APPENDIX R

RESOLUTION NO. 17-003

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH # 2013111050) FOR THE CV LINK PROJECT; ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

And

RESOLUTION NO. 17-004

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS APPROVING CV LINK ALTERNATIVE 1, AS MODIFIED; AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

Prepared by

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May 15, 2017

RESOLUTION NO. 17-003

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH # 2013111050) FOR THE CV LINK PROJECT; ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, CV Link is envisioned to be a ±49-mile multi-modal transportation path that passes through some of the most developed and populated portions of the Coachella Valley, providing access and connectivity between residential, commercial, recreational, institutional, and other land uses throughout the region, and providing recreational opportunities for pathway users. The Project, as originally envisioned, will extend from the City of Palm Springs to the City of Coachella; and

WHEREAS, the EIR studied a "Proposed Project" that included the project through all the cities except Rancho Mirage (44± miles); Alternative 1 excluding Rancho Mirage and Indian Wells (40± miles); Alternative 2, through all the cities (49± miles); Alternative 3, the No Project Alternative; and a number of alignment variations throughout the route; and

WHEREAS, the Environmental Impact Report for CV Link fully analyzes several alternatives at an equal level of detail in order to provide a full disclosure of all potential environmental impacts associated with several different options; and

WHEREAS, Alternative 1, as modified with specific alignment recommendations, as detailed in **Exhibit "A"** is the project recommended for approval by the Executive Committee; and

WHEREAS, CV Link requires approval of the Executive Committee of the Coachella Valley Association of Governments ("Executive Committee"); and

WHEREAS, a Citizens Advisory Group was organized to advise development of the CV Link project; and

WHEREAS, a multi-year public outreach effort was conducted to inform the public and solicit input on all alternatives and alignment variations reviewed in the EIR, which included more than 155 outreach activities held between March 2013 and October 2016; and

WHEREAS, CVAG remains committed to a robust community engagement effort before, during and after the Draft EIR comment period, including information booths at community events, presentations to civic organizations, and coordination meetings with the staff of each affected agency; and

WHEREAS, pursuant to Public Resources Code section 21067 of the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) ("CEQA"), and section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the Coachella Valley Association of Governments (CVAG) is the Lead Agency for the Project; and

WHEREAS, pursuant to CEQA and the State CEQA Guidelines, the Lead Agency determined that an Environmental Impact Report ("EIR") should be prepared in order to analyze all potential adverse environmental impacts of the Project; and

WHEREAS, CVAG issued a Notice of Preparation ("NOP") of a Draft EIR for CV Link on or about November 12, 2013, and it was transmitted to the State Clearinghouse, local and regional agencies, and posted at the Riverside County Clerk's office for a 30-day comment period; and

WHEREAS, in the NOP, comments and participation was sought from the public and interested and affected groups and agencies; and

WHEREAS, on December 3, 2013, CVAG held a public scoping session meeting in Palm Desert to further solicit comments on the scope of the EIR; and

WHEREAS, on or about January 4, 2017, CVAG initiated a 45-day public review and comment period of the Draft EIR for CV Link and released the Draft EIR for public review and comment; and

WHEREAS, pursuant to State CEQA Guidelines section 15086, CVAG consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others during the 45-day public review and comment period; and

WHEREAS, CVAG received 2 comment letters from state and federal agencies, 2 comment letters from federally recognized Native American Tribes, 5 comment letters from local or regional agencies, 1 comment letter from a not-for-profit organization, and 76 comment letters from individuals during the 45-day public review and comment period; and

WHEREAS, CVAG also received 5 late comment letters from the City of La Quinta, City of Rancho Mirage, two residents of Palm Springs, and one resident of Rancho Mirage following the close of the public review and comment period; and

WHEREAS, CVAG has prepared a Final EIR, consisting of the comments received during the 45-day public review and comment period on the Draft EIR, the late comment letters received after the close of the 45-day public review and comment period, written responses to those comments, and revisions to the Draft EIR. For the purposes of this Resolution, the "EIR" shall refer to the Draft EIR, as revised by the Final EIR, together with the other sections of the Final EIR; and

WHEREAS, on May 15, 2017, the Executive Committee held a public meeting on the Project, at which all persons wishing to testify were heard; and

WHEREAS, the environmental impacts identified in the EIR that the Lead Agency finds are of no impact or constitute a less than significant impact and do not require mitigation are described in **Section 3** hereof; and

WHEREAS, the environmental impacts identified in the EIR as potentially significant but which the Lead Agency finds can be mitigated to a less than significant level through the incorporation of feasible Mitigation Measures identified in the EIR and set forth herein, are described in **Section 4** hereof; and

WHEREAS, the environmental impacts identified in the EIR as potentially significant but which the Lead Agency finds cannot be mitigated to a less than significant level, despite the imposition of feasible Mitigation Measures identified in the EIR and set forth herein, are described in **Section 5** hereof; and

WHEREAS, the cumulative impacts of CV Link identified in the EIR and set forth herein, are described in **Section 6** hereof; and

WHEREAS, the significant and irreversible environmental changes that would result from the Project, but which would be largely mitigated, and which are identified in the EIR and set forth herein, are described in **Section 7** hereof; and

WHEREAS, the existence of any growth-inducing impacts resulting from CV Link identified in the EIR and set forth herein, are described in **Section 8** hereof; and

WHEREAS, alternatives to CV Link that might eliminate or reduce significant environmental impacts are described in **Section 9** hereof; and

WHEREAS, the Mitigation Monitoring and Reporting Program setting forth the mitigation measures to which the Lead Agency shall bind itself in connection with CV Link, is adopted in **Section 11** below, and is attached hereto as **Exhibit "B"**; and

WHEREAS, prior to taking action, the Lead Agency has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the EIR, and all oral and written evidence presented to it during all meetings; and

WHEREAS, the EIR reflects the independent judgment of the Executive Committee and is deemed adequate for purposes of making decisions on the merits of CV Link; and

WHEREAS, the Lead Agency has not received any comments or additional information that constituted substantial new information requiring recirculation under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5; and

WHEREAS, all the requirements of CEQA, the State CEQA Guidelines have been satisfied by CVAG in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of CV Link have been adequately evaluated; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

THE EXECUTIVE COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: RECITALS

The recitals above are true and correct and are incorporated into this Resolution by reference as findings of fact.

SECTION 2: SUMMARY OF FINDINGS

At a public meeting held on May 15, 2017, the Executive Committee determined that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at public meetings, and the submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the Project are either: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures.

SECTION 3: FINDINGS REGARDING LESS THAN SIGNIFICANT IMPACTS NOT REQUIRING MITIGATION.

Consistent with Public Resources Code section 21002.1 and section 15128 of the State CEQA Guidelines, the EIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. State CEQA Guidelines section 15091 does not require specific findings to address environmental effects that an EIR identifies as "no impact" or a "less than significant" impact. Nevertheless, the Executive Committee hereby finds that the Project would have either no impact or a less than significant impact to the following resource areas:

A. AESTHