be used on a project.

U.S. Department of Housing and Urban Development

The Department of Housing and Urban Development (HUD) issues formal requirements related specifically to standards for exterior noise levels along with policies for approving HUD-supported or assisted housing projects in high noise areas. In general, these requirements established three zones. These include:

- 65 dBA Ldn or less - an acceptable zone where all projects could be approved,
- Exceeding 65 dBA Ldn but not exceeding 75 dBA Ldn - a normally unacceptable zone where mitigation measures would be required, and each Project would have to be individually evaluated for approval or denial. These measures must provide 5 dBA of attenuation above

the attenuation provided by standard construction required in a 65 to 70 dBA Ldn area and 10 dBA of attenuation in a 70 to 75 dBA Ldn area, and

- Exceeding 75 dBA Ldn - an unacceptable zone in which projects would not, as a rule, be approved.

Federal Interagency Committee on Noise

The Federal Interagency Committee on Noise (FICON) developed guidance for the assessment of airport-generated increases in noise levels that consider the ambient noise level. The FICON recommendations are based on studies of the percentage of persons highly annoyed by aircraft noise. A readily perceptible 5 dBA or greater project-related noise level increase is considered a significant impact when the noise criteria for a given land use is exceeded. In areas where the existing noise levels range from 60 to 65 dBA Ldn, a 3 dBA barely perceptible noise level increase is considered significant. When the existing noise levels already exceed 65 dBA Ldn, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact since it likely contributes to an existing noise exposure exceedance.

State

California Department of Health Services

The California Department of Health Services (DHS) Office of Noise Control studied the correlation between noise levels and their effects on various land uses. As a result, the DHS established four categories for judging the severity of noise intrusion on specified land uses. These categories are presented in the State Land Use Compatibility for Community Noise Exposure (California Office of Noise Control, 2017).

California Building Code

Section 1206.4 of the 2022 California Building Code (Cal. Code Regs., Title 24, Part 2), Chapter 12 (Interior Environment), establishes an interior noise criterion of 45 dBA CNEL in any habitable room. Per California Building Code, Chapter 2 (Definitions), a habitable space is A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces. This section applies to dwelling and sleeping units.

California Green Building Standards Code

California Green Building Standards Code (2022), Chapter 5 (Non-residential Mandatory Measures) Section 5.507.4 (Acoustical Control), applies to all proposed buildings that people may occupy but are not residential dwelling units, with the exception of factories, stadiums, storage, enclosed parking structures, and utility buildings.

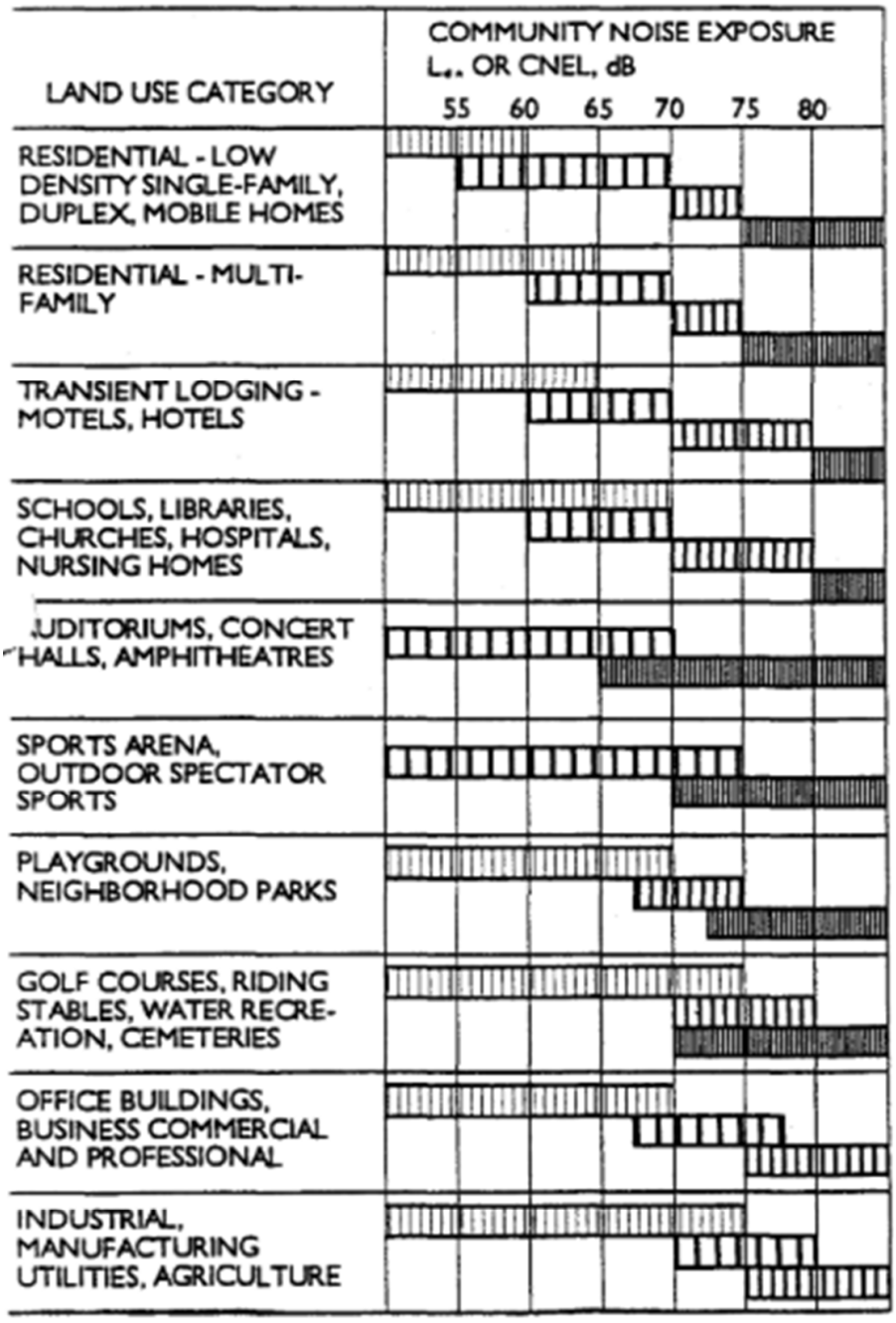
Buildings must comply with Section 5.507.4.1 or Section 5.507.4.2. Section 5.507.4.1 requires wall and roof-ceiling assemblies exposed to the noise source making up the building, or addition envelope or altered envelope, shall meet a composite Sound Transmission Class (STC) rating of at least 50 or a composite Outdoor to Indoor Transmission Class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when within the 65 CNEL noise contour of an airport, freeway, expressway, railroad, industrial source, or fixed-guideway source. If contours are not available, buildings exposed to 65 dB Leq(h) must meet a composite STC rating of at least 45 or OITC of 35 with exterior windows of at least STC 40 or OITC 30. Section 5.507.4.2 requires that the interior noise attributable to exterior sources must not exceed 50 dBA Leq(h) during any hour of operation. Section 5.507.4.3 requires that assemblies separating tenant spaces from tenant spaces or public places must have an STC of at least 40.

Regional and Local

City of Indian Wells Noise/Land Use Compatibility

Figure 4.12-3, ***Noise and Land Use Compatibility***, presents a land use compatibility chart for community noise presented in the Indian Wells 1996 General Plan Noise Element described here for reference only. The table identifies “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable” exterior noise levels for various land uses. A “conditionally acceptable” designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and needed noise insulation features are incorporated in the design. By comparison, a “normally acceptable” designation indicates that standard construction can occur with no special noise reduction requirements. This land use compatibility chart is based on the 24-hour descriptor CNEL.

City of Indian Wells
General Plan Update PDEIR
Figure **4.12-3**
Noise Land Use and Compatibility



INTERPRETATION

NORMALLY ACCEPTABLE

Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

CONDITIONALLY ACCEPTABLE

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noises insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

NORMALLY UNACCEPTABLE

New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

CLEARLY UNACCEPTABLE

New construction or development should generally not be undertaken.

Source: Exhibit F, Noise Impact Study, MD Acoustics, LLC. September 2024.

Indian Wells Municipal Code

The Noise Ordinance of the Municipal Code is designed to protect people from non-transportation noise sources such as construction activity; commercial, industrial, and agricultural operations; machinery and pumps; and air conditioners. Enforcement of the ordinance ensures that adjacent properties are not exposed to excessive noise from stationary sources. Enforcing the ordinance includes requiring proposed development projects to show compliance with the ordinance, including operating in accordance with noise levels and hours of operations limits placed on the project site. The City also requires construction activity to comply with established work schedule limits. The ordinance is reviewed periodically for adequacy and amended as needed to address community needs and development patterns.

The City of Indian Wells Noise Ordinance consists of Chapter 9.06 of the Indian Wells Municipal Code. The zoning code, Title 21, also contains specific noise limits relating to specific uses. The applicable noise ordinances to this analysis are presented below.

SEC. 9.06.040 Noise standards.

(a) Exterior Noise Standards.

1. Standards for Residential Properties. The following exterior noise standards, unless otherwise specifically indicated in this Chapter for all residential properties shall be:

Table 4.12-10 Exterior Residential Noise Standards

55 dBA	7:01 a.m. to 10 p.m.
50 dBA	10:01 p.m. to 7 a.m.

Source: Noise Impact Analysis, MD Acoustics, Table 8

2. Noise Level Categories. It is unlawful for any person at any location within the City to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, that exceeds, when measured on any other residential property the exterior residential noise standard by:

Decibels		Cumulative Period
(i)	+3	30 minutes/hour
(ii)	+5	15 minutes/hour
(iii)	+10	5 minutes/hour
(iv)	+15	1 minute/hour
(v)	+20	Not to be exceeded

3. Ambient Noise Level. If the ambient noise level exceeds that permitted by the noise limit categories specified in subsections (a)(2)(i) and (a)(2)(ii) of this Section, the allowed noise limit shall be increased in five (5) dBA increments in each category to encompass the ambient noise

level. If the ambient noise level exceeds the noise level category set forth in subsection (a)(2)(v), the maximum ambient noise level shall be the noise limit set forth in subsection (a)(2)(v) of this Section.

(a) Interior Noise Standards.

1. Standards for Residential Properties. It is unlawful for any person to create any noise from inside his or her unit that causes the noise level, when measured in a neighboring unit during the period 10:00 p.m. to 7:00 a.m., to exceed:

Table 4.12-11 Interior Residential Noise Standards

Decibels		Cumulative Period
(i)	45 dBA	More than 5 min. in any hour
(ii)	50 dBA	More than 1 min. in any hour
(iii)	55 dBA	In any period of time

Source: Noise Impact Analysis, MD Acoustics, Table 9.

2. Ambient Noise Level. In the event the ambient noise level exceeds the noise limit set forth in either subsection (b)(1)(i) or (b)(1)(ii) of this Section, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the noise limit set forth in subsection (b)(1)(iii) of this Section, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.

Section 9.06.041 Exceptions. The following activities shall be exempted from the noise standard provisions of Section 9.06.040:

(a) School bands, school athletic and school entertainment events. School entertainment events shall not include events sponsored by student organizations;

(b) Outdoor gatherings, public dances, shows and sporting and entertainment events, provided said events are conducted pursuant to a discretionary license or permit by the City;

(c) Activities conducted on parks and public playgrounds, provided such parks and public playgrounds are owned and operated by a public entity;

(d) Any mechanical device, apparatus, emergency generator having a maximum generation of fifteen thousand (15,000) kilowatts, equipment related to or connected with emergency activities or emergency work, but only for the period in which there is an emergency and, in the case of emergency generators, only during a power outage and routine testing of generators;

(e) Noise sources associated with construction or landscape maintenance activities during the hours specified by Section 9.06.047(b); provided, however, that the operation of an internal combustion engine shall not be exempt pursuant to this subsection if such engine is not equipped with suitable

exhaust and intake silencers which are in good working order. The Planning Director may permit work to be done during the hours not exempt by this subsection in the case of urgent necessity and in the interest of public health and welfare for a period not to exceed three (3) days. Application for this exemption may be made in conjunction with the application for the work permit or during progress of the work;

(f) Maintenance of trees and residential property by the property occupant him/herself provided said activities take place between the hours of 7:00 a.m. and 6:00 p.m.;

(g) Tree and park and street maintenance activities conducted by the City;

(h) Any activity to the extent provisions of Chapter 65 of Title 42 of the United States Code, and Articles 3 and 3.5 of Chapter 4 of Division 9 of the Public Utilities Code of the State of California preempt local control of noise regulations and land use regulations related to noise control of airports and their surrounding geographical areas, any noise source associated with the construction, development, manufacturing, maintenance, testing or operation of any aircraft engine, or of any weapons system or subsystems which are owned, operated or under the jurisdiction of the United States, any other activity to the extent regulation thereof has been preempted by State or Federal law or regulation.

Section 9.06.042 Schools, hospitals, and churches.

It is unlawful for any person to create any noise which causes the noise level at any school, hospital or church while the same is in use to exceed the noise limits as specified in subsection (a) of this Section, or which noise level unreasonably interferes with the use of such institutions or which unreasonably disturbs or annoys patients in the hospital, provided conspicuous signs, conforming to applicable law and as may be required to be approved by applicable authority, are displayed in three (3) separate locations within one-tenth (1/10) of a mile of the institution indicating the presence of a school, church, or hospital.

Section 9.06.043 Residential pumps, fans, and air conditioners.

(a) It is unlawful for any person to operate any residential fans, air conditioners, stationary pumps, stationary cooling towers, stationary compressors, similar mechanical device or any combination thereof installed after August 16, 1991 in any manner so as to create any noise which would cause the maximum noise level to exceed: (i) sixty (60) dBA at any point at least one (1) foot inside the property line of the affected residential property and three (3) to five (5) feet above ground level; (ii) fifty-five (55) dBA in the center of a neighboring patio three (3) to five (5) feet above ground level; (iii) fifty-five (55) dBA outside of the neighboring living area window nearest the equipment location. Measurements shall be taken with the microphone not more than three (3) feet from the window opening but at least three (3) feet from any other surface.

(b) Equipment installed after August 18, 1996 must comply with a maximum limit of fifty-five (55) dBA at any point at least one (1) foot inside the property line of the affected residential property and three (3) to five (5) feet above ground level.

(c) Equipment installed before August 18, 1991 must comply with a limit of sixty-five (65) dBA maximum sound level, at any point at least one (1) foot inside the property line of the affected residential property and three (3) to five (5) feet above ground level after the effective date of this Chapter.

Section 9.06.044 Off-road vehicles.

It is unlawful for any person to operate any motorcycle or recreational off-road vehicle on or off a public road in such a manner that the noise level exceeds the exterior noise standards specified in subsection 9.06.040(a).

Section 9.06.045 Waste disposal vehicles.

It is unlawful for any person authorized to engage in waste disposal service or garbage collection to operate any truck mounted waste or garbage loading and/or composting equipment or similar mechanical device in any manner so as to create any noise exceeding the following level, when measured at a distance of fifty (50) feet from the equipment or any residential property:

(a) New equipment purchased or leased on or after February 16, 1992 shall not exceed a noise level of eighty (80) dBA.

(b) New equipment purchased or leased on or after February 16, 1995 shall not exceed a noise level of seventy-five (75) dBA.

(c) No equipment shall exceed a noise level of eighty (80) dBA after August 18, 1996.

Section 9.06.047 Construction or landscape maintenance noise.

Construction, landscape maintenance, and similar activities shall be limited to the following hours unless a temporary waiver is granted by the Planning Director or his/her authorized designee:

Monday - Friday	7:00 a.m. – 5:00 p.m.
Saturday	8:00 a.m. – 5:00 p.m.
No usage on Sundays or National Holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day, Day After Thanksgiving and Christmas Day.	

4.12.4 Project Impact Analysis

Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to aesthetics are significant environmental effects, the following questions are analyzed and evaluated. Would the project:

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 ground-borne vibration or ground-borne noise levels?

c. For a project located within the vicinity of a private airstrip or an airport land use plan, 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?

Prior to the preparation of this PDEIR, an Initial Study was prepared using Appendix G, Environmental Checklist Form, in the California Environmental Quality Act (CEQA) Guidelines. Appendix G assesses the potential impacts associated with noise within the Planning Area. The Indian Wells General Plan Update Initial Study is included in **Appendix A** of this PDEIR. Following the screening criterion related to noise in the Initial Study, the following does not require additional analysis in this PDEIR.

For a project located within the vicinity of a private airstrip 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:

- The closest airport to the project site is the Bermuda Dunes Airport, located approximately 2 miles northeast of the City of Indian Wells. The City is located outside of the 65, 60, and 55 CNEL noise contours associated with the airport facility. Furthermore, the City is not located within the Bermuda Dunes Airport Land Use Plan planning area. Therefore, the PDEIR will not analyze the airport's noise impact on the GPU.

Impacts found to be less than significant are further discussed in **Chapter 6.0, *Effects Not Found to be Significant*,** of this PDEIR.

Methodology

Project-related noise impacts were analyzed in the Noise Impact Study, prepared by MD Acoustics in September 2024. The methodologies used in the Noise Impact Study are provided in this section.

Noise Measurement Procedure and Criteria

Noise measurements were taken to determine the existing noise levels (see **Figure 4.12-1**). A noise receiver or receptor is any location in the noise analysis in which noise might produce an impact. The following criteria were used to select measurement locations and receptors:

- Locations expected to receive the highest noise impacts, such as first row of houses;
- Locations that are acoustically representative and equivalent of the area of concern;
- Human land usage; and
- Sites clear of major obstruction and contamination.

MD Acoustics conducted the sound level measurements in accordance with the City and Caltrans technical noise specifications. All measurement equipment meets American National Standards Institute (ANSI) specifications for sound level meters (S1.4-1983 identified in Chapter 19.68.020.AA). The following gives a brief description of the Caltrans Technical Noise Supplement procedures for sound level measurements:

- Microphones for sound level meters were placed 5 feet above the ground for all measurements.
- Sound level meters were calibrated before and after each measurement.
- Following the calibration of equipment, a wind screen was placed over the microphone.
- Frequency weighting was set on "A" and slow response.
- Results of the long-term noise measurements were recorded on field data sheets.
- During any short-term noise measurements, any contaminations such as barking dogs, local traffic, lawn mowers, or aircraft fly-overs were noted.
- Temperature and sky conditions were observed and documented.

SoundPLAN Noise Modeling

SoundPLAN acoustical modeling software was utilized to create existing (2024), future (2045) without Project (Adopted General Plan), and future (2045) with Project (General Plan Update) traffic noise level contours for the 12 segments analyzed in the Planning Areas traffic impact analysis provided by Kittelson & Associates, Inc. (**Appendix E**) and 7 segments from Coachella Valley Traffic Counts. For the 7 segments, the 2024 and 2045 counts were projected from the growth observed for the 2010, 2011, 2013, 2015, and 2017 counts. These 7 segments are not used for significance determination and are only for noise contour references. Model parameters included average daily traffic volumes, day/evening/night split, roadway classification, width, speed, and truck mix. All modeled roadways were assumed to have a "hard site", as the majority of analysis occurs at 50 feet from the centerline of the road. Possible reductions in noise levels due to intervening topography and buildings were not accounted for in this analysis. Roadway modeling assumptions utilized for the technical study are provided in **Table 4.12-12** and **Table 4.12-13**. A summary of the model parameters and REMEL adjustments is presented below.

- Roadway classification – (e.g., freeway, major arterial, arterial, secondary, collector, etc.),
- Roadway Active Width – (distance between the center of the outermost travel lanes on each side of the roadway)

- Average Daily Traffic Volumes (ADT), Travel Speeds, Percentages of automobiles, medium trucks, and heavy trucks
- Roadway grade and angle of view
- Site Conditions (e.g., soft vs. hard)
- Percentage of total ADT which flows each hour throughout a 24-hour period

FHWA Traffic Noise Prediction Model

The FHWA Traffic Noise Prediction Model (FHWA-RD-77-108) was utilized to model and compare existing traffic noise levels to 2045 Future noise levels. The FHWA model arrives at the predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). The roadways were determined based on the 12 segments analyzed in the Traffic Impact Analysis provided by Kittelson and Associates, Inc.,[1] and 7 segments from Coachella Traffic Counts. Traffic segments indicate areas where average daily trips (ADTs) will be increased throughout the City. Increased traffic results in increased noise. Model parameters included average daily traffic volumes, day/evening/night split, roadway classification, width, speed, and truck mix. All modeled roadways were assumed to have a "hard site", as the majority of analysis occurs at 50 feet from the centerline of the road. Possible reductions in noise levels due to intervening topography and buildings were not accounted for in this analysis. Roadway modeling assumptions utilized for the technical study are provided in **Tables 4.12-12** and **4.12-13**.

Table 4.12-12 Roadway Noise Modeling Parameters

Roadway	Segment	2024 ADT[1]	2045 No Project ADT[1]	2045 With Project ADT[1]	Speed[2]	Vehicle Mix[3]
Hovley Lane	East City Boundary to West City Boundary	15,630	15,100	15,080	50	Arterial
Fred Waring Drive	Eldorado Drive to Cook Street	37,930	42,700	42,550	50	Arterial
Cook Street	Fred Waring Drive to Highway 111	18,990	22,200	22,090	40	Arterial
Cook Street	Highway 111 to Fairway Drive	13,080	14,300	14,270	35	Arterial
Eldorado Drive	Fred Waring Drive to Highway 111	4,870	5,400	5,340	40	Collector
Eldorado Drive	Highway 111 to Fairway Drive	5,210	5,400	5,420	35	Collector
Warner Trail	Fred Waring Drive to Miles Avenue	4,330	6,300	6,200	35	Collector
Highway 111	Cook Street to Rancho Palmeras Drive	34,610	46,800	46,310	45	Arterial
Highway 111	Miles Street to Washington Street	37,330	48,200	47,830	45	Arterial
Miles Avenue	Warner Trail to Washington Street	6,970	10,500	10,340	50	Arterial
Fairway Drive	Cook Street to Rancho Palmeras Drive	4,160	4,300	4,260	35	Collector
Portola Avenue	Mockingbird Trail to South City Limit	12,340	13,500	13,430	40	Collector

Notes:
1) Kittelson & Associates, Inc., August 2024.; Noise Impact Study, MD Acoustics, Table 8
2) Speed was modeled as posted.

[1] Study intersections and roadways were selected in consultation with City Public Words and Planning Staff.

Table 4.12-13 Vehicle Mix Data

Motor-Vehicle Type[1,2]	Daytime % (7AM to 7 PM)	Evening % (7 PM to 10 PM)	Night % (10 PM to 7 AM)	Total % of Traffic Flow
Arterial				
Automobiles	77.5%	12.4%	10.2%	81.4%
Medium Trucks	82.4%	5.8%	11.8%	18.0%
Heavy Trucks	77.1%	1.2%	21.7%	0.6%
Collector				
Automobiles	87.9%	7.2%	5.0%	75.7%
Medium Trucks	92.0%	2.3%	5.7%	23.4%
Heavy Trucks	92.4%	0.4%	7.2%	0.9%

Notes:
[1] Indian Wells 24hr traffic counts, Counts Unlimited, Inc. 2024.
Source: Noise Impact Study, MD Acoustics, Table 9.

Project Impacts

a. Generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies

Construction Noise

The amount, or degree, of construction-related noise at a project site may vary depending on the location of the construction activities, as well as the construction stage occurring. Noise levels associated with the construction will vary with the different phases of construction. Per Section 9.06.047 of the City of Indian Wells Municipal Code, construction shall only occur between the hours of 7:00 a.m. and 5:00 p.m. on Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays. Construction noise is exempt from the noise ordinance during those times per Section 9.06.041(e) with the use of construction mufflers. Construction is not permitted on Sundays or national holidays.

The Environmental Protection Agency (EPA) has compiled data regarding the noise generated characteristics of typical construction activities. The data is presented in the table below:

Table 4.12-14 Typical Construction Noise Levels

Type	Noise Levels (dBA) at 50 feet
Earth Moving	
Compactors (Rollers)	73 - 76
Front Loaders	73 - 84
Backholes	73 - 92
Tractors	75 - 95
Scrapers, Graders	78 - 92
Pavers	85 - 87
Trucks	81 - 94
Materials Handling	
Concrete Mixers	72 - 87
Concrete Pumps	81 - 83
Cranes (Movable)	72 - 86
Cranes (Derrick)	85 -87
Stationary	
Pumps	68 - 71
Generators	71 - 83
Compressors	75 - 86
Impact Equipment	
Saws	71 - 82
Vibrators	68 - 82

Source: Noise Impact Study, MD Acoustics, Table 47.
Notes: Referenced Noise Levels from the Environmental Protection Agency

The construction noise levels would diminish rapidly with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 86 dBA measured 50 feet from the noise source would reduce to 80 dBA at 100 feet. At 200 feet from the noise source, the noise level would reduce to 74 dBA. At 400 feet, the noise source would reduce by another 6 dBA to 68 dBA.

Construction Traffic

Individual projects within the scope of the Planning Area would result in two types of short-term construction noise impacts. First, the construction crew commute and the transport of construction equipment and materials to the site for a future project within the City would incrementally increase noise levels on access roads leading to the site. Per City Municipal Code Section 9.06.047, truck traffic associated with construction should be limited to within the permitted construction hours. This is also required by *Action PS-6g* in the GPU. Although there would be a relatively high single-event noise exposure potential at a maximum of 87 dBA Lmax at 50 feet from passing trucks, causing possible short-term intermittent annoyances, the effect on ambient noise levels would be less than 1 dBA when averaged over one hour or 24 hours. In other words, the changes in noise levels over 1 hour or 24 hours attributable to passing trucks would not be perceptible to the normal human ear. The impact is less than significant with the implementation of Sections 9.06.041(e) and 9.06.047 of the Municipal Code and GPU *Action PS-6g*.

On-Site Construction Activities

The site preparation phase, which includes grading and paving, tends to generate the highest noise levels since the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backhoes, bulldozers, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings. Site-specific construction activities associated with future development are expected to require the use of scrapers, bulldozers, motor graders, and water and pickup trucks. The maximum noise level generated by each scraper is assumed to be approximately 87 dBA Lmax at 50 feet from the scraper in operation. Each bulldozer would also generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by the sound sources with equal strength increases the noise level by 3 dBA. Noise reduction potential will be project and site-specific. Construction noise would be an impact if construction occurred outside of the hours outlined in Section 9.06.047 of the Indian Wells Municipal Code. This is also required by GPU *Policy 6-6.* Potential impacts would be site-specific, depending on the equipment used and distances to sensitive receptors. The impact is less than significant with the implementation of Section 9.06.047 of the Municipal Code and GPU *Policy PS-6.6*.

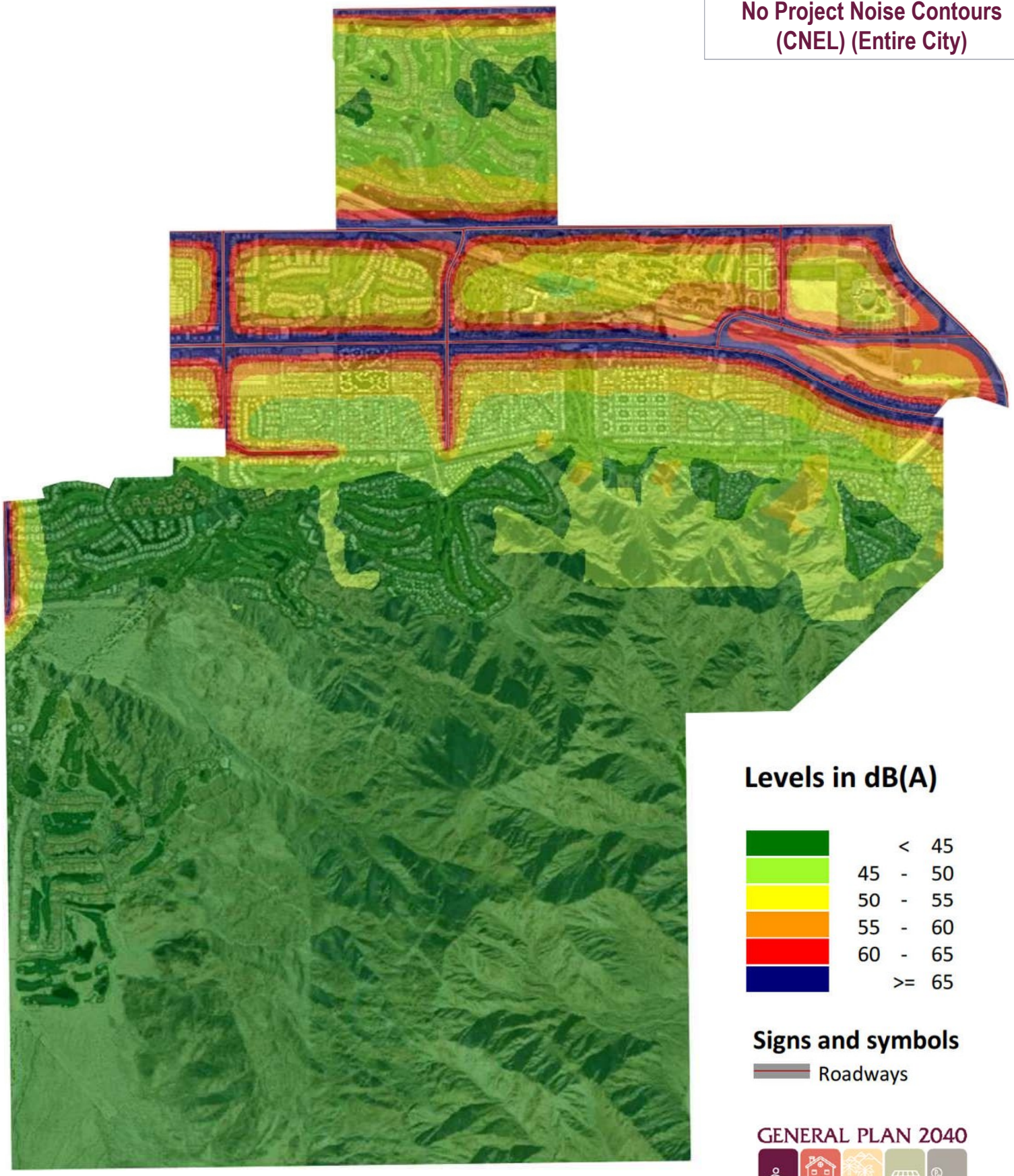
Operational Noise

Transportation Noise

Transportation noise includes noise from aircraft, railways, and roadways. The Planning Area is outside of any airport 65 dBA CNEL contours, and therefore, there is no aircraft impact. There are no railways within a mile of the City.

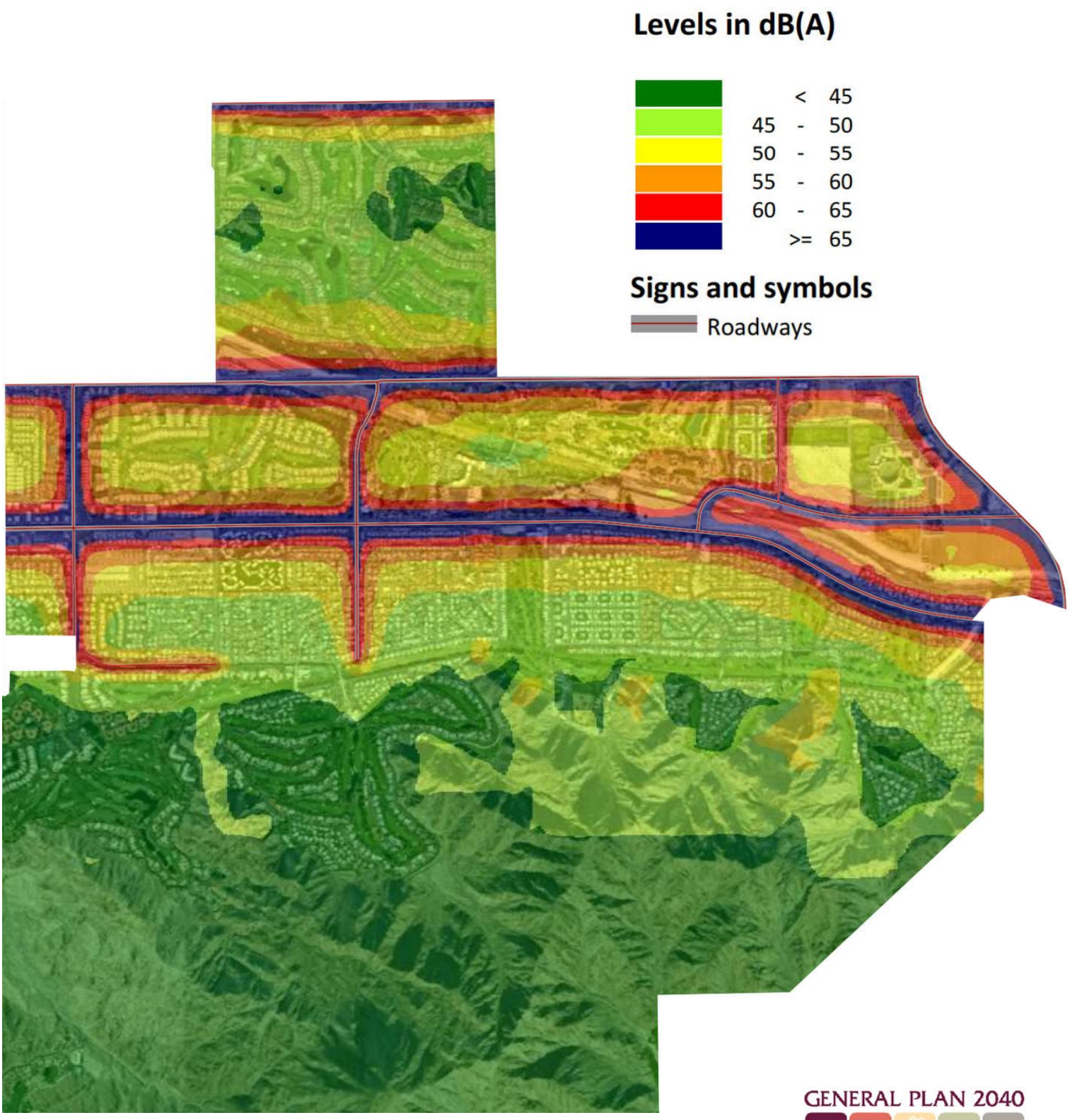
The primary noise source in the Planning Area will continue to be vehicle traffic. Future traffic noise level contours are presented in **Figures 4.12-4** through **4.12-7**. **Tables 4.12-15** and **4.12-16** show the future noise levels at a distance of 50 feet from the centerline of studied roadways by the year 2045 for No Project (existing General Plan) and With Project (proposed GPU). The distances to the 55, 60, 65, and 70 dBA CNEL noise contours are also provided.

City of Indian Wells
General Plan Update PDEIR
Figure **4.12-4**
No Project Noise Contours (CNEL) (Entire City)



Source: Exhibit I-1, Noise Impact Study, MD Acoustics, LLC. September 2024.

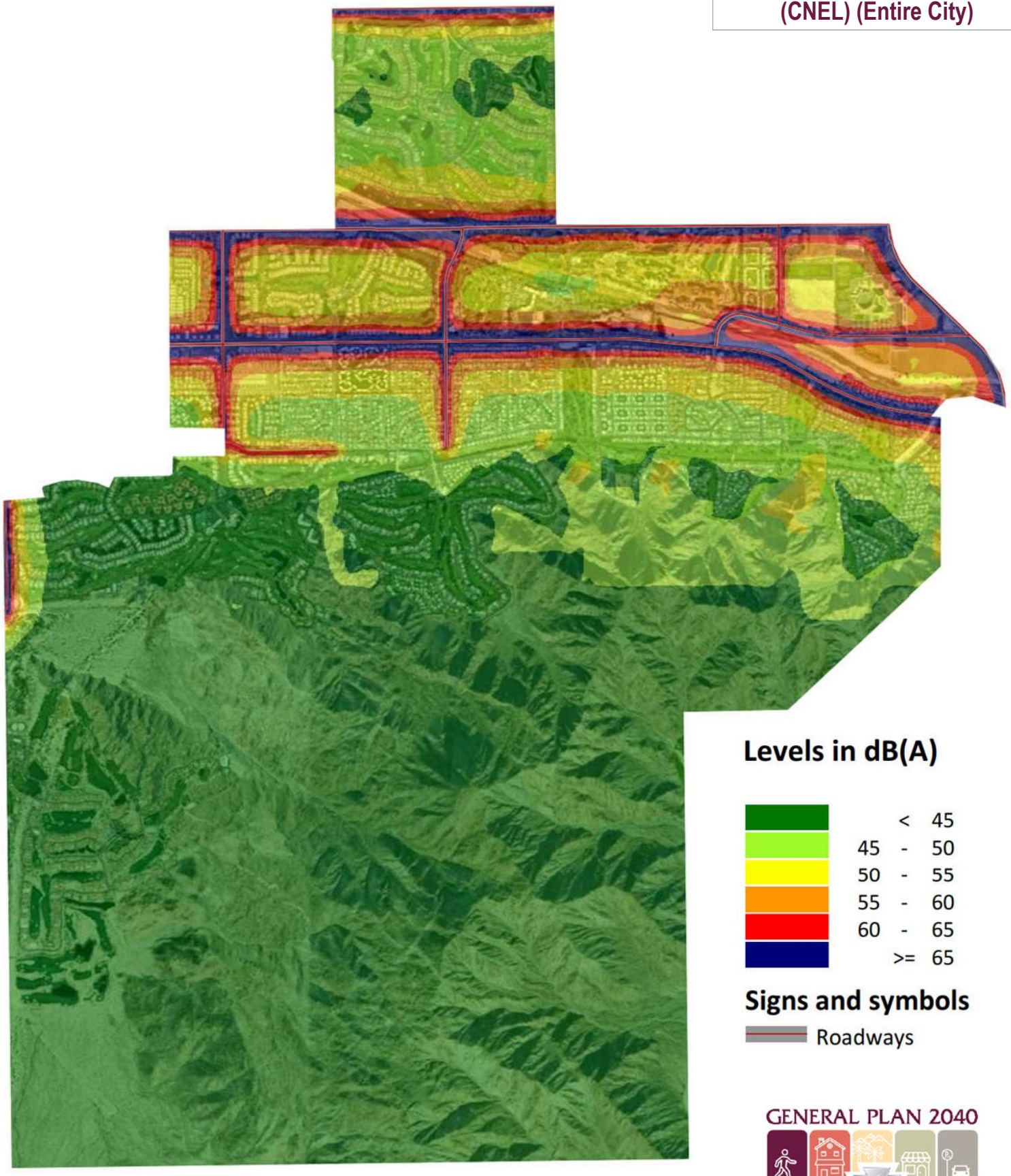
City of Indian Wells
General Plan Update PDEIR
Figure **4.12-5**
No Project Noise Contours (CNEL) (Zoomed In)



Source: Exhibit I-2, Noise Impact Study, MD Acoustics, LLC. September 2024.

GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

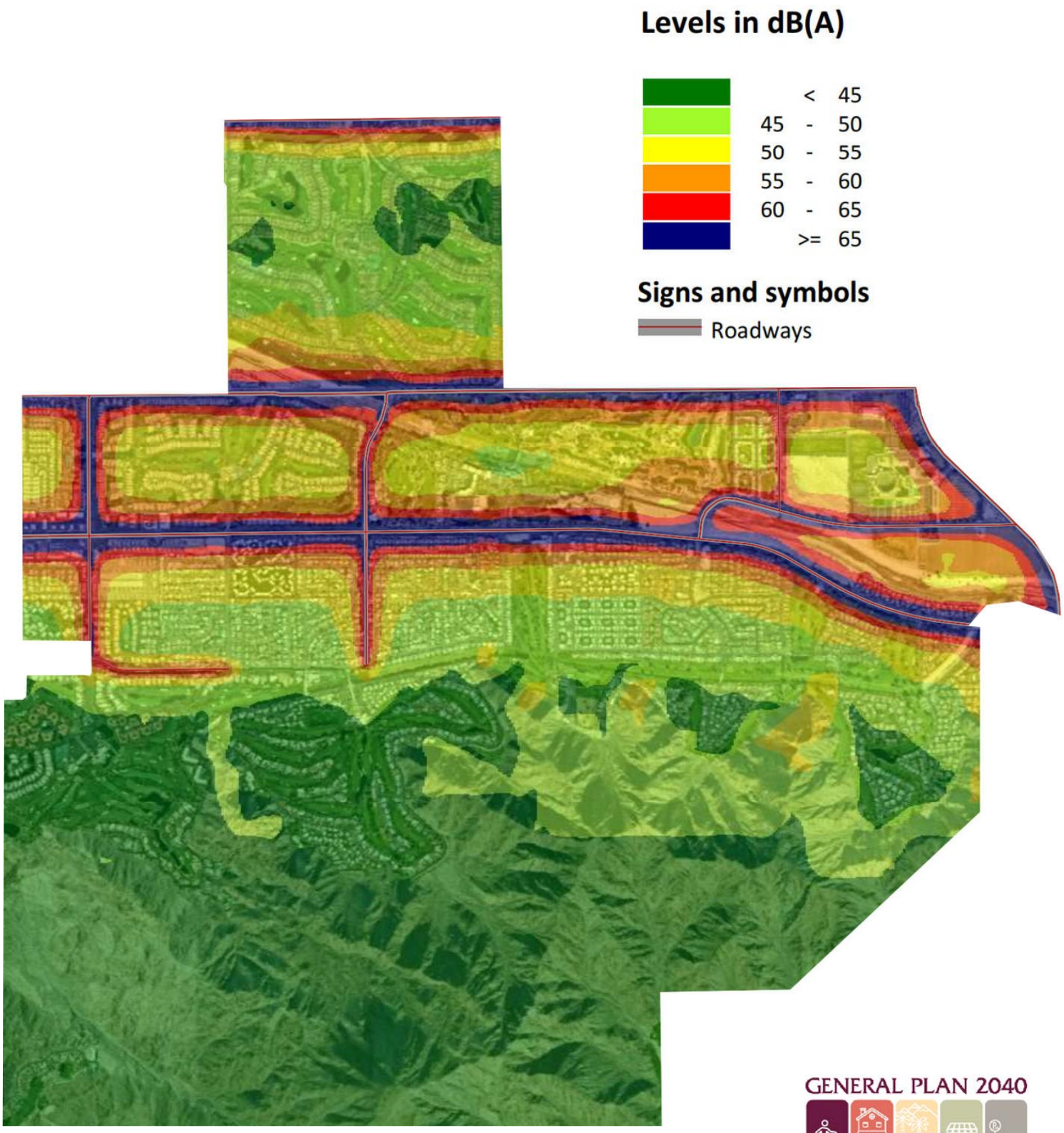
City of Indian Wells
General Plan Update PDEIR
Figure **4.12-6**
2045 Project Noise Contours (CNEL) (Entire City)



Source: Exhibit J-1, Noise Impact Study, MD Acoustics, LLC. September 2024.

GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

City of Indian Wells
General Plan Update PDEIR
Figure **4.12-7**
2045 Project Noise Contours (CNEL) (Zoomed In)



Source: Exhibit J-2, Noise Impact Study, MD Acoustics, LLC. September 2024.

GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

Table 4.12-15 2045 No Project Traffic Noise Levels (dBA, CNEL)

Roadway	Segment Limits	CNEL, dBA @50 ft[1,2]	Distance to Contour (feet)[3]			
			70 dBA	65 dBA	60 dBA	55 dBA
Hovley Lane	East City Boundary to West City Boundary	73.8	119	376	1,190	3,762
Fred Waring Drive	Eldorado Drive to Cook Street	79.2	420	1,327	4,195	13,267
Cook Street	Fred Waring Drive to Highway 111	73.4	111	349	1,105	3,495
Cook Street	Highway 111 to Fairway Drive	70.3	53	168	533	1,685
Eldorado Drive	Fred Waring Drive to Highway 111	66.5	23	71	225	712
Eldorado Drive	Highway 111 to Fairway Drive	65.4	17	55	174	550
Warner Trail	Fred Waring Drive to Miles Avenue	65.7	19	59	186	587
Highway 111	Cook Street to Rancho Palmeras Drive	78.7	371	1,174	3,714	11,743
Highway 111	Miles Street to Washington Street	78.2	332	1,050	3,319	10,497
Miles Avenue	Warner Trail to Washington Street	72.1	82	258	817	2,583
Fairway Drive	Cook Street to Rancho Palmeras Drive	64.0	13	40	127	401
Portola Avenue	Mockingbird Trail to South City Limit	70.3	54	170	539	1,703

Notes:

1) Exterior noise levels calculated at 5-feet above ground.

2) Noise levels calculated from centerline of subject roadway.

3) Contour distances do not take into account potential noise reduction from existing barriers such as buildings, walls or berms as a worst-case scenario for planning screening purposes. Overall levels are likely lower at sensitive receptors.

Source: Noise Impact Analysis, MD Acoustics, Table 14

Table 4.12-16 2045 Plus Project Traffic Noise Levels (dBA, CNEL)

Roadway	Segment Limits	CNEL, dBA @50 ft[1,2]	Distance to Contour (feet)[3]			
			70 dBA	65 dBA	60 dBA	55 dBA
Hovley Lane	East City Boundary to West City Boundary	73.8	119	376	1,188	3,757
Fred Waring Drive	Eldorado Drive to Cook Street	79.2	418	1,322	4,181	13,220
Cook Street	Fred Waring Drive to Highway 111	73.4	110	348	1,100	3,477
Cook Street	Highway 111 to Fairway Drive	70.3	53	168	532	1,681
Eldorado Drive	Fred Waring Drive to Highway 111	66.5	22	70	223	704
Eldorado Drive	Highway 111 to Fairway Drive	65.4	17	55	175	552
Warner Trail	Fred Waring Drive to Miles Avenue	65.6	18	58	183	578
Highway 111	Cook Street to Rancho Palmeras Drive	78.7	367	1,162	3,675	11,620
Highway 111	Miles Street to Washington Street	78.2	329	1,042	3,294	10,416
Miles Avenue	Warner Trail to Washington Street	72.1	80	254	804	2,543
Fairway Drive	Cook Street to Rancho Palmeras Drive	64.0	13	40	126	397
Portola Avenue	Mockingbird Trail to South City Limit	70.3	54	169	536	1,695

Notes:

1) Exterior noise levels calculated at 5-feet above ground.

2) Noise levels calculated from centerline of subject roadway.

3) Contour distances do not take into account potential noise reduction from existing barriers such as buildings, walls or berms as a worst-case scenario for planning screening purposes. Overall levels are likely lower at sensitive receptors.

Source: Noise Impact Analysis, MD Acoustics, Table 15

As shown in the tables above and **Figures 4.12-4** through **4.12-7**, by the year 2045, existing land uses within 50-feet of the studied roadways (except for Fairway Drive) will be exposed to noise levels that exceed the City's exterior standards of 65 dBA CNEL for noise-sensitive uses. A significant impact would occur if the GPU resulted in levels higher than 65 dBA CNEL at sensitive uses and increased the overall roadway noise level by 3 dBA CNEL, which is a noticeable change in noise level. The table below outlines the change in noise level from 2024 to 2045 with and without the GPU.

Table 4.12-17 Change in Noise Along Roadways (dBA, CNEL @ 50')

Roadway	Segment	Existing	2045 No Project		2045 With Project	
		CNEL @ 50' dBA[1]	CNEL @ 50' dBA	Change in Noise Level	CNEL @ 50' dBA	Change in Noise Level[2]
Hovley Lane	East City Boundary to West City Boundary	73.9	73.8	-0.1	73.8	-0.1
Fred Waring Drive	Eldorado Drive to Cook Street	78.7	79.2	0.5	79.2	0.5
Cook Street	Fred Waring Drive to Highway 111	72.8	73.4	0.6	73.4	0.6
Cook Street	Highway 111 to Fairway Drive	69.9	70.3	0.4	70.3	0.4
Eldorado Drive	Fred Waring Drive to Highway 111	66.1	66.5	0.4	66.5	0.4
Eldorado Drive	Highway 111 to Fairway Drive	65.3	65.4	0.1	65.4	0.1
Warner Trail	Fred Waring Drive to Miles Avenue	64.1	65.7	1.6	65.6	1.5
Highway 111	Cook Street to Rancho Palmeras Drive	77.4	78.7	1.3	78.7	1.3
Highway 111	Miles Street to Washington Street	77.1	78.2	1.1	78.2	1.1
Miles Avenue	Warner Trail to Washington Street	70.4	72.1	1.7	72.1	1.7
Fairway Drive	Cook Street to Rancho Palmeras Drive	63.9	64.0	0.1	64.0	0.1
Portola Avenue	Mockingbird Trail to South City Limit	69.9	70.3	0.4	70.3	0.4

Notes:
1) Existing and Future traffic volumes compiled by Kittelson & Associates, Inc. 2024.
2) An impact would occur if the Project increased the roadway segment level by 3 dB or more (an audible difference) and resulting in a future level above 65 dBA CNEL.
Source: Noise Impact Analysis, MD Acoustics, Table 16

Compared to existing traffic noise levels, 2045 without Project traffic volumes are expected to be increased to a maximum of 1.7 dBA CNEL louder (at Miles Avenue between Warner Trail and Washington Street) than existing ambient noise levels at existing land uses and will result in inaudible increases in ambient noise along the analyzed roadways (see **Table 4.12-17**). Note that Miles Avenue from Warner Trail to Washington Street does not have any adjacent noise-sensitive uses.

Compared to existing traffic noise levels, 2045 with Project traffic volumes are expected to increase to a maximum of 1.7 dBA CNEL louder than existing ambient noise levels at existing land uses and will result in inaudible increases in ambient noise. Implementation of the GPU will, therefore, result in a less than significant impact to roadway noise levels.

Where proposed land uses are expected to be exposed to noise levels that exceed the land use compatibility criteria in **Figure 4.12-3, *Existing Noise and Land Use Compatibility,*** and 65 dBA CNEL residential limit outlined in the GPU, impacts can be mitigated to a level that is less than significant

with the implementation of noise control measures, such as relocating residential outdoor recreational areas away from 65 dBA CNEL or greater areas or shielding outdoor areas using noise barriers. This is implemented by GPU *Policy PS-6.2* and *Action PS-6a* and *6k.* Per the existing General Plan, future residential or noise-sensitive development associated with implementation of the proposed GPU requires a noise study and mitigation implemented if exterior noise levels exceed 65 dBA CNEL. This is implemented by GPU *Policy PS-6.1* and *Actions PS-6a, PS-6b, PS-6c,* and *PS-6f.* For residential developments, the study must ensure that interior levels in livable areas do not exceed 45 dBA CNEL, as implemented by GPU *Policy PS-6.3* and *Actions PS-6a, PS-6b,* and *PS-6f*. The impact is less than significant with the proposed GPU policies and actions listed above.

In addition to the policies and actions listed above, the City will encourage the development of alternative travel options (including bus, bicycle, golf car, and pedestrian) to minimize single-occupancy vehicle trips and the implementation of noise sensitivity measures in the public realm. Noise sensitivity measures include traffic-calming road design, lateral separation, natural buffers, synchronized intersections, the identification of specific truck routes, and setback to decrease excessive motor vehicle noise, as implemented by GPU *Policy PS-6.4* and *Actions PS-6d, PS-6-e,* and *PS-6g.*

Stationary Noise

Implementation of the GPU could result in the future development of land uses that generate noise levels in excess of applicable City noise standards for non-transportation noise sources. While the GPU does not explicitly propose any new noise-generating uses, implementation of the GPU would allow for the development of mixed-uses, increased residential development at higher densities, and new commercial development, which may result in new noise sources. Specific development projects and the details of future noise-generating land uses that may be located in the Planning Area in the future are not known at this time. Additionally, noise from existing stationary sources, as identified in Section 4.12.2, *Existing Conditions*, (above) would continue to impact noise-sensitive land uses in the vicinity of the noise sources.

While no specific projects are proposed under the GPU, changes in land use may allow for more intensive noise-generating uses in closer proximity to noise-sensitive uses. Where this occurs, detailed noise studies would be required to ensure that noise control measures are implemented into the project design (GPU *Policy PS-6.3* and *Action PS-6b*). Such measures could include the redesign of stationary noise sources away from sensitive uses, construction of sound walls or berms between noise generating uses and sensitive uses, using buildings to create additional buffer distance and screening, or other site design measures to ensure that non-transportation (stationary) noise sources do not cause exterior and interior noise levels to exceed allowable standards at sensitive receptors, as implemented by *Policy PS-6.1, PS-6.2,* and *PS-6.8* and *Actions PS-6a, PS-6b, PS-6c, PS-6f, PS-6h, PS-6i* and *PS-6k*. Commercial uses would also implement noise attenuation measures, as required by

Policy PS-6.5. The impact is less than significant with the implementation of the Indian Wells Noise Ordinance and the proposed GPU *Policies PS-6.1, PS-6.2, PS-6.3, PS-6.5, PS-6.8* and *Actions PS-6a, PS-6b, PS-6c, PS-6f, PS-6h, PS-6i,* and *PS-6k*.

Stationary noise will be significant if it exceeds the levels outlined in the Indian Wells Municipal Code. Implementation of the Project may result in stationary noise impacts from future uses. Implementation of effective land use planning and policies and actions can minimize noise impacts related to these sources by avoiding the placement of noise generating equipment near noise-sensitive land uses and where unavoidable, include design measures to the degree practical to avoid violating the noise criteria. Stationary noise impacts can be mitigated to "less than significant" with implementation of Indian Wells Noise Ordinance and the proposed GPU policies and actions listed below.

General Plan Policies

Policies

PS-6.1 **Noise Exposure.** Consider the noise compatibility of existing and future development when making land use planning decisions. Require development and infrastructure projects to be consistent with the noise standards in this element and the Indian Wells Municipal Code to facilitate acceptable noise exposure levels for existing and future development.

PS-6.2 **Noise Mitigation.** Require new developments or the expansion of existing developments to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials, to reduce noise levels at sensitive uses, including residential uses, to 65 dB CNEL or less in outdoor activity areas and 45 dB CNEL or less in interior living spaces.

PS-6.3 **Acoustical Studies.** Require acoustical studies for new discretionary developments and transportation improvements that have the potential to affect existing noise-sensitive uses such as schools, hospitals, libraries, care facilities, and residential areas; and for projects that would introduce new noise-sensitive uses into an area where existing noise levels may exceed the thresholds identified in this element. For projects that are required to prepare an acoustical study, the study shall include mitigation measures to attain the noise standards in this element and the City's Noise Ordinance.

PS-6.4 **Roadway Noise.** Encourage the development of alternative travel options including bus transit, and bicycle, golf cart, and pedestrian paths to minimize

single-occupancy vehicle trips and the implementation of noise sensitivity measures in the public realm, including traffic-calming road design, lateral separation, natural buffers, and setback to decrease excessive motor vehicle noise.

PS-6.5 **Commercial Noise.** Require the use of noise attenuation measures, including screening and buffering techniques, for all new or expansion of existing commercial developments expected to produce excess noise; in existing cases where the City's noise standards are exceeded, work with Code Enforcement to require compliance.

PS-6.6 **Short-Term Noise.** Require construction activities and other short-term noise events (i.e., concerts, sporting events) to reduce noise impacts on adjacent uses and comply with the City's Noise Ordinance.

PS-6.7 **Vibration Studies.** Require vibration impact studies for new discretionary development and transportation improvements whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings.

PS-6.8 **California Building Code.** Adhere to the latest standards related to noise in the most current edition of the California Building Code to avoid or minimize noise pollution in the community.

PS-6.9 **Interjurisdictional and Multiagency Coordination.** Coordinate with neighboring jurisdictions and transportation providers such as Caltrans to minimize noise conflicts between land uses along the City's boundaries.

Actions

PS-6a Review new development and transportation projects for compliance with the noise requirements established in this General Plan, including the standards established in the Indian Wells Municipal Code. Where necessary, require new development to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials such as rubberized asphalt.

PS-6b Require acoustical studies for all new discretionary projects, including those related to development and transportation, which have the potential to generate noise impacts which exceed the standards identified in this element. The studies shall include representative noise measurements, estimates of

existing and projected noise levels, and mitigation measures necessary to ensure compliance with this element and the City's Noise Ordinance.

PS-6c Actively enforce the standards identified in the City's Noise Ordinance in order to reduce impacts to the extent feasible. Update and amend the Noise Ordinance as appropriate.

PS-6d Coordinate with Caltrans to reduce the speed limit on State Highway 111, in concert with synchronized intersections, to reduce noise levels along the corridor.

PS-6e Implement provisions of the Highway 111 Specific Plan which establishes special noise attenuation standards to maintain the corridor's quiet residential character. A minimum 50-foot landscaped parkway in residential areas shall be required along both sides of the corridor, which will be augmented by walls, berms, and other structures which will attenuate ambient noise levels.

PS-6f Prohibit residential development in areas of greater than 65 Community Noise Equivalent Level (CNEL) unless effective mitigation measures can be incorporated into the project design to reduce noise levels to 65 CNEL in outdoor activity areas and 45 CNEL in indoor areas.

PS-6g Truck traffic shall be limited to specific routes and designated hours of travel, as defined by the City Planning and Engineering Departments.

PS-6h Use cul-de-sacs in new residential developments to discourage through traffic in residential neighborhoods.

PS-6i Review the locations of proposed projects with the potential to generate stationary noise in relation to sensitive receptors through the discretionary project review process. Require that automobile and truck access to commercial properties be located adjacent to residential parcels be located at the maximum practical distance from the residential parcel.

PS-6j Require vibration impact studies for all new discretionary projects, including those related to development and transportation, whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. The studies shall include a detailed mitigation plan to avoid any potential significant impacts to existing structures due to groundborne vibrations, based on the California Department of Transportation's Construction Vibration Guidance Manual.

PS-6k Monitor changes in the California Building Code and other federal and State laws and regulations related to noise and incorporate necessary changes into the Municipal Code and building codes as required.

b. Generation of excessive groundborne vibration or groundborne noise levels

The main sources of vibration in the project area are related to vehicles and construction. Typical roadway traffic, including heavy trucks, rarely generates vibration amplitudes high enough to cause structural or cosmetic damage. However, there have been cases in which heavy trucks traveling over potholes or other discontinuities in the pavement have caused vibration high enough to result in complaints from nearby residents. These types of issues typically can be resolved by smoothing the roadway surface (Caltrans 2020). Therefore, implementation of the GPU would not result in excessive groundborne vibration or groundborne noise levels during operation of the GPU.

Construction activities that produce vibration that can be felt by adjacent land uses include the use of vibratory equipment, large bulldozers, and pile drivers. The primary sources of vibration during construction are usually vibratory rollers and large bulldozers. As shown in **Table 4.12-18**, a vibratory roller has a peak particle velocity (inches/second) of 0.21, and a large bulldozer has a peak particle velocity of 0.089 (inches per second) at 25 feet. The use of pile-driving equipment can generate a peak particle velocity of 1.5 (inches per second) depending on the size and model.

Table 4.12-18 Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (VdB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006; Noise Impact Analysis, MD Acoustics, Table 18

The California Department of Transportation has published one of the seminal works for the analysis of ground-borne noise and vibration relating to transportation- and construction-induced vibrations and, although the GPU is not subject to these regulations, it serves as a useful tool to evaluate vibration impacts (California Department of Transportation, 2013). **Table 4.12-19** provides maximum PPV levels (inches/second) to be used to determine if groundborne vibration may result in damage, depending on the type of structure. When evaluated in light of the estimated groundborne vibration levels presented in **Table 4.12-18**, it can be determined that construction activities in the Planning Area have the potential to result in significant impacts related to groundborne vibration associated with construction activities. These impacts would be determined to be less than significant by requiring vibration impact studies (and mitigation plan if necessary) when construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings as required in proposed GPU *Policy PS-6.7* and *Action PS-6j.*

Table 4.12-19 Guideline Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (inches/second)	
	Transient Sources	Continuous/Frequent Intermittent Source
Extremely fragile historic buildings, ruins, ancient monuments	0.1	0.1
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.3
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: California Department of Transportation and Construction Vibration Guidance Manual. April 2020; Noise Impact Analysis, MD Acoustics, Table 19

Note: transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Construction vibration within the Planning Area is not anticipated to be significant unless an individual development uses pile driving or vibratory rollers. These impacts can be avoided by requiring vibration impact studies (and appropriate mitigation if necessary) when construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. This impact would be less than significant with the implementation of GPU *Policy PS-6.7* and *Action PS-6j*.

General Plan Policies

Policies

PS-6.7 **Vibration Studies.** Require vibration impact studies for new discretionary development and transportation improvements whose construction utilizes pile

drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings.

Actions

PS-6j Require vibration impact studies for all new discretionary projects, including those related to development and transportation, whose construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings. The studies shall include a detailed mitigation plan to avoid any potential significant impacts to existing structures due to groundborne vibrations, based on the California Department of Transportation's Construction Vibration Guidance Manual.

c. For a project located within the vicinity of a private airstrip 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

The closest airport to the project site is the Bermuda Dunes Airport, located approximately 2 miles northeast of the City of Indian Wells. The City is located outside of the 65, 60, and 55 CNEL noise contours associated with the airport facility. Furthermore, the City is not located within the Bermuda Dunes Airport Land Use Plan planning area. Therefore, the PDEIR will not analyze the airport's noise impact on the GPU. Impacts found to be less than significant are further discussed in **Chapter 6.0, *Effects Not Found to be Significan*t,** of this PDEIR.

4.12.5 Cumulative Impacts

Tables 4.12-15 and **4.12-16** show the existing and cumulative noise levels associated with traffic on the local roadway network, including projects within the Planning Area. Cumulative conditions include traffic due to buildout of the General Plan Update in addition to pass-through traffic from other jurisdictions. **Table 4.12-17** shows the estimated noise level increases which may occur under cumulative conditions. As shown in the above-referenced tables, cumulative conditions would not contribute to an exceedance of the City's transportation noise standards and would not result in significant increases in traffic noise levels at existing sensitive receptors.

GPU *Policies PS-6.1* through *PS-6.9*, and *Actions PS-6a* through *PS-6k*, are intended to minimize exposure to excessive noise, including noise associated with traffic. Specifically, *Policies PS-6.1* and *PS-6a* support noise-compatible land uses in the vicinity of traffic noise sources and require that new development and infrastructure projects be reviewed for consistency with the noise standards established by the City GPU and Municipal Code. Acoustical studies and noise mitigation shall be required for new discretionary development and transportation improvements that could impact

sensitive uses, as required by *Policies PS-6.2* and *PS-6.3* and *Action PS-6b*. Land use considerations as it relates to noise is also considered in *Actions PS-6c, PS-6f, PS-6h* and *PS-6i*. Future projects would be required to adhere to the latest standards related to noise in the most current edition of the California Building Code to avoid or minimize noise levels in the community, as stated in *Policy PS-6.8* and *Action PS-6k*. Policies PS-6.4 and PS-6.5, and Actions PS-6d, PS-6e, PS-6g consider roadway and commercial noise. Roadway noise due to GPU buildout would not result in an increase in ambient noise to levels that are considered cumulatively considerable. This is illustrated in **Table 4.12-17** (above).

4.12.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to noise. Moreover, local regulations, as enforced by the Indian Wells Municipal Code, will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.12.7 Level of Impact Significance after Mitigation

With the implementation of *Policies PS-6.1* through *PS-6.9* and *Actions PS-6a* through *PS-6k*, impacts would be less than significant and no mitigation measures are required.

4.12.8 Resources

1. Indian Wells General Plan Update Noise Impact Study, MD Acoustics, Inc., September 2024.
2. Indian Wells Municipal Code, https://ecode360.com/IN4940

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4.13 Population and Housing

4.13.1 Introduction

This section of the Programmatic Draft Environmental Impact Report (PDEIR) describes the existing setting regarding population and housing and the potential effects associated with implementation of the Indian Wells General Plan Update project ("GPU"). The consistency of the project with current growth projections is assessed in order to determine if the project would result in substantial population or housing growth. Descriptions and analysis in this section are based on population and housing information provided by the United States Census Bureau, California State Department of Finance (DOF), Southern California Association of Governments (SCAG), the Riverside County General Plan, and the City of Indian Wells.

4.13.2 Existing Conditions

City of Indian Wells

Population

The City of Indian Wells (City) had a population of 3,816 in 2000 and 4,958 people in 2010. The City's population in 2020 increased 41.6 percent from 2000's population, to 5,403 people. The City of Indian Wells' population accounts for approximately 0.2 percent of the County's total population. The median age in the City is 68.3 (2022 US Census data), compared to the median age in California (37.9) and the Nation (38.9).

Table 4.13-1 Population, 2000 to 2020

Jurisdiction	2000	2010	2020	Change 2000-20	% Change 2000-20
City of Indian Wells	3,816	4,958	5,403	1,587	41.6%
County of Riverside	1,545,387	2,189,641	2,442,304	896,917	58.0%

Source: 2021-2029 Housing Element, Table 3-1, Population Trends, Indian Wells; US Census, 2000 and 2010; DOF, 2020.

Housing

According to the Census, a household is defined as all persons living in a housing unit. This definition includes families (related individuals living together), unrelated individuals living together, and individuals living alone.

A housing unit is defined as a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or if vacant, is intended for occupancy) as separate living quarters.

Table 4.13-2, *Total Households, 2018*, shows the households in Indian Wells and Riverside County in 2018, according to ACS data from 2014-2018. Homeowner households are generally headed by someone above middle-age, with 65.3 percent of homeowner households headed by a resident over 65 years of age; however, about a fifth (20.3 percent) are headed by early middle-aged to middle-aged residents (35-39 years of age). Households who rent their homes trend slightly older; about 91.9 percent of renter households are headed by a person over 65 years of age, with the remaining 8.1 percent falling within the 25-54 age range.

Table 4.13-2 Total Households, 2018

	City of Indian Wells		County of Riverside	
	Number	%	Number	%
Owner Occupied	2,354	85.3%	472,401	65.8%
Renter Occupied	405	14.7%	245,948	34.2%
Total	2,759	100%	718,349	100%

Source: 2021-2029 Housing Element, Table 3-9, Households by Tenure and Age (2018); US Census, 2014-2018 ACS 5-Year Data Profile.

There are three basic types of housing units in the City of Indian Wells: single family, which include both detached and attached units; multifamily units, which include apartments, duplexes, triplexes, fourplexes, and more; and mobile homes. In 2020, there were 5,395 units. Together, detached and attached single-family dwelling units comprised approximately 88 percent of all units in the City. As shown in **Table 4.13-3, *Housing Stock by Type and Vacancy (2020)***, the majority of housing in Indian Wells is single-family detached housing, which accounted for 67.1 percent of units in 2020. Mobile homes represent none of the housing stock. Multifamily units represent 11.7 percent of the housing stock, with duplex through fourplex units accounting for 4.9 percent and multifamily developments with five or more units accounting for 6.8 percent. Single-family attached homes represent 21.1 percent of housing units.

Table 4.13-3 Housing Stock by Type and Vacancy (2020)

	Total	Single Family		Multifamily		Mobile Homes	Occupied	Vacant
		Detached	Attached	2 – 4	5 + Units			
Units	5,395	3,622	1,140	266	267	0	2,905	2,490
Percent	100%	67.1%	21.1%	4.9%	6.8%	0%	53.8%	46.2%

Source: 2021-2029 Housing Element, Table 3-15, Housing Stock by Type and Vacancy (2020); SCAG 6th Cycle Data Package; DOF E-5 Report 2020.

Table 4.13-3 also shows the number and percentage of occupied units and the percentage of vacant units, which is 46.2 percent of the total units in the City. It is important to note that this count includes units recently constructed and not yet occupied. Nonetheless, the 46.2 percent vacancy rate is Indian Wells is considered extremely high.

The 2014-2018 American Community Survey data indicates that there were 2,935 vacant units in 2018. As shown in **Table 4.13-4**, of the total vacant units in 2018, the vast majority (2,438 or 83.1%)

were for seasonal, recreational, or occasional use. Of the remainder, 26 were for rent, 268 were for sale, and 70 were rented or sold but not yet occupied. The overall vacancy rate in Indian Wells in 2018 was 51.5%, revealing a feature atypical of most California communities in that only roughly half of the total population resides in the City on a year-round basis.

Table 4.13-4 Total Vacant Units (2018)

Vacancy Type	Number	Percent
For Rent	26	0.9%
Rented, Not Occupied	0	0.0%
For Sale Only	268	9.1%
Sold, Not Occupied	70	2.4%
For Seasonal, Recreational, or Occasional Use	2,438	83.1%
For Migrant Workers	0	0.0%
Other Vacant	133	4.5%
Total	**2,935**	**100%**

Employment

The table below shows the employment and unemployment rates for persons 16 years and older that were in the labor force between 2010 to 2018. In 2018, the US Census data indicated that there were 1,697 employed persons in the Indian Wells labor force and that the unemployment rate was approximately 7.2 percent, an increase from 5.8 percent in 2010. According to the labor report data compiled by the California EDD, the Riverside-San Bernardino-Ontario Metropolitan Area's average annual unemployment rate in 2018 was estimated at 4.3 percent, Riverside County's rate was 4.5 percent, while California's was 4.1 percent.

Table 4.13-5 Job Growth and Employment Status

	2010		2018	
	Number	Percent	Number	Percent
Total Persons in Labor Force	1,668	100%	1,828	100%
Employed	1,571	94.2%	1,697	92.8%
Unemployed	97	5.8%	131	7.2%

Source: 2021-2029 Housing Element, Table 3-4, Job Growth and Employment Status, Indian Wells; US Census, 2006-2010 ACS and 2014-2018 ACS.

In Indian Wells, the major sector for jobs was the leisure sector, which accounted for 47.1 percent of total jobs in the City in 2017. Other large sectors include professional (9.8 percent), finance (9.1 percent) and other (10.6 percent). The table below shows the largest employers in Indian Wells.

Table 4.13-6 Top Employers in Indian Wells 2018

Organization	Sector	Number of Employees
Renaissance Esmeralda Resort	Accommodation	445
Hyatt Regency	Accommodation	375
Toscana Country Club	Recreation	241
Indian Wells Golf Resort	Accommodation/ Recreation	218
Miramonte Resort and Spa	Accommodation	109
Eldorado Country Club	Recreation	100
Indian Wells Country Club	Recreation	95
Desert Horizons Country Club	Recreation	85
Indian Wells Resort Hotel	Accommodation	76
Merril Lynch Wealth Management	Financial Services	38

Source: City of Indian Wells General Plan Update: Demographic, Economic, and Real Estate Profile, Table 14.

4.13.3 Regulatory Setting

State

California Housing Element Law

California State law requires that local governments revise the housing elements in their general plan periodically. California legislature adopted the Housing Element Law in 1969 to promote a statewide policy of providing housing opportunities for all Californians. According to Government Code Section 65580, State law declares "that the availability of housing is of vital statewide importance and the early attainment of decent housing and suitable living environment for every Californian is a priority of the highest order".[5]

Before a jurisdiction updates their General Plan Housing Element, the California Department of Housing and Community Development (HCD) determines the overall housing need and total number or goal for additional units for each region. In a process called the Regional Housing Need Allocation (RHNA), the council of governments (a planning body representing the cities and counties in a given metropolitan area) must allocate this total number of housing units among the cities and unincorporated county areas in its region. Each city and county share of the RHNA specifies the housing needs of all income levels – "very low," "low," "moderate," and "above moderate," as defined by Health and Safety Code Section 50093. The determinations are based upon population projections produced by the Department of Finance (DOF) and regional population forecasts used in preparing regional transportation plans.

In determining housing needs, local planners must consider data regarding the existing number of households and housing units, the number of households overpaying for housing, overcrowding,

rehabilitation and replacement needs. Government Code Section 65583 requires the Housing Element to include the following components:

1. A review of the previous element's goals, policies, programs, and objectives to ascertain the effectiveness of each of these components, as well as the overall effectiveness of the Housing Element.
2. An assessment of housing needs and an inventory of resources and constraints related to meeting these needs.
3. An analysis and program for preserving assisted housing developments.
4. A statement of community goals, quantified objectives, and policies relative to the maintenance, preservation, improvement and development of housing.
5. A program which sets forth an eight-year planning period schedule of actions that the County is undertaking, or intends to undertake, in implementing the policies set forth in the Housing Element.

Once a local Housing Element update has been drafted, the HCD reviews it to gauge whether the city and county housing plans conform with statutory requirements and meet its goal for new units. If it conforms with the requirements, the HCD certifies the housing element. However, if it does not, the jurisdiction may change its plan to incorporate the HCD's suggestions. Jurisdictions that do not make necessary changes or satisfy the HCD are designated as non-compliant and are more vulnerable to lawsuits on development matters. The Housing Element is required to be updated every eight years to ensure decent and suitable housing is provided to every Californian.

Regional and Local

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is an association of local governments and agencies that meet and coordinate to address regional issues. The SCAG region encompasses six counties: Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura, and is the largest Metropolitan Planning Organization (MPO) in the nation. It is also made up of 191 cities and covers approximately 38,618 square miles. SCAG's Community, Economic and Human Development Committee (CEHD) studies problems, programs and regional issues regarding community, economic and human development, and growth. The Committee has oversight of Growth Visioning and Growth Forecasting processes, as well as the Regional Housing Needs Assessment, the Intergovernmental Review effort and the monitoring and analysis of the Regional Economy.

SCAG generates Local Profiles for the cities within its region. The Local Profiles are updated every two years and provide a variety of demographic, economic, education, housing, and transportation information about each member jurisdiction. SCAG prepared a Local Profile report on the City of

Indian Wells in May 2019. Data used for the report was primarily gathered from the U.S. Census and California Department of Finance.

2020-2045 Regional Transportation Plan / Sustainable Communities Strategy

The 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) (also known as "Connect SoCal") was published in September 2020 and outlines the long-term vision (20+ years) of how the region will address regional transportation and land use challenges and opportunities. The RTP/SCS was prepared through a collaborative continuous and comprehensive process by SCAG to analyze the integration of land use and transportation in the SCAG region to influence sustainable growth. The Plan strives to reach state-mandated reductions in greenhouse gas emissions at the regional level through reduced per-capita vehicles miles traveled (VMT). In order to estimate the future of regional transportation and sustainability, the RTC/SCS outlines a regional vision, policies, and performance measures. According to SCAG's growth forecasts, the City of Indian Wells will reach a population of 6,400 people by 2045, which is approximately 0.2 percent of the projected 2045 Riverside County total population. The number of households in the City of Indian Wells is projected to increase approximately 19 percent between 2016 and 2045. **Tables 4.13-7** through **4.13-9** display the regional, County and City growth forecasts, respectively.

Table 4.13-7 SCAG Regional Growth Forecast

	2016	2045
Population	18,832,000	22,504,000
Households	6,012,000	7,633,000
Employment	8,389,000	10,049,000

Table 4.13-8 SCAG Riverside County Growth Forecast

	2016	2045
Population	2,364,000	3,252,000
Households	716,000	1,086,000
Employment	743,000	1,103,000

Table 4.13-9 SCAG Indian Wells Growth Forecast

	2016	2045
Population	5,400	6,400
Households	2,900	3,400
Employment	5,200	6,800

Source: SCAG 2020-2045 Growth Forecasts
Note: All figures are rounded to the nearest 1,000.

Regional Housing Needs Assessment

SCAG is responsible for identifying future housing needs in each jurisdiction, including the City of Indian Wells. To meet this mandate, SCAG develops the RHNA to establish the projected need for

housing and the fair share distribution of the projected need. A local jurisdiction's "fair share" of regional housing need is the number of additional dwelling units that will need to be constructed to accommodate the forecast growth, to replace expected demolitions and conversion of dwelling units to non-dwelling uses, and to achieve a vacancy rate that allows for healthy functioning of the housing market. The allocation is divided into four income categories: Very Low, Low, Moderate, and Above Moderate. The allocation is further adjusted to avoid an over-concentration of lower-income households in any one jurisdiction. **Table 4.13-10, *Regional Housing Needs Assessment, 2021-2029***, shows the RHNA for the City of Indian Wells. As presented in this table, the City must be able to accommodate 382 dwelling units, representing a 7 percent increase in the number of units in the City.

Table 4.13-10 Regional Housing Needs Allocation, 2021-2029

Household Income Levels	Income as a Percent of County Median	RHNA Allocation
Extremely Low	Up to 30%	58
Very Low	Less than 50%	59
Low	51%–80%	81
Moderate	81%–120%	91
Above Moderate	Over 120%	93
	Total	**382**

Source: Indian Wells 6th Cycle Housing Element, Table 3-28.

Coachella Valley Association of Governments

The Coachella Valley Association of Governments (CVAG) is the regional planning agency coordinating government services in the Coachella Valley. CVAG, acting as a subregional organization within SCAG, supports the residents of Central and Eastern Riverside County and is made up of ten cities, Riverside County and two Native American tribes. CVAG is governed by a 65-member General Assembly that includes Riverside County Board of Supervisors, all mayors and council members of the incorporated cities in Eastern Riverside County, and five tribal members. The three departments that make up CVAG include the Administration Department, Energy and Environmental Resources Department, and Transportation Department.

Riverside County General Plan

In compliance with the Housing Element Law, the County of Riverside adopted their updated Housing Element (2021-2029) of the County General Plan on June 2, 2022. The 2021-2029 Housing Element of the General Plan identifies and establishes the County's policies to meet the needs of existing and future residents of Riverside County. It establishes policies that will guide County decision-making and sets forth an action plan to implement its housing goals through year 2029. As previously stated, State law requires that jurisdictions evaluate their housing elements every eight years to determine their effectiveness in achieving county and State housing goals and objectives. With the updated Housing Element, amendments to applicable General Plan elements, such as the Land Use Element, Safety

Element, and Healthy Communities Element, were adopted to ensure internal consistency between the General Plan Elements.

Between 2015 and 2020 Riverside County grew by over 126,598 people, or approximately 5.5 percent, compared to the State of California, which had a population increase of 2.3 percent. This is displayed in **Table 4.13-11**.

Table 4.13-11 Regional and Local Population Growth Trends, 2000-2016

Area	2015	2020	Percent Change
California	38,870,150	39,782,870	2.3%
Riverside County	2,315,706	2,442,304	5.5%
Cities*	1,949,841	2,056,916	5.5%
Unincorporated*	365,865	385,388	5.3%
Indian Wells	5,400**	5,403	0.05%

Source: Riverside County General Plan, Housing Element (2021-2029), Table P-1 and P-2.
* Cities and Unincorporated areas in Riverside County.
** 2016 data from SCAG 2020-2045 Growth Forecasts.

According to the Housing Element, approximately 40,647 housing units are needed to accommodate anticipated population growth in the unincorporated areas of Riverside County during the eight-year period from 2021 to 2029.

4.13.4 Project Impact Analysis

Thresholds of Significance

The following thresholds are derived from Appendix G of the CEQA Guidelines and are used to determine the level of potential effect. The significance determination is based on the recommended criteria set forth in Section 15064 of the CEQA Guidelines. Implementation of the Travertine Specific Plan would have a significant effect on population and housing if it is determined that the project will:

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?

There is no standard methodology set forth in CEQA to assess the population and housing impacts of a proposed project. However, CEQA Section 15064(e) does offer guidance for the assessment of socio-economic impacts:

> *Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine*

that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect.

Impacts on population and housing were assessed by reviewing existing and anticipated population and housing figures provided by the DOF, SCAG, and the City of Indian Wells Housing Element. The proposed General Plan Update's impacts were evaluated by determining their consistency with these estimates and projections, as well as consistency with the General Plan goals and policies set forth in the Housing Element.

a) Induce the substantial unplanned population growth in an area, either directly or indirectly

Direct population growth occurs from the development of new residential units. Indirect population growth occurs from the creation of new employment opportunities or the removal of a barrier to growth such as the adoption of a Specific Plan. The proposed General Plan Update has the potential to induce both direct and indirect population growth within the project area with the development of the remaining vacant areas within the City. At full buildout, the proposed GPU could accommodate a total of 6,271 housing units, 5,159,667 square feet of non-residential building square footage, and 6,310 jobs within the Planning Area. Depending on growth rates, the actual growth during the life of the GPU could be lower or higher, but would not exceed the theoretical buildout of the GPU.

Employment

In 2017, 5,282 jobs were counted in the City of Indian Wells, an increase of 33.6 percent from 2007[1]. According to the SCAG Integrated Growth Forecast, it is projected that the City of Indian Wells is projected to contain 6,800 jobs by 2045.

The leisure sector was the major sector for jobs in Indian Wells and accounted for 47.1 percent of total jobs in the City in 2017. Other large sectors include professional (9.8 percent), finance (9.1 percent), and other (10.6 percent). The largest employers of the City include the Renaissance

[1] SCAG Local Profile of Indian Wells, 2019, https://scag.ca.gov/sites/main/files/file-attachments/indianwells_localprofile.pdf?1606013543

Esmeralda Resort, Hyatt Regency, Toscana Country Club, and Indian Wells Golf Resort. However, most of the City's jobs are held by non-Indian Wells residents. Overall, only 4.5 percent of Indian Well's working residents are employed within the City. Therefore, Indian Wells has a high proportion of jobs to households at 1.23, as indicated in the table below. An employment to housing ratio in the range of 0.75 to 1.5 is considered beneficial for reducing vehicle miles traveled (VMTs). An imbalance in jobs and housing creates longer commute times, more single driver commutes, loss of job opportunities for workers without vehicles, traffic congestion, and poor air quality[2].

Table 4.13-12 Jobs to Household Ratio (2017)

	Indian Wells	Trade Area[2]
Jobs[1]	3,390	131,339
Households[1]	2,759	153,435
Jobs/HH Ratio	1.23	0.86

Source: City of Indian Wells General Plan Update: Demographic, Economic, and Real Estate Profile, Table 6.
Note: 1. 2017 jobs estimates and 2018 household estimates
2. Trade Area Is the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, Palm Desert, and Rancho Mirage.

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

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

Population Growth

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

The proposed GPU accommodates future growth in Indian Wells, including the development of new residential uses, commercial buildings, and resort uses. At full buildout, the City of Indian Wells could accommodate a total of 6,271 housing units, 5,405 residents, 5,159,667 square feet of new non-residential building space, and 6,310 jobs within the Planning Area. Buildout of the current General Plan would result in a total of 6,271 residential units; 5,405 residents; 5,132,104 square feet of

[2] Employment to Housing Ratio, EPA EnviroAtlas, https://enviroatlas.epa.gov/enviroatlas/DataFactSheets/pdf/Supplemental/EmploymentHousingRatio.pdf

nonresidential space; and 6,217 jobs. Since the number of residential units and residents will not change between the current General Plan and the proposed GPU, the GPU will not result in unplanned population growth.

Public services and utilities proposed for the project property are discussed in greater detail in **Section 4.14, *Public Services***, and **Section 4.17**, ***Utilities and Service Systems***, respectively.

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

Housing

The number of estimated housing units in the City of Indian Wells was 5,395 housing units, according to Indian Wells' 2021-2029 Housing Element; however, approximately 2,905 (53.8 percent) were occupied (see **Table 4.13-3, *Housing Stock by Type and Vacancy (2020),*** above). Buildout of the current General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units. The proposed GPU also proposes 6,217 residential units at total buildout of the Planning Area.

The proposed General Plan Update is intended to accommodate the City's fair share of statewide housing needs, which are allocated by the SCAG, based on regional numbers provided by the California Department of Housing and Community Development on a regular basis (every five to eight years). State law requires the Housing Element to included quantified objectives for the maximum number of units that can be constructed, rehabilitated or conserved. The new construction objectives shown in **Table 4.13-10** (above) represents the City's overall RHNA for the 2021-2029 planning period for all income levels. The objective identified for each income level is based on historic trends and patterns of development; affordable to lower-income households are historically more difficult to develop due to extremely limited available funding for affordable housing projects. Moderate- and above-moderate income units are more likely to be developed by the private market. As indicated in **Table 4.13-10**, the City of Indian Wells will develop a total of 382 homes to satisfy the 2021-2029 RHNA allocation, consisting of 58 extremely-low income, 59 very low income, 81 low income, 91 moderate income, and 93 above moderate income units.

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

Table 4.13-13 City Progress Towards RHNA

Project	Extremely Low/ Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Units Constructed/Under Construction/Building Permits Issued since June 30, 2021					
Various Single Family Lots	0	0	0	12	12
Accessory Dwelling Units	2	1	1	1	5
Subtotal	*2*	*1*	*1*	*13*	*17*
Approved/Entitled Units Not Yet Under Construction					
Province	0	0	0	119	119
Toscana	0	0	0	60	60
Indian Wells Crossing	0	0	54	0	54
Subtotal	*0*	*0*	*54*	*179*	*233*
Total	**2**	**1**	**55**	**192**	**250**

Source: Indian Wells 6th Cycle Housing Element, Table 5-2.

The City has a remaining RHNA of 231 units (115 extremely low/very low-income units, 80 low-income units, and 36 moderate-income units). As previously stated, buildout of the GPU could accommodate approximately 876 new residential units, which is 494 more than the RHNA allocated units for the 2021-2029 planning period. Therefore, buildout of the GPU would not result in unplanned growth as housing is allocated in the City's 6th Cycle Housing Element approved by SCAG.

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

Similar to the current General Plan, the proposed General Plan Update can accommodate 6,217 housing units. This complies with *Goal 1* and its policies, which require the conservation and improvement of the condition of the existing housing stock. The GPU will also develop extremely low, low-, moderate-, and above moderate-income levels, diversifying the housing stock within the City, which is compliant with *Policy 1.3*, *Goal 2* and *Policies 2.1* through *2.7*. The GPU will also comply with California Building Code standards for residential buildings, as well as fair housing laws within the City, in compliance with Goals 3 and 4, and their associated policies.

General Plan Policies and Actions

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

Policies

1.1 Continue enforcement of the codes and regulations establishing minimum construction standards.

1.2 Encourage maintenance and repair of existing housing to prevent deterioration within the City.

1.3 Monitor the status of at-risk affordable rental housing units, proactively work with potential nonprofit purchasers/managers as appropriate and explore funding sources available to preserve the at-risk units.

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

Policies

2.1 Maintain adequate capacity to accommodate the City's unmet Regional Housing Needs Allocation (RHNA) for all income categories throughout the planning period.

2.2 Continue to provide affordable housing opportunities in Indian Wells through a density bonus incentive for the development of lower and moderate-income units.

2.3 Encourage private entities (both non-profit and for-profit) to participate in attaining housing goals.

2.4 Encourage residential development that provides a range of housing types in terms of cost, density, unit size, and configuration.

2.5 Continue to allow accessory dwelling units and junior accessory dwelling units as a means of providing additional affordable rental housing opportunities.

2.6 Assist with the development of housing that targets the needs of special populations, including the elderly, disabled, farmworkers, and homeless.

2.7 Allow by-right approval for housing developments proposed for non-vacant sites included in one previous housing element inventory and vacant sites included in two previous housing elements, provided that the proposed housing development consists of at least 20 percent lower income and affordable housing units.

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

Policies

3.1 Continue to utilize zoning standards and overlay districts that facilitate the development of affordable housing units.

3.2 Provide reasonable accommodation for housing for persons with disabilities.

3.3 Periodically review City development standards to ensure consistency with the General Plan and to ensure high-quality affordable housing.

3.4 Monitor State and federal housing-related legislation, and update City plans, ordinances, and processes as appropriate to remove or reduce governmental constraints.

3.5 Regularly identify and evaluate the impact of nongovernmental constraints on housing development and implement programs to reduce negative impacts.

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

Policies

4.1 Promote fair housing practices throughout the City.

4.2 Promote a variety of housing types to meet the special needs of persons with physical and developmental disabilities, elderly households, and others who may need specialized residential living arrangements.

4.3 Strengthen opportunities for participation in the approval process for all housing projects, including affordable housing.

4.4 Assist in affirmatively furthering and enforcing fair housing laws by providing support to organizations that provide outreach and education regarding fair housing rights, receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere

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

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

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

General Plan Policies and Actions

See Goal 1 and Policies 1.1 to 1.3 listed above.

4.13.5 Cumulative Impacts

The Planning Area considered for population and housing cumulative impact analysis is the Coachella Valley, including the City of Indian Wells and surrounding jurisdictions. As discussed above, the GPU would accommodate and manage future growth based upon the 2045-year forecast horizon in which growth may occur. The GPU includes goals, policies, and land use and mobility plans that intend to help ensure the City's future population and housing needs are adequately met in the forthcoming years. Goal 1 in the Housing Element strives to conserve and improve the condition of the existing housing stock in the City. Additionally, the GPU includes goals and policies to reduce the environmental impacts that would result from growth. The forecasted population growth in the City is accounted for in SCAG's 2020-2045 RTP/SCS, and total population would be below SCAG's 2045 forecasts. Thus, the GPU's contribution to cumulative impacts related to population and housing would not be considerable.

Additionally, the GPU would not displace a substantial number of people or housing because growth facilitated by the GPU would result in the development of vacant and undeveloped areas within the City. Moreover, the City of Indian Wells is largely developed. Implementation of the GPU would result in an increase in housing units that would accommodate projected population growth. Thus, the GPU would not contribute to any cumulative impacts related to displacement of people or housing.

4.13.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to population and housing. Moreover, State, regional and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.13.7 Level of Significance after Mitigation

No significant impacts have been identified and no mitigation measures are necessary.

4.13.8 Resources

1. California Department of Finance (DOF), Estimates: E-5 Population and Housing Estimates for Cities, Counties, and the State, 2010-2020 and 2020-2023, https://dof.ca.gov/forecasting/demographics/estimates/
2. Southern California Association of Governments (SCAG), Profile of the City of Indian Wells – Local Profiles Report 2019, May 2019, https://scag.ca.gov/sites/main/files/file-attachments/indianwells_localprofile.pdf?1606013543
3. California Legislative Information, Government Code, Title 7 Planning and Land Use, Division 1, Planning and Zoning, January 2018, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65580
4. Connect SoCal (RTP/SCS), Southern California Association of Governments, https://scag.ca.gov/connect-socal
5. American Community Survey (ACS) 2018 ACS 5-Year Estimates Data Profiles, accessed January 2020, available at https://www.census.gov/programs-surveys/acs
6. US EPA, EnviroAtlas, Employment to Housing Ratio, November 2014, https://enviroatlas.epa.gov/enviroatlas/DataFactSheets/pdf/Supplemental/EmploymentHousingRatio.pdf.

4.14 Public Services

4.14.1 Introduction

This section of the Indian Wells General Plan Update ("GPU") Programmatic Draft Environmental Impact Report ("PDEIR") provides an overview of existing public services in the City and evaluates the potential for the implementation of the GPU to affect public services, including fire and police protection services, public schools, parks, and other public utilities. If an effect is determined to occur, this section will evaluate whether new or expanded facilities would be required, potentially creating a significant impact to the environment. Other publicly provided utility services, such as water and wastewater treatment, stormwater management, electricity, natural gas, and solid waste services, are addressed in **Section 4.17, *Utilities and Service Systems***.

4.14.2 Existing Conditions

Fire Protection Services

The City of Indian Wells contracts with Riverside County Fire Department/ Cal Fire (RCFD) for a full range of fire and emergency services 24 hours a day, 7-days a week. The City entered into a cooperative agreement with the County of Riverside, through its Cooperative Fire Programs Fire Protection Reimbursement Agreement. This agreement ensures the City is provided with an array of full services from fire protection to hazardous materials discharge and medical emergencies. The fire department operates under a Regional Fire Protection Program, which allows all fire stations to provide support as needed regardless of jurisdictional boundaries.

Cal-Fire/Riverside County Fire Department has one fire station located within the City of Indian Wells. Fire Station No. 55 is located within the Civic Center Complex at 44900 Eldorado Drive with paramedic unit housing at the station that provides no-cost treatment and emergency transportation for City residents. Fire Station No. 55 provides services within a 5 – 7-minute response time. Five Fire Fighters are staffed at Fire Station No. 55 daily. In total, the City's Fire Department is made up of 15.5 personnel, 15 sworn personnel and 0.5 full-time equivalent (FTE) non-sworn personnel. Six of the 15 sworn personnel are also paramedics.

There are three additional fire stations in the cities surrounding Indian Wells (Station No. 71, 67 and 93). Station No. 71 is approximately 2.5 miles northwest of City limits off Country Club Drive and Portola Avenue, Station No. 67 is approximately 1.5 miles west of City limits near the southern portion of the City off Portola Avenue, and Station No. 93 is approximately 0.9 miles east of City limits from Washington Street and Miles Avenue. The fire station within the City, Station No. 55, is currently the first responder to the City, and Station No. 93 is the next closest Fire Station that would respond in the event Station

No. 55 is out responding to an emergency call. Station No. 93 is equipped with a Paramedic Engine, Ambulance, and one ladder truck.

Police Protection

Law enforcement services are provided to the City of Indian Wells through a contractual agreement with Riverside County Sheriff's Department. The Sheriff's Department provides 24-hour municipal police services associated with a City police department and the entire 14.6 square miles of the City. In 2019, the Sheriff's Department responded to over 3,014 calls for service. The station is located at the center of Indian Wells, adjacent to the Indian Wells Fire Station No. 55, at 44-850 Eldorado Drive.

The Sheriff's Department provides emergency and non-emergency responses, police patrol and traffic enforcement. According to a 2021 Matrix Study[1] which included analyzing the Indian Wells Police Department, there were approximately 13 staff members at the Indian Wells Police Department in 2020. In 2020 based off daily patrol hours, there were 4.9 patrol officers serving the City. Police response times vary and are dependent on the location of patrol cars. According to the Matrix Study, the overall average response time for the first Indian Wells Police Department unit to arrive at the scene of a call for service is 15.9 minutes. This is an excellent overall response time to all calls and shows that even lower priority calls (Priority 3 and 4) in Indian Wells receive a response of 17.8 – 20.9 minutes. Officers' response time to the most serious calls for service are Priority 1 and 1A type calls. The Priority 1 call response is a very good 6.7 minutes, within the 5 - 7-minute range of response times.

Community Oriented Policing

The City's Police Department practices "Community-Oriented Policing". Community-Oriented Policing is a philosophy of full-service, personalized policing where the same officer is assigned to a specific geographical area on a permanent basis, working in a proactive partnership with citizens to identify and solve problems. Officers work closely with other organizations and community groups to educate community members about potential hazards they may encounter and how to reduce the likelihood of becoming a victim of crime; to identify the problems, concerns and fears of community members; to identify and eliminate hazards that may promote crime or disorder; and to improve the overall quality of life in the community.

Traffic Division

The Indian Wells Motorcycle Enforcement Officer performs several different functions. Their primary function is to enforce traffic laws as defined by the California Vehicle Code with a goal of making our roadways safe for all commuters. Secondly, they are tasked with investigating major traffic collisions that occur within the City of Indian Wells. On rare occasions, investigations include vehicular manslaughter

[1] Final Report on the Feasibility of Developing a Shared Police Services Contract, Matrix Consulting Group, June 2021; https://www.cityofindianwells.org/home/showpublisheddocument/7416/637811469054070000

and homicide cases. Finally, Traffic Services is responsible for developing traffic plans for all major events held in Indian Wells.

Patrol Division

As explained above, basic law enforcement protection is provided to the City of Indian Wells by contractual agreement with the Riverside County Sheriff's Department. This agreement provides the City with a cost-effective way to provide police services to the residents, businesses, and visitors. The patrol deputies are the Department's most visible element. They are the first to respond in emergency situations and all have training in basic life-saving measures.

Special Enforcement Team Division

The Special Enforcement Team (SET) serves as an adjunct to patrol staff with an emphasis on providing enhanced patrol services in Indian Wells. Two SET Deputies are specifically assigned to serve in the City of Indian Wells.

The Special Enforcement Team actively investigates various crimes including burglaries, thefts, and other localized crimes. In addition to investigations, the SET utilizes Community-Oriented Policing concepts in an effort to provide education and problem-solving ideas to Indian Wells citizens. By functioning in these capacities, patrol officers can remain in the field and available for service calls.

The SET also conducts specifically targeted enforcement programs to combat identified problems within the city. The SET is also responsible for specialized enforcement and security for Indian Wells civic and community events, such as the tennis tournament and Desert Town Hall–Indian Wells lecture series.

Community Service Officers Division

The Riverside County Sheriff's Department, under contract with the City of Indian Wells, provides the City with Community Service Officers (CSO's). These officers are not sworn deputies and do not carry firearms or other defensive weapons other than pepper spray. Under general supervision, CSO's perform the most responsible law enforcement support duties involving a variety of civil and criminal issues that do not require the authority of a sworn law enforcement officer. However, their duties have a high factor of responsibility, liability, and criticality. Their role is to provide services to the residents and visitors in the City directly or by assisting deputies. For example, CSO's investigate and complete crime reports wherein the suspect is not known. They will also investigate and complete non-injury traffic accidents. CSO's provide a cost-effective method to "free up" deputies who can then investigate, follow-up and complete more serious investigations and reports. CSO's assist the deputies at crime scenes and traffic collisions by directing traffic, setting up flare patterns and coordinating vehicle towing. Also, if the deputies make an arrest, a CSO can transport the suspect to jail, which allows the deputy to concentrate on the criminal investigation and required reports. Basically, the role of the CSO's is to assist the deputies and other department personnel in completing their assignments.

Schools

The City of Indian Wells is served by Desert Sands United School District (DSUSD), a K-12 school district. DSUSD serves the communities of Indian Wells, Coachella, Indio, Palm Desert, Rancho Mirage, and Bermuda Dunes.

DSUSD's current capacity and enrollment were reviewed to identify existing facilities that may be available to house future students. DSUSD conducted a capacity analysis, the result of which are shown below in **Table 4.14-1**.

Table 4.14-1 Existing DSUSD School Capacity 2023/2024

School Level	Fall 2023 Capacity	Fall 2023 Enrollment	Existing Capacity Surplus/(Deficit)
Elementary School (Grades K-5)	11,097	11,184	(87)
Middle School (Grades 6-8)	6,412	5,978	434
High School (Grades 9-12)	9,255	8,641	614
Total	**26,764**	**25,803**	**961**

Source: DSUSD Fee Justification Study for New Residential and Commercial/Industrial Development, June 2024.

DSUSD is funded through a number of sources, including a portion of local property tax, bond issues, Redevelopment Agency pass-through payments, State funds and developer fees. Developer fees were established by Assembly Bill 2926 (AB 2926), effective 1986, which authorizes Districts to charge developers an impact fee that is used for the construction of new facilities. The fee changes periodically and is calculated on a per unit or per square foot basis, depending on the type of development. Currently, DSUSD developer fees are $5.17 per square foot of assessable space of new residential development, $0.29 per square foot for rental self-storage, and $0.84 per square foot of chargeable covered and enclosed space of commercial/industrial development.

Parks

The City of Indian Wells contains one park, Fairway Park, which consists of a half-acre park built by the City and Desert Recreation District, located at the corner of Eldorado and Fairway Drive. The park features desert landscaping, accent rocks, a walking path, and shade trees.

The City operates and maintains a public golf course, The Golf Resort at Indian Wells. Additionally, there are six privately owned golf courses throughout the City. The recreational needs of the community have been shown to consist mainly of golf courses and resorts.

According to Chapter 20.36.040**,** *Park Dedication Requirements (*discussed below under *Indian Wells Municipal Code),* residential subdivisions, containing fifty parcels or fewer, shall not be required to dedicate any land for park and recreational purposes without consent, but shall pay a development fee in accordance with the Code. All other residential developments are required to pay a park development fee, dedicate land, or both. Section 20.36.040 also states that the developer of any residential

subdivision shall dedicate park land and/or pay fees in lieu thereof, at the rate of five acres per one thousand population. Dedicated park land is to be apportioned as three acres for public parks, which are owned and maintained by the City, and two acres for private parks located in the immediate subdivision.

4.14.3 Regulatory Setting

Federal

There are no Federal regulations applicable to the environmental topic of public services.

State

Uniform Fire Code

The Uniform Fire Code (UFC) contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. The UFC contains specialized technical regulations related to fire and life safety.

California Occupational Safety and Health Administration

In accordance with California Code of Regulations, Title 8 Section 1270 "Fire Prevention," and Section 6773, "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration has established minimum standards for fire suppression and emergency medical services. The standards include guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance and use of all firefighting and emergency medical equipment.

California Health and Safety Code

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, which includes regulations for building standards (as set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers, smoke alarms, high-rise building, childcare facility standards, and fire suppression training.

California Government Code, Section 65995(b), and Education Code Section 17620

Senate Bill (SB) 50 amended Government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess development fees within school

district boundaries. SB 50 permits school districts to levy fees, based on justification studies, for the purposes of funding construction of school facilities, subject to established limits.

According to California Government Code Section 65995(3)(h), the payment of statutory fees is "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." The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Mitigation Fee Act (California Government Code 66000-66008)

Assembly Bill (AB) 1600, known as the Mitigation Fee Act, requires a local agency establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose and use of the fee. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development project on which it is to be levied.

Quimby Act

The Quimby Act (Government Code Section 66477) is intended to mitigate the impacts of development on parks and recreational facilities. This act authorizes cities and counties to adopt ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. Required in-lieu fees for park and recreational improvements are attached as a condition of approval of a tract map or parcel map. The Quimby Act authorizes jurisdictions to require that such fees fund 3 acres of parkland per 1,000 persons, unless the amount of existing neighborhood and community park area exceeds that limit, in which case the legislative body may adopt the calculated amount as a higher standard not to exceed 5 acres per 1,000 persons.

California Building Code

The California Building Code establishes the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.

Local

Indian Wells Municipal Code

Chapter 3.24 – Implementing Citywide Public Improvement Fee

A Citywide public improvement fee (fee), to be expressed on a per equivalent dwelling unit (EDU) basis, is established to pay for the facilities within the City. The fee shall be paid upon the issuance of building permits for each development project within the City. The fee for each development project shall be calculated at the time of building permit issuance and shall be the amount as indicated at that time. The fee collected shall be used by the City for the following purposes at such time as determined by the City Council:

- To pay for such facilities that the City Council determine should be constructed, installed, or purchased at that time, or to reimburse the City for facilities funded by the City from other sources.
- To reimburse developers who have been required or permitted to construct, install or purchase approved facilities, in such amounts as the City Council deems appropriate.
- To repay the City for administration costs associated with administration of the fee.

Chapter 3.25 – Implementing Highway 111 Circulation Improvement Fee

A Highway 111 Circulation Improvement Fee (Fee), to be expressed on a per Equivalent Dwelling Unit (EDU) basis, is hereby established to pay for the facilities within the territory. The fee shall be paid upon the issuance of building permits for each development project within the Territory. Each new single-family detached dwelling, single-family attached dwelling, or unit within a multi-family dwelling or mobile home dwelling in a development project shall be considered one EDU for purposes of this fee. The fee for each development project shall be calculated at the time of building permit issuance and shall be the amount as indicated at that time. The fee collected shall be used by the City for the following purposes at such time as determined by the City Council:

- To pay for such facilities that the City Council determined to be constructed to accommodate new development.
- To pay for such facilities that the City Council determine should be constructed, installed, or purchased at that time, or to reimburse the City for facilities funded by the City from other sources.
- To reimburse developers who have been required or permitted to construct, install or purchase approved facilities listed in the report and referenced in Section 3.25.030, in such amounts as the City Council deems appropriate.
- To repay the City for administration costs associated with administration of the fee.

Chapter 3.26 – Special Fire Tax

All revenues from the special tax (Standby and Availability Charge) levied by this Chapter shall be paid into a special fund in the treasury of the City and shall be expended only for the purpose of obtaining, furnishing, operating and maintaining an upgraded level of fire suppression, protection, and related rescue and paramedic services. The special tax (Standby and Availability Charges) shall be levied upon the class of improvements to property and the use of property basis utilizing estimated fire flow

requirements determined in accordance with the formula contained in the Insurance Services Office guidelines in the Fire Prevention and Control Master Planning Guide distributed by the United States Department of Commerce.

Chapter 16.32 – California Fire Code

All of the provisions and appendices of the 2022 California Fire Code, inclusive of all of the includes and exclusions set forth in each chapter's matrix, are hereby adopted and shall apply to the City of Indian Wells. In addition, the following provisions that are excluded in the 2022 California Fire Code are hereby adopted – Chapter 1, Division II of the California Fire Code is hereby adopted, except that Sections 103.2 and 111.3 are not adopted, and Chapters 3, 25, and Sections 403.11, 503, 510.2, 1103.2 and 5707 are adopted.

Chapter 20.36.040 – Park Dedication Requirements

Chapter 20.36.040 establishes criteria for dedicating land, or payment of in lieu fees for construction of new parks or recreational facilities or rehabilitation of existing facilities. The ordinance states that residential subdivisions, containing fifty parcels or fewer, shall not be required to dedicate any land for park and recreational purposes without consent, but shall pay a development fee in accordance with the Code. All other residential developments are required to pay a park development fee, dedicate land, or both. Section 20.36.040 states that the developer of any residential subdivision shall dedicate park land and/or pay fees in lieu thereof, at the rate of five acres per one thousand population. Dedicated park land is to be apportioned as three acres for public parks, which are owned and maintained by the City, and two acres for private parks located in the immediate subdivision. The number of people in a new subdivision is determined by multiplying the number of dwelling units in the subdivision by the average household size. Average household size is based on the latest U.S. Census information.

Indian Wells Local Hazard Mitigation Plan

This local hazard mitigation plan aims to identify the city's hazards, review and assess past disaster occurrences, estimate the probability of future events, and set goals to mitigate potential risks to reduce or eliminate long-term risks to people and property from natural and manufactured hazards. The plan was prepared under the Disaster Mitigation Act of 2000 requirements to achieve eligibility and potentially secure mitigation funding through Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance, Pre-Disaster Mitigation, and Hazard Mitigation Grant Programs.

Desert Sands Unified School District

DSUSD levies developer fees for new construction residential, commercial, and rental self-storage development. In January of 2024, the State Allocation Board ("SAB") adjusted the Statutory Fees for a unified (TK-12) school district to $5.17 per square foot of assessable space of new residential development, $0.29 per square foot for rental self-storage, and $0.84 per square foot of chargeable

covered and enclosed space of commercial/industrial development pursuant to Government Code section 65995 and Education Code section 17620. DSUSD informs the City every year about updated fees to ensure the City's developer fees include the most recent fee amount.

4.14.4 Project Impact Analysis

Thresholds of Significance

The thresholds derived from Appendix G of the CEQA Guidelines are used to determine the level of potential effect. The GPU would have a significant effect on public services if it is determined that the implementation of the GPU will:

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 other public services:

   Fire protection?

   Police protection?

   Schools?

   Parks?

   Other Public Utilities?

Methodology

This analysis evaluates whether the development under the General Plan Update (GPU) would necessitate constructing new governmental or recreational facilities or modifying existing ones to maintain acceptable public service standards. To determine the impacts on public services, current service capacities and facilities are compared to future demands projected with GPU implementation.

According to Chapter 3, *Project Description*, **Table 3-3**, *Updates to the Land Use Plan*, the General Plan Update proposes to change the current land use designations at two locations. At one location, the existing land use of "Golf and Recreation," would be changed to "Resort Commercial". At the other location, the existing land use of "Community Commercial" would be changed to "Resort Commercial."

Buildout of the proposed General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan). Notably, the population growth projections for both the Current General Plan and the GPU are identical, estimating a population increase to 5,405. The City currently includes 4,694 single family units and 349 multifamily units, for a total of 5,043 residential units. Considering the Department of Finance's Population and Housing

Estimates for the City, the City has an estimated 1.76 persons per household (PPH). The full buildout of the GPU could increase the population by 1,862.08 from the additional 1,058 residential units. The growth that could be expected at full buildout of the GPU is included in the analysis below.

Project Impacts

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to aesthetic resources are significant environmental effects, the following thresholds are analyzed and evaluated. Would the GPU:

a. Impact:

Fire Protection

Construction Impacts

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

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

In regard to the construction materials for present and future projects, *Action PS-2a*, encourages the mitigation of existing, non-conforming development to contemporary fire-safe standards where feasible, reducing fire risks during construction. *Policy PS-2.4* would restrict (after appropriate public hearings) the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk. *Action PS-2c* would require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers. Additionally, the City's General Plan has outlined policies that include requiring new development to fund its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. (*Policy RM-5.1*). To supplement *Policy RM-5.1*, *Policy RM-5.2* states that the City would maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements. *Policy PS-2.2* mandates that the City works with CAL

FIRE/RCFD to maintain an ongoing fire inspection program, which would also apply during construction to minimize fire hazards. *Action PS-1a* further ensures regular emergency response exercises are conducted to test the effectiveness of the City's response procedures, particularly during high-risk construction phases that may disrupt emergency routes. Therefore, impacts to fire services during potential future construction within the City would be less than significant.

Operational Impacts

With the implementation of the GPU, the City can be expected to have an incremental increase to the number of calls for fire services. As stated above under the *Methodology Section,* the City's population could increase by 1,862.08 residents at full GPU buildout.

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

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

In addition to the requirements set forth in the City's Municipal Codes, City policies and actions are required to be followed by future development. *Policy PS-2.1* requires all buildings and facilities to comply with local, State, and federal regulatory standards such as the California Building and Fire Codes as well as other applicable fire safety standards. *Policy PS-2.3* requires that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers. Additionally, the City's General Plan has outlined policies that include requiring new development to fund its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. (*Policy RM-5.1*). To supplement *Policy RM-5.1*, *Policy RM-5.2* states that the City would maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.

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

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

Overall, the GPU itself does not create the necessity to propose new fire facilities. When future facilities are proposed, project-specific environmental impacts will be assessed, and potential impacts will be identified during the City planning process for fire facilities. Implementation of the City policies and

actions, City Municipal Codes, as well as the most current local, State, and federal codes and regulations would ensure that impacts would be less than significant.

General Plan Policies and Actions

Policies

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

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

PS-1.1 **Service Agreements**. Maintain contracted essential service agreements through established State and county agencies, including CAL FIRE, RCFD, and RCSD.

PS-1.2 **Emergency Plan.** Enforce, and periodically update, local emergency plans, such as the City EOP and LHMP, to ensure the most current information is reflected.

PS-1.3 **Emergency Response Service.** Provide sufficient levels of all emergency response services to protect the health, safety, and welfare of all persons and to protect property in the City.

PS-1.6 **School Emergency Planning**. Coordinate with the Desert Sands Unified School District to ensure the highest levels of safety and emergency preparedness are instilled in their programs and practices.

PS-1.7 **Regional Support System.** Continue to participate in automatic and mutual aid agreements with adjacent service providers and regional agencies, such as Coachella Valley Association of Governments (CVAG), to ensure efficient and adequate resources, facilities, and support

PS-1.8 **Community Coordination**. Encourage emergency preparedness to be the combined responsibility of the City, in conjunction with the County, Coachella Valley Association of Governments (CVAG), and the State as well as City residents and the business community.

PS-2.1 **Building Fire Codes**. Require that all buildings and facilities comply with local, state, and federal regulatory standards such as the California Building and Fire Codes as well as other applicable fire safety standards.

PS-2.2 **Urban Fire Risks**. Work with CAL FIRE/RCFD to maintain an ongoing fire inspection program to reduce fire hazards associated with multifamily development, critical facilities, public assembly facilities, industrial buildings, and nonresidential buildings.

PS-2.3 **Fire Hazard Identification**. Coordinate with CAL FIRE/RCFD to identify any changes in regional fire hazard severity zones to further reduce fire hazards in the community the community.

PS-2.4 **Fire-Prone Building Materials.** Restrict, after appropriate public hearings, the use of fire-prone building materials in areas defined by the Fire Department as presenting high-conflagration risk.

PS-2.5 **Public Education**. Work with RCFD to disseminate educational programs for residents on fire hazard risks and fire safety measures, including evacuation routes, with a special focus on at-risk populations such as seniors.

PS-2.6 **Fire Protection Plans.** Uphold locally and regionally adopted fire protection plans, including the City of Indian Wells Local Hazard Mitigation Plan, and regularly renew such plans as new information becomes available.

Actions

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

PS-1b Coordinate with the County of Riverside to keep the Multi-Jurisdictional Local Hazard Mitigation Plan up to date.

PS-1c Maintain an Emergency Operations Plan (EOP) that defines the actions and roles necessary to provide a coordinated response within the City before, during, and following extraordinary emergencies associated with natural, manmade, and technological disasters. An EOP typically has built-in flexibility to allow use in all emergencies and facilitates response and short-term recovery activities. Annually review and update the City's EOP under the provision of the State Emergency Management System format to maximize the efforts of emergency service providers (e.g., fire, medical, and law enforcement) and minimize human suffering and property damage during disasters.

PS-1e Provide community education and self-help programs. In cooperation with CVAG and other communities in the Valley, distribute periodic safety publications, that discuss available protective services, to the public. Coordinate with local agencies and organizations to develop and distribute informational brochures and give

presentations to civic groups and local schools to educate residents and businesses about appropriate actions to take during an emergency.

PS-1g Work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios.

PS-2a Mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.

PS-2b Review and revise the City LHMP at least every 5 years to reflect current community needs, and to ensure the City continues to receive federal FEMA mitigation assistance.

PS-2c Require that all new habitable structures be designed in accordance with the most recent California Building and Fire Code with local amendments adopted by the City, including the use of fire sprinklers.

PS-2d Work with Riverside County to develop a comprehensive fire plan which forecasts future personnel and equipment needs and require new development to pay its pro-rata share of costs for fire services.

PS-2e Upgrade older water mains in the city as needed to ensure adequate water pressure for firefighting.

Police protection

Construction

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

Operational Impacts

Implementation of the GPU could place an additional demand on service calls for police services; however, future development would be required to follow existing development standards set forth by

the City and IWPD. Implementation of the GPU would be required to meet all current and applicable policies as well which include Policy *RM-5.1* ensuring that all new development and major redevelopment provides for and funds its fair share of the costs for the expansion of public infrastructure and services, recreational amenities, and facilities. Additionally, Policy *RM-5.2* states that the City will maintain and finance the capital improvement program to ensure the timely implementation of the General Plan and the adequate and the timely provision of public facility and municipal improvements.

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

General Plan Policies and Actions

Policies

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

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

Actions

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

Schools

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

To ensure that Desert Sands Unified Schol District (DSUSD) accommodates future growth in the City, DSUSD levies developer fees for new construction of residential, commercial, and rental self-storage development. In January of 2024, the State Allocation Board ("SAB") adjusted the Statutory Fees for a unified (TK-12) school district to $5.17 per square foot of assessable space of new residential development, $0.29 per square foot for rental self-storage, and $0.84 per square foot of chargeable covered and enclosed space of commercial/industrial development pursuant to Government Code

section 65995 and Education Code section 17620. DSUSD informs the City every year about updated fees to ensure the City's developer fees include the most recent fee amount.

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

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

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

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

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

General Plan Policies and Actions

Policies

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

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

Parks

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

The City of Indian Wells has also outlined a series of strategic actions designed to ensure that parks and recreational facilities are ample and meet the needs of residents and visitors. *Action RM-3a* involves updating the Zoning Code to permit recreational facilities and support structures in all residential zones, thereby expanding access to recreational opportunities throughout the city. *Action RM-3b* stipulates that developers must dedicate land for parks based on a standard of up to five acres per one thousand residents or alternatively, pay fees in lieu of land dedication, providing flexibility and ensuring the

expansion of recreational spaces. According to Municipal Code Chapter 20.36.040, P*ark Dedication Requirements* (detailed under *Indian Wells Municipal Code* above), the City of Indian Wells requires projects to pay a park development fee, dedicate land, or both. Section 20.36.040 states that the developer of any residential subdivision shall dedicate park land and/or pay fees in lieu thereof, at the rate of five acres per one thousand population. Dedicated park land is to be apportioned as three acres for public parks, which are owned and maintained by the City, and two acres for private parks located in the immediate subdivision.

As stated above, the full buildout of the GPU could increase the population by 1,862.08 from the additional 1,058 residential units. Future projects will be reviewed by the Planning Commission and seek approval from the City Council in order to ensure the appropriate fee amount is collected and/or park land is dedicated.

To secure financial resources for recreational facilities and parkland acquisition, *Action RM-3c* commits the City to actively pursue funding from a variety of sources, including state and federal grants, special districts, and private contributions. Maintenance is a priority under *Action RM-3d*, which mandates regular assessments of all parks and recreational facilities to ensure they remain in excellent condition. Collectively, these policies and actions demonstrate a proactive approach to maintaining and enhancing the City of Indian Wells' parks facilities, ensuring they are sufficient and aligned with the needs of the community. Impacts are anticipated to be less than significant.

General Plan Policies and Actions

Policies

RM-3.1 **Provision of Opportunities**. Facilitate recreational opportunities for residents by providing and maintaining needed facilities throughout the City and in cooperation with adjoining jurisdictions.

RM-3.2 **Parks in Residential Areas**. Support the development of local-serving park and recreational facilities (public and private) in residential areas.

RM-3.3 **Service Area Radius**. Focus new park and recreation facilities in areas that are outside 1/4-mile walking radius from an existing or proposed park or trail and enhance options for residents to access these facilities through safe walking and cycling routes.

RM-3.4 **Golf Courses.** Promote the City’s municipal and private golf courses as high-quality amenities that serve residents, draw visitors, and make Indian Wells an exceptional destination.

RM-3.7 **Safety and Compatibility**. Consider public safety and compatibility with adjacent uses in park design and development including the location of buildings, activity areas, lighting, and parking.

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

RM-3.9 **Maintenance**. Require that parks and recreational facilities be well-maintained by the responsible agency/organization.

RM-3.10 **Accessibility**. Require that new park facility construction and existing facility retrofits meet accessibility standards defined by the Americans with Disabilities Act (ADA) and playground safety requirements.

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

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

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

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

Actions

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

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

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

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

Other Public Facilities

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

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

General Plan Policies that Mitigate Potential Impacts

Policies

RM-3.5 **Facilities for Seniors.** Cater to the City's senior population by continuing to provide recreational facilities and activities specifically tailored to meet the needs of older residents.

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

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

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

Actions

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

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

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

4.14.5 Cumulative Impacts

Considering the cumulative development within the City and its Sphere of Influence, there is likely to be a demand increase to services provided by RCFD and the Sheriff's Department. Present and reasonably foreseeable development within the area would be addressed case by case during the development and review of such development. This would ensure that services to accommodate current and future citywide growth could be reasonably provided within the cumulative context. As discussed above, all new development will be required to contribute to the payment of fees, which go towards minimizing impacts to fire and police services, as well as other public services. Therefore, with adherence to codes, policies and actions as identified in this section, all new development within the City will assist in minimizing cumulative impacts in regard to public services and are expected to be less than significant.

4.14.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to public services. Moreover, State, regional and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.14.7 Level of Significance after Mitigation

Not Applicable.

4.14.8 References

1. City of Indian Wells, Fire Department website, https://www.cityofindianwells.org/services/fire
2. City of Indian Wells, Police Department website https://www.cityofindianwells.org/services/police
3. Developing a Shared Police Services Contract, Matrix Consulting Group, June 2021, https://www.cityofindianwells.org/home/showpublisheddocument/7416/637811469054070000

4. Desert Sands Unified School District Fee Justification Report for New Residential and Commercial/Industrial Development, June 2024, https://www.dsusd.us/common/pages/GetFile.ashx?key=LxQmC%2fbg

5. Department of Finance, Population and Housing Estimates, 2024.

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4.15 Recreation

4.15.1 Introduction

This section of the Indian Wells General Plan Update ("GPU") Programmatic Draft Environmental Impact Report ("PDEIR") describes the existing setting regarding recreation facilities in the City and evaluates the potential for GPU implementation to increase the use of recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The provision of parks is also addressed in **Section 4.14, *Public Services***.

4.15.2 Existing Conditions

The City of Indian Wells is located in the Coachella Valley, in Riverside County, California. The City encompasses approximately 14.6 square miles east and south of the City of Palm Desert, and west of the City of La Quinta. The Santa Rosa Mountains delineates the City's southern boundary, a portion of which is designated as open space. Primary access to the City is from State Highway 111. Primary access to the region is from the Interstate 10 Freeway.

The City of Indian Wells offers a variety of passive and active recreational opportunities for residents and visitors. There are approximately 6,190 acres of land in the City encompassing open space, parks, natural preserve, and golf course overlay. The developed open space recreational areas include a park, public and multiple private golf courses, and protected natural preserves. There is also a sports complex, the Indian Wells Tennis Garden, a year-round tennis club that is open to the public, and hosts live music and sporting events.

The one park in the City, Fairway Park, is a half-acre park built by the City and Desert Recreation District, located at the corner of Eldorado and Fairway Drive.

The Golf Resort at Indian Wells is a 36-hole, City owned golf course. In addition, Indian Wells currently has six private golf clubs within the Planning Area. **Table 4.15-1, *Golf Courses within the City of Indian Wells***, lists the various courses within the City, their location, and amenities.

Table 4.15-1 Golf Courses within the City of Indian Wells

Facility	Location	Amenities
The Golf Resort at Indian Wells	44-500 Indian Wells Lane	Public, 36-holes
Indian Wells Country Club	46000 Club Drive	Private, 27-holes
Desert Horizons Country Club	44900 Desert Horizons Drive	Private, 18-holes
Vintage Club	75001 Vintage Drive West	Private, 36-holes
Eldorado Country Club	46000 Fairway Drive	Private, 18-holes
Toscana Country Club	76009 Via Club Villa	Private, 27-holes
The Reserve Club	74001 Reserve Drive	Private, 18-holes

Indian Wells Recreational Committees

Community Activities Committee

The Indian Wells Community Activities Committee is comprised of five members and primarily serves as an important tool for encouraging engagement amongst residents of the City. The committee is responsible for recommending to the City Council an overall plan for encouraging and fostering community interaction among residents through the use of an annual calendar for community activities. In addition, the committee is responsible for assisting with the planning and implementation of the events.

Indian Wells Golf Resort Advisory Committee

The Indian Wells Golf Resort Advisory Committee is comprised of a General Manager from each of the City's Resort Hotels, a General Manager of the Indian Wells Golf Resort, the Indian Wells Resorts Director of Golf, Director of Agronomy, and five residents within the City. The Committee is tasked with providing recommendations to the City Council relative to City golf resort service levels, maintenance, and quality of the guest's experiences at the Indian Wells Golf Resort. In addition, the Committee advises and makes recommendations to the City Council on issues pertaining to the Indian Wells Golf Resort.

Indian Wells Grants in Aid Committee

The Indian Wells Grants in Aid Committee consists of five voting resident members and two non-voting City Council members who perform a comprehensive review and analysis of requesting agencies' operation and service performance. In addition, the Committee makes recommendations to the City Council for the distribution of public funds to worthy charities, community organizations, and schools throughout the Coachella Valley under the City's Community Assistance Program and the School Grant Program. The Committee also acts as a direct liaison to agencies, making on-site visits to learn in detail about their operations.

4.15.3 Regulatory Setting

State

Quimby Act

California passed the Quimby Act in 1975, allowing local governments to pass ordinances requiring developers to set aside land, donate conservation easements, or pay in-lieu of fees for the development of new parks and recreational facilities. Local governments have come to depend on the Quimby Act for new facilities, or to upgrade existing facilities, as a result of new growth and development. Requirements of the Quimby Act apply only to the acquisition of new parkland and do not apply to the development

of new park facilities or associated operations and maintenance costs. The City has adopted park fees as allowed by the Quimby act, as described in greater detail under Local Regulations.

Government Code Section 65103 (c)

Government Code Section 65103 is a part of Title 7, Planning and Land Use, Division 1, Planning and Zoning, Chapter 3, Local Planning. Section 65103 (c) requires annual review of the capital improvement program of the city or county and the local public works projects of other local agencies for their consistency with the General Plan.

Government Code Section 65302 (a)

Government Code Section 65302, part of Title 7, Planning and Land Use, Division 1, Planning and Zoning, Chapter 3, Local Planning, states that the General Plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. Section 65302 (a) requires that the plan include a land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public building and grounds, solid and liquid waste disposal facilities, greenways, and other categories of public and private uses of land.

Local

Indian Wells Municipal Code

Section 20.36.040 – Park Dedication Requirements

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

Section 20.36.040 states that the developer of any residential subdivision shall dedicate park land and/or pay fees in lieu thereof, at the rate of five acres per one thousand population. Dedicated park land is to be apportioned as three acres for public parks, which are owned and maintained by the City, and two acres for private parks located in the immediate subdivision. The number of people in a new subdivision is determined by multiplying the number of dwelling units in the subdivision by the average household size. Average household size is based on the latest U.S. Census information.

Section 20.36.040 also states that when private land for park and recreational purposes is to be provided in a proposed subdivision and such park land is to be privately owned and perpetually maintained and operated by the future residents or owners of the development, such land may be credited against the requirement for dedication of land for park and recreational purposes. Eligibility of private park land for land dedication or fee credit shall be subject to approval by the Council. Evaluation of private park land for park dedication credit shall be based on the following criteria:

- That the private park land meets the minimum size requirement of one-third (1/3) acre;
- That the proposed private park land is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access and location;
- That the following areas or subdivision design features shall not be eligible for private park credit: yards, court areas, setbacks, landscaped neighborhood entries, greenbelts, unimproved watercourses, and circulation improvements such as bicycle, golf cart and hiking trails;
- That the location of the land provides convenient access to the neighborhoods served, as appropriate;
- That the perpetual private ownership and maintenance of the land is adequately provided for by a recorded written agreement; and
- That the use of the private park land is perpetually restricted for park and recreational purposes which cannot be defeated or eliminated without the consent of the Council and in no event without providing equivalent park and recreation space elsewhere in the subdivision.

4.15.4 Project Impact Analysis

Thresholds of Significance

The thresholds derived from Appendix G of the CEQA Guidelines are used to determine the level of potential effect. The implementation of the GPU would have a significant effect on recreational facilities if it is determined that the GPU would:

a. 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. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Project Impacts

a. 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.

As noted above, the City only has one public park with passive amenities for its residents. Most of the communities within the City of Indian Wells have their own form of recreational facilities that satisfy the needs of the community. Nonetheless, for the purpose of this analysis, it is assumed that added residents would utilize these facilities, resulting in facility upkeep and maintenance due to increased usage load from various activities.

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

Additionally, the City is committed to effectively managing and maintaining its parks and recreational facilities through a series of proactive actions. *Action RM-3a* involves updating the Zoning Code to allow recreational facilities and support structures in all residential zones, ensuring broad access to recreational opportunities across the City. *Action RM-3b* mandates that developers either dedicate land or pay fees for parkland based on a specified acreage standard per population, providing flexibility while ensuring sufficient recreational space for residents. *Action RM-3c* focuses on securing diverse funding sources such as State and federal grants, private donations, and endowments to support the acquisition, development, and ongoing maintenance of recreation facilities and parklands. Regular maintenance assessments under *Action RM-3d* ensure that all parks and recreational facilities are well-maintained, preserving their quality and safety for public use. Periodic assessments conducted through *Action RM-3e* allow the City to stay responsive to community preferences, adapting recreation programming and services accordingly. *Action RM-3f* aims to enhance recreational experiences for resort visitors by exploring and implementing strategies to preserve, create, and maintain low-impact recreational opportunities and open spaces, such as distributing trails and bike path brochures. Additionally, *Action*

RM-3g encourages local schools and places of worship to actively engage in promoting recreational programs and activities, fostering a community-wide commitment to wellness and leisure. By implementing these actions, the City ensures that existing and future parks and recreational facilities will be effectively managed and maintained, thereby minimizing any significant impacts from the implementation of the GPU. Less than significant impacts are anticipated.

General Plan Policies and Actions

Policies

RM-3.1 **Provision of Opportunities.** Facilitate recreational opportunities for residents by providing and maintaining needed facilities throughout the City and in cooperation with adjoining jurisdictions.

RM-3.2 **Parks in Residential Areas.** Support the development of local-serving park and recreational facilities (public and private) in residential areas.

RM-3.3 **Service Area Radius.** Focus new park and recreation facilities in areas that are outside 1/4-mile walking radius from an existing or proposed park or trail and enhance options for residents to access these facilities through safe walking and cycling routes.

RM-3.5 **Facilities for Senior**. Cater to the City's senior population by continuing to provide recreational facilities (public and private) in residential areas.

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

RM-3.7 **Safety and Compatibility**. Consider public safety and compatibility with adjacent uses in park design and development including the location of buildings, activity areas, lighting, and parking

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

RM-3.9 **Maintenance.** Require that parks and recreational facilities be well-maintained by the responsible agency/organization.

RM-3.10 **Accessibility**. Require that new park facility construction and existing facility retrofits meet accessibility standards defined by the Americans with Disabilities (ADA) and playground safety requirements.

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

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

Actions

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

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

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

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

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

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

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

b. Requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment

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

Applicable City policies that future development would be required to follow include *Policy RM-3.8*, requiring projects to follow *Section 20.36.040*, described above. Additionally, *Action RM-3b* requires developers to dedicate land based upon the park acreage standard of up to five acres per one thousand population or, at the City Council's discretion, the payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.

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

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

However, if the needs of the residents change in the future, new development is required to follow *Policy RM-3.8* and *Action RM-3b* described above and detailed below.

The implementation of the GPU does not include immediate development plans. Any future development will be evaluated individually to assess its specific impact on the Planning Area. Potential impacts are expected to be less than significant due to the thorough analysis conducted for each project within the City and the requirement to follow City codes, policies, and actions.

General Plan Policies and Actions

Policies

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

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

Actions

RM-3b Require developers to dedicate land based upon the park acreage standard of five acres per one thousand population or, at the City Council's discretion, the

payment of fees in-lieu of the dedication of land in accordance with the Municipal Code.

4.15.5 Cumulative Impacts

Implementation of the GPU will not create cumulative impacts to recreational resources. As discussed previously, all new developments will be required to contribute to the payment of developmental fees towards the preservation, expansion and maintenance of the City's recreational parks and facilities. Demand for recreational facilities or parks is not anticipated to result in unanticipated construction of or expansion of these facilities. Therefore, with adherence to City policies and actions as well as Municipal Codes as identified in this section, all new development within City of Indian Wells will assist in minimizing cumulative impacts to recreational resources and are expected to be less than significant.

4.15.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to recreation. Moreover, local regulations will also ensure that buildout of the GPU would continue to result in less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.15.7 Level of Significance after Mitigation

Not Applicable.

4.15.8 Resources

1. Indian Wells City Website, Commissions, Committees, & Boards, https://www.cityofindianwells.org/city-hall/city-committees
2. Indian Wells Municipal Code, https://ecode360.com/IN4940
3. Visit Greater Palm Springs Website, Indian Wells, https://www.visitgreaterpalmsprings.com/coachella-valley/indian-wells/

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4.16 Transportation

4.16.1 Introduction

This chapter describes the potential impacts to the transportation system associated with adoption and implementation of the General Plan Update (GPU). The impact analysis examines the roadway, transit, bicycle, and pedestrian components of the City's transportation system. To provide a context for the impact analysis, this chapter begins with the environmental setting, which is a description of the existing physical and operational conditions for the transportation system. Following the setting is the regulatory framework influencing the transportation system and providing the basis for impact significance thresholds used in the impact analysis. The chapter concludes with the impact analysis findings and recommended mitigation measures. This section is based on the Indian Wells General Plan Update Transportation Analysis (GPU TA) prepared by Kittelson & Associates, Inc. (**Appendix F** of this PDEIR).

Pursuant to Senate Bill (SB) 743, Public Resources Code (PRC) Section 21099, and California Code of Regulations (CCR) Section 15064.3(a), VMT is the most appropriate measure of transportation impacts and the proposed GPU's effect on automobile delay no longer constitutes a significant impact under CEQA. The City's General Plan, however, includes policies relating to Level of Service (LOS) to evaluate future road network operations and to identify improvements that will be needed to address project and other development impacts.

In addition to the GPU TA conducted under the requirements of the California Environmental Quality Act (CEQA), the TA also analyzed roadway segment and intersection operations associated with GPU implementation, to address the City's goal of providing satisfactory roadway operations and traffic flow within Indian Wells. Recommended improvements to these facilities were provided to accommodate long-term buildout of vehicular traffic.

4.16.2 Existing Conditions

Roadway Facilities

Regional Access

The Planning Area is located within the Coachella Valley, in a central portion of the Valley. The Valley is separated from the Great Los Angeles Area to the northwest by the San Gorgonio Pass, through which Interstate 10 (I-10) and the Union Pacific Railroad are the major transportation corridors. The Planning Area is generally situated between the desert cities of Palm Desert to the west and La Quinta to the east.

Regional access in the Coachella Valley is provided by the I-10 Freeway, which provides access through the valley from the northwest to the southeast. I-10 extends from western Los Angeles County, through San Bernardino County and Riverside County to the east across Arizona.

Regional access to the Planning Area is currently available from I-10 via the interchanges at Cook Street and Washington Street. Motorists can access I-10 in both directions through either Interchange. Motorists from Palm Springs, Cathedral City, Rancho Mirage and Palm Desert can also access the site utilizing Highway III from the west. The communities of La Quinta, Indio and Coachella can access the site utilizing Highway III from the east.

Freight and Goods Movement

Truck routes in Indian Wells are located along Highway 111 and Washington Street. Truck routes with time restrictions (i.e., trucks are allowed only from 9:00 AM to 9:00 PM) are located along Miles Avenue, Fred Waring Drive, Cook Street between Highway 111 and Fred Waring Drive between Highway 111 and Fred Waring Drive. Other public roadways allow local deliveries only, and private roadways only allow deliveries with permission. North of the City, I-10 is a nationally designated truck route.

Regional Roads

Highway 111 is an east-west major arterial connecting most of the commercial centers of the Coachella Valley. Highway 111 was relinquished by Caltrans to the City of Indian Wells. Within the City, Highway 111 has four lanes and a raised median, and includes sidewalks on both sides of the road. This limited-access roadway has intersections approximately every half mile. No curbside parking is allowed in the segment within City limits. Highway 111 is designated as a Riverside County CMP roadway. The posted speed limit is 45 miles per hour. Highway 111 is also a designated bike route.

State Highway 74 runs southwest from Highway 111 in Palm Desert, traverses the San Jacinto Mountains, and provides a key connection to Hemet and South Orange County. Highway 74 is a four-lane facility with bicycle lanes on the valley floor and narrows to a two-lane facility in the mountains. The posted speed limit is 45 miles per hour.

Interstate 10 (I-10) is an eight-lane, east-west divided freeway in its segment located approximately 1.50 miles north of Indian Wells. To the west, I-10 continues through Riverside and San Bernardino Counties and links to the greater Los Angeles area. To the east, I-10 continues through the Mojave Desert toward Phoenix, Arizona. I-10 is accessible from Indian Wells via two interchanges: Washington Street and Cook Street. The posted speed limit is 70 miles per hour.

Local Access Roads

Roadways within Indian Wells are classified in the Mobility Element of GPU as Principal Arterials, Major Arterials, Primary Arterials, Private Collectors and Collectors described below:

- **Principle Arterials.** Principal arterials are high-capacity inter-city thoroughfare that carries traffic traveling through the City and provides regional travel. Its primary function is to move vehicles and carry high traffic volumes. They consist of four lanes with a landscaped a raised or painted median with limited direct access and great spacing between intersections.
- **Major Arterials**. Major arterials serve as high-capacity thoroughfares. Their primary function is to move vehicles at higher speeds with a mix of local and inter-city traffic. They consist of six travel lanes with a raised or painted median. As a major traffic carrier, curbside parking is prohibited.
- **Primary Arterials**. Primary Arterials serve primarily as traffic carriers while also accommodating bicycle lanes. They provide local and regional travel and consist of four travel lanes with a raised or painted median.
- **Collector and Private Collectors**. Collectors and Private Collectors are intended to carry low to moderate local traffic between the street network and local streets. They consist of two to four travel lanes.
- **Local Streets**. Local Streets provide direct access and parking to adjacent land uses. Local Streets are intended to carry local traffic, not intended to serve inter-city traffic. They typically consist of two travel lanes and are undivided.

Fred Waring Drive is an east-west *Major Arterial* which begins at Highway 111 in Palm Desert and continues east to Indio. Within Indian Wells, it is a six-lane roadway with a raised median. The posted speed limit is 50 miles per hour, and on-street parking is prohibited. Sidewalks are provided on the north side of the roadway from the western city limit to California Trail and from Elkhorn Trail until Warner Trail. East of Warner Trail, sidewalks are provided on both sides of the roadway until the eastern city limit.

Miles Avenue is a four-lane, east-west *Primary Arterial* that begins at the Whitewater River east of Highway 111 and continues east to Indio. It has a center painted or planted median and Class II bike lanes on either side of the road. Sidewalks are provided on both sides of the roadway east of Warner Trail. West of Warner Trail, sidewalks are only available on the south side of the road. The posted speed limit is 50 miles per hour. On-street parking is not provided.

Washington Street is a north-south *Major Arterial* near the east boundary of the city. Washington Street provides access to the closest freeway interchange to the city on I-10. It is a six-lane roadway with a raised median. The speed limit is 50 miles per hour. On-street parking is prohibited. Sidewalks are provided on both sides of the roadway.

Hovley Lane/42nd Avenue is an east-west *Secondary Arterial* that begins at Portola Avenue to the west and runs east to Indio. It is located at the northern border of the city. Within the city, it is a four-lane road with a raised median. Sidewalks and Class II bicycle lanes are provided on both sides of the roadway. On-street parking is prohibited.

Cook Street is a north-south *Primary Arterial* in the west portion of the city. It is a four-lane arterial with a raised median. Class II bike lanes are present on both sides of the road, and a sidewalk is provided on the east side of the road. On-street parking is prohibited. The posted speed limit is 35 to 40 miles per hour. Cook Street also provides access to I-10.

Portola Avenue is north-south roadway that borders the west end of the city. It is a four-lane undivided roadway with sidewalks on the east side of the road and Class II bike lanes in both directions. The posted speed limit is 40 miles per hour. On-street parking is not provided.

Eldorado Drive is four-lane, north-south *Collector* road with a raised median and Class II bicycle lanes. The posted speed limit is 35 to 40 miles per hour. Eldorado Drive begins at Frank Sinatra Drive to the north and continues south into Indian Wells. Eldorado Drive stops at Hovley Lane, where it transitions into a private road through a country club, and then continues south of Fred Waring Drive. On-street parking is not provided.

Study Intersections

A total of seven (7) study intersections were selected for the purposes of the GPU TA conducted to analyze the General Plan Update (GPU). All study intersections are under the City of Indian Well's jurisdiction and all study intersections are signalized. These study intersections were selected in consultation with City Public Works and Planning staff.

The following roadway and study locations listed below were selected to provide a good representation of traffic conditions in several areas of the City and to help identify existing and future transportation needs for key facilities in the City:

1. Fred Waring Drive at Eldorado Drive

2. Fred Waring Drive at Warner Trail

3. Highway 111 at Cook Street

4. Highway 111 at Eldorado Drive

5. Highway 111 at Indian Wells Lane

6. Highway 111 at Miles Avenue

7. Miles Avenue at Washington Street

Roadways Level of Service

A level of service (LOS) analysis determines if local roadway segments operate acceptably and if the GPU would cause any negative effects on local roadway operations. The evaluation of roadway segments for the GPU incorporated the LOS methodologies as recommended in the most recent edition of the HCM.

The City of Indian Wells strives to maintain vehicular LOS "D" whenever possible. For the GPU LOS analysis, the target LOS for roadway segments was considered "D" or better.

Existing Intersection Level of Service

Existing intersection level of service were evaluated for the study area intersections as shown in **Table 4.16-1, *Existing Intersection Level of Service*.** The existing analysis indicates that 5 of the 7 existing study area intersections are currently operating at an acceptable LOS (LOS D or better) during the peak hours. One intersection (Cook Street and Highway 111) is operating at LOS E during the morning peak hour, and one intersection (Eldorado Drive at Highway 111) is operating at LOS E during the evening peak hour, which the General Plan classifies as an unacceptable LOS.

Table 4.16-1 Existing Intersection Level of Service

ID	Study Intersections	Existing AM		Existing PM	
		Delay	LOS	Delay	LOS
1	Eldorado Drive at Fred Waring Drive	12.3	B	10.5	B
2	Warner Trail at Fred Waring Drive	46.0	D	46.5	D
3	Cook Street at Highway 111	**61.3**	**E**	40.3	D
4	Eldorado Drive at Highway 111	49.2	D	**57.9**	**E**
5	Indian Wells Lane at Highway 111	53.8	D	37.9	D
6	Miles Avenue at Highway 111	37.7	D	21.0	C
7	Washington Street at Miles Avenue	28.6	C	28.4	C

Source: Kittelson & Associates, Inc. 2024

As shown in **Table 4.16-1**, the following intersections operate below the target LOS ("D") per Mobility Element *Policy M1-2*:

- Cook Street at Highway 111 (LOS E during the AM peak hour)
- Eldorado Drive at Highway 111 (LOS E during the PM peak hour)

The intersections on Highway 111 experience heavier traffic volumes in the AM peak hour in the westbound direction. Conversely in the PM peak the heavier volumes occur in the eastbound direction.

Roadway Segments

Table 14.16-2 provides a summary of the existing roadway segment LOS.

Table 14.16-2 Roadway Segments Daily LOS, Existing Conditions

ID	Segment	2024 ADT	Heavy Vehicle %	Posted Speed Limit	Existing Lanes	HCM Methodology LOS
1	Hovley Lane between East City Boundary and West City Boundary	15,630	3.03%	45	4D	LOS C or better
2	Fred Waring Drive between Eldorado Drive and Cook Street	37,933	1.37%	50	6D	LOS D
3	Cook Street between Fred Waring Drive and Highway 111	18,990	2.00%	40	4D	LOS D
4	Eldorado Drive between Fred Waring Drive and Highway 111	4,873	3.59%	40	4D	LOS C or better
5	Warner Trail between Fred Waring Drive and Miles Avenue	4,328	1.83%	35	2D	LOS D
6	Highway 111 from Cook Street to Rancho Palmeras Drive	34,605	1.94%	45	4D	**LOS E**
7	Miles Avenue from Warner Trail and Washington Street	6,972	2.07%	50	4D	LOS C or better
8	Cook Street from Highway 111 and Fairway Drive	13,076	1.74%	35	4D	LOS C or better
9	Eldorado Drive from Highway 111 to Fairway Drive	5,209	3.92%	35	2D	LOS D
10	Highway 111 from Miles Avenue to Washington Street	37,329	1.97%	50	4D	**LOS F**
11	Fairway Drive from Cook Street to Rancho Palmeras Drive	4,157	3.18%	35	2D	LOS D
12	Portola Avenue from Mockingbird Trail to South City Limit	12,340	3.01%	35	4D	LOS D

Source: Kittelson & Associates, Inc. 2024
Bold signifies operations below target LOS ("D").
Methodology uses HCM 7th edition and Exhibit 45 of the "Planning and Preliminary Engineering Applications Guide to the Highway Capacity Manual" with the following additional assumptions applied: 8-lane facility types were reviewed as 6-lane facility type to be conservative; speed limits of 35 mph and 40 mph were reviewed as 30 mph to be more conservative. Assumes k factor of 0.09 and a d factor of 0.60.
4, 6, 8 = number of lanes. D = divided, U = undivided roadway.

As shown in **Table 14.16-2**, the following roadway segments operate below the target LOS ("D"):

- Highway 111 between Cook Street to Rancho Palmeras Drive (LOS E)
- Highway 111 between Miles Avenue and Washington Street (LOS F)

The segment of Highway 111 between Miles Avenue and Washington Street also exceeds the CMT LOS E standard.

Alternative Transportation

Transit Service

The City of Indian Wells is currently served by the SunLine Transit Agency (SunLine). Sunline provides local transit service throughout the Coachella Valley. Transit services are available in the City through fixed-route and demand-response services. This service also provides access to Metrolink. The nearest Metrolink station is located Redlands. Transit service is reviewed and updated by the SunLine periodically to address ridership, budget and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. The following table, **Table 4.16-3, *Sunline Transit Service in Indian Wells*,** depicts the streets and destinations served by SunLine.

Table 4.16-3 SunLine Transit Service in Indian Wells

#	Streets Served	Destinations Served	Hours of Operation	Headways (Minutes)	
				Peak	Off Peak
1EV	Highway 111	Palm Desert Mall, JFK Hospital, Indio Courthouse, Downtown Coachella	5:00 AM – 11:00 PM	30	30
7	Washington St	Indian Wells Tennis Garden	5:15 AM – 9:30 PM	45	90
6	Fred Waring Dr	Indian Wells Tennis Garden	6:00 AM – 8:00 PM	45	60
5	Cook St, Fred Waring Dr	Palm Desert High School	6:30 AM – 7:30 PM	60	N/A

Amtrak

Amtrak operates intercity and interstate rail service nationwide. Currently, there are no Amtrak stops located within the city, but residents can access Amtrak Sunset Limited line. It serves the Palm Springs Amtrak station located at North Indian Canyon Drive and Palm Springs Station Road, which is approximately 20 miles from Indian Wells City limits. Amtrak bus stops are also located in Palm Desert, Indio, and La Quinta.

Bikeways

Caltrans standards are used to design bikeways by most jurisdictions throughout California, and the City of Indian Wells adheres to Caltrans bikeway standards. There are four classifications for bicycle facilities: Class I, Class II, Class III and Class IV bikeways.

Bicycle Facilities

Class I Bikeways (Bike Paths)

Class 1 facilities, also known as a shared-use path or multi-use path is a paved right-of-way for bicycle travel that is completely separate from any street or highway (separated from automobiles). They are a minimum of eight feet in width for two-way travel and include bike lane signage and designated street crossings where needed. A Class 1 Bike Path may parallel a roadway (within the parkway) or may be a

completely separate right-of-way that meanders through a neighborhood or along a flood control channel of utility right-of-way.

Class II Bikeways (Bike Lanes)

Class II bicycle facilities are striped and stenciled lanes for one-way bicycle travel on a street or highway. This facility could include a buffered space between the bike lane and vehicle lane, and the bike lane could be adjacent to on-street parking (can be either located next to a curb or parking lane). If located next to a curb, a minimum width of five feet is recommended. Bike lanes are exclusively for the use of bicycles and include bike lane signage, special lane lines, and pavement markings.

Class III Bikeways (Bike Routes)

Class III Bikeways are a signed route along a street where the bicyclist shares the right-of-way with motor vehicles. This facility can also be designated using a shared-lane marking (sharrow). While bicyclists have no exclusive use or priority, signage both by the side of the street and stenciled on the roadway surface alerts motorists to bicyclists sharing the roadway space and denotes that the street is an official bike route.

Class IV Bikeways (Separated Bike Path)

Class IV Bikeways are for the exclusive use for bicycles including a separation required between the separated bikeway and the through vehicular traffic. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

Existing bicycle facilities in Indian Wells include the following:

- Class II bicycle lane on Fairway Drive
- Class II bicycle lane on Miles Avenue
- Class II bicycle lane on Eldorado Drive
- Class II bicycle lane on Cook Street
- Class II bicycle lane on Hovley Lane
- Class II bicycle lane on Portola Avenue
- Class III bicycle route along Highway 111
- Class III bicycle route on Rancho Palmeras Drive
- Class III bicycle route on Miles Avenue between Warner Trail and Elkhorn

These bicycle facilities connect to bicycle facilities in adjacent Cities providing a connected bicycle network in the Coachella Valley. In particular, the bicycle facilities on Highway 111 and Hovley Lane connect to east-west bicycle facilities in Palm Desert, La Quinta and beyond. In addition, the bicycle facilities on Portola Avenue, Cook Street and Miles Avenue connect to bicycle facilities in Palm Desert and beyond in the north-south direction. The bicycle lane on Portola Avenue within City limits is also a

designated golf cart lane. The City allows golf carts on all private and public roadways within a one-mile radius of a golf course.

4.16.3 Regulatory Setting

Federal

Federal Highway Administration

The Federal Highway Administration (FHWA) is an agency within the U.S. Department of Transportation (DOT) that supports State and local governments in the design, construction, and maintenance of the Nation's highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program). Through financial and technical assistance to State and local governments, the Federal Highway Administration is responsible for ensuring that America's roads and highways continue to be among the safest and most technologically sound in the world.

The U.S. DOT released its National Roadway Safety Strategy (NRSS) in January 2022. The NRSS adopts the Safe System approach and outlines key actions to significantly reduce serious injuries and deaths on America's highways, roads, and streets. The FHWA collaborates with other modal agencies and external stakeholders to implement NRSS key actions.

FHWA Strategic Plan (2022-2206) Strategies:

Safe Design: (SDO1) Advance roadway safety through interdisciplinary development and deployment of regulatory and policy tools across FHWA programs and initiatives, such as the Safe System approach. (SDO2) Conduct and coordinate Federal research to advance safety designs and accelerate use of innovations that mitigate fatality and serious injury crashes for all road users, including those served by Federal Land Management Agencies

Safe System: (SSO1) Facilitate improvements in safety data collection, quality, analysis, integration, and management and expand FHWA's capacity for collecting non-motorized travel risk exposure data. (SSO2) Provide stewardship and oversight to stakeholders on safety activities and initiatives and on management of discretionary grants.

Safe Public: (SPO1) Encourage stakeholders to develop and implement data-driven, equitable safety management programs. (SPO2) Expand the use of effective speed management practices in areas where drivers commonly interact with pedestrians and bicycles, including in high-visitation areas on Federal lands, such as National Parks.

Safe Workers: (SWO1) Support worker safety training, provide technical assistance, and work across Federal programs to evaluate and promote strategies to improve safety for workers in transportation occupations such as construction, freight, and traffic incident management.

State

California Department of Transportation

The California Department of Transportation (Caltrans) is the primary state agency responsible for managing transportation-related matters. One of Caltrans' key roles is overseeing the construction and maintenance of the state highway system. Caltrans has established specific standards for traffic flow on roadways and has developed procedures to evaluate whether improvements are necessary for state-controlled facilities. The agency approves the planning, design, and construction of enhancements to all state-controlled infrastructure. Highway 111 has relinquished the portion of the road within the City of Indian Wells, the City maintains the road and must ensure the continuity of traffic flow.

For projects that may physically impact these facilities, Caltrans requires encroachment permits before any construction can begin. Even if a project does not directly affect the facilities, but may influence traffic flow or operational efficiency, Caltrans may suggest measures to mitigate adverse traffic effects caused by such projects.

Senate Bill 743

Senate Bill (SB) 743, adopted in 2013 and codified in Public Resources Code Section 21099, required changes to the CEQA guidelines regarding the analysis of transportation impacts. As a result of SB 743, the applicable metric in the CEQA guidelines for transportation impacts is Vehicle Miles Traveled (VMT); that is, how many new daily vehicle trips will the project generate times the average trip length. The legislative intent of SB 743 was to balance the needs of congestion management with statewide goals for infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions. The Governor's Office of Planning and Research (OPR) released a Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018. The City of La Quinta utilizes the California Air Pollution Control Officers Association (CAPCOA 2018) guidance to establish thresholds for significance for use in CEQA analysis as provided for in CEQA Guidelines section 15064.3 and provided options for mitigation for projects within their jurisdiction.

Assembly Bill 32, Senate Bill 32, and Senate Bill 375

Assembly Bill (AB) 32, also known as the Global Warming Solutions Act of 2006, committed California to reducing GHG emissions to 1990 levels by 2020. In 2016, SB 32 added a new target: reducing statewide emissions to 40 percent below 1990 levels by 2030.

SB 375 provides guidance for curbing emissions from cars and light trucks to help California comply with AB 32. There are five major components to SB 375:

- Air Resources Board (ARB) will guide the adoption of GHG emission targets to be met by each Metropolitan Planning Organization (MPO) in the state.

- MPOs are required to create a Sustainable Communities Strategy (SCS) that provides a plan for meeting these regional targets. The SCS must be consistent with the Regional Transportation Plan (RTP).
- Regional housing elements and transportation plans must be synchronized on eight-year schedules. Also, the SCS and Regional Housing Needs Assessment (RHNA) must be consistent with each other.
- CEQA is streamlined for preferred development types such as mixed-use projects and transit-oriented developments (TODs) if they meet specific requirements.
- MPOs must use transportation and air emission modeling methodologies consistent with California Transportation Commission (CTC) guidelines.

Assembly Bill 98

Assembly Bill 98 (AB 98), enacted in California in 2023, introduces significant regulations for logistics facilities, primarily aiming to mitigate environmental and health impacts associated with large warehouse operations. Effective January 1, 2026, the law mandates specific requirements for new or expanded logistics facilities that are 250,000 square feet or larger, particularly those located within 900 feet of "sensitive receptors" such as homes, schools, and hospitals. These requirements include measures to reduce emissions, such as the installation of electric vehicle charging infrastructure and limits on truck idling. Additionally, AB 98 sets rigorous siting criteria, requiring warehouses to be located along commercial or industrial roadways and away from residential areas.

The bill also introduces "21st Century Warehouse Standards," which outline stringent energy efficiency and zero-emission standards for large facilities. Notably, AB 98 establishes strict buffer zones and restrictions on truck routes to minimize the impacts on nearby communities, especially in "warehouse concentration regions" like Riverside and San Bernardino Counties. No industrial uses are planned for in the City.

California Complete Streets Act of 2008 (AB 1358)

Originally passed in 2008, California's Complete Streets Act took effect in 2011 and requires local jurisdictions to plan for land use transportation policies that reflect a "complete streets" approach to mobility. "Complete streets" comprises a suite of policies and street design guidelines which provide for the needs of all road users, including pedestrians, bicyclists, transit operators and riders, children, the elderly, and the disabled. From 2011 onward, any local jurisdiction – county or city – that undertakes a substantive update of the circulation element of its general plan must consider "complete streets" and incorporate corresponding policies and programs. In 2010, the California Governor's Office of Planning and Research (OPR) released guidelines for compliance with this legislation which provide direction on how circulation elements can best plan for a variety of travel modes such as transit, walking, bicycling, and freight.

Regional

Regional Transportation Plan and Regional Transportation and Improvement Program

Government Code section 65080 et seq., states that Metropolitan Planning Organizations (MPOs) must prepare and adopt a long-range transportation plan, such as a Regional Transportation Plan (RTP), directed at achieving a coordinated and balanced regional transportation system, including but not limited to mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement and aviation facilities and services. Each transportation planning agency must consider and incorporate, as appropriate, the transportation plans of cities, counties, districts, private organizations and state and federal agencies.

The Southern California Association of Governments (SCAG) is the MPO for the project region.

The SCAG RTP is a multi-modal long-range planning document, developed in coordination with federal, state, and other regional, sub-regional, and local agencies in southern California. The SCAG RTP, prepared every three years, addresses future needs based on a 20-year projection. It includes programs and policies for congestion management, transit, bicycles, pedestrians, roadways, freight, and financing. It is intended to be used as a long-range plan for federally funded transportation projects. Currently, regional projects are programmed in the Riverside County Transportation Improvement Program (RTIP), while locally funded projects (off the State Highway System) are identified in local agency Capital Improvement Plans (CIPs). To comply with Congestion Management Plan (CMP) statutes, regional CIP requirements are identified through the Riverside County Transportation Commission (RCTC) RTIP development process. Projects in the local CIPs may be incorporated into the RTIP for the programming of Flexible Congestion Relief (FCR) and Urban and Commuter Rail funds.

Congestion Management Program

The Congestion Management Program (CMP) is intended to link land use, transportation, and air quality with reasonable growth management methods, strategies and programs that effectively utilize new transportation funds to alleviate traffic congestion and related impacts. The RCTC is the designated Congestion Management Agency (CMA) that prepares the Riverside County Congestion Management Program updates in consultation with local agencies, the County of Riverside, transit agencies and sub-regional agencies like the Coachella Valley Association of Governments (CVAG).

Over time, the State amended the language to allow for voluntary implementation pf the CMP. Subsequently, adopted AB32 and SB 735 were passed by the legislature that emphasized the reduction of GHGs by reducing vehicle miles traveled (VMTs) and the development of a Sustainable Communities Strategy (SCS) that each Metropolitan Planning Organization agency must prepare in conjunction with its Regional Transportation Plan. Locally, RCTC continued implementing its half-cent sales tax, Measure A, that provided a list of projects and programs to relieve congestion. In addition, Transportation Uniform Mitigation Fee (TUMF) programs administered by the Coachella Valley Association of

Governments (CVAG) funded transportation improvements on arterials, highway interchanges, grade separations and transit (discussed subsequently.)

The RCTC has designated a system of highways and roadways to include (at a minimum) all State Highway facilities within Riverside County and a system of principal arterials as the Congestion Management System (CMS). All State Highways within Riverside County have been designated as part of the CMP System of Highways and Roadways. The following facilities are designated as part of the Riverside CMP System of Highways and Roadways in the Coachella Valley:

- I-10 (San Bernardino County line to State line)
- SR 111 (I-10 to Imperial County line)
- Ramon Road (I-10 to SR 111)
- Monterey Avenue (I-10 to SR 111)

The Riverside County Long Range Transportation Study indicates that most local agencies in Riverside County and Caltrans have adopted peak hour Level of Service (LOS) standards of "C" or "D" to maintain a desired LOS for the local circulation system. To address CMP requirements RCTC approved a minimum traffic LOS standard of "E" has been adopted.

Coachella Valley Association of Governments

The Coachella Valley Association of Governments (CVAG) prepared a transportation element to compile the existing conditions and needs, policies, standards, and recommendations on regional bicycle, trail, and pedestrian facilities throughout the Coachella Valley. CVAG is charged with distributing transportation improvement funds for member agencies in Coachella Valley including Indian Wells. As the recognized transportation planning agency with the RCTC, it is the responsibility of CVAG to prepare and adopt a Regional Transportation Plan (RTP) for the Coachella Valley. This is accomplished through the creation of the Transportation Project Prioritization Study (TPPS), which identifies and prioritizes transportation projects in the region. The projects within the TPPS are fed into a larger regional planning effort by CVAG.

Coachella Valley Regional Arterial Program

The CVAG administers the Coachella Valley Regional Arterial Program, which allocates Measure A and TUMF funds for necessary improvements to the regional transportation system. Measure A, approved by Riverside County voters in 1988, approved a half-cent increase in sales tax over a 20-year period to be used for transportation purposes. In November 2002, Riverside County voters approved a 30-year extension of Measure "A" (2009–2039). Measure A funds contribute a portion of the cost of transportation system improvements projected to be needed over the next 25 years. To conform to CVAG policies, all CVAG member agencies, including the City of Indian Wells are required to construct adopted standard road improvements for missing regional roads segments located adjacent to land development projects.

Riverside County

The Riverside County Transportation Commission (RCTC) prepares and updates the Congestion Management Plan (CMP) to meet federal Congestion Management Process guidelines. Local agencies must consider the traffic impacts on the CMP System when reviewing and approving development proposals. The RCTC performs studies and develops consensus relative to regional growth forecasts and regional transportation plans. The CMP has been integrated with the 2019 County Long Range Transportation Study. Within Indian Wells, Highway 111 is in the CMP system as Principal Arterials. Principal Arterials in the CMP have a Level of Service (LOS) standard of LOS E. For purposes of this CMP, LOS analysis for intersections and segments along the CMP System of Highways and Roadways (under existing conditions), should be developed using the following HCM-based methods. In cases where the CMP minimum LOS threshold has been exceeded, there have either been overriding considerations (e.g. construction, traffic diversions, etc.) or improvements already programmed to improve the facility through TUMF, Measure A or other high priority projects.

The RCTC adopted the Riverside County's Long Range Transportation Study (LRTS), which identifies and evaluates major roadway and transit projects. A total of 130 State highway and major roadway projects and 57 major local and regional transit projects were identified for inclusion in the LRTS due to their size and/or level of regional significance and are also included in Riverside County's submittal to SCAG for the 2020 RTP/SCS update (2024 RTP/SCS). In Indian Wells, the widening of Highway 111 from 4 to 6 lanes is included as one of the LRTS projects in Appendix A.

Indian Wells Municipal Code

Title 11 - *Vehicles and Traffic*: Title 11 of the Indian Wells Municipal Code addresses Vehicles and Traffic regulations. It establishes rules for the proper flow of traffic, including traffic control on streets, highways, and certain privately owned roads, and ensures state approval for regulations involving state highways. The code also specifies that traffic regulations can be enacted by City Council resolution and includes a severability clause ensuring that if any part of the Title is found invalid, the remainder stays in effect.

Chapter 16.50 – T*ransportation Demand Management Requirements for Specified New Development Projects*: Indian Wells Municipal Code Chapter 16.50 aims to improve public health, safety, and welfare by reducing air pollution from vehicle trips. This chapter requires new and expanded development projects, particularly those with 100 or more employees, to create and implement a Transportation Demand Management (TDM) program. The goal is to minimize vehicle miles traveled and promote alternative transportation options, like public transit, carpooling, and biking, as part of the city's Congestion Management Plan.

The TDM program must focus on reducing peak-period vehicle trips by at least 10% and include strategies like flexible work schedules, telecommuting options, and facilities for biking and ridesharing.

Developments must also meet specific standards for transit, biking, and rideshare facilities. Eligible projects include non-residential developments and certain mixed-use projects; exemptions are provided for residential projects, temporary activities, and developments employing fewer than 100 people.

Applicants for applicable projects must submit a detailed TDM program for review by the Community Development Director, including all necessary capital improvements and operational strategies. Developers may incorporate a range of options in their TDM plans, such as preferential parking for carpoolers, on-site amenities, and contributions to regional transportation facilities. An annual renewal process ensures continued compliance, with fees associated for initial review, ongoing monitoring, and late submissions.

To monitor compliance, the Community Development Director reviews all TDM programs annually and responds to any complaints. Non-compliant developments must submit an updated TDM plan or face penalties. Fees for these reviews and program monitoring are set by the City Council and imposed on the property owner to cover administrative costs.

Chapter 3.23: The City is a member of the Coachella Valley Association of Governments (CVAG), a joint powers agency consisting of public agencies in the Coachella Valley. Acting in concert, the member agencies developed a plan to address the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials within CVAG's jurisdiction through a Transportation Uniform Mitigation Fee (TUMF) imposed on future development. CVAG commissioned fee studies to evaluate growth, transportation needs, and funding availability, which, when updated periodically, establish the relationship between new development and regional impacts, supporting the need for the TUMF. These studies also determine that TUMF proceeds will help fund engineering, construction, and acquisition of necessary Regional System improvements, ensuring the safety, health, and welfare of the system’s users.

The studies establish a reasonable relationship between the use of TUMF proceeds and the type of development on which the fee is imposed, ensuring the total fees do not exceed the fair share of costs. The projects and methodology identified in the studies for fee collection are consistent with the City's General Plan and comply with the provisions of the Mitigation Fee Act.

Section 2.08.170, L*imit on Number of Traffic Lanes on State Highway 111 without Voter Approval*:

Section 2.08.170 of the Indian Wells Municipal Code states that any City Council action allowing more than two through lanes in each direction on Highway 111 must be approved by a majority of voters in a general or special election. "Through lanes" are defined as traffic lanes not designated for turns. Exceptions are allowed for bicycle lanes, turn lanes, public transit vehicles, and short acceleration or deceleration lanes. This requirement applies from the date a petition is filed as per the California Elections Code.

Section 12.04. 100, *Protection Measures and Routing of Traffic*:

Section 12.04.100 of the Indian Wells Municipal Code outlines safety requirements during construction on public spaces. It mandates the use of barriers and warning devices, with specific guidelines for excavations, blasting, and tunneling requiring permits from state agencies. Warning signs must comply with state transportation guidelines. Contractors must minimize traffic disruptions and obtain written permission from authorities to close streets, which may include providing detours and notifying the public.

4.16.4 Project Impact Analysis

Thresholds of Significance

The following thresholds are derived from Appendix G of the CEQA Guidelines and are used to determine the level of potential effect. The significance determination is based on the recommended criteria set forth in Section 15064 of the CEQA Guidelines. The project would result in potentially significant impacts on transportation if projected development would result in any of the following conditions:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit roadway, bicycle and pedestrian facilities?
b) 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?

Methodology

The GPU is a policy document that will guide future development and resource management throughout the City. This section presents a programmatic analysis of potential impacts from projected development that would be accommodated by the project, in accordance with proposed goals, policies, and actions. Adoption of the GPU would not result in any changes to existing conditions; however, subsequent development could affect the circulation system and VMT.

LOS Analysis for Circulation System Consistency

The intersection LOS analysis in the GPU TA is based on the traffic volumes observed during the peak hour conditions using traffic count data collected in February 2024. The following peak hours were selected for analysis:

- Weekday AM Peak Hour (peak hour between 7:00 AM and 8:45 AM)
- Weekday PM Peak Hour (peak hour between 4:00 PM and 5:45 PM)

Level of Service (LOS) is a measure of transportation system performance based upon the ratio of traffic volume relative to the capacity of the roadway or intersection. The volume-to-capacity ratio (V/C) indicates the overall performance of the roadway intersection and corresponds to a rating of A through F identifying its level of capacity utilization and relative level of congestion. LOS A represents free-flow traffic with little or no delay whereas LOS F represents a breakdown of traffic flow and a high incidence of delay. The volume-to-capacity ratio (V/C) is utilized to indicate the overall projected performance of the roadway intersection.

Table 4.16-4 illustrates the unsignalized intersection description of LOS and **Table 4.16-5** illustrates the signalized intersection description of LOS.

Table 4.16-4 Unsignalized Intersection Description of LOS

Description	Average Control Delay Per Vehicle (Seconds)	Level of Service V/C ≤ 1.0	Level of Service V/C > 1.0
Little or no delays	0 to 10.00	A	F
Short traffic delays	10.01 to 15.00	B	F
Average traffic delays	15.01 to 25.00	C	F
Long traffic delays	25.01 to 35.00	D	F
Very long traffic delays	35.01 to 50.00	E	F
Extreme traffic delays with intersection capacity exceeded	>50.00	F	F

Source: Highway Capacity Manual (HCM) 7th Edition

Table 4.16-5 Signalized Intersection Description of LOS

Description	Average Control Delay (Seconds) V/C ≤ 1.0	Level of Service V/C ≤ 1.0	Level of Service V/C > 1.0
Operations with very low delay occurring with favorable progression and/or short cycle length	0 to 10.00	A	F
Operations with low delay occurring with favorable progression and/or short cycle lengths	10.01 to 20.00	B	F
Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear	20.01 to 35.00	C	F
Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and Individual cycle failures are noticeable	35.01 to 55.00	D	F
Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay	55.01 to 80.00	E	F
Operations with delays unacceptable to most drivers occurring due to over saturation, poor progression, or very long cycle lengths	80.01 and up	F	F

Source: Highway Capacity Manual (HCM) 7th Edition

The City establishes LOS D as the minimum acceptable standard during peak operating periods for roadway segments and intersections. If a project causes the LOS to change from an acceptable LOS (LOS D or better) to a deficient LOS (LOS E or worse) or increases delay/density on a facility operating at an unacceptable level, it is considered a concern because it is inconsistent with the City's General Plan.

However, analysis of LOS is for informational purposes to consider consistency with the General Plan. LOS is not a CEQA topic.

Vehicle Miles Traveled (VMT)

Section 15064.3 of the State CEQA Guidelines presents criteria for analyzing and determining the significance of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household, and whether a qualitative or quantitative analysis is appropriate. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence.

The *Indian Wells General Plan Update Transportation Analysis* (GPU TA) assesses the changes in VMT from existing with 2045 Proposed General Plan Update (GPU) conditions to identify if the GPU would result in an increase in VMT per capita and VMT per employee. Baseline (2024) VMT and Cumulative VMT were extracted using the Riverside County Transportation Model (RIVCOM) to maintain consistent data sources. The baseline 2024 VMT was obtained by interpolating the 2018 base year and the long range 2045 model results. Calculations for the VMT for the GPU was determined for the traffic analysis zones (TAZs) that comprise the study area (City limits and sphere of influence).

The RIVCOM model is a complex system that analyzes road networks, socio-economic data, driver behavior, and goods movement to predict where traffic flow will occur as the population grows and changes. While the RIVCOM model covers the entire SCAG region, Riverside County is the focus of analysis, and the model data is more disaggregated within the County as opposed to other areas of the region. The RIVCOM regional travel model evaluates travel throughout the CVAG region and uses the TransCAD software. The model groups land uses in the region into transportation analysis zones (TAZs). The model uses a series of calculation steps to estimate travel associated with the land uses and transportation network.

The daily activity patterns in the travel model are based on a statistical analysis of a household travel survey, where a representative sample of households were asked to track all daily activities and trips by all members of their household. The travel model was calibrated to these surveyed travel patterns and validated by its ability to replicate counted traffic volumes, transit ridership, and total VMT from the Highway Performance Measurement System (HPMS) which is based on traffic counts.

Modelled Scenarios

The following scenarios were reviewed and developed in the TA to provide VMT and roadway segment forecasts:

- **2024 Base Year:** corresponds to the model base year conditions. It consists of the existing circulation network and 2045 land use profile.
- **2045 with Project:** corresponds to 2045 conditions with maximum development potential with the GPU.

To analyze the Modeled Scenarios, RIVTAM was utilized. RIVTAM definition. The RIVTAM travel model requires land uses to be defined for each geographic area in the county. The model defines land uses in TAZs which are typically bounded by major arterial or collector streets and are generally subdivisions of Census tracts. The model land use inputs include numbers of households and employees by employment category, as well as enrollment at schools.

A detailed mapping of parcels and allowable development was compiled to determine the maximum buildout potential of each parcel and planning area with both the City's currently adopted General Plan (for No Project conditions) and the Project's proposed land use map (for Project conditions). **Table 4.16-6, *Land Use Assumptions,*** compares the land use assumptions for the existing, current general plan, and proposed general plan scenarios. These assumptions are used throughout the TA.

Table 4.16-6 Land Use Assumptions

	Existing	Current GP / BAU	Proposed GP
Units	**5,043**	**6,271**	**6,271**
Single Family	4,0694	5,455	5,455
Multifamily	349	816	816
Population	**4,347**	**5,405**	**5,405**
Single Family	4,046	4,702	4,702
Multifamily	301	703	703
Nonresidential SF	**1,546,833**	**5,132,104**	**5,159,667**
Jobs	**1,509**	**6,217**	**6,310**

Source: Iteris, 2024
Note: "BAU" = Business as Usual

Project Impact

a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit roadway, bicycle and pedestrian facilities?

The GPU will be qualitatively evaluated to determine if it is expected to conflict with relevant programs, plans, ordinances, and policies related to the circulation system. A conflict could occur if the proposed GPU would preclude the ability of Indian Wells to implement its goals or policies. For the purpose of this analysis, the GPU could result in a significant impact if it results in a conflict with any adopted City of Indian Wells programs, plans, ordinances, and policies.

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

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

As the population of Indian Wells increases through the GPU horizon, there would be an associated increase in the demand for transit facilities and service that would result in additional traffic congestion.

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

Level of Service (Consistency with the General Plan)

Future Traffic Conditions without Improvements

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

No specific development projects are proposed as part of the Indian Wells GPU. While widening of Highway 111 within Indian Wells is included under the RCTC LRTS, there is no committed funding for the widening. For this analysis, the roadway and intersection configurations are kept consistent from the existing scenario, including Highway 111 with 2 lanes in each direction and all study intersections with the same lane configurations and signal phasing. Appendix E in the TA contains the Future Conditions LOS Worksheets.

Intersections Level of Service

Table 4.16-7 provides a summary of 2045 General Plan Update conditions intersection LOS.

Table 4.16-7 Intersection LOS, 2045 General Plan Update Conditions (Without Improvements)

ID	Study Intersections	Weekday AM		Weekday PM	
		Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
1	Eldorado Drive at Fred Waring Drive	16.6	B	11.9	B
2	Warner Trail at Fred Waring Drive	46.0	D	48.9	D
3	Cook Street at Highway 111	**55.9**	**E**	47.6	D
4	Eldorado Drive at Highway 111	47.8	D	**90.4**	**F**
5	Indian Wells Lane at Highway 111	**166.8**	**F**	**86.7**	**F**
6	Miles Avenue at Highway 111	45.0	D	30.9	C
7	Washington Street at Miles Avenue	35.3	D	31.7	C

Source: Kittelson & Associates, Inc. 2024 Bold signifies operations below target LOS ("D").

Roadway Segments

The roadway segment analysis was performed for average daily traffic volumes (ADT), according to the methodologies discussed in according to the methodologies discussed in "Methodology and Evaluation Criteria" of the "LOS Analysis" section of the report. **Table 4.16-8, *Roadway Segments LOS, 2045 General Plan Update Conditions (Without Improvement*s),** provides a summary of 2045 General Plan Update conditions roadway segment LOS.

Table 4.16-8 Roadway Segments LOS, 2045 General Plan Update Conditions (Without Improvements)

ID	Segment	2024 ADT	Heavy Vehicle %	Posted Speed Limit	Existing Lanes	HCM Methodology LOS
1	Hovley Lane between East City Boundary and West City Boundary	15,080	3.03%	45	4D	LOS C or better
2	Fred Waring Drive between Eldorado Drive and Cook Street	42,550	1.37%	50	6D	LOS D
3	Cook Street between Fred Waring Drive and Highway 111	22,090	2.00%	40	4D	LOS D
4	Eldorado Drive between Fred Waring Drive and Highway 111	5,340	3.59%	40	4D	LOS C or better
5	Warner Trail between Fred Waring Drive and Miles Avenue	6,200	1.83%	35	2D	LOS D
6	Highway 111 from Cook Street to Rancho Palmeras Drive	46,310	1.94%	45	**4D**	**LOS F**
7	Miles Avenue from Warner Trail and Washington Street	10,340	2.07%	50	4D	LOS C or better
8	Cook Street from Highway 111 and Fairway Drive	14,270	1.74%	35	4D	LOS C or better
9	Eldorado Drive from Highway 111 to Fairway Drive	5,420	3.92%	35	2D	LOS D
10	Highway 111 from Miles Avenue to Washington Street	47,830	1.97%	50	**4D**	**LOS F**
11	Fairway Drive from Cook Street to Rancho Palmeras Drive	4,260	3.18%	35	2D	LOS D
12	Portola Avenue from Mockingbird Trail to South City Limit	13,430	3.01%	35	4D	LOS D

Source: Kittelson & Associates, Inc. 2024
2045 corresponds to 2045 General Plan Update conditions
All roadways modeled with their existing lane configurations, including Highway 111 with 2 through lanes in each direction. **Bold** signifies operations below target LOS ("D").
Methodology uses HCM 7th edition and Exhibit 45 of the "Planning and Preliminary Engineering Applications Guide to the Highway Capacity Manual" with the following additional assumptions applied: 8-lane facility types were reviewed as 6-lane facility type to be conservative; speed limits of 35 mph and 40 mph were reviewed as 30 mph to be more conservative. Assumes k factor of 0.09 and a d factor of 0.60.
4, 6, 8 = number of lanes. D = divided, U = undivided roadway.

As shown in **Table 4.16-8**, the following roadway segments operate below the target LOS ("D"):

- Highway 111 between Cook Street to Rancho Palmeras Drive (LOS E)
- Highway 111 between Miles Avenue and Washington Street (LOS F)

Future Traffic Conditions with Highway 111 Improvements

As previously shown, several intersections and roadway segments on Highway 111 would operate at a LOS below the City's LOD "D" target and would not meet the CMT LOS "E" target. Widening of Highway 111 from 4 to 6 lanes within City limits was identified in the RCTS LRTS. The following provides a summary

of the anticipated traffic operations with widening of Highway 111 and study intersections along the corridor. With the addition of a third lane in each direction of Highway 111, the following intersection improvements were assumed at the study intersections:

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

Table 4.16-9 Intersections LOS, 2045 General Plan Update Conditions (Highway 111 Widening)

ID	Study Intersection	Weekday AM		Weekday PM	
		Delay (Sec/veh)	LOS	Delay (Sec/veh)	LOS
3	Cook Street at Highway 111	42.7	D	42.5	D
4	Eldorado Drive at Highway 111	37.4	D	37.3	D
5	Indian Wells Lane at Highway 111	47.4	D	29.7	C
6	Miles Avenue at Highway 111	20.0	C	20.5	C

Source: Kittelson & Associates, Inc. 2024
Bold signifies operations below target LOS ("D").

Table 4.16-9 provides a summary of 2045 General Plan Update conditions intersection LOS with Highway 111 improvements. As shown above, all study intersections would operate at LOS D or better. As mentioned previously, this LOS analysis is provided for information purposes only to help the lead agency to determine consistency of future development with the GPU.

GPU Policies and Actions

Additionally, the GPU Mobility Element also includes policies and actions to maintain and improve the circulation system throughout the growth and development of the City. *Policy M-1.1* requires all new developments and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts. *Policy M-1.5* emphasizes the use of effective transportation system management techniques such as signal coordination and requires any new development to join the City's existing Transportation Management System. Additionally, it helps to ensure that cumulative growth in the City as well as the valley is properly analyzed, *Policy M-1.8* states

that the City coordinates with other government entities in the implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. These entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County, and adjacent communities. The City's transportation policies also emphasize maintaining efficient traffic flow while minimizing environmental and safety impacts. *Policy M-1.2* sets a goal of maintaining a minimum Level of Service (LOS) "D" at intersections during weekday peak hours, aiming to reduce traffic congestion. To support traffic distribution throughout the City and ease congestion during special events, *Policy M-1.3* ensures that the street system is well-maintained. Further enhancing circulation, *Policy M-1.4* promotes traffic control measures such as traffic signal coordination, adding turn lanes, and maintaining street surfaces to minimize noise and air quality impacts. To reduce congestion and improve air quality, *Policy M-1.7* promotes proactive management of the City's circulation system.

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

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

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

a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal.

The development and growth associated with implementation of the GPU would increase the demand and use of bicycle, pedestrian, and transit facilities and increase vehicular traffic. However, the GPU includes goals, policies, and actions that would enhance and expand transit facilities to provide a more connected and efficient multimodal transportation network. Additionally, the GPU would not conflict with a program, plan, ordinance, or policy addressing transit, bicycle, or pedestrian facilities.

Bicycle and Pedestrian

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

Policy M-2.1 encourages the use of alternative modes of transportation, including public transit, ride sharing, biking, low-speed vehicles, and walking, to serve the City's residents, workers, and visitors traveling to local and regional destinations. Complimenting *Policy M-2.1*, *Policy M-2.2* aims to improve pedestrian, bicycle, and low-speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools. *Policy M-2.5* emphasizes the development of safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes of transportation, *Policy M-2.6* is dedicated to providing safe and efficient travel options through the City for CV Link users coming from neighboring cities. *Policy M-2.7* discusses providing safe and efficient travel options through the City for CV Link users coming from neighboring cities. Lastly, *Action M-1c* states that the City will coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), Local Agency Formation Commission (LAFCO), Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.

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

pedestrian facilities along arterials and collectors where appropriate. *Action M-1e* encourages new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design. The implementation of these actions and policies for new developments would ensure that new development would not negatively affect the City's bicycle and pedestrian facilities.

The implementation of all the GPU Mobility goals, policies, and actions would result in a more integrated and complete network of bicycle and pedestrian facilities as compared to existing conditions. The GPU would not conflict with a program, plan, ordinance, or policy addressing bicycle or pedestrian facilities.

Conclusion

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

General Plan Policies and Actions

Policies

M-1.1 **Development-Related Traffic Impacts**. Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.

M-1.2 **LOS Standards.** Strive to maintain a minimum Level of Service (LOS) "D" at intersections during the weekday peak hours.

M-1.3 **Traffic Distribution.** Maintain a street system that helps to facilitate the distribution of traffic throughout the City and minimizes congestion, including during special events.

M-1.4 **Efficient Circulation**. Support traffic control measures which reduce noise and air quality impacts and are consistent with traffic engineering guidelines; such measures could include continue to support traffic signal coordination programs, adding left-turn lanes at intersections, incorporating right-turn only access at selected locations, and continue to maintain streets surfaces in good operating condition.

M-1.5 **Transportation Management System**. Make use of effective transportation system management techniques such as signal coordination. Any new development is required to join the City's existing Transportation Management System.

M-1.6 **Intersection Configurations.** Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.

M-1.7 **Minimize Environmental Impacts**. Manage the circulation system to minimize congestion and improve flow and air quality.

M-1.8 **Local and Regional Collaboration**. Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.

M-2.2 **Multi-Modal Streets.** Apply context-sensitive complete streets principles to roadway improvement projects to serve all modes of travel and users of all ages and abilities.

M-2.3 **Alternative Modes.** Encourage the use of alternative modes of transportation including public transit, ride sharing, biking, low speed vehicles, and walking that serve the City's residents, workers and visitors to local and regional destinations.

M-2.4 **Connectivity.** Improve pedestrian, bicycle, and low speed vehicle connections from residential neighborhoods to retail centers, hotels, and schools.

M-2.5 **New Development**. Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.

M-2.6 **Citywide Bicycle Plan**. Implement construction of the bike network system by requiring new development to provide bike lanes on public roads and update the plan as needed.

M-2.7 **Bicyclist and Pedestrian Safety**. Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.

M-2.8 **CV Link Users**. Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.

M-4.1 **Funding Sources**. Leverage existing available funding methods and sources to fud the transportation system in the City while also researching innovative funding sources at the federal, state, regional, and county levels.

M-4.2 **Development Fees**. Ensure that new development projects contribute their appropriate fair share to transportation network improvements.

M-4.3 **Monitor Funding**. Monitor funding of programmed transportation improvements.

M-4.4 **Regional Funding**. Encourage regional agencies to continue to provide adequate transportation funding to local jurisdictions.

Actions

M-1a Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to preform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:

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

M-1b Require vehicle miles traveled (VMT) analysis for land use application projects and transportation projects for the purposes of environmental review under the California Environmental Quality Act (CEQA). Adopt City-specific VMT thresholds and consider publishing Transportation Study Guidelines to establish methodologies and standards to evaluate transportation impacts from land development and transportation projects. The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements.

M-1c Coordinate with other government entities in implementation of the City's Circulation Plan and Coachella Valley-Wide circulation improvements. Entities include Caltrans, Coachella Valley Association of Governments (CVAG), LAFCO, Southern California Association of Governments (SCAG), Riverside County Transportation Commission (RCTC), Riverside County and adjacent communities.

M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.

M-1g Implement the arterial highway system in a manner consistent with Federal, State, and local environmental quality standards and regulations, and consistent with the City's charm and unique appeal

M-2a During project application review, consider requiring new and enhanced transit, bicycle, and pedestrian facilities along arterials and collectors where appropriate.

M-4a Develop and support a flexible financing program to fund the construction, maintenance, and improvement of the roadway system.

b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)

According to the GPU TA, future conditions with the implementation of the GPU would result in a decreased VMT per employee and VMT per capita in comparison to 2024 Baseline conditions analyzed in the TA. The VMT per capita and VMT per employee in the 2045 No Project and 2045 Project scenarios are the same, because the population and employment numbers are expected to remain the same in both scenarios. The impact threshold for residential VMT would be exceeded for the Project. The impact threshold for office VMT would not be exceeded for the GPU.

Below is the summary from the TA that shows VMT impact among 2024 Baseline conditions, the adopted General Plan's 2045 predictions, and the GPU 2045's predicted conditions.

Table 4.16-10 VMT Generated by Land Uses within the Project Area

Units	Existing (2024 Base Year)	2045 Adopted General Plan (No Project)	2045 Proposed General Plan (Project)
Capita			
VMT Per Capita	25.4	22.6	22.6
Impact Threshold (1)	N/A	N/A	14.0
Exceeds Threshold	N/A	N/A	YES
Employee			
VMT Per Employee	31.5	27.9	27.9
Impact Threshold (1)	N/A	N/A	30.1
Exceeds Threshold	N/A	N/A	NO
Total Project VMT			
City of Indian Wells	347,400	538,149	542,972

Notes:
Source: Kittleson and Associates, 2024
1. Impact Threshold is 15% below CVAG 2024 base year value
N/A= not applicable

Future conditions with the Project (2045 Proposed General Plan) would result in decreased VMT per employee and VMT per capita in comparison to 2024 baseline conditions. In other words, the Project results in less VMT per capita and VMT per employee, as it provides a more efficient distribution of land uses that promotes less trips and shorter distances. The total VMT would increase compared to existing conditions because the Project accommodates more employment and population. The reductions from the 2024 to the future year indicate that future development, in particular planned mixed-use development, will provide more opportunities for Indian Wells residents and employees to access jobs

and services within shorter distances. The shorter trip distances reduce VMT by vehicles, and also increase the likelihood that trips will be made by non-auto modes such as bicycling and walking. Improved transit service and accessibility to transit also help to reduce VMT even as travel activity increases.

However, the impact thresholds are based on a comparison against 15% below of the CVAG region. Since the City of Indian Wells has not adopted VMT thresholds or published guidelines for transportation studies, this analysis relies on the OPR technical advisory. The OPR recommends thresholds of 15% below existing VMT per capita for residential projects and VMT per employee for office projects. Given that the GPU implementation extends to 2045, it's appropriate to assess VMT impacts for that horizon year.

The impact threshold for residential VMT would be exceeded for the Project, as the VMT per capita of 22.6 exceeds the 14.0 threshold. The impact threshold for office VMT would not be exceeded. The GPU is expected to reduce VMT per capita and per employee compared to 2024, promoting a more efficient distribution of land uses and shorter trip distances. Despite the total VMT increase due to higher employment and population, the shorter distances and improved transit options would likely reduce VMT per capita.

The GPU proposes policies to expand transit, bicycle, pedestrian, and complete street networks and implement transportation demand management strategies, which could reduce VMT further. However, the effectiveness of these policies is uncertain. As stated above, the GPU VMT per capita of 22.6 (refer to **Table 4.16-10** above) exceeds the 14.0 threshold, resulting in a significant impact according to CEQA Guidelines Section 15064.3(b). Meeting this threshold would require a 40% reduction in VMT per capita, which is not feasible. Therefore, with respect to consistency with CEQA Guidelines Section 15064.3, subdivision (b), the VMT impact of the Project related to VMT/capita would be **significant and unavoidable.**

c. Increase hazards due to a geometric design feature or incompatible uses

Through implementation of the goals, policies, and actions of the GPU, existing conflicts between motor vehicles and non-motorized travelers would be reduced over time. Additionally, all future development would be subject to, and designed in accordance with Town of Truckee design and safety standards. Therefore, the GPU would not substantially increase transportation-related hazards, and the impact would be less than significant.

The City of Indian Wells has well-established roadway and site design standards that guide the design and construction of new transportation facilities to minimize design hazards for all users of the circulation system. City policies (including those identified in the GPU) require evaluation of safety conditions as part of the project review process. This includes the review of roadway improvements to ensure that safety-related standards are met, such as driver sight distance requirements, intersection improvements, and additional pedestrian and bicycle infrastructure. As needed, improvements to meet

safety standards are identified and required as part of project approval. New roadways are required to be designed according to applicable Federal, State and, local design standards. This includes the City's adopted Public Improvement and Engineering Standards.

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

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

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

states that the City would consider establishing a low-speed vehicle path, following provisions of the California Vehicle Code and the California Highway Design Manual. Finally, the City collaborates with The Living Desert (*M-2.10*) to ensure access to recreational trails for Indian Wells residents.

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

General Plan Policies and Actions

Policies

M-1.1 **Development-Related Traffic Impacts.** Require all new development and expansion of existing development to offset their adverse effects on the circulation system and mitigate Vehicle Miles Traveled (VMT) impacts.

M-1.6 **Intersection Configurations.** Consider the use of non-traditional intersections such as roundabouts and traffic circles, where appropriate, safe, and feasible.

M-1.12 **Truck Routes.** Maintain a network of truck routes to facilitate goods movement to regional roads and to discourage the use of residential roads.

M-2.4 **New Development.** Encourage new developments to develop internal shared use paths where desirable and feasible, with additional amenities such as secure bicycle parking, pedestrian-scale lighting, street furniture, landscaping. Developments must connect any internal walking or biking paths to the City-wide path system with frequent and safe access points and safe for people walking and biking to use.

M-2.5 **Citywide Bicycle Plan.** Implement construction of the bike network system by requiring new development to provide bike lanes on public roads and update the plan as needed.

M-2.6 **Bicyclist and Pedestrian Safety.** Develop safe and convenient bicycle and pedestrian facilities and crossings that reduce conflicts with other modes.

M-2.7 **CV Link Users.** Provide safe and efficient travel options through the City for CV Link users coming from neighboring cities.

M-2.8 **Bus Stops.** Work with Sunline and other providers to improve bus stop amenities.

M-2.9 **Rail and Air Travel.** Participate with regional agencies and cities to promote rail and air service capacities that meet the needs of residents, workers, and visitors.

M-2.10 **The Living Desert.** Coordinate with The Living Desert to ensure Indian Wells residents have access to the reserve's nature walks and hiking trails.

Actions

M-1d Evaluate opportunities to implement roundabouts as traffic control, considering safety, traffic calming, cost and maintenance.

M-1e Encourage new development to provide safe pedestrian facilities for internal circulation and access to adjacent uses as part of their design.

M-1f Consider streetscape improvements such as landscaping, , sidewalks, paths, lighting, and other pedestrian-oriented features in the City.

M-2b Consider establishing a low-speed vehicle path system, consistent with the provisions of the California Vehicle Code and the California Highway Design Manual.

M-2c Create a promotional campaign to encourage walking, biking, carpooling, and alternative modes of transportation to the automobile to improve air quality.

d. Result in Inadequate Emergency Access

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

The Mobility Element and Public Safety Element of the GPU lists policies and actions directed at reducing risk and harm by natural or manmade hazards. In regard to roadways, *Action M-1a* requires new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. *Action PS-2a* states the City will mitigate, as feasible, existing non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards. *Action PS-1g* states that the City will work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios.

Additionally, emergency access for any future developments under the GPU would be subject to review by the City of Indian Wells and responsible emergency service agencies; thus, ensuring all future projects would be designed to meet all City of Indian Wells emergency access and design standards. Therefore, the GPU would not result in inadequate emergency access; and thus, would result in a less-than-

significant impact. For discussion of emergency response and consistency with adopted emergency evaluation plans, see **Section 4.9, *Hazards and Hazardous Materials***.

General Plan Actions

PS-1g Work with RCFD to maintain, update, and regularly exercise emergency access, protocols, and evacuation routes to assess their effectiveness under a range of emergency scenarios.

PS-2a Mitigation, as feasible, existing, non-conforming development to contemporary fire safe standards where feasible, including road standards and vegetative hazards.

M-1a Require new development and expansion of existing development to provide necessary street improvements and address operational deficiencies for which its traffic causes off-site intersections to perform beyond acceptable LOS standards. Improvements shall include as conditions of approval, but not be limited to, the following:

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

4.16.5 Cumulative Impacts

The implementation of the General Plan Update (GPU) for the City of Indian Wells would result in a significant cumulative impact on transportation, specifically in terms of vehicle miles traveled (VMT). A cumulative impact is defined as the combined result of a project's impacts when viewed in connection with other related projects, including foreseeable future developments. In this case, under horizon year 2045 conditions, the City's total regional VMT would increase as a result of the Project, indicating a cumulative transportation impact.

The Cumulative Daily VMT within the City's boundaries was calculated under two scenarios: the No Project condition and the With Project condition. Without the Project, the total VMT for 2045 is projected to be 538,149. However, with the Project, the VMT increases to 542,972, an additional 4,823 VMT, representing a 0.90% increase. This indicates that under the maximum development potential of the General Plan, there would be a net increase in VMT across the City, contributing to cumulative transportation impacts.

While the General Plan includes policies promoting non-automobile travel and more efficient land use patterns, which could help mitigate some of the VMT increases, these measures are insufficient to fully offset the projected increase. Achieving the necessary 27% reduction in VMT to avoid cumulative impacts is considered infeasible. In an effort to reduce VMT, future development projects within the City, consistent with the General Plan, would need to incorporate Transportation Demand Management (TDM) strategies, such as promoting commuter assistance programs and shortening travel distances by integrating homes, workplaces, and shopping areas. Requirements for these VMT reducing measures will be implemented through Municipal Code, Chapter 16.50, *Transportation Demand Management Requirements for Specified New Development Projects* (discussed under Indian Wells Municipal Code in the Regulatory Section). However, the effectiveness of TDM measures would not fully mitigate the VMT increases.

In light of this, cumulative residential VMT impacts are considered significant and unavoidable. According to the Office of Planning and Research's (OPR) SB743 Technical Advisory, if a project-level VMT impact occurs, it implies a significant cumulative impact. Since the GPU results in a project-level VMT increase, the cumulative impact on transportation would also be significant. Therefore, despite efforts to reduce VMT through various policies and strategies, the cumulative impact of the GPU on transportation is determined to be significant and unavoidable.

All other transportation impacts associated with implementation of the GPU (discussed in the Project Impact section) would be less than significant. If the City of Indian Wells approves the GPU, the City will be required to make findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations for consideration by the City's decision makers in accordance with CEQA Guidelines Section 15093.

4.16.6 Mitigation Measures

Despite the inclusion of policies, actions, and Transportation Demand Management (TDM) strategies aimed at reducing VMT, the cumulative transportation impact of the GPU for the City of Indian Wells remains significant and unavoidable. The projected VMT increase of 0.90% by 2045 cannot be fully mitigated, and achieving the necessary reduction is considered infeasible. Therefore, the cumulative impact on transportation is determined to be significant and unavoidable, requiring a Statement of Overriding Considerations under CEQA.

4.16.7 Level of Significance After Mitigation

Not applicable.

4.16.8 Resources

1. City of Indian Wells General Plan, adopted in 1996 and amended periodically.

2. Indian Wells General Plan Update Transportation Analysis, Kittleson & Associates, August 27, 2024
3. City of Indian Well General Plan Update, 2024.

4.17 Utilities and Service Systems

4.17.1 Introduction

This section provides a background discussion of the utility systems in the City of Indian Wells including potable water supplies and distribution, wastewater collection and disposal, storm drainage, solid waste disposal, natural gas, electricity and telecommunications. Additionally, this section analyzes the potential impacts of the proposed Indian Wells General Plan (GPU) project ("project") on utilities and service systems. Information collected and used for this analysis are incorporated from the Indian Wells General Plan Chapter II: Community Development Land Use section, the Indian Wells Infrastructure Background Report for Infrastructure Analysis, the Coachella Valley Water District (CVWD) Coachella Valley 2020 Regional Urban Water Management Plan (CVUWMP), and the Riverside County Integrated Waste Management Plan.

4.17.2 Existing Conditions

Existing Conditions

Water Service

CVWD is the Public Water Supplier that provides water services to the City of Indian Wells. Established in 1918 under the County Water District Act provisions of the California Water Code, CVWD provides water related services for domestic water, wastewater collection and treatment, recycled water, agricultural irrigation water, drainage management, imported water supply, groundwater replenishment, stormwater management, and flood control and water conservation.

The Coachella Valley is bordered on the west and north by high mountains, which provide an effective barrier against coastal storms, and which greatly reduce the contribution of direct precipitation to recharge of the Coachella Valley Groundwater Basin. The majority of natural recharge comes from runoff from the adjacent mountains.

The Coachella Valley groundwater basin has been the principal source of water for the Valley since the early 1900s. This basin has an estimated storage capacity of 40 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 Gorgonio. CVWD obtains groundwater from both the Indio and the Mission Creek Subbasins. The Indio Subbasin is a common groundwater source, which is shared by CVWD, Desert Water Agency (DWA), Myoma Dunes Mutual Water Company (MDMWC), the cities of Indio and Coachella, and numerous private groundwater producers. The Mission Creek Subbasin is also a common water supply that is utilized by CVWD, MSWD, and private groundwater producers.

The city is specifically underlain by the Indio Subbasin, which is also known as the Whitewater River Subbasin. CVWD works with other local water agencies and Coachella Valley stakeholders to implement water conservation, water reuse, and groundwater recharge strategy to ensure water availability and system capacity to meet the growing needs of the Coachella Valley.

According to the 2020 Regional Coachella Valley Urban Water Management Plan, CVWD currently has approximately 110,093 domestic water connections and provided approximately 99,843 AF of water in 2020. CVWD serves all of Rancho Mirage, Thousand Palms, Palm Desert, Indian Wells, La Quinta, and a portion of Indio and Coachella. Other areas served with domestic water by CVWD include a portion of lands near Desert Hot Springs, the Indio Hills area, and a portion of Cathedral City.

The CVWD service area encompasses approximately 640,000 acres, mostly within Riverside County, but also extends into northern Imperial and San Diego Counties; however, CVWD provides no urban water services to San Diego County.

CVWD operates and maintains groundwater recharge facilities at three locations in the Coachella Valley: the Whitewater River Groundwater Recharge Facility (WWR-GRF), the Thomas E. Levy GRF (TEL-GRF), and the Palm Desert GRF (PD-GRF). Desert Water Agency (DWA) shares in the operation and maintenance cost at the WWR-GRF. CVWD and DWA also share costs of the operation and maintenance of the Mission Creek GRF (MC-GRF) to replenish the aquifer underneath the Mission Creek Subbasin. CVWD has operated and maintained recharge facilities at the WWR-GRF (formerly referred to as the Whitewater Spreading Area) since 1919, first with local surface runoff and, since 1973, with imported State Water Project Exchange water. The WWR-GRF has a series of 19 ponds covering 700 acres adjacent to the Whitewater River. Local runoff and State Water Project Exchange water deliveries are transported to the ponds via the Whitewater River channel, and then diverted into the recharge ponds at two locations by diversion structures. Since its introduction in 1973, over 3.8 million acre-feet of water have been recharged at this facility.

Wastewater Service System

CVWD began wastewater collection and treatment services in 1968, acquiring the Palm Desert Country Club's water and sewer systems. CVWD provides wastewater collection and treatment services for all or part of the cities of Cathedral City, Indian Wells, La Quinta, Palm Desert, and Rancho Mirage, as well as unincorporated areas of Riverside County. The District owns and operates 1,173 miles of pipeline that conveys wastewater to one of five wastewater reclamation plants for treatment. Two of those plants treat wastewater to meet the standards for non-potable water, which is used by CVWD customers for irrigation. Brief descriptions of CVWD's WRPs are presented here.

Wastewater Reclamation Plant- 1 (WRP-1) serves the Bombay Beach community near the Salton Sea. WRP-1 has a design capacity of 150,000 gallons per day (gpd), and currently all the effluent from this

facility is disposed by evaporation infiltration. CVWD has no plans to recycle effluent from this facility because of the low flow and lack of potential uses near the plant.

WRP-2 serves the nearby North Shore community. WRP-2 has a treatment capacity of 33,000 gpd and can provide additional capacity when flows exceed this value. WRP-2 discharges treated secondary effluent into four evaporation-infiltration basins for final disposal. CVWD has no plans to recycle effluent from this facility because of the low flow and lack of potential uses near the plant.

WRP-4 is a 9.9 million gallons per day (MGD) capacity treatment facility located in Thermal. WRP-4 became operational in 1986 and serves communities from La Quinta to Mecca. WRP-4 provides secondary treatment consisting of pre-aeration ponds, aeration lagoons, polishing ponds, and disinfection. The treated effluent is discharged to the CVSC pursuant to a National Pollution Discharge Elimination System (NPDES) permit. Effluent from WRP-4 is not currently recycled. CVWD plans to add tertiary treatment and reuse effluent from this plant in the future primarily for agricultural irrigation.

WRP-7 is located in North Indio and has a capacity of 5.0 MGD. The design capacity of the tertiary treatment system at WRP-7 is 2.5 MGD. The off-site pumping capacity of the WRP-7 recycled water pump is approximately 4,500 gpm. In the summer, peak demands exceed the pumping capacity of 4,000 gpm, which typically serves Sun City and 500 gpm which serves Shadow Hills.

WRP-10 is located in Palm Desert. WRP-10 began delivering recycled water in 1987. The design capacity of the tertiary treatment system at WRP-10 is 15 MGD. WRP-10 has two distribution systems. One is a low-pressure system, with recycled water and/or canal water delivered by the MVP leaving the plant in this system at 85 psi. The other system is a high-pressure system which pumps recycled water and/or canal water delivered by the MVP out at 135 psi. Because the winter demand for recycled water is less than the available supply, a portion of the plant flow is disposed through on-site percolation-evaporation ponds.

Stormwater System

The City of Indian Wells encompasses approximately 14.6 square miles in the Coachella Valley, in the County of Riverside. The city is located in the Whitewater River Watershed, which is an arid desert region encompassing approximately 1,645 square miles. Within this watershed, a sub-area of approximately 367 square miles (22 percent) encompassing most of the existing development in the region, is regulated under the established *Whitewater River Region Municipal Separate Storm Sewer System Permit* (MS4 Permit). Riverside County Flood Control and Water Conservation District (RCFC&WCD), Coachella Valley Water District (CVWD) and the incorporated Coachella Valley cities, including Indian Wells, have joint permittee responsibility for coordinating the regional MS4 Permit compliance programs and other activities aimed at reducing potential pollutants in urban runoff from land development construction, municipal, commercial, and industrial areas to the maximum extent possible.

Based on the Whitewater River Region MS4 Permit, precipitation in the Whitewater River Region averages 3.6 inches per year, which is 65 to 75% less annual precipitation than western portions of Riverside County and the coastal counties in Southern California. The Whitewater River Watershed has no defined rainy (wet) season, considering that convective rainfall events (summer thunderstorms) make up a large portion of Whitewater River Region annual rainfall, in contrast to the general winter precipitation that dominates rainfall events in western Riverside County and the coastal plains. When storms occur, they tend to be discrete convective cells, and feature short but intense rainfall, typical of monsoonal thunderstorms; individual storm events typically are localized and rarely affect the entire drainage network.

The Whitewater River Region is drained primarily by the Whitewater River that carries flows to the Coachella Valley Stormwater Channel (CVSC), which outlets to the Salton Sea. It is worth noting that the Salton Sea body of water is not deemed part of the Whitewater River Watershed regulation, as it is separately managed and receives inflow from Alamo River and New River in a separate watershed in Imperial County. Therefore, the Whitewater River Region includes the Coachella Valley surface drainage up to, but not including the Salton Sea.

In relation to the project site, Whitewater River transects the northern developed portion of the City. Surface drainage within the local watershed, including Whitewater River, generally consists of ephemeral washes. Due to soil type and lack of interflow contributions, time and volume of flow in receiving waters after storm events are minimal. According to the referenced MS4 Permit, Whitewater River flow in the Coachella Valley floor is so infrequent that several sections of the channel have been integrated into golf courses as a regular practice.

See **Section 4.10, *Hydrology and Water Quality***, of this Draft EIR for an in-depth discussion of existing flood control conditions.

Solid Waste Services

Riverside County Department of Waste Resources (RCDWR) is responsible for the landfilling of non-hazardous county waste. In this effort the Department operates five landfills, has a contract agreement for waste disposal with an additional private landfill and administers several transfer station leases. The RCDWR Planning Section ensures that the County's planned and proposed waste management activities and projects follow applicable federal, state and local land use and environmental laws, regulations, and ordinances.

As part of its long-range planning and management activities, the RCDWR ensures that Riverside County has a minimum of 15 years of capacity, at any time, for future landfill disposal. The 15-year projection of disposal capacity is prepared each year as part of the annual reporting requirements for the Countywide Integrated Waste Management Plan.

Residential solid waste and recycling services are provided by Burrtec Waste Industries, Inc. (Burrtec), which also serves restaurants, retailers, hotels and resorts. Solid waste and recycling collected from the area is taken to the Edom Hill Transfer Station. Residual waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Landfill, and the Lamb Canyon Sanitary Landfill. The Badlands Landfill has an estimated total capacity of 82,300,000 cubic yards of permitted capacity and an estimated remaining capacity of 7,800,000 cubic yards. The Lamb Canyon Sanitary Landfill has an estimated total capacity of 39,681,512 cubic yards and an estimated remaining capacity of 19,242,950 cubic yards. The following **Table 4.17-1, *Riverside County Landfills***, outlines the estimated closure dates and capacities of landfills that serve the City and could serve the proposed project.

Table 4.17-1 Riverside County Landfills

Landfill Sites	Estimated Closure Year	Permitted Capacity (tons/day)	Maximum Permitted Capacity (cubic yards)	Remaining Capacity (cubic yards)
Badlands	2059	5,000	82,300,000	7,800,000
Lambs Canyon	2032	5,000	39,681,513	19,242,950
Blythe	2052	400	6,003,343	3,271,203
Desert Center	2107	60	409,112	127,414
El Sobrante	2051	16,054	209, 910,000	143,977,170
Oasis	2055	400	1,09,152	433,779
Source: CalRecycle 2024				

ELECTRIC POWER, NATURAL GAS, AND TELECOMMUNICATIONS

Infrastructure to deliver electricity and natural gas service throughout the Planning Area is currently in place and can generally provide these services to new development on request. **Section 4.6, *Energy Resources,*** includes a thorough discussion of Electricity and Natural Gas Resources in the GPU area.

Electric Power: Southern California Edison ("SCE") is a regulated public utility that provides energy service to 15 million people across a 50,000 square mile service area in Los Angeles County, including electricity for the Planning Area. SCE obtains electricity from a variety of sources, including SCE-owned facilities and other private and publicly owned facilities that provide electricity through contracts and agreements. A variety of energy sources generate electricity, including coal, natural gas, nuclear, hydroelectric, and a mix of other renewable resources.

Imperial Irrigation District (IID) is the sixth largest electrical utility in California, serving more than 150,000 customers. The IID energy service territory covers 6,471 square miles, including all of Imperial County along with parts of Riverside and San Diego counties. According to the CEC Energy Consumption Database, approximately 3,733 GWh were consumed in IID's service area in 2022. IID provides residents and businesses in its service area with various assistance and renewable energy programs.

Natural Gas: SoCalGas provides service to about 5.9 million customers. SoCalGas transports natural gas to the Coachella Valley through regional high-pressure lines. Limiting stations transfer the gas to supply lines with reduced pressure, which feeds local accounts. According to the CEC Gas Consumption Database, approximately 5,026.5 million therms was consumed in SoCalGas service area in 2022**.** High-pressure distribution lines are also located along Highway 111, Cook Street, Washington Street, and Country Club Road. No high-pressure distribution lines run through the Planning Area.

Telecommunications: Multiple telecommunications providers serve the Planning Area, including Spectrum, Frontier, T-Mobile, AT&T and Verizon.

4.17.3 Regulatory Setting

Federal

Clean Water Act and Safe Drinking Water Act

The Clean Water Act (CWA) was established in 1972 as the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industries. The EPA has also developed national water quality criteria recommendations for pollutants in surface waters.

It is unlawful under the CWA to discharge any pollutant from a point source, which is a discrete conveyance such as pipes or man-made ditches, into navigable waters unless a permit is obtained. The National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. Compliance monitoring under the NPDES Program encompasses a range of techniques in order to address the most significant problems and to promote compliance among the regulated community.

The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. SDWA authorizes the EPA to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. The U.S. EPA, states, and water systems then work together to make sure that these standards are met (EPA 2020).

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying potential hazards and determining the need for and availability of federal flood insurance. As mandated by the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973, FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized federal flood insurance to residents of communities where future floodplain development is regulated.

FEMA has developed FIRMS to determine the need for and availability of federal flood insurance. FIRM maps rely on a variety of flood risk information based on historic, meteorological, hydrologic and hydraulic data, as well as existing development, open space and topographic conditions within an area. FEMA mapping also incorporates the results of engineering studies to delineate Special Flood Hazard Areas (SFHAs), which are considered at higher risk of inundation and flood-related hazards.

Resource Conservation and Recovery Act (RCRA)

This law was enacted in 1976 and is the principal federal law governing the disposal of solid waste and hazardous waste. The U.S. Environmental Protection Agency (U.S. EPA) oversees waste management regulation pursuant to Title 40 of the Code of Federal Regulations. Under RCRA, however, states are authorized to carry out many of the functions of the federal law through their own hazardous waste programs and laws, as long as they are at least as stringent (or more so) than the federal regulations. Thus, CalRecycle manages the State of California's solid waste and hazardous materials programs pursuant to U.S. EPA approval.

Federal Energy Regulation Commission

The Federal Energy Regulatory Commission duties include the regulation of the transmission and sale of electricity and natural gas in interstate commerce, licensing of hydroelectric projects, and oversight of related environmental matters.

State

California Water Code

Requirements for the preparation of a Water Supply Assessment (WSA) are set forth in Senate Bill 610 (SB 610), which was enacted in 2001 and became effective January 1, 2002. SB 610 amended Section 21151.9 of the Public Resources Code. It requires cities and counties and other CEQA lead agencies to request specific information on water supplies from the Public Water System (PWS) that would serve any project that is subject to CEQA and is defined as a "Project" in Water Code Section 10912. This information is to be incorporated into the environmental review documents prepared pursuant to CEQA.

The Water Code requires a WSA be prepared for any project that propose to construct 500 or more residential units or the equivalent outlined below.

- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space
- A proposed hotel or motel, or both, having more than 500 rooms

- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area
- A mixed-use project that includes one or more of the projects specified above
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project
- For public water systems with fewer than 5,000 service connections, a project that meets the following criteria: any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system's existing service connections.

California Water Boards

The California Water Board consists of the State Water Resources Control Board and the Regional Water Quality Control Board. Together they work to preserve, protect, enhance, and restore water quality. The State Water Board sets statewide water quality standards, issues statewide general permits, conducts statewide surface and groundwater monitoring and assessment, and issues orders for cleaning up contaminated sites. The State and Regional Water Boards also work with federal, state, and local agencies, as well as other environmental agencies to ensure a coordinated approach to protecting human health and the environment.

There are nine regional water quality control boards statewide. The nine Regional Boards are semi-autonomous and are comprised of seven part-time Board members appointed by the Governor and confirmed by the Senate. Regional boundaries are based on watersheds and water quality requirements are based on the unique differences in climate, topography, geology, and hydrology for each watershed. Each Regional Board makes critical water quality decisions for its region, including setting standards, issuing waste discharge requirements, determining compliance with those requirements, and taking appropriate enforcement actions. The project site is located in the Colorado River Basin Region (Region 7).

Urban Water Management Plan

The Urban Water Management Planning Act (UWMPA) was established by Assembly Bill 797 (AB 797) on September 21, 1983, and passage of this law recognized that water is a limited resource, and that efficient water use and conservation would be actively pursued throughout the State. The UWMPA requires that municipal water suppliers providing either directly or indirectly to more than 3,000 customers or supplying more the 3,000 acre-feet per year (AFY), prepare and adopt an Urban Water Management Plan (UWMP) every five years which defines their current and future water use, source of

supply, source reliability, and existing conservation measures. IWA completed their five year update in 2021.

CalRecycle

CalRecycle is the term the State of California uses for its Department of Resources Recycling and Recovery, formerly known as the California Integrated Waste Management Board (CIWMB). This state agency performs a variety of regulatory functions pursuant to California Code of Regulations (CCR) Title 27 and other regulations. Among five-yearngs, CalRecycle set minimum standards for the handling and disposal of solid waste designed to protect public health and safety, as well as the environment (see CCR Section 20050, for example). It is also the lead agency for implementing the State of California municipal solid waste program deemed adequate by the U.S. EPA for compliance with RCRA (Riv. County EIR No. 521).

California Integrated Waste Management Act (IWMA) (Assembly Bill (AB) 939)

This act was passed by the State Legislature in 1989 to reduce dependence on landfills for the disposal of solid waste and to ensure an effective and coordinated system for the safe management of all solid waste generated within California. With its passage, solid waste management practices were redefined to require California cities and counties to divert disposal of solid waste by 50% by the year 2000. It also required local governments to prepare and implement plans to improve waste resource management by integrating management principles that place importance on first reducing solid waste through source reduction, reuse, recycling and composting before disposal at environmentally safe landfills or via transformation (e.g., regulated incineration of solid waste materials). These plans must also be updated every five years (Riv. County EIR No. 521).

Mandatory Diversion and Recycling, AB 341

Approved in 2011, this act amended the California Public Resources Code (Section 42649 et seq.) to address solid waste diversion (i.e., recycling) targets to decrease the amount of wastes going to landfills and thus extend their usable lives. AB 341 requires cities and counties, including Riverside County, to include source reduction, recycling and composting in their integrated waste management plans (IWMP). In addition, under AB 341 counties were required to "divert 50% of all solid waste from landfill disposal or transformation [e.g., incineration] by January 1, 2000, through source reduction, recycling and composting activities." By 2020, the target rises to "not less than 75% of solid waste." (Riv. County EIR No. 521).

California's Energy Efficiency Standards for Residential and Nonresidential Buildings

Located in CCR Title 24, Part 6 and commonly referred to as "Title 24", these energy efficiency standards were established in 1978 in response to a legislative mandate to reduce California's energy consumption.

The goal of Title 24 energy standards is the reduction of energy use. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. In December 2019, the California Energy Commission (CEC) adopted the 2019 Building and Energy Efficiency Standards effective January 1, 2020. This code requires new homes to include at least 50 percent of kitchen lighting to be LED, compact fluorescent or similar high efficiency fixtures, double pane windows, cool roofs, and other design techniques to reduce heat loss.

Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen). The CALGreen standard took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The 2019 CALGreen standards became effective on January 1, 2020. Part 11 establishes design and development methods that include environmentally responsible site selection, building design, building siting and development to protect, restore and enhance the environmental quality of the site and respect the integrity of adjacent properties.

California Public Utilities Commission

Established in 1911, the California Public Utilities Commission ("CPUC") regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies. CPUC is organized into several advisory units, an enforcement division, and a strategic planning group. CPUC also regulates Edison and SoCalGas. IID is not regulated by the CPUC.

Regional and Local

Regional Urban Water Management Plan

In 1983, the Urban Water Management Planning Act (UWMP Act) was established by Assembly Bill 797, and passage of this law recognized that water is a limited resource and that efficient water use and conservation would be actively pursued throughout the State of California. The UWMP Act requires that water suppliers providing water for municipal purposes either directly or indirectly to more than 3,000 customers, or supplying more than 3,000 acre-feet of water annually, prepare and submit an Urban Water Management Plan (UWMP) to the California Department of Water Resources (DWR) every five years. UWMPs are required to support the water suppliers' long-term resource planning to ensure that adequate water supplies are available to meet existing and future water needs. UWMPs must assess the reliability of water sources over a 20-year planning horizon during normal, single-dry, and multiple-dry years, describe management measures and water shortage contingency plans, report progress toward meeting conservation goals and targeted reduction in per-capita urban water consumption, and discuss the uses and planned uses of recycled water.

The six urban water suppliers in the Coachella Valley, (CVWD, Coachella Water Authority, Desert Water Agency, Indio Water Authority, Mission Springs Water District, and Myoma Dunes Mutual Water

Company) collaboratively prepared the 2020 Coachella Valley Regional UWMP. These agencies have historically collaborated on planning efforts related to water resources and their efficient use in the Coachella Valley. The purpose of this RUWMP is to allow the six agencies to address Urban Water Management Plan (UWMP) requirements. Although most agencies prepare an individual UWMP and submit it to DWR, the California Water Code allows agencies to join together to prepare a RUWMP. The RUWMP must include all the same elements as an individual UWMP. Jointly preparing a RUWMP presents an opportunity for agencies to coordinate their efforts on demand projections, characterization of shared supplies, and planning for potential water shortages.

Sanitary Sewer Management Plan

The Sanitary Sewer Management Plan (SSMP) describes the management of CVWD's sewer collection system and minimizes the number of sanitary sewer overflows. The SSMP is required by the State Water Resources Control Board Order No. 2006-0003, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR 2006-0003) enacted May 2, 2006. The SSMP provides guidance for a properly managed, operated and maintained sanitary sewer system. CVWD's Sanitary Sewer Management Plan was completed in 2019. All portions of CVWD's wastewater collection system are required to be managed, operated and maintained to provide adequate capacity to convey the peak wastewater flows, to minimize the frequency of Sanitary Sewer Overflows (SSOs), mitigate the impacts that are associated with any SSO that may occur, meet all applicable regulatory notifications and reporting requirements, and provide exceptional customer service to the residents and businesses served.

Countywide Integrated Waste Management Plan

The Countywide Integrated Waste Management Plan (CIWMP) was prepared in accordance with the California Integrated Waste Management Act of 1989, Chapter 1095 (AB 939), and is updated every five years. The CIWMP outlines and codifies the goals, policies and programs that the County of Riverside and its cities are implementing to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. The CIWMP's components include the Countywide Summary Plan, the Countywide Siting Element, the Source Reduction and Recycling Element, the Household Hazardous Waste Element and Non-Disposal Facility Element. Each of these Elements address plans for Riverside County and each of its cities. The Riverside Countywide Integrated Waste Management Plan was approved by the California Integrated Waste Management Board in September of 1996 and has subsequently been updated at five-year intervals as required by law (Riv. County EIR No. 521).

City of Indian Wells Municipal Code

The City is committed to protecting the public health, safety, welfare and environment to promote the reduction of solid waste and reduce the amount of solid waste going to landfills as required under

California law as embodied in the California Waste Management (Sections 4000 et seq.) The City is required to prepare, adopt and implement source reduction and recycling elements to reach reduction goals and is required to make substantial reductions in the volume of waste materials going to landfill, . The City's Municipal Code Chapter 16.75 was implemented to reduce landfill waste by requiring an applicant for every "covered project" to divert a minimum of fifty percent (50%) with a goal of seventy percent (70%) of the construction and demolition debris resulting from that project in compliance with State and local statutory goals and policies and to create a mechanism to secure compliance with the stated diversion requirements.

City of Indian Wells Municipal Code

Title 13 Public Utilities, of the Indian Wells Municipal Code details the regulations associated with community antenna television systems and underground utilities.

4.17.4 Project Impact Analysis

Thresholds of Significance

The following standards and criteria for establishing significance of potential impacts related to utilities and service system were derived from the CEQA Guidelines, Appendix G. Development of the proposed project would have a significant impact on the environment associated with Utilities if it would:

a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
b. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate 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. Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Methodology

The potential for project-specific and cumulative impacts associated with utilities and related service systems, was assessed based upon available data that considers the project, the City, and related projects. Impacts on water demand, wastewater, solid waste, electricity, natural gas and telecommunications that would result from the project were identified by determining the demand of

the existing estate and comparing the existing service capacity against future demand associated with project implementation. A quantitative comparison was used to determine the impact of the project on future demands.

RM-6a

Project Impact

a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

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

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

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

The City of Indian Wells is primarily built out, and no major changes in storm flows are anticipated. As a standard requirement, new development will be required to incorporate stormwater management by conveying site runoff into on-site retention basins with a combined capacity to handle the water quality management plan design capture volume and the controlling 100-year storm event volume. New development is obligated to meet the City's requirements by demonstrating that the incremental

increase in runoff due to development can be adequately retained on-site. The site-specific impacts of these facilities cannot be determined until the facilities are proposed.

The requirement for additional utilities such as natural gas, electricity, and telecommunications would likely be increased as new developments are proposed. However, the City is largely built out and access to these utilities is expected to be available without the need to construct or relocate existing infrastructure. All infrastructure improvements would be required to comply with applicable City regulations, including GPU *Policy RM-5.1, RM-5.2, RM-5.5, RM-5.6 and RM-8.1–RM-8.4. As well as Actions RM-5d, RM-5e, RM- 5f, RM 5g, and RM-8a and RM-8b.*

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

General Plan Policies and Actions

Policies

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

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

RM-5.3 **Regional Cooperation**. Collaborate with the various regional facility and service providers to deliver high levels of service to Indian Wells.

RM-5.4 **Public/Private Partnerships**. Consider public/private partnerships to realize capital infrastructure and public service needs within the City.

RM-5.5 **Sufficient Capacity.** Coordinate with CVWD to ensure wastewater facilities provide sufficient capacity for Indian Wells residents.

RM-5.6 **Monitoring and Maintenance.** Coordinate with CVWD to ensure wastewater infrastructure conditions are monitored and facilities are adequately maintained.

RM-8.1 **Infrastructure and Services.** Encourage service providers to make available the highest level of telecommunications infrastructure, along with a wide range of modern telecommunications services for Indian Wells residences, businesses, and institutions.

RM-8.2 **Improvements and Upgrades.** Promote technological improvements and upgrading of telecommunications services.

RM-8.3 **Utility Siting.** Coordinate with service providers in the siting and design of telecommunications facilities to minimize environmental, aesthetic, and safety impacts.

RM-8.4 **Undergrounding.** Require that all new telecommunication lines are installed underground where feasible and promote the undergrounding of existing overhead facilities.

Actions

RM-5a Maintain and implement public facility master plans, in collaboration with appropriate outside service providers and agencies, to ensure compliance with appropriate regional, State, and federal laws and to identify infrastructure needs, funding sources, and implement improvements for public facilities and services.

RM-5b Continue to contract with public and private entities for the provision of public services as long as these services are more economical, more accessible, and/or better serve the needs of residents than City-provided services.

RM-5c Periodically survey residents to assess the perceived adequacy of City services and facilities.

RM-5d Continue to upgrade older water mains in the City as needed to ensure adequate water pressure for firefighting.

RM-5e Cooperate with CVWD to update population projections, sewer generation formulas, needed improvements, and programs within the Integrated Regional Water Management Plan (IRWM) at least every five years.

RM-5f Work with CVWD to expedite the improvement and expansion of sewer facilities when necessary.

RM-5g Through the development review process, continue to cooperate with CVWD to ensure adequate wastewater facilities are provided and maintained in the community. Specifically, the City should:

- Require that sufficient wastewater infrastructure capacity is available to serve the development prior to approval of the project.
- Ensure the project applicant has paid the required fees prior to occupancy of any new development.
- Periodically review the fee schedules for sewer connections and revise fees as necessary to cover the cost of related services and facilities.

RM-8a As part of development review, ensure that telecommunications infrastructure is unobtrusive and screened from public view where possible.

RM-8b Actively seek to participate in pilot programs and other opportunities to expand high-speed broadband services within the City. Confer with telecommunications providers regarding major development plans and participate of the extension of utilities.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

As discussed in **Section 4.13** ***Population and Housing,*** the proposed GPU accommodates future growth in Indian Wells. The baseline condition of the City's current General Plan Buildout would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs. In comparison with the full buildout of the GPU, the City of Indian Wells could accommodate a total of 6,271 housing units, 5,405 residents (same as the current General Plan); 5,159,667 square feet of new non-residential building space (27,563 more square feet than the Current General Plan); and 6,310 jobs within the Planning Area (93 more jobs that the Current General Plan). The proposed GPU will not result in additional population growth and consequently there would be no increase in residential water supplies beyond what has already been analyzed in the CVWD 2020 RUWMP. The additional employment and square footage of non-residential building space is also accounted for in the 2020 RUWMP.

The Regional Transportation Plan adopted by the Southern California Association of Governments (SCAG) in 2020. As part of that effort, SCAG performed a detailed evaluation of current and projected future demographics throughout southern California, including CVWDs service area for the RUWMP. The Connect SoCal analysis included forecasts for employment, population, and households within cities and unincorporated areas. This demographic information was used to prepare projections of future water demands. The population growth forecasts were developed using regional growth projections published in 2020 by SCAG. The projections provided in SCAG's Connect SoCal plan included estimates of population, households, and employment through 2045.

As the Metropolitan Planning Organization (MPO) for the region, SCAG is required by federal law (23 U.S.C. Section 134 et seq.) to prepare and update a long-range Regional Transportation Plan every four years. The Plan must provide for the development, integrated management and operation of transportation systems and facilities that will function as an intermodal transportation network for the SCAG metropolitan planning area. The passage of California Senate Bill 375 (SB 375) in 2008 requires that SCAG prepare and adopt a Sustainable Communities Strategy that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures and policies, will reduce GHG emissions from automobiles and light-duty trucks and achieve the GHG emissions reduction target for the region set by the California Air Resources Board (Govt. Code Section 65080(b)(2)(B)). In addition, the focus on equity in this Plan supports compliance with Title VI of the Civil

Rights Act of 1964 and Environmental Justice guidance at the state and federal levels, all of which is further detailed in the Equity Analysis Technical Report.

In April 2024, SCAG updated their RTP/SCS (also referred to as "Connect SoCal 2024"). The 2024 RTP/SCS focuses on buildout of the Southern California region by 2050. The Plan includes four goals that fall into four core categories: mobility, communities, environment and economy.

CVWD's 2020 Regional Urban Water Management Plan (RUWMP) has been developed to assist the agency in reliably meeting current and future water demands in a cost-effective manner. The comprehensive Water Management Plan guides efforts to eliminate overdraft, prevent groundwater level decline, protect water quality, and prevent land subsidence. The RUWMP serves as a planning tool that documents actions in support of long-term water resources planning and ensures adequate water supplies are available to meet existing and future urban water demands. GPU *Policy RM-6.1 and 6.2* are implemented to support the regional cooperation of all involved agencies and groundwater management.

CVWD's domestic water system has 64 pressure zones and consists of approximately 97 groundwater production wells, 2,000 miles of pipe, and 133 million gallons of storage in 65 enclosed reservoirs. CVWD's service area includes all or a portion of the cities of Cathedral City, Indian Wells, Indio, La Quinta, Palm Desert, and Rancho Mirage, and unincorporated areas of Riverside County.

According to the CVWD 2023-2024 Annual Review, CVWD has an average daily demand of 75.9 MGD in its coverage area and delivered 85,014 AFY in 2023-2024. CVWD has a total daily pumping capacity of 234 MGD and storage capacity of 174.2 million gallons (MG).

CVWD developed an approach for estimating service area population to account for the effect of seasonal residents on gallon per capita per day (GPCD) estimates. This method was approved by the California Department of Water Resources (DWR) for use in the RUWMP. Estimates of the permanent population were made using DWR's Population Tool. CVWDs water service area was loaded into the Population Tool and intersected with census data to estimate permanent population. CVWD then estimated the seasonal population and the population in RV parks using data from the Census and other sources as shown on **Table 4.17-2, *CVWD Current and Projected Population***, from CVWDs URWMP.

Table 4.17-2 CVWD Current and Projected Population

Population Served	2020	2025	2030	2035	2040	2045
Permanent	221,791	241,680	261,570	281,460	301,349	321,239
Seasonal	41,261	44,497	47,732	50,914	53,564	56,161
RV Parks	5,900	5,900	5,900	5,900	5,900	5,900
Total	268,952	292,077	315,202	338,274	360,813	383,300

Source: 2020 Regional Urban Water Management Plan for CVWD

The projected demands are shown in **Table 4.17-3, *Projected Retail Demands for Water (AFY),*** from CVWD UWMP. The demand projections in **Table 4.17-3** are for future municipal demands within CVWD's jurisdictional boundary. Some of these areas are currently served by private domestic wells and are not yet connected to the CVWD system. For planning purposes, all municipal demands within the jurisdictional boundary are included beginning in 2025. CVWD's actual deliveries will likely be less than these estimates until CVWD begins providing service to these areas.

Anticipated water savings related to toilets, showerheads, dishwashers, clothes washers, and urinals (categorized as indoor water use) as well as outdoor water use have been incorporated into Table 4-8. Indoor conservation is mainly a result of government mandated water efficiency requirements for fixtures. It assumes that all new construction complies with the plumbing code in effect that the time and any replacement device is also in compliance with the current plumbing code. GPU *Policy RM-6.3* will also be implemented to support water saving measures.

Table 4.17-3 CVWD Projected Retail Demands for Water (AFY)

Use Type	Additional Description	Projected Water Use				
		2025	2030	2035	2040	2045
Single Family		60,142	63,824	67,331	69,816	71,695
Multi-Family		6,873	7,245	7,742	8,267	9,045
CII		7,060	7,244	7,438	7,709	7,985
Landscape		34,193	36,205	38,226	39,865	41,516
Other		1,457	1,563	1,670	1,755	1,840
Losses		13,736	14,501	15,222	15,670	16,085
Total		123,461	130,582	137,629	143,082	148,166

Note: Projections based on demand projections in draft Alternative Plan Updates for Indio Subbasin and Mission Creek Subbasin. The projected demand increase from 2020 to 2025 reflects planned expansion of the service area to include areas not current connected to the CVWD system. The timing of this expansion will depend on the availability of grant funding.

CVWD's gross water use was determined from annual production records. Meter adjustments, exported water, distribution system storage, recycled water, and processed water were not applicable to CVWD's distribution system. Non-potable water meets a large portion of the golf course and landscape irrigation demands within CVWD's service area. CVWD's average use during the baseline period and confirmed 2020 target are shown in **Table 4.17-4, *CVWD Baselines and Target Summary***, and compliance with the 2020 target is shown in **Table 4.17-5, *CVWD 2020 Compliance,*** both tables are from the RUWMP.

Table 4.17-4 CVWD Baselines and Target Summary

Baseline Period	Start Year	End Year	Average Baseline Use (GPCD)	Confirmed 2020 Target (GPCD)
10-15 Year	1999	2008	515	412
5 Year	2003	2007	505	
All values are in Gallons per Capita per Day (GPCD)				

4.17-5 CVWD 2020 Compliance

Actual 2020 GPCD	2020 Total Adjustments	Adjusted 2020 GPCD	2020 Confirmed Target GPCD	Supplier Achieved Targeted Reduction in 2020
331	0	331	412	YES
All values are in Gallons per Capita per Day (GPCD)				

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

The California Urban Water Management Planning Act (Act) requires urban water suppliers to assess water supply reliability by comparing total projected water use with the expected water supply over the next 20 to 25 years in five-year increments. The Act also requires an assessment for a single dry year and multiple dry years.

The CVWD UWMP states that water supplies during normal, dry and multiple dry years is fully reliable and CVWD will be able to meet 100 percent of the projected water demand for the period of 2025-2045.

However, during a normal year, single-dry year, or five-dry year period, the agencies could produce additional groundwater if demands exceeded the estimates shown in **Table 4.17-6, *Normal year Supply and Demand Comparison*, 4.17-7, *Single Dry Year Supply and Demand Comparison*,** and **4.17-8, *Multiple Dry Year Supply and Comparison*.**

4.17-6 CVWD Normal Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals (AFY) From DWR Table 6-9R	137,061	144,982	152,729	158,981	164,966
Groundwater (not desalinated)	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
Recycled Water	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
Demand Totals (AFY) From DWR Table 4-3R	137,061	144,982	152,729	158,981	164,966
Potable Water Demand	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
Recycled Water Demand	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
Difference	**0**	**0**	**0**	**0**	**0**
Note: The RUWMP participating agencies collaborate on groundwater management plans for long-term sustainability. During a normal year, single-dry year, or five-dry year period, the agencies could produce additional groundwater if demands exceeded the estimates shown here.					

4.17-7 CVWD Single Dry Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals (AFY)	137,061	144,982	152,729	158,981	164,966
Groundwater (not desalinated)	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
Recycled Water	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
Demand Totals (AFY)	137,061	144,982	152,729	158,981	164,966
Potable Water Demand	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
Recycled Water Demand	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
Difference (AFY)	**0**	**0**	**0**	**0**	**0**
Note: The RUWMP participating agencies collaborate on groundwater management plans for long-term sustainability. During a normal year, single-dry year, or five-dry year period, the agencies could produce additional groundwater if demands exceeded the estimates shown here.					

4.17-8 CVWD Multiple Dry Years Supply and Demand Comparison

		2025	2030	2035	2040	2045
First Year	**Supply Totals (AFY)**	137,061	144,982	152,729	158,981	164,966
	Groundwater	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Demand Totals (AFY)	137,061	144,982	152,729	158,981	164,966
	Potable Water Demand	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water Demand	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Difference	**0**	**0**	**0**	**0**	**0**
Second Year	**Supply Totals (AFY)**	137,061	144,982	152,729	158,981	164,966
	Groundwater	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Demand Totals (AFY)	137,061	144,982	152,729	158,981	164,966
	Potable Water Demand	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water Demand	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Difference	**0**	**0**	**0**	**0**	**0**
Third Year	**Supply Totals (AFY)**	137,061	144,982	152,729	158,981	164,966
	Groundwater	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Demand Totals (AFY)	137,061	144,982	152,729	158,981	164,966
	Potable Water Demand	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water Demand	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Difference	**0**	**0**	**0**	**0**	**0**
Fourth Year	**Supply Totals (AFY)**	137,061	144,982	152,729	158,981	164,966
	Groundwater	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Demand Totals (AFY)	137,061	144,982	152,729	158,981	164,966
	Potable Water Demand	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water Demand	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Difference	**0**	**0**	**0**	**0**	**0**
Fifth Year	**Supply Totals (AFY)**	137,061	144,982	152,729	158,981	164,966
	Groundwater	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Demand Totals (AFY)	137,061	144,982	152,729	158,981	164,966
	Potable Water Demand	*123,461*	*130,582*	*137,629*	*143,081*	*148,166*
	Recycled Water Demand	*13,600*	*14,400*	*15,100*	*15,900*	*16,800*
	Difference	**0**	**0**	**0**	**0**	**0**

Note: The RUWMP participating agencies collaborate on groundwater management plans for long-term sustainability. During a normal year, single-dry year, or five-dry year period, the agencies could produce additional groundwater if demands exceeded the estimates shown here.

The GPU will continue to implement water conservation measures in accordance with the applicable landscape ordinance requirements pertaining to water efficient irrigation systems and drought-tolerant

plant selection (Indian Wells Municipal Code 21.60) and GPU *Actions RM-6a, RM-6d,* and *RM-6f*. Based on the information provided in this analysis, there is substantial evidence to support a determination that there will be sufficient water supplies to meet the demands of the City. Therefore, impacts to the water supply would be less than significant and future projects will be required to comply with all such regulations and GP Policies and Actions listed below.

Impacts would be less than significant.

General Plan Policies and Actions

Policies

RM-6.1 Regional Cooperation. Actively participate in regional activities to assure (a) the effective management of water resources, and (b) the development of water policies at the County, State and Federal level that are favorable to the Coachella Valley.

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

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

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

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

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

RM-6.7 Education. Strengthen education programs related to water protection and conservation.

Actions

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

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

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

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

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

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

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

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

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

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

- Require that sufficient water supply and water infrastructure capacity is available to serve the development prior to approval of the project, pursuant to Water Code Section 10910 and Government Code Section 66473.7.

- If requested by CVWD or the City Engineer, require proposed developments to include a water quality assessment as part of the application materials, and implement identified mitigation measures during construction and development.
- Ensure the project applicant has paid the required fees prior to occupancy of any new development.
- Periodically review the fee schedules for water connections and revise fees as necessary to cover the cost of related services and facilities.

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

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

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity the project's projected demand in addition to the provider's existing commitments?

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

WRP-10 consists of an activated sludge treatment plant, and a tertiary wastewater treatment plant. It is also a groundwater replenishment site and generates recycled water for irrigation of golf courses and large landscaped areas. Per the 2020 CVWD RUWMP, WRP-10 has a capacity to treat 18 million gallons per day (MGD). This plant treats an annual average flow of 10.8 MGD (12,000 AFY) from the activated sludge plant. Approximately 60 percent of WRP-10's effluent receives tertiary treatment, which is available as recycled water and used by the non-potable water fund for delivery to customers.

The WRP is designed to treat domestic wastewater generated within four different cities: Palm Desert, Indian Wells, Rancho Mirage, and portions of Cathedral City. All the flow originating in Indian Wells flows across the CVWD collection system to WRP-10. The average population served by the plant is 90,000 people. According to the California Department of Finance, the 2024 population estimates of Indian Wells is approximately 4,797 residents. Therefore, the City of Indian Wells only contributes approximately 5 percent of the total wastewater generated between the four cities being transported to WRP-10 or 0.5 MGD. Given the current capacity of WRP-10 to treat 18 MGD and the plants' average

flow of 10.8 MGD, there is a remaining capacity of 7.2 MGD. Full buildout of the GPUs residential and non-residential components would add additional wastewater over a 20-year period (approx. 2.28 MGD). CVWD's Sewer System Management Plan (SSMP) describes the management of its sewer collection system. The SSMP is written to minimize the number of Sanitary Sewer Overflows (SSO) and provide for a properly managed, operated, and maintained sanitary sewer system, to include adequate capacity of conveying peak wastewater flows. The SSMP is audited every two years to ensure plan components are adequate, up-to-date, and implemented. The SSMP is updated every five years (or as needed) to ensure it is current and includes any audit findings of which direct change to the plan. Through planning and design processes currently in place at CVWD and the coordination with the City, both agencies are able to ensure sewer infrastructure would support future developments under the proposed GPU.

Impacts from future development to WRP-10 are not expected to overwhelm the plants resources and WRP-10 has adequate capacity to provide wastewater services for the future development of vacant residential land in the City.

New construction may require improvements to existing wastewater infrastructure and/or disturbance of existing rights-of-way connections. The specific impacts of these improvements cannot be determined at this time, because the GPU does not propose any development. Future development would be evaluated at a project-level to ensure the proper wastewater improvements are made. The environmental impacts are expected to be similar to those associated with new development and infrastructure projects under the GPU. As future development is brought forward to the City, it will be required to comply with all current regulations and will be evaluated for compliance with the City's GPU and Municipal Code. Impacts would also be further analyzed for potential environmental impacts, consistent with CEQA. Impact to wastewater would be less than significant.

d./e. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; Comply with federal, state, and local management reduction statutes and regulations related to solid waste?

Solid waste and recycling services are provided to the City by Burrtec Waste Industries, Inc. (Burrtec), which also serves restaurants, retailers, hotels, and resorts. Future buildout of the GPU could result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan). **Table 4.17-9** shows Indian Wells Disposal tonnage trends per year between 2020-2023. Over the last 4-years, solid waste trends go from 8,000 to 12,000 tons per year.

Table 4.17-9 Indian Wells Disposal Tonnage Trend

Year	Tons of Disposal
2020	8794.27
2021	9,310.78
2022	10,382.01
2023	12,130.22

CalRecyle Recycling and Disposal Reporting System (RDRS), 2024

Solid waste and recycling collected from the City is taken to the Edom Hill Transfer Station. This transfer station is permitted to receive 3,500 tons per day (tpd) and currently processes over 1,900 tons per day. Residual waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Landfill and the Lamb Canyon Sanitary Landfill. The Badlands Landfill has a permitted daily capacity of 5,000 tons per day and an estimated total capacity of 82,300,000 cubic yards with a remaining capacity of 7,800,00 cubic yards. The Lambs Canyon Landfill has a permitted capacity of 5,000 tons per day and 319,242,950 cubic yards of remaining capacity with a closure date of 2032. Therefore, the project would be served by a landfill with sufficient capacity. Additionally, the other landfills listed in **Table 4.17-1** have sufficient capacity to meet the demands of solid waste generated by the additional development under the GPU. The City will continue to coordinate with Riverside County regarding solid waste disposal capacity (*Policy RM-7.2*, *Action RM-7a, RM-7b).*

Future development would be subject to waste diversion measures required by the city. Every covered project is required to divert a minimum of fifty percent (50%) with a goal of seventy percent (70%) of the construction and demolition debris resulting from that project. This follows State and local statutory goals and policies implemented by GPU *Policy RM-7.1*, RM-7.4. The city has a waste diversion goal of reducing organic waste disposal 75 percent by 2025. These goals are consistent with state regulations regarding solid waste, composting, and recycling (Senate Bill 1383) and implemented by GPU *Policy RM-7.6* and *RM-7.7* and *Actions RM-7d, RM-7e, RM-7f, RM-7g, RM-7k, RM-7l,* and *RM-7m*.

Table 4.17-10 Indian Wells Per Capita Disposal Rates vs. Target Rates

Population Disposal Year	Target	Per Capita Population	Per Capita Employment
2019	21.5	10.3	13.9
2020	21.5	9	13.9
2021	21.5	10.7	17.9
2022	21.5	11.9	15.2

CalRecyle Jurisdiction Per Capita Disposal Trends, 2024

Given the City's ability to meet its disposal targets and the remaining capacity of the area landfills, meeting the solid waste and recycling needs of the GPU would not result in adverse impacts to landfill facilities.

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

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

Impacts would be less than significant.

General Plan Policies and Actions

Policies

RM-7.1 Compliance with State Legislation. Comply with local, regional and State regulations regarding waste diversion, source reduction, recycling, and composting.

RM-7.2 Solid Waste Collection. Provide adequate waste disposal, recycling, and refuse services for present and future residents and businesses, including programs that improve public access to solid waste collection and recycling facilities.

RM-7.3 Fees and Funding. Work with Burrtec to periodically review collection, recycling, and disposal fees to achieve state and federal mandates, meet community expectations, and reflect cost efficiencies or increases for service delivery. Be prepared to fund expansions, operations, or maintenance for regional waste facilities when necessary, including but not limited to the Badlands Landfill and the Lamb Canyon Sanitary Landfill.

RM-7.4 Recycled Product Use. Encourage the salvage and reuse of building materials and recycled products in new construction and remodel projects.

RM-7.5 Community-Wide Waste Reduction. Continue to foster a sense of personal responsibility among residents for solid waste management particularly in accomplishing waste reduction and recycling goals.

RM-7.6 Short-Lived Climate Pollutant Reduction. Continue to implement solid waste plans and programs, such as organic waste recycling and surplus food recovery, that reduce short-lived climate pollutants (SLCP).

RM-7.7 Recycling and Composting. Encourage the recycling/composting of all City organic materials including landscape and food waste materials.

Actions

RM-7a Regularly review the service levels of the Edom Hill Transfer Station. Coordinate with impacted agencies on potential plans for expansions, maintenance, and operations when service levels are determined to be inadequate.

RM-7b On an ongoing basis and in compliance with State law, ensure solid waste collection activities completed by franchise solid waste haulers, facility siting and construction of transfer and/or disposal facilities, operation of waste reduction and recycling programs, and household hazardous waste disposal and education programs are consistent with the Riverside County Solid Waste Management Plan.

RM-7c Include standard language in requests for services and in City agreements requiring contractors to use best management practices to maximize diversion of waste from the landfill in order to meet the City's specified diversion rates.

RM-7d Encourage the expansion of recycling and reuse programs, such as:

RM-7e Increased participation in residential curbside recycling programs;

RM-7f Increased participation in commercial and industrial recycling programs for paper, cardboard, and plastics;

RM-7g Reduce yard and landscaping waste through methods such as composting, grass recycling, and using resource efficient landscaping techniques; and

RM-7h Encourage local businesses to provide electronic waste (e-waste) drop-off services and encourage residents and businesses to properly dispose of, or recycle, e-waste.

RM-7i Continue to enforce and monitor required diversion rates pursuant to the requirements contained in Chapter 16.75. of the Municipal Code.

RM-7j Continue the procurement of recycled products and materials utilized in City owned buildings, including building/decorative materials and furnishings, food and beverage service items and office materials.

RM-7k Maintain and improve the City of Indian Wells waste diversion rate as mandated by the State of California. Participate in source reduction and recycling techniques to reduce the amount of solid waste sent to landfills and ensure adequate landfill capacity in the region.

RM-7l Work with appropriate service providers to collect and compost greenwaste, including landscaping, Christmas trees, composting and mulch, and other sources of organic waste, to distribute for use in parks, medians, and other municipal areas.

RM-7m Provide recycling and composting information to residents, commercial businesses, and developers. These educational programs will inform citizens of the benefits of recycling and composting, and appropriate disposal options and locations.

4.17.5 Cumulative Impacts

As evaluated in this section, project implementation involving an update to the Indian Wells General Plan within the existing City limits is expected to result in an incremental increase in water use, wastewater generation, solid waste generation, electricity use, natural gas use and telecommunications access associated with the potential for development within the vacant portions of the City. As mentioned previously, the GPU will include policies and guidelines to regulate the performance of water, wastewater, solid waste, electricity, natural gas and telecommunication facilities. and infrastructure within the region. Additionally, future development will be required to be consistent with the goals set within the federal, state, regional, and local levels. Thus, the proposed GPU is not expected to facilitate development that results in conditions that will substantially increase the water use, wastewater generation, solid waste generation rates, electricity consumption, natural gas use and telecommunication access in levels negatively impacting the local infrastructure. The existing regulatory framework established at the federal, state, regional, and local level is inherently designed to prevent land development activities from incurring or causing such negative impacts. As such, the updated Indian Wells General Plan is not expected to result in cumulative impacts to the utilities and services provided by the City.

Water Supply

As discussed in the above analysis, CVWD's 2020 Regional UWMP has determined that it has sufficient supplies to meet this demand, in addition to its other existing and projected demands, during normal, single dry, and multiple dry years. The proposed project's contribution to cumulative water supply impacts would also be less than cumulatively considerable.

Waste Water

Buildout of the proposed Indian Wells General Plan update may facilitate new development within the City that could potentially result in an increase to wastewater flows. However, as discussed, WRP-10 is designed to treat domestic wastewater generated in the Cities of Palm Desert, Indian Wells, Rancho Mirage, and portions of Cathedral City. The City of Indian Wells contributes approximately 0.5 percent of the total wastewater being transported to WRP-10. Per the 2020 CVWD RUWP, WRP-10 has a capacity to treat 15 million gallons per day (MGD).

This plant treats an annual average flow of 10.8 MGD (12,000 AFY). Proposed projects within the City and other local jurisdictions within CVWD's boundary would be required to undergo environmental review to determine if the existing CVWD wastewater infrastructure has adequate capacity to serve the project or if other onsite and off-site improvements would be necessary in order to provide service. The projected increase in wastewater flows would not require the expansion of wastewater treatment facilities.

Additionally, all new development in the City would be required to complete an environmental analysis per CEQA Guidelines, which would analyze and disclose any potentially significant impacts on wastewater services. Therefore, the project's contribution to cumulative wastewater would have less than significant impacts.

Solid Waste

Buildout of the General Plan will result in the construction and operation of various land uses which would result in the increase of solid waste generated in the area. As previously stated, the Badlands Landfill has a permitted daily capacity of 5,000 tons per day and an estimated total capacity of 82,300,000 cubic yards with a remaining capacity of 7,800,00 cubic yards. The Lambs Canyon Landfill has a permitted capacity of 5,000 tons per day and 319,242,950 cubic yards of remaining capacity. Future development projects in the City will be required to comply to the same waste reduction mandates as are currently in place, and more stringent mandates if they are legislated in the future. These requirements are designed to reduce the waste stream by 75%, and will assist all projects in reducing cumulative solid waste impacts. The landfills serving the City have available remaining capacity. Therefore, cumulative impacts to solid waste would be less than significant.

Electricity, Natural Gas, and Telecommunications

Southern California Edison (SCE), Imperial Irrigation District (IID), the Southern California Gas Company, and Frontier are regional purveyors of electricity, natural gas, and telecommunications. All of them provide utility services to the City of Indian Wells and throughout Riverside County and expect to accommodate future growth within the City. Future developments are required to participate in the design review process of utility plans associated with the future development. Indian Wells is a largely built out community and infrastructure exists throughout much of the City. Physical determination prior to implementation of any project and the need for further infrastructure upgrades would similarly be

accomplished through the required design review and approval plans for projects through the City, nearby jurisdictions, and the appropriate regulatory agencies and utility providers. Therefore, demand would not be cumulatively considerable and would not cause or contribute to a significant cumulative impact.

4.17.6 Mitigation Measures

To the extent the GPU will result in direct, reasonably foreseeable, significant environmental impacts, the policies and actions listed throughout this section, as proposed by the GPU, will serve as mitigation or to the extent the impacts will be less than significant, as improvement measures as it relates to utilities and service systems. Moreover, State, regional and local regulations will also ensure that buildout of the GPU would result in (or continue to result in) less than significant impacts. Therefore, no additional Mitigation or Improvement Measures are required.

4.17.7 Level of Significance After Mitigation

Impacts associated with Utilities and Service Systems will be less than significant, with project compliance with all design standards set forth by the City of Indian Wells and CVWD.

4.17.8 Resources

1. Coachella Valley Water District Urban Water and Management Planning Website
   http://cvwd.org/543/Urban-Water-Management-Planning
2. Coachella Valley Water District 2019-2020 Annual Report
   https://www.cvwd.org/blog.aspx?iid=15
3. Coachella Valley Water District Sewer System Management Plan
   https://www.cvwd.org/DocumentCenter/View/1012/Coachella-Valley-Water-District---Sewer-System-Management-Plan-Final-Draft-SSMP-PDF?bidId=
4. Riverside County Department of Waste Resources
   https://www.rcwaste.org/business/planning/ciwmp
5. County of Riverside Environmental Impact Report No. 521 Public Review Draft February 2015
   https://planning.rctlma.org/Portals/14/genplan/general_plan_2015/DEIR%20521/04-17_PublicFacilities.pdf
6. CalRecycle 2024
   https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports/DisposalTonnageTrend
7. California Department of Finance Population Estimates
   https://dof.ca.gov/forecasting/demographics/estimates-e1/

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Chapter 5.0 Other CEQA Sections

5.1 Purpose

This chapter of the PDEIR addresses the additional content requirements of the State CEQA Guidelines that are not included in other chapters. The CEQA Guidelines require a section of the document to discuss significant unavoidable impacts, significant irreversible impacts (per Section 21100 (b)(2)), and growth-inducing impacts (per Section 15126.2). These topics are discussed in this chapter.

5.2 Significant and Unavoidable Impacts

CEQA Guidelines Section 15125.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. The following significant and unavoidable impacts of the GPU are discussed in **Chapter 4.0**, and corresponding sections. Refer to those discussions for further details and analysis of the significant and unavoidable impacts identified below:

- Agriculture and Forestry Resources: Implementation of the GPU would result in a significant and unavoidable cumulative impact to agricultural land.
- Transportation: Implementation of the GPU would result in a significant and unavoidable VMT impact.
- Irreversible Effects: Significant and Unavoidable (discussed below)

5.3 Significant Irreversible Environmental Changes

CEQA Section 15126.2(d) and Public Resources Code Sections 21100(b)(2) and 21100.1(a), requires that the EIR include a discussion of significant irreversible environmental changes which would be involved in the proposed action should it be implemented. Irreversible environmental effects are described as:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses (e.g., a highway provides access to previously remote area);
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing of the proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Determining whether the proposed GPU would result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed such that there would be little possibility of restoring them. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Consumption of Nonrenewable Resources

Consumption of nonrenewable resources refers to the loss of physical features within the natural environment, including the conversion of agricultural lands, loss of access to mining reserves, and nonrenewable energy use. The Indian Wells Planning Area has multiple nonrenewable resources, including biological resources, water resources, and energy resources.

One of the objectives of the proposed GPU is to conserve natural resources within the Planning Area. Many of these policies and actions, aimed at preserving natural resources, are contained within the Resource Management Element, and have been identified throughout this EIR. Additionally, the proposed GPU directs most new development to infill areas, and areas surrounding existing neighborhoods and urbanized areas. As a result, the proposed GPU will minimize the potential for impacts to the nonrenewable resources in the Planning Area, including biological resources, water resources, and energy resources, to the greatest extent feasible. More detailed and focused discussions of potential impacts to these nonrenewable resources are contained throughout this PDEIR.

Nonrenewable energy resources such as electricity, natural gas, gasoline, and diesel would be consumed during the construction and operation of development projects contemplated under the GPU buildout. The proposed GPU includes a variety of policies that seek to conserve, protect, and enhance energy resources. These policies focus on energy efficiency in the design, materials, construction, and use of buildings, the use of alternative energy systems, and alternative transportation modes.

Irretrievable Commitments/Irreversible Physical Changes

Implementation of the proposed GPU would result in a commitment of land uses designated for the foreseeable future. Land use and development consistent with the GPU would result in irretrievable commitments by introducing development onto sites that are presently undeveloped. The conversion of agricultural lands to urban uses would result in an irretrievable loss of agricultural land, wildlife habitat, and open space. Additionally, development will physically change the environment in terms of aesthetics, air emission, noise, traffic, open space, and natural resources. These physical changes are irreversible after development occurs. Therefore, the proposed GPU would result in changes in land use within the Planning Area that would commit future generations to these uses.

Irreversible Effects (Significant and Unavoidable)

In summary, the proposed GPU includes an extensive policy framework that is designed to address land use and environmental issues to the greatest extent feasible, while allowing growth and economic prosperity for the City. However, even with the policies and actions that will serve to reduce potential significant impacts, the proposed GPU will result in significant irreversible changes. This impact is considered a significant and unavoidable impact under CEQA.

5.4 Growth-Inducing Impacts

Section 15126.2 (e) of the CEQA Guidelines requires that an EIR evaluate the growth-inducing impacts of a proposed action. A growth-inducing impact is defined by the CEQA Guidelines as:

> *The way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth. It is not assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.*

Based on the CEQA Guidelines, growth inducement is any growth that exceeds planned growth of an area and results in new development that would not have taken place without implementation of the project. A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a project, for example, involved construction of new housing. A project would have indirect growth inducement potential if it established substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it would involve the construction of infrastructure or a utility that allows additional growth to follow.

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service.

The General Plan is a long-term plan intended to accommodate projected population, housing, and employment growth, including the appropriate balance among these factors with the necessary public services and infrastructure. The proposed GPU would serve as a comprehensive, long-term plan for the physical development of Indian Wells. Projected growth is described in **Section 4.13,**

Population and Housing, and the environmental consequences related to the potential growth are fully assessed in each topical section. By definition, the proposed GPU is intended to provide for and address future growth in the City.

Because the proposed GPU provides a framework for development through its Land Use Map, land use designations, goals, policies, and actions, it would directly induce population and employment growth in the Indian Wells Planning Area by designating land for development that is more intense, in some instances, than current designations allow. The analysis of the indirect growth-inducing impacts for the proposed GPU focuses on the following factors: inducement of unanticipated population growth; encouragement of economic growth that leads to jobs and housing growth; elimination of obstacles to population growth; and resulting service, facility, or infrastructure demands in excess of existing and planned growth.

The GPU accommodates future growth in Indian Wells, including new businesses and the expansion of existing businesses. Infrastructure and services would need to accommodate future growth. The General Plan is oriented toward the economic growth of the City, with emphasis given to encouraging development of a broader array of businesses and increasing local employment opportunities as necessary to serve economic growth. The cumulative development scenario addressed in this PDEIR is the maximum projected development that could occur within the existing City limits and the Planning Area, if every parcel in the City and the Planning Area developed at or near the higher end of densities and intensities allowed under the proposed GPU.

As described in **Chapter 3.0, *Project Description,*** the City currently includes 4,694 single family units and 349 multifamily units, for a total of 5,043 residential units; 1,546,833 square feet of nonresidential space (i.e., office, sports, commercial, etc.); and offers 1,509 jobs within the City. Buildout of the proposed GPU would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units (consistent with the Current General Plan); 5,159,667 square feet of nonresidential space (27,563 more square feet than the Current General Plan); and 6,310 jobs (93 more jobs than the Current General Plan). Depending on growth rates, the actual growth during the life of the General Plan could be lower or higher, but would not exceed the theoretical maximum buildout described in **Chapter 3.0**.

Given the historical and current population, housing, and employment trends, growth in the City, as well as the entire State, is inevitable. The primary factors that account for population growth are natural increase and net migration. The average annual birth rate for California is expected to be 20 births per 1,000 population. Additionally, California is expected to attract more than one third of the country's immigrants. Other factors that affect growth include the cost of housing, the location of jobs, the economy, the climate, and transportation. While these factors would likely result in growth in Indian Wells during the planning period of the proposed GPU, growth will continue to occur based primarily on the demand of the housing market and demand for new commercial and other non-residential uses. As future development occurs under the proposed GPU, new roads, infrastructure,

and services would be necessary to serve the development and this infrastructure would accommodate planned growth. However, growth under the proposed GPU would remain within the general growth levels projected statewide and would not be anticipated to exceed any applicable growth projections or limitations that have been adopted to avoid an environmental effect. The proposed GPU is intended to accommodate the City's fair share of statewide housing needs, based on regional numbers provided by the California Department of Housing and Community Development on a regular basis (every five to eight years).

The City is responsible for accommodating its fair share of regional growth, as identified in the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and Regional Housing Needs Assessment (RHNA) (see **Section 4.13, *Population and Housing,*** for a detailed discussion). Therefore, the GPU serves to accommodate and manage any growth, consistent with regional plans, in an orderly manner that would benefit the future of the community.

According to SCAG's growth forecasts, the City of Indian Wells will reach a population of 6,400 people by 2045. When compared to the City's population of 5,403 in 2020, it is predicted that approximately 1,000 more people will reside in the City. Additionally, according to the RTP/SCS, the number of households in the City of Indian Wells is projected to increase approximately 19 percent between 2016 and 2045.

SCAG is responsible for identifying future housing needs in each jurisdiction, including the City of Indian Wells. To meet this mandate, SCAG develops the RHNA to establish the projected need for housing and the fair share distribution of the projected need. A local jurisdiction's "fair share" of regional housing need is the number of additional dwelling units that will need to be constructed to accommodate the forecast growth, to replace expected demolitions and conversion of dwelling units to non-dwelling uses, and to achieve a vacancy rate that allows for healthy functioning of the housing market. The allocation is divided into four income categories: Very Low, Low, Moderate, and Above Moderate. The allocation is further adjusted to avoid an over-concentration of lower-income households in any one jurisdiction. It has been determined that the City must be able to accommodate 382 dwelling units, representing a 7 percent increase in the number of units in the City.

The proposed GPU includes policies and actions that mitigate environmental impacts associated with growth, such as air quality, noise, traffic, water supply, and water quality. Additionally, this PDEIR identifies General Plan policies and actions, where appropriate, that would serve to reduce or eliminate potentially significant impacts associated with specific environmental issues associated with growth. **Sections 4.1** through **4.17** provide a discussion of environmental effects associated with development allowed under the proposed GPU.

With implementation of GPU policies and actions intended to guide growth to appropriate areas and provide services necessary to accommodate growth, the land uses allowed under the proposed GPU, the infrastructure anticipated to accommodate proposed land uses, and the goal and policy

framework would not induce growth that would exceed adopted thresholds. Therefore, population and housing growth associated with the proposed GPU would result a less than significant impact.

Chapter 6.0 Effects Found to have No Impact

As discussed in **Chapter 1.0, *Executive Summary***, the City of Indian Wells (City) is the lead agency for the planning and environmental review of the proposed GPU. The City has prepared this PDEIR in compliance with the California Environmental Quality Act (CEQA) Guidelines, including Section 15128 of the CEQA Guidelines which requires a brief description of any possible significant effects that were determined to have no impacts and were not analyzed in detail within the environmental analysis. Therefore, in compliance with CEQA Guidelines, this chapter is included in this Draft EIR. Chapter 4 contains a complete analysis of all impacts which the NOP determined may have an effect on the environment.

The analysis in this section was conducted consistent with and informed by the 2024 CEQA Guidelines Appendix G Checklist. The following discussion presents the analysis of the effects related to agricultural and forestry resources, biological resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, and wildfires that were determined to have no potential to impact the environment.

6.1 Agriculture and Forestry Resources

Threshold b: Conflict with existing zoning for agricultural use, or a Williamson Act contract?

According to the California Department of Conversion California Williamson Act Enrollment Finder, there is no land within the City that is designated under the Williamson Act. Additionally, zoning for agricultural use does not occur within the City. The implementation of the GPU will not impact or remove land from the City or County's agricultural zoning or agricultural preserve. Therefore, no impacts are expected.

Threshold c: Conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production?

The City of Indian Wells does not have land designated as forest land, timberland, or timberland zoned Timberland Production within the City boundaries. Additionally, these activities do not occur within the City or the Coachella Valley. No impacts are anticipated.

Threshold d: Result in the loss of forest land or conversion of forest land to non forest use?

As stated in discussion c), above, no forest land occurs in the City or in the surrounding area because forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are expected.

6.2 Biological Resources

Threshold 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?

The City does not contain federally protected wetlands, marshes, vernal pools or coastal areas. The Coachella Valley Stormwater Channel and Deep Canyon Stormwater Channel each convey storm flows within the City. The Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) has been developed in close coordination and consultation with the Coachella Valley Water District (CVWD) and the Riverside County Flood Control and Water Conservation District (RCFCWCA), which are responsible for the management of regional drainage within the CVMSHCP area. CVWD and RCFCWCA are responsible for the construction, operation, and maintenance of drainage improvements for regional flood control facilities, as well as watershed and watercourse protection related to those facilities. Coordination and consultation have also occurred with the U.S. Army Corps of Engineers. Drainage plans for the major drainages deemed important to the viability of the CVMSHCP have also ben reviewed, analyzed, and documented by the U.S. Geological Survey. The Coachella Valley Stormwater Channel is managed by CVWD. Management of this wash includes implementing all the Conservation Objectives and Required Measures delineated in the CVMSHCP and implementing permit conditions that pertain to the Valley Floor Reserve Management Unit, guiding the management of the wash. As a result, implementation of the GPU would not result in the direct removal, filling, or other hydrological interruption to any of these resources. No impacts are expected.

Threshold 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?

The City does not act as a wildlife movement corridor due to the current built environment as well as the presence of urban/suburban development encompassing much of the City. Any development occurring from the GPU shall comply with the CVMSHCP through the payment of mitigation fees required by new developments. Additionally, development in the City is required to follow Policy IIIA.4.2 set forth by the City. Policy IIIA.4.2 requires development proposals to identify significant biological resources and provide mitigation including the use of adequate buffering, selective preservation, the provision of replaceable habitats, the use of sensitive site planning techniques, and other appropriate measures. Both of these required measures would ensure that there would be no impact on the movement of any native resident or migratory species or with established native resident or migratory wildlife corridors or impede on the use of native wildlife nursery sites. No impacts are expected.

Threshold e: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City lies within the boundary of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) which outlines policies for conservation habitats and natural communities and is implemented by the City of Indian Wells. There are no other unique local policies or ordinances protecting biological resources that would cause a conflict. Any development occurring from the GPU shall comply with the CVMSHCP through the payment of mitigation fees required by new developments within the City. No impacts are expected.

Threshold 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?

As discussed above, the City of Indian Wells is a participant of the CVMSHCP. This plan outlines policies for conservation habitats and natural communities and is implemented by the City of Indian Wells. The southern portion of the City is included in the Santa Rosa and San Jacinto Mountains Conservation Area; however, no development is proposed in the Conservation Area. No impacts are expected, and no further analysis is needed.

6.3 Geology and Soils

Threshold 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?

The City is located within the Coachella Valley Water District's service area for sewer. Development occurring from the implementation of the GPU would connect to the existing infrastructure. No septic systems are proposed. Therefore, no impacts are anticipated.

6.4 Hazards and Hazardous Materials

Threshold 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?

The City of Indian Wells is located approximately 2 miles southwest of the closest airport, the Bermuda Dunes Airport. The City is not located within the Bermuda Dunes Land Use Compatibility Plan. Therefore, the PDEIR will not analyze the project's potential to result in a safety hazard or

excessive noise for people residing or working in the City associated with an Airport Land Use Compatibility Plan. No impacts are expected.

Threshold g: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The City is located north of the Santa Rosa Mountains. Thus, development abuts wildland areas. However, the Santa Rosa Mountains and the desert environment does not cultivate dense vegetation to grow or provide fuel for wildfires.

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

Federal Responsibility Areas (FRAs) are lands administered or controlled by the Federal Government for which federal agencies have administrative and protection responsibility. There are five FRAs within the mountainous areas that serve as the backdrop for Indian Wells. However, the areas adjacent to the established FRAs are designated for open space uses. Development is not proposed in areas adjacent to the mountainous areas of the City. Therefore, buildout of the City per the General Plan Update is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Additional discussion regarding wildfire impacts to the project are provided in the Wildfire Section of this Initial Study. Based on the findings above and in the Wildfire Section, the project will not be impacted by wildfires.

6.5 Land Use and Planning

Threshold a: Physically divide an established community?

Implementation of the GPU would involve development of vacant land within Indian Wells. New development under the GPU would not physically divide any established communities in the City of Indian Wells. The GPU will maintain the existing communities and neighborhoods within the City. Therefore, the PDEIR will not analyze the GPU's potential to physically divide an established community.

6.6 Mineral Resources

Threshold 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?

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

Threshold 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?

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

6.7 Noise

Threshold 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?

The closest airport to the project site is the Bermuda Dunes Airport, located approximately 2 miles northeast of the City of Indian Wells. The City is located outside of the 65, 60, and 55 CNEL noise contours associated with the airport facility. Furthermore, the City is not located within the Bermuda Dunes Airport Land Use Plan planning area. Therefore, the PDEIR will not analyze the airport's noise impact on the GPU. No impacts are expected as a result of project implementation.

6.8 Population and Housing

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

The General Plan Update will result in buildout of the City, including the development of vacant lands throughout the City to residential, commercial, and open space uses. Changes to the developed areas of the City are not proposed as part of the GPU. The vacant lots do not currently provide housing for people. Therefore, buildout of the GPU would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

6.9 Wildfire

Threshold a: Substantially impair an adopted emergency response plan or emergency evacuation plan?

Threshold 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?

Threshold c: Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Threshold d: Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

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

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

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

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

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

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

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Chapter 7.0 Alternatives

7.1 Introduction

This chapter provides a comparative analysis of the environmental effects of alternatives to the proposed Indian Wells General Plan Update (GPU) project ("project"). This analysis has been prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines. Per CEQA, it is required that an environmental impact report (EIR) describe a range of reasonable alternatives to the project, or to the location of the project, that would feasibly attain most of the objectives of the project while avoiding or substantially lessening any of the significant environmental impacts of the project. An EIR must include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. This section identifies and describes alternatives to the proposed project, evaluates the environmental impacts that would result from each of these alternatives, and compares these with the proposed project, as required by CEQA.

Key provisions of the State CEQA Guidelines (Section 15126.6) relating to this alternative's analysis are summarized below:

- The discussion of alternatives shall focus on alternatives to the project or its location which would feasibly attain most of the project objectives and are capable of avoiding or substantially lessening any significant effects of the project.
- The No Project Alternative shall be evaluated along with its impact. The No Project analysis shall discuss the existing conditions.
- Additionally, the alternatives analysis shall discuss what would be reasonably expected to occur in the foreseeable future if the project is not approved, based on current plans and consistent with available infrastructure. This is analyzed in the Alternatives Considered and Rejected subheading.
- The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.
- Only alternative locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for the inclusion in the EIR. However, if the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR.
- Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a

regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

- An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

7.2 Project Objectives

Pursuant to the State CEQA Guidelines, Section 15124(b), the description of the project includes the following statement of objectives for the project, including the underlying purpose of the project and its benefits, which can be used by the decision makers to help identify and evaluate a reasonable range of alternatives, as well as make findings and a statement of overriding considerations, if necessary. In order to ensure the functional integrity, economic viability, environmental sensitivity, and positive aesthetic contribution of the project, the following project objectives were established:

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

7.3 Summary of Project Impacts

Programmatic- and cumulative-level impacts associated with implementation of the General Plan Update are evaluated in **Sections 4.1** through **4.17** of this Draft EIR. As identified in **Table 1-2**, in **Chapter 1.0** (***Executive Summary***), the policies and actions proposed for the GPU continue to support a less than significant finding for a majority of the environmental impacts.

Construction and/or operation of the proposed project would have the potential to cause the following significant and unavoidable environmental impacts:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use/Involve other changes in the existing environment which could result in the conversion of Farmland to non-agricultural use.
- Result in vehicle miles traveled (VMT) inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

7.4 Alternatives Considered & Rejected

State CEQA Guidelines Section 15126.6(c) requires an EIR to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process, and to briefly explain the reasons underlying the agency's determination. Additionally, alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the project objectives, or do not avoid any significant environmental effects. This section identifies the alternative considered but rejected as infeasible.

CEQA Guidelines require examination of an alternative location for the project if such locations would result in the avoidance of or lessening of significant impacts. Since the GPU is proposed to cover the extent of the City. Since the City is located in a developed area, and surrounded to the west and north by Palm Desert, east by La Quinta, and south by the Santa Rosa Mountains and the County of Riverside, an alternative location is not feasible.

Additional alternatives considered and rejected include designated existing commercial land uses within the City to residential uses, thus permitting residential uses within the undeveloped properties in the City. Although this alternative would result in various housing opportunities in the City, the alternative would result in increased VMT impacts. Impacts related to VMTs would be significant and unavoidable if this scenario was chosen, similar to the proposed GPU. Therefore, this alternative was rejected.

7.5 Alternatives Evaluated in Detail

The following alternatives were selected for evaluation in this Draft EIR:

1. Alternative 1 – No Project / Current General Plan Buildout

According to CEQA Guidelines Section 15126.6 (e) the analysis of alternatives must include the specific alternative of "no project." The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed GPU with the impacts of not approving the proposed GPU. Since it is not likely that the vacant parcels within the GPU Planning Area would remain vacant, this Alternative analyzes the buildout of the current General Plan. Therefore, the No Project / Current General Plan Alternative would develop the land uses currently designated within the General Plan. The Current General Plan allows for 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential

space; and 6,217 jobs. This Alternative proposes the same number of residential units as the proposed GPU. However, the nonresidential space and number of jobs generated by Alternative 1 is less than the proposed GPU.

2. Alternative 2 – Medical Offices and Convalescent Homes

Under Alternative 2, the City would adopt the updated General Plan policy document, but with a community commercial (or professional office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue. This area is proposed for Resort Commercial land uses and zoning in the proposed GPU. Alternative 2 would provide medical offices on 14 acres on the western-most parcel, west of Miles Avenue, and nursing homes/congregate/convalescent housing on 16 acres on the parcels east of Miles Avenue. Alternative 2 would result in more employment compared to the proposed project.

Evaluation of Alternatives

A comparison of the impacts of the GPU and the alternatives selected for further evaluation is provided in this section for each of the environmental topics addressed in the Draft EIR.

Pursuant to the CEQA Guidelines, the discussion of the environmental effects of the alternatives in an EIR may be less detailed than provided for in the project but should be sufficiently detailed to allow meaningful evaluation, analysis, and comparison with the proposed GPU.

The comparative analysis was conducted qualitatively and, for some resources areas, quantitatively using the existing technical analysis prepared for the project, including the Air Quality and Greenhouse Gas Modeling (CalEEMod), California Natural Diversity Database (CNDDB), Cultural and Paleontological Resource Study, Noise Study, and Traffic Impact Analysis. Increases or decreases with respect to greenhouse gases, air quality, energy resources, and noise were based primarily on traffic trips generated which roughly correspond with the number of operational users of the Alternatives. Though noise and VMT do not directly correlate with traffic trips, they would be expected to be reduced when VMTs are reduced, since reduced VMTs indirectly results in reduced vehicle trips and thus reduced traffic-generated noise. The findings within the CNDDB and Cultural and Paleontological Report were used as a baseline for the comparative analysis when determining the impacts to development footprint in the GPU area.

7.5.1 Alternative 1 – No Project / Current General Plan Buildout

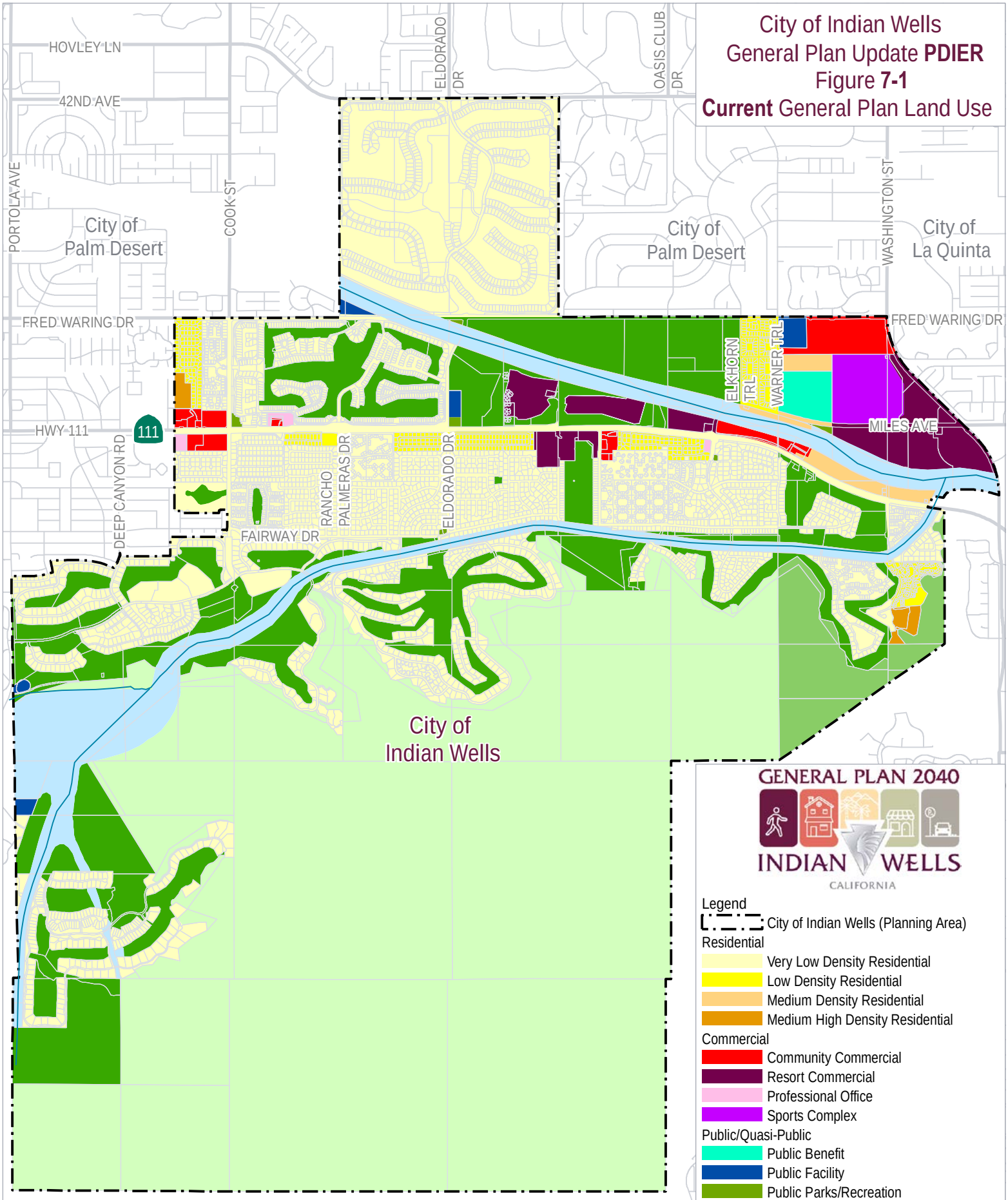
According to CEQA Guidelines Section 15126.6 (e) the analysis of alternatives must include the “No Project” Alternative. The purpose of describing and analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving the proposed GPU with the impacts of not approving the proposed GPU. Since it is not likely that the vacant parcels within the City Planning Area would remain vacant, Alternative 1 analyzes the buildout of the current General Plan. Under

Alternative 1, the City would continue to implement the current General Plan and no changes would be made to address updated General Plan Guidelines, or the requirements of State law. The current General Plan was adopted in 1996, and has been amended periodically since that time. The Housing Element was updated in 2013 (5th Cycle), and again in 2024 (6th Cycle), as required by State Housing Law. Therefore, the No Project / Current General Plan Alternative would develop the land uses currently designated within the currently approved General Plan. The Current General Plan allows for 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs. This Alternative proposes the same number of residential units as the proposed GPU. However, the nonresidential space and number of jobs generated by Alternative 1 is less than the proposed GPU. Additionally, Alternative 1 would not contribute to the improvement of the Whitewater River Channel. The table below displays the parcel specific acreage for current land uses within the Planning Area. The exhibit below displays the current General Plan land use map to be developed in Alternative 1. A comparative analysis of impacts for Alternative 1 is provided below.

Table 7-1 *Current General Plan Designations*

Current General Plan Designation	Acres
Civic, Public Facility	29
Commercial, Community Commercial	88
Commercial, Professional Office	7
Commercial, Resort Commercial	185
Commercial, Sports Complex	63
Low Density Residential	162
Medium Density Residential	46
Medium High Density Residential	18
Open Space, Golf and Recreation	1,317
Open Space, Natural Preserve	195
Open Space, Open Space	4,320
Open Space, Public Benefit (PB-1)	34
Open Space, Public Park	6
Open Space, Watercourse	557
Residential, Very Low Density Residential	2,306
Total	**9,333**

City of Indian Wells General Plan Update **PDIER** Figure **7-1** **Current** General Plan Land Use



GENERAL PLAN 2040
INDIAN WELLS
CALIFORNIA

Legend

- City of Indian Wells (Planning Area)

Residential
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential

Commercial
- Community Commercial
- Resort Commercial
- Professional Office
- Sports Complex

Public/Quasi-Public
- Public Benefit
- Public Facility
- Public Parks/Recreation

Open Space
- Golf and Recreation
- Natural Preserve
- Watercourse
- Open Space

Sources: City of Indian Wells, Riverside County, USGS, FEMA, USDA

NORTH

0 1,500 3,000 4,500 6,000 FT

Aesthetics

Buildout of the current General Plan is proposed under Alternative 1. Therefore, buildout of the currently undeveloped lands within the City would be developed under their land use designations, as established in the current General Plan. However, because the City of Indian Wells is largely developed, the remaining developable areas are located north of Highway 111, and north and south (and east and west where applicable) of Miles Avenue. These lands are designated for Resort Commercial, Community Commercial, and Public Benefit uses, which are land uses that are consistent with the existing environment, which includes residential, resort and commercial uses. Development of these lands could result in obstructions to existing scenic vistas (the most-prominent scenic view being the Santa Rosa Mountains), when viewed from public rights-of-way in the City. Similar to the proposed project, this impact is considered potentially significant. However, these properties would be required to comply with current General Plan policies regarding development standards, which are outlined in the approved Housing Element (updated 2024) (see Tables 4-4 and 4-5 of the Housing Element). The development standards for each zoning designation are also outlined in the City of Indian Wells Municipal Code, Title 21, Zoning Code (see Municipal Code Chapters 21.10 to 21.50). The development standards establish allowable building heights, lot sizes, and setback requirements within the associated zoning designation. Restricted building heights and building setbacks help reduce potential impacts to scenic resources by reducing the scale and massing of buildings (when observed from surrounding rights-of-way and properties). Additionally, developments in Alternative 1 would be required to undergo Architecture and Landscape Review (see Chapter 4 of the Housing Element and Chapter 21.60 of the Indian Wells Municipal Code). With the established development standards and architecture and landscape review required, Alternative 1 would not result in significant impacts to scenic vistas, similar to the proposed project.

As stated in **Section 4.1, *Aesthetics***, no officially designated or eligible State scenic highway is located within the City of Indian Wells. Therefore, Alternative 1 would not damage scenic resources (i.e., trees, rock outcroppings, and historic buildings) within as State scenic highway, similar to the proposed GPU.

As stated in **Section 4.1**, the scenic quality that currently exists in the City is primarily comprised of residential communities, commercial plazas, resort buildings, golf clubs, and the Santa Rosa Mountains. Scenic quality is established and maintained within the City with the implementation of the Indian Wells Municipal Code, Title 21, Zoning Code. As previously mentioned, the Zoning Code provides development standards for the various zones within the City (Chapter 21.20 through 21.50). The standards provide guidelines for building heights, setbacks, lot sizes, allowed structures, etc., which ensures visual consistency between projects throughout the City. Development under Alternative 1 would be subject to compliance with the guidelines and policies set in the current General Plan, as well as the applicable regulations set forth in the Indian Wells Municipal Code.

Therefore, Alternative 1 would not result in impacts to scenic quality in the City, similar to the proposed project.

Finally, Alternative 1 would result in the buildout of the current General Plan, which could result in increased light and glare within the City, compared to existing conditions. Similar to the proposed project, undeveloped lands, which currently do not contribute to existing light and glare in the City, would be developed. Development would be required to be consistent with the Current General Plan land use designations, as well as lighting and design requirements in the Indian Wells Municipal Code. Therefore, Alternative 1's impacts to light and glare will be less than significant, similar to the proposed GPU, since the current General Plan does not propose more intense uses than the GPU.

Overall, Alternative 1 would result in similar impacts to aesthetic resources as the proposed project. Neither Alternative 1 nor the proposed project would result in significant impacts.

Agricultural Resources

Under Alternative 1, also referred to as the No Project / Current General Plan Buildout Alternative, the existing General Plan would remain in effect, resulting in the development of existing agricultural land within the City into non-agricultural uses. Identical to the impacts anticipated under the Proposed General Plan Update (GPU), buildout of Alternative 1 would result in significant and unavoidable impacts on agricultural resources. The City of Indian Wells has largely transitioned from agricultural use, evolving into a residential and resort-oriented community, with hotel properties, restaurants, and retail centers as dominant land uses.

Although the loss of Prime Farmland within Indian Wells is limited in scale relative to the larger agricultural landscape of the Coachella Valley, it nevertheless represents a contribution to regional urbanization trends and the gradual conversion of agricultural land to urban uses. No feasible mitigation measures have been identified that would sufficiently preserve agricultural resources while meeting the City's broader planning goals and objectives. Consequently, under Alternative 1 as well as the Proposed GPU, significant and unavoidable impacts to agricultural resources are expected to occur.

Air Quality

Alternative 1 would allow for buildout of the City's currently undeveloped lands to occur in accordance with the existing land use designations and associated development standards. Since the City of Indian Wells is mostly developed (except for the protected open space), remaining areas suitable for new development would primarily consist of infill lots and vacant areas located north of Highway 111, near the intersection with Miles Avenue. The lands located north of Highway 111 are designated for Resort Commercial, Community Commercial, and Public Benefit uses. Alternative 1 would not grant any specific development entitlements or preclude further environmental review as applicable to the extent and configuration of land development proposals.

The Air Quality Management section of the Current General Plan recognizes the regulatory authority by the South Coast Air Quality Management District (SCAQMD) for air quality standards and attainment plans applicable to the City and rest of the air basin. Regulatory plans include the Air Quality Management Plan (AQMP) and State Implementation Plans to address the non-attainment status of PM10 and ozone. Since the governing SCAMQD regulations are routinely updated to reflect changing conditions and needs, including land development and population factors, Alternative 1 would not conflict with or obstruct the applicable air quality plan and associated implementation plans aimed at achieving attainment.

Vacant parcels within the City would continue to be exposed to seasonal winds with potential off-site dust deposition and wind erosion capable of resulting in particulate matter emissions (PM10 and PM2.5) under high and adverse wind conditions. Alternative 1 would not grant direct approval of project-specific construction or operational pollutant emissions. Since land use conditions and associated population growth are factored into the SCAQMD AQMP documentation, the City's Current General Plan is built into the existing and updated strategies for attaining the regional air quality objectives. Therefore, Alternative 1 would not contribute to a cumulatively considerable net increase of any criteria pollutant. Other than unregulated wind erosion and associated particulate matter emissions, Alternative 1 would not expose sensitive receptors to substantial pollutant concentrations or odors because the developable sites would remain undeveloped and be built out under the existing land use regulations. Therefore, Alternative 1 would result in less than significant impacts to air quality.

By comparison, the proposed GPU was found to result in less than significant impacts on all air quality threshold criteria, including air quality plan conformance and the quantified emission levels compared against the SCAQMD Air Quality Significance Thresholds (construction and operations), construction LST, operational LSTs, and health risks. The new policies and actions under the proposed GPU were found to adequately address the associated impacts. Under Alternative 1, the existing General Plan policies would help achieve similar controls toward the buildout condition. Based on population and job factors, Alternative 1 would result in potentially lower impacts than the proposed GPU and Alternative 2.

Biological Resources

Alternative 1 and the Proposed GPU would result in remaining vacant parcels to be developed. The City of Indian Wells is largely developed, and the remaining developable areas are located north of Highway 111, and north and south of Miles Avenue.

Development under the Proposed GPU and under Alternative 1 would require adherence to local, State, and federal regulations, as well as City-specific policies and actions. Compliance with applicable permitting requirements and oversight by regulatory agencies would ensure that potential impacts on biological resources are carefully managed. These regulatory and policy measures are expected to

reduce impacts to biological resources to a less-than-significant level under both Alternative 1 and the Proposed GPU.

Cultural and Tribal Cultural Resources

Under Alternative 1, the GPU would not be implemented by the City and the current General Plan would remain in effect. Buildout of the current General Plan would result in 5,455 single family units and 816 multifamily units, for a total of 6,271 residential units; 5,132,104 square feet of nonresidential space; and 6,217 jobs. As stated in **Section 4.5, *Cultural and Tribal Cultural Resources***, implementation of the GPU would result in less than significant impacts. The development patterns under the existing General Plan and the GPU would be largely similar. However, the GPU includes updated policies and actions that are designed to address current environmental standards, promote sustainable development practices, and align with the City's objectives. In addition, future development under the existing GP and GPU would still be required to prepare project specific cultural reports conducted by qualified archaeologists pursuant to CEQA. When compared to the proposed project, Alternative 1 would have a slightly less impact since it would not develop the additional 27,563 square feet of non-residential use. However, neither Alternative 1 nor the proposed project would result in a significant impact.

Energy Resources

As previously stated, the City of Indian Wells is largely developed, apart from various vacant parcels located north of Highway 111 and north and south (and east and west where applicable) of Miles Avenue. Currently, these parcels do not consume energy resources. Alternative 1 would result in the development of these vacant and developable parcels. Development and operation of Alternative 1 would result in an increase of energy consumption compared to the existing vacant conditions, however, it would also result in reduced energy consumption compared to the proposed GPU.

Alternative 1 would develop 6,271 residential units, 5,132,104 square feet of nonresidential uses, and 6,217 jobs. The proposed GPU would develop 6,271 residential units (similar to Alternative 1), 5,159,667 square feet of nonresidential uses, and 6,310 jobs. Alternative 1 would develop 27,563 square feet less and provide 93 less jobs than the proposed project. This is due to the existing Golf and Recreation land use designation on approximately 8.31 acres (APNs 633-150-007 and 633-150-071), which does not consume as much energy or provide additional jobs compared to a resort commercial use, which would consume energy during the operation of buildings and provide employment opportunities (i.e., hospitality, service, etc.).

As determined in **Section 4.6, *Energy Resources,*** the proposed GPU would not result in wasteful, inefficient, or unnecessary consumption because future development would be required to comply with Title 24 and CalGreen requirements, which ensures energy efficient appliances and fixtures are utilized in the development of new residential and nonresidential buildings. Development under Alternative 1 would also be required to comply with Title 24 and CalGreen requirements, as required

by the State. Additionally, the Chapter III, Resource Management (IIIA: Conservation and Open Space) Element in the current General Plan provides policies that require energy efficient retrofitting and fixtures, and encourages energy conservation. Alternative 1 would be required to comply with the policies in the current General Plan document. Additionally, Alternative 1 would be required to comply with State and local regulations regulating energy consumption (including Senate Bill 100, Title 24, and the Indian Wells Climate Action Plan (CAP)), similar to the proposed project.

Although Alternative 1 would result in reduced energy consumption compared to the proposed project, both scenarios would comply with State and local regulations ensuring energy efficiency and neither scenario would result in significant and unavoidable energy impacts.

Geology and Soils

Under both the Current General Plan and the Proposed GPU, future development within the City could face geotechnical hazards, including seismic ground shaking, ground failure, liquefaction, subsidence, loss of topsoil, and expansive or corrosive soils. In the Current General Plan, projects within the Planning Area are required to adhere to City policies and actions that are enforced through the City's development review process, zoning regulations, and other ordinances.

In the Proposed GPU, specific standards to address geological and soil-related hazards would require compliance with the latest federal, State, and local building standards and mandates for soil and geologic surveys prior to project approval. In addition, implementation of project-specific Stormwater Pollution Prevention Plans (SWPPPs) and Water Quality Management Plans (WQMPs) would provide further mitigation, reducing impacts associated with geology and soils.

Under both Alternative 1 and the Proposed GPU, policies and compliance requirements would help minimize impacts related to geology and soils to less than significant.

Greenhouse Gas Emissions

Alternative 1 would not grant any specific development entitlements or preclude further environmental review as applicable to the extent and configuration of land development proposals. Therefore, Alternative 1 would result in no direct measurable greenhouse gas emissions. The project-specific buildout of developable land under the existing land use designations would incur GHG emissions, the impacts of which would be measured on a project-by-project basis while incorporating the necessary mitigation measures respective to the development proposals. New construction occurring under the Alternative 1 land use scenario would involve the strictest energy efficiency, water efficiency, and mobile emission standards that are routinely updated at the regional and state level as part of the GHG reduction strategies. Therefore, Alternative 1 would not conflict with the current statewide policies and regulations adopted for the purpose of reducing the emissions of greenhouse gases. By comparison, the proposed project GPU was found to result in less than significant impacts on GHG emissions and plan conformance. Based on population and job factors,

GHG impacts under Alternative 1 would be lower than the proposed GPU and would not result in significant and unavoidable impacts.

Hazards and Hazardous Materials

As previously mentioned, the City of Indian Wells is largely developed apart from vacant developable lots north of Highway 111 and north and south (and east and west where applicable) of Miles Avenue. Buildout of the current General Plan under Alternative 1 would result in the development of these vacant parcels, based on the land uses established by the current General Plan. Future development and improvements could result in the transportation, use, and/or disposal of hazardous materials during construction or operation of future projects. Future activities may involve equipment or construction activities that use hazardous materials (e.g., coatings, solvents and fuels, and diesel-fueled equipment). Accidental release of hazardous materials that are used in the construction or operation of a project may occur. There is also the potential for accidental release of pre-existing hazardous materials, associated with previous activities on a site within the City limits.

Construction of Alternative 1 is expected to involve the temporary management and use of oils, fuels and other potentially flammable substances in a manner similar to the proposed project. Hazardous materials would be delivered, stored, and handled consistent with manufacturer instructions and local, State and federal requirements and as required by a Storm Water Pollution Prevention Plan (SWPPP) in compliance with the requirements of the Construction General Permit (CGP) Colorado River Basin Regional Water Quality Control Board (RWQCB), like the proposed project. Similar to the proposed project, Alternative 1 would implement safety procedures when using, handling, or storing hazardous materials and impacts would be less than significant.

Operation of Alternative 1 could involve the use of materials common to residential or commercial developments that are labeled hazardous. Similar to the proposed project, if Alternative 1 were to store hazardous materials in large quantities, the applicant would be required to submit a Hazardous Materials Business Plan (HMBP) to the Riverside County Department of Environmental Health (DEH) and Fire Department. The Riverside County DEH, as the Certified Unified Program Agency (CUPA) for the County, would manage and assure implementation of a project-specific HMBP. Alternative 1 would implement safety procedures when using, handling, and storing hazardous materials and impacts would be less than significant.

As determined in **Section 4.8, *Hazards and Hazardous Materials,*** only one school is located within the City boundary: Gerald R. Ford Elementary School. Construction access and activities and operational activities on future development within the City could result in the exposure of hazardous materials near the existing school. However, as stated above, construction materials would be properly stored in an approved location and implementation of the SWPPP during construction activities, and if required by code, will ensure that hazardous materials and waste are handled per manufacturer's instruction so that they are not released into the environment in a manner that results

in impacts to the surrounding uses. Additionally, during operation, all businesses dealing with hazardous materials would be required to be handled in accordance with federal, State, and County requirements, which would limit the potential for a project to expose nearby uses, including schools, to hazardous emissions or accidental release. Hazardous emissions are monitored by the South Coast Air Quality Management District (SCAQMD), RWQCB, Department of Toxic Substances Control (DTSC), and CUPA. In the event of a hazardous materials spill or release, notification and cleanup operations would be performed in compliance with applicable federal, State, and local regulations and policies, including hazardous mitigation plans. Similar to the proposed GPU, Alternative 1 would result in less than significant impacts to schools.

As determined in **Section 4.8*,*** a database search within the City discovered facilities registered as a Hazardous Waste and Substances Site (Cortese). As stated above, development of future lands within the City will be required to comply with existing federal and State regulations, which ensure that existing hazards, including those associated with known hazardous materials sites, are addressed prior to development. Therefore, similar to the proposed project, impacts to sites registered within a Cortese List will be less than significant.

As stated in **Section 4.8**, the City is not located within 2 miles of a public or private airport. Therefore, no impacts from airports are anticipated. Alternative 1 would also result in no impacts.

Alternative 1 and the project proposes no changes to the City's roadway network. The Fire Department will review future projects, to ensure adequate access for emergency vehicles is provided. Implementation of Alternative 1 is not expected to interfere with the critical facilities, emergency transportation and circulation, or emergency preparedness coordination, similar to the proposed project. Additionally, the current General Plan provides policies that ensure emergency response and preparedness is not impacted by development within the City (Goal and Policies IVA3). Alternative 1 would be required to comply with the applicable policies listed in the current General Plan. Alternative 1 would be reviewed by City staff and police and fire department officials to ensure adequate police and fire service and safety as a result of implementation, similar to the proposed GPU.

Moreover, Alternative 1 would not expose people or structures to wildland fires because development is not proposed in areas where wildlands would be expected (i.e., near sloped and highly vegetated areas). Sloped areas within the City are located along the Santa Rosa Mountains, located in the southern portion of the City. Similar to the proposed project, future development in Alternative 1 would occur in the urban areas of the City, primarily north of Highway 111 and north and south (and east and west) of Miles Avenue. All future projects allowed under Alternative 1 would be required to comply with the provisions of federal, State, and local requirements related to building and fire codes, similar to the proposed GPU. Therefore, impacts would be less than significant.

Overall, Alternative 1 would result in similar impacts to hazards and hazardous materials, as compared to the proposed GPU, and both would be less than significant.

Hydrology and Water Quality

Alternative 1 would allow for buildout of the City's currently undeveloped lands to occur in accordance with the existing land use designations and associated development standards. Since the City of Indian Wells is mostly developed (except for the protected open space), remaining areas suitable for new development would primarily consist of infill lots and vacant areas located north of Highway 111, near the intersection with Miles Avenue. The lands located north of Highway 111 are designated for Resort Commercial, Community Commercial, and Public Benefit uses. Water quality, conservation, erosion control, siltation control, and stormwater management controls would apply on a project-specific basis in accordance with the City's engineering requirements, the Conservation of Natural Resources Element of the current General Plan, as well as the regional, state, and federal standards. Therefore, water conservation, flood control and associated stormwater management would be imposed on the scale and configuration of project-specific proposals in accordance with the existing General Plan and engineering standards. By comparison, the proposed GPU was found to result in less than significant impacts on all thresholds and criteria for hydrology, without the need for mitigation because the various compliance policies and actions, as well as the required plans and supporting documents from new development, including a SWPPP, WQMP, Hydrology Report, and underlying preliminary engineering design compliant of the City's stormwater retention parameters. Hydrology and water quality impacts under Alternative 1 would be comparable to the proposed GPU due to the existing regulations.

Land Use and Planning

Alternative 1 and the proposed project does not include any new areas designated for urbanization or new roadways, infrastructure, or other features that would divide existing communities. Both scenarios provide opportunities for cohesive new growth at vacant in-fill locations within existing urbanized areas of the City, as well as new growth adjacent to existing urbanized areas, but would not create physical division within the community. Neither project would have a significant impact associated with the physical division of an established community.

Under Alternative 1, the Planning Area would maintain its current General Plan land use and zoning designations. Therefore, no changes to the General Plan would occur. Alternative 1 would comply with the policies established in the current General Plan document.

Alternative 1 would be consistent with the General Plan land use designations established by the City. The proposed GPU would update the land use map in two locations: (1) from Golf and Recreation to Resort Commercial, and (2) from Community Commercial to Resort Commercial. However, as determined in **Section 4.11, *Land Use and Planning***, the proposed GPU would not result in significant impacts to land use because the project features would be consistent with the General Plan goals and

policies. Alternative 1 would not be inconsistent with City goals and policies or existing land use designation. Accordingly, Alternative 1 is assumed to result in less land use impacts than the proposed project. Neither project would result in significant and unavoidable land use impacts.

Noise

As discussed throughout, the City of Indian Wells is largely developed with residential, resort, and commercial uses. Noise sources associated with existing land uses include residential maintenance, parking lot noise, heating, and cooling system (HVAC) noise, property maintenance noise, trash truck noise, loading and unloading noise, and recreational noise. Additional noise environments are contributed to non-stationary noise, such as vehicle traffic throughout the City, especially Highway 111. The remaining developable area within the City is located north of Highway 111 and north and south of Miles Avenue. Alternative 1 would result in the development and operation of the vacant, developable areas, resulting in an increase in the noise environment compared to the existing conditions.

Construction

Similar to the proposed project, construction of Alternative 1 would increase the ambient noise level because the existing vacant sites would be developed. However, per Section 9.06.047 of the City of Indian Wells Municipal Code, construction shall only occur between the hours of 7:00 a.m. and 5:00 p.m. on Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays. Construction noise is exempt from the noise ordinance during those times per Section 9.06.041(e) with the use of construction mufflers. Construction is not permitted on Sundays or national holidays. Therefore, noise generated by construction activities and traffic is mitigated by the existing Municipal Code. Alternative 1 would result in less than significant construction noise impacts, similar to the proposed project.

Operation

During operation, Alternative 1 would result in less noise impacts than the proposed GPU because approximately 8.31 acres north of Highway 111 would continue to operate as a golf course, which, by nature, does not generate noise levels that are considered significant. Operation of the vacant parcels will result in noise, however, the community commercial and resort commercial uses allowed within these parcels would not generate noise levels that are inconsistent with the surrounding areas and general operation of the City, which largely includes residential, commercial, and resort uses). Additionally, Chapter IV, the Public Safety Element, provides policies in IVB, Noise, regulating noise within the City. For example, Policy IVB1.1 requires all new or expansion of residential developments exceeding 65 dB CNEL shall require mitigation measures to reduce noise, and shall be required to conduct an acoustical study.

Moreover, operational noise associated with project-generated traffic would be less under Alternative 1, because the continued operation of the golf course would generate less VMTs

compared to the proposed GPU, which translates to less vehicles on the road, and less traffic-related noise. Therefore, traffic-generated noise associated with Alternative 1 will be less than the proposed GPU. As demonstrated in **Section 4.12, *Noise***, the proposed GPU would result in less than significant noise impacts.

As determined in **Section 4.12,** construction vibration within the Planning Area is not anticipated to be significant unless an individual development uses pile driving or vibratory rollers. The current General Plan does not provide policies regulating vibrational impacts. Therefore, Alternative 1 could result in significant vibration impacts during construction if a pile driver or vibratory rollers are used. Alternative 2 avoids these impacts by requiring vibration impact studies (and appropriate mitigation if necessary) when construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings, as required by GPU *Policy PS-6.7* and *Action PS-6j*. Alternative 1 would result in increased vibration impacts compared to the proposed project.

Population and Housing

Under Alternative 1, the project site would not introduce unplanned growth in the City because the Current General Plan was approved in 1996 and updated periodically since. The Housing Element of the General Plan was updated and adopted in 2024, and analyzes population, housing, and employment within the City. Therefore, increases in population, housing, and employment were already considered and accounted for (i.e., planned). Impacts would not be significant and unavoidable.

Alternative 1 would develop the same number of residential units as the proposed GPU (6,271 units), which would also result in the same population (5,405 people). Therefore, population and housing would be the same with Alternative 1 and the proposed GPU. Buildout of Alternative 1 would develop approximately 27,563 square feet less than the proposed GPU (which proposes 5,159,667 square feet of nonresidential uses). Alternative 1 would also result in 93 less employees than the GPU. However, as previously stated, this is already accounted for in the updated Housing Element of the General Plan. However, as determined in **Section 4.13, *Population and Housing,*** this increase generated by the GPU is consistent with projected employment growth for the City, and impacts would be less than significant. Both projects would result in less than significant growth impacts.

Public Services

Alternative 1 would develop the same number of residential units as the Proposed GPU (6,271 units), which would also result in the same population (5,405 people), however, the Proposed GPU would develop 5,159,667 square feet of nonresidential housing, approximately 27,563 square feet more than Alternative 1. The GPU would also introduce 93 more employees than Alternative 1.

For both the Current General Plan and the Proposed GPU, development within the area would be addressed on a case-by-case basis during the development and review of such development. This

ensures that services to accommodate current and future citywide growth could be reasonably provided. Additionally, both Alternative 1 and the Proposed GPU would require new developments to contribute to the payment of fees, which go towards minimizing impacts to fire and police services, as well as other public services. Therefore, with adherence to codes, policies and actions as well as the payment of impact fees, impacts in regard to fire and police services are expected to be less than significant.

Recreation

Identical to the Current General Plan, implementation of the Proposed GPU will not create significant impacts to recreational resources. As discussed above in the Public Services discussion, all new developments will be required to contribute to the payment of development impact fees towards the preservation, expansion and maintenance of the City's recreational parks and facilities. Demand for recreational facilities or parks is not anticipated to result in unanticipated construction of or expansion of these facilities. Therefore, with adherence to City policies and actions as well as Municipal Codes, all new development within City of Indian Wells under the Current General Plan and the Proposed GPU would create less than significant impacts on recreation.

Transportation

Alternative 1 assessed traffic conditions using a General Plan Traffic Study, which identified the need for additional through lanes for eastbound and westbound traffic on Highway 111, aligning with the Highway 111 Beautification and Improvement Plan. The study also recommended updates to intersection geometrics to better manage turning movements and through-traffic capacity demands. Under Alternative 1, the City would continue its development monitoring process and implement specific guidelines from the Circulation Plan to manage internal circulation and support commercial development effectively.

To mitigate transportation impacts, traffic control devices would be installed as warranted, based on professional analysis, ensuring compliance with safety standards and reducing potential liability for the City. Furthermore, Alternative 1 would include a golf cart plan aimed at expanding golf cart usage within the City, enhancing local transportation options. Alternative 1 also incorporates policies and goals to support these efforts, helping to create a more efficient and safer transportation network and reduce impacts from current and future transportation demand.

In relation to the Proposed GPU, the implementation of the plan is anticipated to contribute to a significant and unavoidable impact on transportation, primarily due to increases in vehicle miles traveled (VMT). Cumulative impacts are considered the combined result of a project's effects in conjunction with other related or foreseeable projects. By the 2045 horizon year, the total VMT for the City is expected to rise with the Proposed GPU, signaling a cumulative effect on transportation.

Cumulative daily VMT within the City was analyzed under two scenarios for the Proposed GPU: a "No Project" condition and a "With Project" condition. For 2045, the No Project scenario forecasts a total VMT of 538,149, while the With Project scenario estimates 542,972 VMT, reflecting an additional 4,823 VMT or a 0.90% increase. This increase suggests that the City's maximum development potential under the GPU would result in a net rise in VMT, contributing to cumulative transportation impacts. The "No Project" condition reflects the Alternative 1 scenario with a slight decrease in VMT compared to the proposed project.

The GPU includes a number of policies aimed at encouraging alternative modes of travel and more efficient land use, which could partially reduce VMT growth. However, these measures alone would not achieve the 27% VMT reduction necessary to entirely avoid significant impacts, as this reduction is considered infeasible. To address VMT, future development projects consistent with the GPU would need to integrate Transportation Demand Management (TDM) strategies. Such strategies might include initiatives like commuter assistance programs or mixed-use development patterns that reduce travel distances by combining residential, commercial, and employment areas. The City's Municipal Code (Chapter 16.50) on Transportation Demand Management will establish requirements for these VMT reduction measures for new development projects. Nonetheless, the anticipated benefits of TDM measures are not expected to entirely offset VMT growth. The "No Project" condition is not 27% less than the proposed project and would be anticipated to be a significant impact.

As a result, VMT per Capita would be significant and unavoidable. According to the Office of Planning and Research (OPR) under SB743 guidelines, if there is a significant VMT increase at the project level, a cumulative impact is also implied. Therefore, the GPU's projected VMT increase is expected to yield a cumulative transportation impact that is significant and unavoidable, despite the proposed strategies to reduce VMT. Alternative 1 would be anticipated to have similar impacts based on the minimal difference between the two estimated VMT's

For all other transportation impacts associated with the GPU, impacts are anticipated to remain less than significant. Alternative 1 is expected to have similar impacts when compared to the proposed project. Should the City of Indian Wells move forward with GPU approval, CEQA Guidelines require the City to provide findings under Section 15091 and prepare a Statement of Overriding Considerations in accordance with Section 15093 for review by City decision-makers.

Utilities and Service Systems

As described in **Section 4.17, *Utilities and Service Systems***, the proposed GPU would result in less than significant impacts. All future developments proposed under the existing GP and proposed GPU would have an increase in the utility demand. However, given Alternative 1 would accommodate less non-residential development and assumes less job growth than the proposed Project, impacts to utilities and service systems would not be significant, similar to the proposed Project. The domestic water supply availability, and existing wastewater treatment capacity are sufficient to meet the water

supply needs of current and future population growth, and no impact would occur. In both Alternative 1 and the proposed Project, future projects developed under the existing GP and proposed GPU would not adversely impact water quality via stormwater inputs due to compliance to incorporate stormwater management. Like the proposed Project, the existing landfills would still have adequate capacity to accommodate the additional solid waste. Alternative 1 would not create new or different impacts to electrical power, natural gas, and telecommunication facilities. Impacts on the City's infrastructure systems and water supply would be slightly reduced under Alternative 1 and impacts would remain less than significant.

7.5.2 Alternative 2 – Medical Offices and Convalescent Homes

Under Alternative 2, the City would adopt the updated General Plan policy document, but with a community commercial (or professional office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue. Currently, this area is designated as Resort Commercial on 14 acres west of Miles Avenue, and Community Commercial on 16 acres east of Miles Avenue. The remaining developable lands would be developed under their current land use designations, as established in the Current General Plan. This area is proposed as Resort Commercial land uses and zoning in the proposed GPU. Alternative 2 would provide medical offices on 14 acres on the western-most parcel, west of Miles Avenue, and nursing homes/congregate/convalescent housing on 16 acres on the parcels east of Miles Avenue. Alternative 2 would generate the same amount of residential units, nonresidential space and number of jobs as the proposed GPU due to the proposed medical office uses and nursing homes.

Aesthetics

Under Alternative 2, the GPU would be approved, allowing the buildout of the City, including a Community Commercial land use designation on approximately 30 acres north of Highway 111 and east and west of Miles Avenue. As stated above, this area is currently designated as Resort Commercial on 14 acres west of Miles Avenue, and Community Commercial on 16 acres east of Miles Avenue. The remaining developable lands would be developed under their current land use designations, as established in the Current General Plan. The GPU proposes these areas to be Resort Commercial uses.

Similar to the proposed GPU, Alternative 2 would result in the buildout of the currently undeveloped lands within the City. The remaining developable areas are located north of Highway 111, and north and south of Miles Avenue. Development of these lands could result in obstructions to existing scenic vistas (the most-prominent scenic view being the Santa Rosa Mountains), when viewed from public rights-of-way in the City. Similar to the proposed GPU, this impact is considered potentially significant. However, with the implementation of GPU policies and actions, these impacts are reduced to less than significant levels. *Policies RM-2.1* through *RM-2.4* and *Action RM-2a* require the City to preserve open space and scenic resources, which enhances the open space character of the City, and supports

tourism. The policies and actions ensure that new development is designed in a way that enhances the visual quality of the community, compliments the visual character of the City, and that adverse effects on public views are minimized.

No officially designated or eligible State scenic highway is located within the City of Indian Wells. Therefore, Alternative 1 would not damage scenic resources (i.e., trees, rock outcroppings, and historic buildings) within as State scenic highway, similar to the proposed GPU. Development of Alternative 2 would result in the development of vacant land within the City. However, the implementation of *Policies RM-2.3* and *RM-2.4* would ensure that development within the City would not result in damages to scenic resources, by establishing and maintaining greenbelts and open space amenities that are viewed by people who travel through and within the City and maintaining scenic views from public rights-of-way. Similar to the proposed GPU, Alternative 2 would not impact scenic resources within a State scenic highway.

As stated in **Section 4.1, *Aesthetics*,** the scenic quality that currently exists in the City is primarily comprised of residential communities, commercial plazas, resort buildings, golf clubs, and the Santa Rosa Mountains. Scenic quality is established and maintained within the City with the implementation of the Indian Wells Municipal Code, Title 21, Zoning Code. The Zoning Code provides development standards for the various zones within the City (Chapter 21.20 through 21.48). The standards provide guidelines for building heights, setbacks, lot sizes, allowed structures, etc., which ensures visual consistency between projects throughout the City. Development under Alternative 2 would be subject to compliance with the guidelines and policies set in the Current General Plan, as well as the applicable regulations set forth in the Indian Wells Municipal Code. Therefore, Alternative 2 would not result in impacts to scenic quality in the City, similar to the proposed GPU.

Finally, Alternative 2 would result in the buildout of the Current General Plan, which could result in increased light and glare within the City, compared to existing conditions. Similar to the proposed GPU, undeveloped lands, which currently do not contribute to existing light and glare in the City, would be developed. Development under Alternative 2 would be required to be consistent with the General Plan land use designations, as well as lighting and design requirements in the Indian Wells Municipal Code. Therefore, Alternative 2's impacts to light and glare will be less than significant, similar to the proposed GPU.

Overall, Alternative 2 would result in similar impacts to aesthetic resources as the proposed GPU. Neither Alternative 2 nor the proposed project would result in significant impacts.

Agricultural Resources

Alternative 2 would adopt the GPU policy document; therefore, existing agricultural land in the City would be developed into nonagricultural uses. Therefore, similar to the impacts anticipated under the Proposed GPU), buildout of Alternative 2 would result in significant and unavoidable impacts on agricultural resources. As stated in the above Agricultural Resources section, although the loss of

Prime Farmland within Indian Wells would be significant, the loss of farmland in the City is not significant at the scale of the Coachella Valley agricultural landscape.

No feasible mitigation measures have been identified that would sufficiently preserve agricultural resources while meeting the City's broader planning goals and objectives. Consequently, under Alternative 2, unavoidable impacts to agricultural resources are expected to occur as would be seen under the Proposed GPU.

Air Quality

Alternative 2 would adopt an updated General Plan policy document with the associated policies and actions. By comparison to the existing and proposed GPU, Alternative 2 would include a community commercial (or professional office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue. Currently, this area is designated as Resort Commercial on 14 acres west of Miles Avenue, and Community Commercial on 16 acres east of Miles Avenue. The remaining developable infill lands would be developed under their land use designations as established in the Current General Plan. Alternative 2 would not grant any specific development entitlements or preclude further environmental review as applicable to the extent and configuration of land development proposals. Alternative 2 is anticipated to have a lower trip generation and therefore fewer air quality impacts.

The development of medical offices and nursing homes/congregate/convalescent housing would incur air quality impacts from construction and operational area, energy, and mobile sources. Buildout under Alternative 2 would continue to be regulated under the SCAQMD regulations, strategies and air quality significance thresholds. Compliance with the applicable Air Quality Management Plan (AQMP) and State Implementation Plan strategies would be expected from new development occurring under Alternative 2. Since the governing SCAMQD regulations are routinely updated to reflect changing conditions and needs, including land development and population factors, Alternative 2 would be factored into SCAQMD's growth strategies and therefore not conflict with or obstruct the applicable air quality standards and attainment. New development under Alternative 2 would be subject to the most current construction, energy, and water efficiency standards, as well as any applicable statewide mandates that may emerge during the life of Alternative 2. Mobile emissions would also be regulated at the state level independent of new development.

Vacant parcels within the City would continue to be exposed to seasonal winds with potential off-site dust deposition and wind erosion capable of resulting in particulate matter emissions (PM10 and PM2.5) under high and adverse wind conditions. Since land use conditions and associated population growth are factored into the SCAQMD AQMP documentation, the proposed land uses under Alternative 2, would be incorporated into the growth assumptions and updated strategies for attaining the regional air quality objectives.

Therefore, Alternative 2 would not contribute to a cumulatively considerable net increase of any criteria pollutant. Other than unregulated wind erosion and associated particulate matter emissions, Alternative 2 would not expose sensitive receptors to substantial pollutant concentrations or odors because the site would remain undeveloped and be built out under the existing land use regulations. Therefore, Alternative 2 would result in less than significant impacts to air quality.

By comparison, the proposed GPU was found to result in less than significant impacts on all air quality threshold criteria, including air quality plan conformance and the quantified emission levels compared against the SCAQMD Air Quality Significance Thresholds (construction and operations), construction LST, operational LSTs, and health risks. The new policies and actions under the Alternative 2 General Plan scenario would be expected to further reduce the associated air quality impacts, similar to the proposed GPU project and existing General Plan. Based on population and trip generation factors, Alternative 2 would result in relatively fewer impacts than Alternative 1 and the proposed GPU; however, none of the alternatives nor the proposed project would result in any significant impacts relating to Air Quality. Under Alternative 2, the proposed General Plan policies would help achieve similar controls toward the buildout condition, resulting in less than significant impacts.

Biological Resources

Under Alternative 2, impacts to biological resources would be identical compared to the proposed project, because both Alternative 2 and the Proposed GPU are expected to develop the remaining vacant lots in the City. Alternative 2 would have identical impacts on undeveloped land. Future development under both the Proposed GPU as well as Alternative 2 would be required to follow the City's polices and actions, as well as local, State, and Federal standards pertaining to biological resources. Both Alternative 2 and the Proposed GPU would have less than significant impact on biological resources.

Cultural and Tribal Cultural Resources

As with the proposed Project, construction of Alternative 2 could unearth unknown archaeological or Tribal cultural resources or human remains which would have a significant impact. However, policies would be in place under the proposed GPU to protect those resources, including the requirement for a study to be conducted by a professional archaeologist pursuant to CEQA to determine if significant archaeological resources are potentially present and if the project will significantly impact these resources, and review and procedures for inadvertent discovery of archaeological resources. Therefore, Alternative 2 would not cause adverse impacts to cultural and Tribal resources, including archaeological materials and human remains. Similar to the proposed project, Alternative 2 would have a less than significant impact on archaeological resources.

Energy

As previously stated, the City of Indian Wells is largely developed, apart from various vacant parcels located north of Highway 111 and north and south (and east and west where applicable) of Miles Avenue. Currently, these parcels do not consume energy resources. Alternative 2 would result in the development of these vacant and developable parcels and redevelopment of appliable parcels (including the golf course use on approximately 8.31 acres). Development and operation of Alternative 2 would result in an increase of energy consumption compared to the existing vacant conditions; however, it would result in similar electricity and natural gas consumption compared to the proposed GPU, but less petroleum fuel consumption compared to the proposed GPU due to an expected decrease in trip generation/VMT.

Construction

Construction of Alternative 2 would result in similar energy consumed as the proposed GPU. This is because both projects propose the development of the remaining vacant parcels. Neither project proposes development outside of the scope that is considered normal for commercial projects.

Operation

Operation of Alternative 2 would result in the development of the vacant and developable parcels, as well as redevelopment of applicable parcels within the Planning Area, similar to the proposed GPU.

Alternative 2 would develop 6,271 residential units, 5,159,667 square feet of nonresidential uses, similar to the proposed project. Energy and natural gas consumed during operation of the residential and nonresidential buildings will be similar to the proposed GPU, because both projects would develop 6,271 residential units and 5,159,667 square feet of nonresidential uses. As determined in **Section 4.6, *Energy Resources,*** the proposed GPU would not result in wasteful, inefficient, or unnecessary consumption because future development would be required to comply with Title 24 and CalGreen requirements, which ensures energy efficient appliances and fixtures are utilized in the development of new residential and nonresidential buildings. Development under Alternative 2 would also be required to comply with Title 24 and CalGreen requirements, as required by the State. Alternative 2 would also be required to comply with the policies in the General Plan Update document, similar to the proposed project. Additionally, Alternative 2 would be required to comply with State and local regulations regulating energy consumption (including Senate Bill 100, Title 24, and the Indian Wells Climate Action Plan (CAP)), similar to the proposed GPU.

Moreover, operational petroleum consumption would be less under Alternative 2, because the medical offices and nursing home/convalescent housing would result in less employee-generated VMTs compared to the proposed GPU. Reduced VMTs translates to less vehicles traveling far distances within the City, and therefore, less petroleum consumption. Therefore, petroleum consumption associated with Alternative 2 will be less than the proposed GPU. As demonstrated in **Section 4.6, *Energy Resources,*** the proposed GPU would result in less than significant impacts related to petroleum consumption with the implementation of GPU policies and actions which promote

multiple modes of transportation and safety for multi-modal transportation, as well as the thoughtful connectivity between land uses to reduce VMTs and subsequently petroleum consumed. Alternative 2 would be required to comply with the comply with the GPU policies and actions. Additionally, as stated in **Section 4.6**, over the lifetime of City buildout and operation, the fuel efficiency of vehicles in use is expected to increase as older vehicles are replaced with newer, more efficient models. Thus, the amount of petroleum consumed because of vehicle trips during operation would decrease over time.

Overall, Alternative 2 would result in similar construction-related consumption of energy resources and operational electricity and natural gas consumed compared to the proposed GPU, and reduced petroleum consumption compared to the proposed GPU. However, both scenarios would not result in the unnecessary, wasteful and inefficient use of energy resources, or conflict with a State or local plan for energy efficiency with the implementation of the GPU policies and actions. Neither project would result in significant and unavoidable energy impacts.

Geology and Soils

Alternative 2 would adopt the GPU policy document, and it is assumed that both Alternative 2 and the Proposed GPU would develop any remaining vacant lots within the City.

Without proper regulations and standards, future development within the City could experience geotechnical hazards, including seismic ground shaking, ground failure, liquefaction, subsidence, loss of topsoil, and expansive or corrosive soils.

For both the Proposed GPU and Alternative 2, specific measures to address geological and soil-related hazards would require compliance with the latest federal, State, and local building standards and mandates for soil and geologic surveys prior to project approval. In addition, implementation of project-specific Fugitive Dust Control Plans, Stormwater Pollution Prevention Plans (SWPPPs) and Water Quality Management Plans (WQMPs) would provide further mitigation, reducing impacts associated with geology and soils.

Under both Alternative 2 and the Proposed GPU, these policies and compliance requirements would help minimize impacts related to geology and soils to less than significant levels.

Greenhouse Gas Emissions

Alternative 2 would adopt an updated General Plan policy document with the associated policies and actions. By comparison to the existing and proposed GPU, Alternative 2 would include a community commercial (or professional office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue. Currently, this area is designated as Resort Commercial on 14 acres west of Miles Avenue, and Community Commercial on 16 acres east of Miles Avenue. The remaining developable infill lands would be developed under their land use designations as established in the Current General Plan. Alternative 2 would be

expected to incur a decrease in vehicle trips and VMT compared to proposed GPU due to the medical office uses and nursing homes.

Alternative 2 would not grant any specific development entitlements or preclude further environmental review as applicable to the extent and configuration of land development proposals. Therefore, Alternative 2 would result in no direct measurable greenhouse gas emissions.

The project-specific buildout of developable land under the Alternative 2 land use scenario would incur GHG emissions, the impacts of which would be measured on a project-by-project basis while incorporating the necessary mitigation measures respective to the development proposals. New construction occurring under the Alternative 2 land use scenario would involve the strictest energy efficiency, water efficiency, and mobile emission standards that are routinely updated at the regional and state level as part of the GHG reduction strategies. Therefore, Alternative 2 would not involve land use policy changes able to conflict with the current statewide policies and regulations adopted for the purpose of reducing the emissions of greenhouse gases. By comparison, the proposed project GPU was found to result in less than significant impacts on GHG emissions and plan conformance. Based on population and trip generation/VMT, GHG impacts under Alternative 2 would be relatively lower than the proposed GPU and Alternative 2 and would not result in significant and unavoidable impacts.

Hazards and Hazardous Materials

As previously mentioned, the City of Indian Wells is largely developed apart from vacant developable lots north of Highway 111 and north and south (and east and west) of Miles Avenue. Development of Alternative 2 would result in the development of these vacant parcels, including the 14 acres west of Miles Avenue as medical offices and 16 acres east of Miles Avenue as nursing homes/convalescent housing. Future development and improvements could result in the transportation, use, and/or disposal of hazardous materials during construction or operation of future projects. Future activities may involve equipment or construction activities that use hazardous materials (e.g., coatings, solvents and fuels, and diesel-fueled equipment). Accidental release of hazardous materials that are used in the construction or operation of a project may occur. There is also the potential for accidental release of pre-existing hazardous materials, associated with previous activities on a site within the City limits.

Construction of Alternative 2 is expected to involve the temporary management and use of oils, fuels and other potentially flammable substances in a manner similar to the proposed project. Hazardous materials would be delivered, stored, and handled consistent with manufacturer instructions and local, State and federal requirements. The nature and quantities of these products would be limited to what is necessary to carry out construction of Alternative 2 and are not anticipated to create significant impacts due to the limited quantities used in construction and the timeline of construction, which would occur in one phase. Additionally, the contractor will be required to identify a controlled

staging area within the project limits for storing materials and equipment, as required by a Storm Water Pollution Prevention Plan (SWPPP) in compliance with the requirements of the Construction General Permit (CGP) Colorado River Basin Regional Water Quality Control Board (RWQCB), like the proposed project. Similar to the proposed project, Alternative 2 would implement safety procedures when using, handling, or storing hazardous materials and impacts would be less than significant.

Operation of Alternative 2 could involve the use of materials common to residential or commercial developments that are labeled hazardous (e.g., solvents and commercial cleaners, petroleum products, and pesticides, fertilizers, and other landscape maintenance materials). Alternative 2 would include medical offices on 14 acres west of Miles Avenue and nursing homes/convalescent housing on 16 acres east of Miles Avenue. Similar to the proposed project, if Alternative 2 were to store hazardous materials in large quantities, the applicant would be required to submit a Hazardous Materials Business Plan (HMBP) to the Riverside County Department of Environmental Health (DEH) and Fire Department. The Riverside County DEH, as the Certified Unified Program Agency (CUPA) for the County, would manage and assure implementation of a project-specific HMBP. The medical office use may be subjected to generate potentially infectious disease-causing agents upon project operation. According to the California Department of Public Health, the Medical Waste Management Program (MWMP) regulates the generation, handling, storage, treatment, and disposal of medical waste by providing oversight for the implementation of the Medical Waste Management Act (MWMA). MWMA Section 117705 of the California Health and Safety Code considers any person whose act or process produces medical waste to be a "medical waste generator" in California. The proposed project shall follow all State, federal and industrial standards regarding the handling and disposal of waste produced by the facility. The project's compliance with California Health and Safety Code, and the California Department of Public Health's Medical Waste Management Program, the project is not anticipated to create a significant hazard to the public or the environment involving the release of hazardous materials. Thus, Alternative 2 would implement safety procedures when using, handling, and storing hazardous materials and impacts would be less than significant.

As determined in **Section 4.8, *Hazards and Hazardous Materials,*** only one school is located within the City boundary: Gerald R. Ford Elementary School. Construction access and activities and operational activities on future development within the City could result in the exposure of hazardous materials near the existing school. However, as stated in previously, construction materials would be properly stored in an approved location and implementation of the SWPPP during construction activities, and if required by code, will ensure that hazardous materials and waste are handled per manufacturer's instruction so that they are not released into the environment in a manner that results in impacts to the surrounding uses. Additionally, during operation, all businesses dealing with hazardous materials would be required to be handled in accordance with federal, State, and County requirements, which would limit the potential for a project to expose nearby uses, including schools, to hazardous emissions or an accidental release. Hazardous emissions are monitored by the SCAQMD,

RWQCB, DTSC, and the local CUPA. In the event of a hazardous materials spill or release, notification and cleanup operations would be performed in compliance with applicable Federal, State, and local regulations and policies, including hazardous mitigation plans. Similar to the proposed GPU, Alternative 2 would result in less than significant impacts to schools.

As stated in **Section 4.8**, the City is not located within 2 miles of a public or private airport. Therefore, no impacts from airports are anticipated. Alternative 2 would also result in no impacts.

As determined in **Section 4.8, *Hazards and Hazardous Materials,*** a database search within the City discovered facilities registered as a Hazardous Waste and Substances Sites (Cortese). As stated above, development of future lands within the City will be required to comply with existing federal and State regulations, which ensure that existing hazards, including those associated with known hazardous materials sites, are addressed prior to development. Therefore, similar to the proposed project, Alternative 2's impact relative to sites registered within a Cortese List will be less than significant.

Alternative 2 and the project proposes no changes to the City's roadway network. The Fire Department will review future projects, to ensure adequate access for emergency vehicles is provided. Implementation of Alternative 2 is not expected to interfere with the critical facilities, emergency transportation and circulation, or emergency preparedness coordination, similar to the proposed project. Alternative 2 would be reviewed by City staff and police and fire department officials to ensure adequate police and fire service and safety as a result of implementation, similar to the proposed GPU.

Moreover, Alternative 2 would not expose people or structures to wildland fires because development is not proposed in areas where wildlands would be expected (i.e., near sloped and highly vegetated areas). Sloped areas within the City are located along the Santa Rosa Mountains, located in the southern portion of the City. Similar to the proposed project, future development in Alternative 2 would occur in the urban areas of the City, primarily north of Highway 111 and north and south (and east and west) of Miles Avenue. All future projects allowed under Alternative 2 would be required to comply with the provisions of federal, State, and local requirements related to building and fire codes, similar to the proposed GPU. Therefore, impacts would be less than significant.

Overall, Alternative 2 would result in similar impacts to hazards and hazardous materials, as compared to the proposed GPU, and both would be less than significant.

Hydrology and Water Quality

Alternative 2 would adopt an updated General Plan policy document with the associated policies and actions, but by comparison, would include a community commercial (or professional office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue.

The Alternative 2 General Plan scenario would include equivalent policies and actions applicable to water conservation, water quality, and hydrology, as allowed under the Clean Water Act, National Pollutant Discharge Elimination System (NPDES), state, and local regulations to prevent violations or impacts to surface water quality standards and waste discharge requirements pertinent to surface or ground water quality.

Construction activities under Alternative 2 would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) to comply with the most current NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities. During the life of the project, water quality standards and waste discharge requirements would be met and demonstrated through a project-specific Water Quality Management Plan (WQMP).

On the aspect of water demand in relation to groundwater supplies, development under Alternative 2 would involve a potential increase in demand for water than the existing General Plan. Alternative 2 would implement the standard requirements for non-structural and structural pollution source control measures that work toward the protection of groundwater quality.

On the aspect of groundwater recharge, development under Alternative 2 will not result in any physical modifications to an existing recharge facility or result in any stormwater runoff condition capable of interfering with recharge operation. The City's requirement for on-site retention facilities would contribute to infiltration and groundwater recharge.

On the matter of erosion, siltation, flooding, and urban runoff conditions, development under Alternative 2 would result in an increase in impervious land cover through the introduction of structures, hardscape and streets. However, the required storm drainage system with on-site retention facilities and stabilized surfaces, applicable at the project-specific level, would control the volume and conveyance of runoff to prevent erosion and siltation. Flooding would be prevented through compliance with the City's engineering standards for new development. Development under Alternative 2 would be required to retain urban runoff on-site, it would not result in a discharge condition affecting public storm drainage infrastructure.

By comparison, the proposed project was found to result in less than significant impacts on all thresholds and criteria for hydrology, without the need for mitigation, other than the proposed policies and actions. Other than the standard plans, no mitigation is necessary to achieve less than significant impacts.

Land Use and Planning

Alternative 2 and the proposed GPU does not include any new areas designated for urbanization or new roadways, infrastructure, or other features that would divide existing communities. Both scenarios provide opportunities for cohesive new growth at vacant in-fill locations within existing urbanized areas of the City, as well as new growth adjacent to existing urbanized areas, but would

not create physical division within the community. Neither project would have a significant impact associated with the physical division of an established community.

Under Alternative 2, 14 acres at the northwest corner of Miles Avenue and Highway 111 would be designated for community commercial and would allow the development of medical offices. 16 acres at the northeast corner of Miles Avenue and Highway 111 would continue to be designated for community commercial and would allow the development of nursing homes/convalescent housing. Alternative 2, like the proposed GPU, would update two locations to Community Commercial land use designations. However, like the proposed GPU, Alternative 2 would be consistent with State and local land use plans, including the GPU, the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), and the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The GPU policies and actions would be approved with Alternative 2, therefore, this Alternative would be consistent with the GPU. Additionally, Alternative 2 would allow the City to continue to operate as primarily a residential, resort, and commercial community, and will be consistent with the existing operations, and developed areas of the City. Alternative 2 would be consistent with the CVMSHCP because the developable areas within the City are not located within Conservation Areas, as established by the CVMSHCP, and future development would be required to pay the Local Development Mitigation Fee at the time of the issuance of a building permit. Therefore, like the proposed GPU, Alternative 2 would be consistent with the CVMSHCP. SCAG's RTP/SCS goals encourage regional economic growth and prosperity, success of the regional transportation network, improved air quality and reduction of GHGs in the region, and the conservation of lands and development of diverse and successful housing in the region. Alternative 2 would also be consistent with SCAG's RTP/SCS goals (where applicable) because Alternative 2 would reduce VMTs in the City (compared to the proposed GPU), with the introduction of medical offices and nursing homes/convalescent housing, reducing GHG emissions. Alternative 2 would continue to conserve protected lands (i.e., slopes of the Santa Rosa Mountains in the southern boundary of the City. Overall, Alternative 2 would not conflict with a land use plan or policy that mitigates potential environmental effects, similar to the proposed GPU. Neither project would result in significant and unavoidable land use impacts.

Noise

As discussed throughout, the City of Indian Wells is largely developed with residential, resort, commercial uses. Noise sources associated with existing land uses include residential maintenance, parking lot noise, heating, and cooling system (HVAC) noise, property maintenance noise, trash truck noise, loading and unloading noise, and recreational noise. Additional noise environments contribute to non-stationary noise, such as vehicle traffic throughout the City, especially Highway 111. The remaining developable area within the City is located north of Highway 111 and north and south of Miles Avenue. Alternative 2 would result in the approval of the GPU, and the development and operation of the vacant, developable areas, and redevelopment of a portion of a golf course, resulting

in an increase in the noise environment compared to the existing conditions. Alternative 2 would develop 30 acres of community commercial north of Highway 111 and east and west of Miles Avenue.

Construction

Similar to the proposed project, construction of Alternative 2 would increase the ambient noise level because the existing vacant sites would be developed. However, per Section 9.06.047 of the City of Indian Wells Municipal Code, construction shall only occur between the hours of 7:00 a.m. and 5:00 p.m. on Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays. Construction noise is exempt from the noise ordinance during those times per Section 9.06.041(e) with the use of construction mufflers. Construction is not permitted on Sundays or national holidays. Therefore, noise generated by construction activities and traffic is mitigated by the existing Municipal Code. Alternative 2 would result in less than significant construction noise impacts, similar to the proposed project.

Operation

During operation, Alternative 2 would result in similar stationary noise levels as the proposed GPU, because both projects would develop commercial uses; where Alternative 2 would develop community commercial uses on 30 acres north of Highway 111 and east and west of Miles Avenue, instead of resort commercial uses as proposed by the project. Similar to the proposed GPU, Alternative 2 would be required to implement relevant GPU policies and actions that reduce stationary noise levels, such as *Policy PS-6.5,* which requires commercial uses to implement noise attenuation measures, if adjacent to sensitive receptors. GPU *Policy PS-6.3* and *Action PS-6b* also require a detailed noise study for new projects to ensure that noise control measures are implemented into project design. Therefore, Alternative 2 would result in less than significant stationary noise levels.

Operational noise associated with project-generated traffic would be less under Alternative 2, because the operation of the medical offices and nursing home/convalescent housing will generate less VMTs compared to the proposed GPU, which translates to less vehicles on the road, and less traffic-related noise. Therefore, traffic-generated noise associated with Alternative 2 will be less than the proposed GPU. As demonstrated in **Section 4.12, *Noise***, the proposed GPU would result in less than significant noise impacts.

As determined in **Section 4.12**, construction vibration within the Planning Area is not anticipated to be significant unless an individual development uses pile driving or vibratory rollers. These impacts can be avoided by requiring vibration impact studies (and appropriate mitigation if necessary) when construction utilizes pile drivers within 200 feet of existing buildings or vibratory rollers within 50 feet of existing buildings, as required by GPU *Policy PS-6.7* and *Action PS-6j*. Alternative 2 would be required to enforce *Policy PS-6.7* and *Action PS-6j,* as established in the GPU. Similar to the proposed project, Alternative 2 would not result in the operation of facilities that generate vibration.

Overall, Alternative 2 would result in reduced noise and vibration impacts, as compared to the proposed project, but both would be less than significant.

Population and Housing

As previously stated, the City of Indian Wells is largely developed with residential, resort and commercial uses. Alternative 2 proposed the approval of the GPU, however, lands north of Highway 111 and east and west of Miles Avenue will be designated as Community Commercial, and operate as medical offices (on the property west of Miles Avenue) and a nursing home/convalescent housing (on the property east of Miles Avenue). These uses would not introduce unplanned growth within the City because the 16-acre property east of Miles Avenue is currently designated as Community Commercial. The property west of Miles Avenue is currently designated as Resort Commercial. Alternative 2 would allow housing for the older population within the City, as well as medical services and employment opportunities within the City.

Alternative 2 would develop the same number of residential units as the proposed GPU (6,271 units), which would also result in the same population (5,405 people). Therefore, population and housing growth would be the same with Alternative 2 and the proposed GPU. Buildout of Alternative 2 would develop 5,159,667 square feet of nonresidential uses, similar to the proposed GPU. Alternative 2 would result in similar number of employment opportunities as the proposed GPU.

As determined in **Section 4.13, *Population and Housing,*** the population of 5,405 people, the operation of 6,271 residential units and 5,159,667 square feet of nonresidential uses, and the employment growth to 6,310 jobs is consistent with projected growth for population, housing and employment for the City. **Section 4.13** also determined that growth within the City is consistent with the City's and SCAG's growth forecasts. Both projects would result in less than significant growth impacts.

Public Services

As stated previously, Alternative 2 would adopt the GPU policy document but would include a community commercial (or profession office) land use and community commercial zoning designation on approximately 30 acres north of Highway 111 and west and east of Miles Avenue. Currently, this area is designated as Report Commercial on 14 acres west of Miles Avenue, and Community Commercial on 16 acres east of Miles Avenue. The remaining developable lands would be developed under their current land use designations, as established in the Current General Plan. This area is proposed as Resort Commercial land uses and zoning in the proposed GPU. Alternative 2 would provide medical offices on 14 acres on the western-most parcel, west of Miles Avenue, and nursing homes/congregate/convalescent housing on 16 acres on the parcels east of Miles Avenue. Alternative 2 would allow services and employment opportunities within the City.

Although Alternative 2 would provide additional housing opportunities, this is technically not considered added housing units. Therefore, Alternative 2 would provide the same number of residential units as the proposed GPU (6,271 units). Alternative 2 would result in the same number of population and employment opportunities as the proposed project.

For both Alternative 2 and the proposed project, development within the area would be addressed on a case-by-case basis during the development and review of such development. This ensures that services to accommodate current and future citywide growth could be reasonably provided. Additionally, both Alternative 2 and the proposed project would require new developments to contribute to the payment of fees, which go towards minimizing impacts to fire and police services, as well as other public services. Therefore, with adherence to codes, policies and actions as identified in this section, all new development within the City will assist in minimizing cumulative impacts in regard to fire and police services and are expected to be less than significant.

Recreation

Alternative 2 would provide the same number of residential units (6,271 units), nonresidential space, and employment opportunities as the proposed GPU. Future development under Alternative 2 as well as under the proposed project would be required to contribute to the payment of developmental fees towards the preservation, expansion and maintenance of the City's recreational parks and facilities. Demand for recreational facilities or parks is not anticipated to result in unanticipated construction of or expansion of these facilities. Therefore, with adherence to City policies and actions as well as Municipal Codes, all new development within City of Indian Wells under Alternative 2 and the proposed project would create less than significant impacts on recreation.

Transportation

Alternative 2 would adopt the GPU policy document but would include a community commercial (or profession office) land use and community commercial zoning designation n approximately 30 acres north of Highway 111 and west and east of Miles Avenue. This area is proposed as Resort Commercial land use and zoning in the proposed project.

As stated above, Alternative 2 would provide the same number of residential units as the proposed GPU (6,271 units). Additionally, Alternative 2 would generate similar employment opportunities within the City, however trip generation and VMTs would be decreased in accordance with the proposed medical/congregate care land uses which would generate less traffic than the GPU Resort Commercial land uses.

The Proposed GPU Traffic Analysis concluded that VMT per Capita for buildout of the Proposed GPU would exceed the per Capita VMT threshold.

The GPU includes a number of policies aimed at encouraging alternative modes of travel and more efficient land use, which could partially reduce VMT growth. However, these measures alone would

not achieve the 27% VMT reduction necessary to entirely avoid significant impacts, as this reduction is considered infeasible. To address VMT, future development projects consistent with the GPU would need to integrate Transportation Demand Management (TDM) strategies. Such strategies might include initiatives like commuter assistance programs or mixed-use development patterns that reduce travel distances by combining residential, commercial, and employment areas. The City's Municipal Code (Chapter 16.50) on Transportation Demand Management will establish requirements for these VMT reduction measures for new development projects. Nonetheless, the anticipated benefits of TDM measures are not expected to entirely offset VMT growth. Alternative 2 would also implement these measures, however Alternative 2 is not anticipated to result in VMT levels that are Less than significant.

As a result, VMT per Capita would be significant and unavoidable for both the proposed project and Alternative 2. According to the Office of Planning and Research (OPR) under SB743 guidelines, if there is a significant VMT increase at the project level, a cumulative impact is also implied. Therefore, the GPU's projected VMT increase is expected to yield a cumulative transportation impact that is significant and unavoidable, despite the proposed strategies to reduce VMT. Alternative 2 would be anticipated to have similar impacts based on the existing traffic conditions.

For all other transportation impacts associated with the GPU, impacts are anticipated to remain less than significant. Alternative 2 is expected to have similar impacts when compared to the proposed project.

Utilities and Service Systems

Alternative 2 would adopt the GPU and would increase the amount of office development compared to the proposed Project. Development under this alternative is expected to have a higher increase in water, wastewater, and solid waste demands because of full time residents/clientele. However, GPU Policies and Actions from the Resource Management section of the GPU will include policies and guidelines to regulate the performance of water, wastewater, solid waste, electricity, natural gas and telecommunication facilities, and infrastructure within the region. Additionally, future development will be required to be consistent with the goals set within the federal, State, regional, and local levels. The regional cooperation of all involved agencies and groundwater management. Future development would be evaluated at a project level to ensure proper water and wastewater improvements are made. Alternative 2 would not create new or different impacts to electrical power, natural gas, and telecommunication facilities. The environmental impacts of Alternative 2 are expected to be similar to those associated with new development and infrastructure projects under the GPU. Overall, the utilities and service system serving the City are sufficient for both Alternative 2 and the proposed project. Impacts for Alternative 2 and the proposed project would remain less than significant.

7.6 Environmentally Superior Alternative

The purpose of the Alternatives analysis is to explain potentially feasible ways to avoid or minimize the significant effects identified for the project. State CEQA Guidelines, Section 15126.6(e)(2) also requires an EIR to identify an environmentally superior alternative among those evaluated in an EIR. A summary and comparison of impacts associated with the project Alternatives is provided in **Table 7-2, *Comparison of Alternatives to Project***.

The No Project / Current General Plan Buildout Alternative (Alternative 1) would develop remaining vacant and infill parcels within the City. Development would be consistent with the existing land use designations for the sites, as established by the current General Plan. As described above, Alternative 1 would reduce impacts associated with construction and operation related to air quality, energy resources (petroleum consumption), greenhouse gas emissions, hydrology and water quality, land use and planning, noise, population and housing (employment), transportation, and utilities, compared to the proposed project. Of the Alternatives considered in this Draft EIR, the No Project / Current General Plan Buildout Alternative is environmentally superior to the other Alternatives because this Alternative would avoid any impacts identified for the project or any other alternative.

Although Alternative 1 is environmentally superior, it does not meet any of the objectives of the proposed project because it would not involve development of the site. Alternative 1 would not: develop a diverse set of land uses including employment-generating land uses that create new jobs and ensure long-term economic benefits and stability for the City of Indian Wells, because 8.31 acres would remain a golf course use, instead of a more income-generating use, such as resort commercial, as proposed by the GPU. CEQA Guidelines Section 15126.6(e)(2) states that if the No Project / Current General Plan Buildout Alternative is identified as the environmentally superior alternative, then an environmentally superior alternative should be identified among the other alternatives.

Among the other alternatives, Alternative 2 (Medical Offices and Nursing Home/Convalescent Housing Alternative) would be the environmentally superior alternative because it would cause incremental reductions with respect to impacts related to all of the environmental topics except agricultural resources, biological resources, cultural and tribal cultural resources, geology and soils, hazards, hydrology, land use and planning, population and housing, public services, and recreation where the impacts are expected to be similar to those resulting from the proposed project because of similar land disturbance. Although impacts would be similar under Alternative 2 compared to the proposed project, policies and actions would still be required to reduce impacts to aesthetics, agricultural resources, biological resources, cultural and tribal cultural resources, geology and soils, hazards, hydrology, land use and planning, public services, and recreation. Alternative 2 would result in reduced impacts to air quality, energy resources (petroleum use), greenhouse gas emissions, noise (traffic noise), and transportation, due to the reduced VMTs generated by Alternative 2 Alternative 2

could result in an increase in utility uses, such as water and wastewater. Although Alternative 2 reduces VMTs, compared to the project, it is still considered a significant and unavoidable impact.

In addition, Alternative 2 meets all of the objectives proposed for the project. Specifically, Alternative 2 accommodates a range of land uses (commercial, residential, open space, and public uses); maintains adequate sites to accommodate the City's Regional Housing Needs Allocation (RHNA); develops a diverse set of land uses including employment-generating land uses that create new jobs and ensure long-term economic benefits and stability for the City of Indian Wells; promotes the development of a connected community that is enhanced by sidewalks, shade from trees, pedestrian benches, safe pedestrian crossings, and landscaping along streets, and providing buffers between surrounding uses; encourages the development of a multimodal circulation network that provides a safe and efficient level of connectivity for vehicles, bicyclists, pedestrians, and transit users; and provides adequate infrastructure, services, and utilities to meet the needs of the community by requiring new developments to pay their fair share for required improvements. Alternative 2 also meets the objective of maintaining the City's residential-resort lifestyle, however, to a lesser degree than the proposed GPU, because Alternative 2 would develop community commercial uses on 30 acres, instead of resort commercial uses (as proposed by the GPU). Therefore, Alternative 2 is the environmentally superior alternative.

Table 7-2 Comparison of Alternatives and Project

Environmental Topic	Impacts of the Proposed GPU	Alternative 1 No Project / Current GP Buildout	Alternative 2 Medical Offices & Convalescent Homes
Aesthetics	Less than Significant (LTS) with GPU Policies and Actions	Similar (LTS)	Similar (LTS)
Agricultural Resources	Significant and Unavoidable (SU) Impact	Similar (SU)	Similar (SU)
Air Quality	LTS with GPU Policies and Actions	Reduced (LTS)	Increased (LTS)
Biological Resources	LTS with GPU Policies and Actions	Similar (LTS)	Similar (LTS)
Cultural and Tribal Cultural Resources	LTS with GPU Policies and Actions	Reduced (LTS)	Similar (LTS)
Energy	LTS with GPU Policies and Actions	Similar electricity & natural gas; Reduced petroleum (LTS)	Similar electricity & natural gas; Reduced petroleum (LTS)
Geology and Soils	LTS with GPU Policies and Actions	Similar (LTS)	Similar (LTS)
Greenhouse Gas	LTS with GPU Policies and Actions	Reduced (LTS)	Increased (LTS)
Hazards and Hazardous Materials	LTS with GPU Policies and Actions	Similar (LTS)	Similar (LTS)
Hydrology and Water Quality	LTS with GPU Policies and Actions	Similar (LTS)	Similar (LTS)
Land Use and Planning	LTS with GPU Policies and Actions	Reduced (LTS)	Similar (LTS)
Noise	LTS with GPU Policies and Actions	Reduced noise; Increased vibration (LTS)	Similar (LTS)
Population and Housing	LTS with GPU Policies and Actions	Similar population and housing; reduced employment (LTS)	Similar population and housing; Increased employment (LTS)
Public Services	LTS with GPU Policies and Actions	Similar (LTS)	Similar (LTS)
Recreation	LTS with GPU Policies and Actions	Similar (LTS)	Similar (LTS)
Transportation	SU Impact	Similar (LTS); Increased VMT (SU)	Similar (LTS); Reduced VMT (SU)
Utilities & Service Systems	LTS with GPU Policies and Actions	Reduced (LTS)	Similar (LTS)

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Chapter 9.0 Glossary of Terms

AB	Assembly Bill
ACBCI	Agua Caliente Band of Cahuilla Indians
ACHP	Advisory Council on Historic Preservation
ADT	Average Daily Traffic
AFY	Acre-Feet per Year
AQMP	Air Quality Management Plan
ASCE	American Society of Civil Engineers
ASTM	American Society of Testing and Materials
BACM	Best Available Dust Control Measures
BMP	Best Management Practices
BP	Before Present
BTU	British Thermal Unit
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalARP	California Accidental Release Prevention Program
CALGreen	California's Green Building Standards
CalEPA	California Environmental Protection Agency
CalEEMod	California Emissions Estimator Model™
CAL FIRE	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CAPCOA	California Air Pollution Officers Association
CARB	California Air Resources Board
CASQA	California Stormwater Quality Association
CBC	California Building Code
CCR	California Code of Regulations
CdC	Carsitas gravelly sand
CDFW	California Department of Fish and Wildlife
CDGP	Colorado Desert Geomorphic Province
CEC	California Energy Commission
CERS	California Environmental Reporting System
CESA	California Endangered Species Act

CEQA	California Environmental Quality Act
cf	Cubic feet
CFGC	Californian Fish and Game Code
CFR	Code of Federal Regulations
CGP	Construction General Permit
CH_4	Methane
ChC	Carsitas cobbly sand
CHL	California Historical Landmarks
CHP	California Highway Patrol
CIP	Capital Improvement Program
CIWMB	California Integrated Waste Management Board
CkB	Carsitas fine sand
CMA	Congestion Management Agency
CMP	Congestion Management Plan
CMS	Congestion Management System
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CO_2e	Carbon dioxide equivalent
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CUPA	California Certified Unified Program Agencies
CVAG	Coachella Valley Association of Governments
CVCC	Coachella Valley Conservation Commission
CVEP	Coachella Valley Economic Partnership
CVMC	Coachella Valley Mountain Conservancy
CVMSHCP	Coachella Valley Multiple Species Habitat Conservation Plan
CVSC	Coachella Valley Stormwater Channel
CVSIP	Coachella Valley PM10 State Implementation Plan
CVWD	Coachella Valley Water District
CWA	Clean Water Act
CWA	Coachella Water Authority
CWC	California Water Code
dB	Decibel
dBA	A-weighted decibel
DCE	Desert Community Energy
DEH	Riverside County Department of Environmental Health
DEIR	Draft Environmental Impact Report
DIF	Development Impact Fee
DOF	Department of Finance

DOSH	Division of Occupational Safety and Health
DOT	Department of Transportation
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
DWA	Desert Water Agency
DWR	California Department of Water Resources
DWQ	Department of Water Quality
ECHO	Enforcement and Compliance History Online
EIA	Energy Information Administration
EIC	Eastern Information Center
EIR	Environmental Impact Report
EISA	Energy Independence and Security Act of 2007
EMFAC	Emissions Factors Model
EO	Executive Order
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act
EPO	Environmental Protection and Oversight Division
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FC	Footcandle
FHSZ	Fire Hazard Severity Zones
FHWA	Federal Highway Administration
FICON	Federal Interagency Committee on Noise
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GCC	Global Climate Change
GHG	Greenhouse Gas
GIS	Geographic Information Systems
GO	General Order
GP	General Plan
GPCD	Gallons Per Capita Day
GPS	Global Positioning System
GPU	General Plan Update
GRF	Groundwater Replenishment Facility
GWh	Gigawatt Hours

HCP	Habitat Conservation Plans
HCFC	Hydrochlorofluorocarbons
HCM	Highway Capacity Manual
HFC	Hydrofluorocarbons
HMBP	Hazardous Materials Business Plan Program
Hp	Horsepower
HSC	Health and Safety Code
HVAC	Heating Ventilation and Air Conditioning
HWCL	Hazardous Waste Control Law
HWWTP	Horton Wastewater Treatment Plant
I-10	Interstate 10
IID	Imperial Irrigation District
ISO	Independent System Operator
ITE	Institute of Transportation Engineers
IWA	Indio Water Authority
IWMP	Integrated Waste Management Plan
kW	kiloWatt
Leq	Equivalent Sound Level
LDMF	Local Development Mitigation Fee
LHMP	Local Hazard Mitigation Plan
LID	Low Impact Development
LOS	Level of Service
LRA	Local Responsibility Area
LST	Local Significance Threshold
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MC	Municipal Code
MGD	Million Gallons Per Day
MLD	Most Likely Descendant
MMI	Modern Mercalli Intensity
MMRP	Mitigation Monitoring and Reporting Program
MMT	Million Metric Tones
$MMTCO_2e$	Million Metric Tones of Carbon Dioxide emissions
MSL	Mean Sea Level
MSWD	Mission Springs Water District
MS4 Permit	Whitewater River Region Municipal Separate Storm Sewer System Permit
$MTCO_2e$	Metric Tones of Carbon Dioxide emissions
MUTCD	Manual on Uniform Traffic Control Devices
MW	Megawatt

NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NPDES	National Pollutant Discharge Elimination System
NPPA	Native Plant Protection Act
N_2O	Nitrous Oxide
NO_2	Nitrogen Dioxide
NOA	Notice of Availability
NOAA	National Oceanic and Atmosphere Administration
NOC	Notice of Completion
NOP	Notice of Preparation
NO_X	Nitrogen Oxide
NRHP	National Register of Historic Places
O_3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
O&M	Operations and Maintenance
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	Lead
PCE	Passenger Car Equivalent
PDEIR	Programmatic Draft Environmental Impact Report
PDF	Project Design Feature
PEL	Permissible Exposure Limit
PFC	perfluorocarbons
PHMSA	Pipeline and Hazardous Materials Safety Administration
PM_{10} / $PM_{2.5}$	Particulate Matter (10 Microns / 2.5 Microns)
PPV	Peak Particle Velocity
PRC	Public Resources Code
PWS	Public Water System
PV	Photovoltaic
RCDWR	Riverside County Department of Waste Resources
RCEM	Road Construction Emissions Model
RCFC&WCD	Riverside County Flood Control and Water Conservation District
RCFD	Riverside County Fire Department
RCRA	Resource Conservation and Recovery Act
RCTC	Riverside County Transportation Commission

Region 7	State Water Resources Control Board Colorado River Basin Region
RFS	Renewable Fuel Standard
RHNA	Regional Housing Needs Allocation
RIVCOM	Riverside County Model
RIVTAM	Riverside Transportation Analysis Model
RMS	Root Mean Squared
ROG	Reactive Organic Gas
ROW	Right-of-Way
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RUWMP	Regional Urban Water Management Plan
RWQCB	Regional Water Quality Control Board
RWRF	Regional Water Reclamation Facility
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SDS	Safety Data Sheets
SDWA	Safe Drinking Water Act
SED	Socioeconomic data
SF	Square Feet
SF_6	Sulfur Hexafluoride
SFHA	Special Flood Hazard Areas
SGMA	Sustainable Groundwater Management Act
SHMA	Seismic Hazards Mapping Act
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
SoCalGas	Southern California Gas Company (The Gas Company)
SOX	Sulfur Oxides
SP	Service Population
SP	Specific Plan
SRA	Source Receptor Areas
SRA	State Responsibility Area
SSAB	Salton Sea Air Basin
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan

SWRCB	State Water Resources Control Board
TAZ	Traffic Analysis Zone
TCR	Tribal Cultural Resources
TDM	Transportation Demand Management
TIA	Traffic Impact Analysis
THPO	Tribal Historic Preservation Officer
tpd	Tons per day
TRI	Toxics Release Inventory
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
UWMP	Urban Water Management Plan
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UWMPA	Urban Water Management Planning Act
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
VPH	Vehicle per hour
WDR	Waste Discharge Requirements
WECS	Wind Energy Convection System
WEO	Wind Energy Overlay
WQMP	Water Quality Management Plan
WRPs	Water Reclamation Plants
WSA	Water Supply Assessment
WSCP	Water Shortage Contingency Plan
WSV	Water Supply Verification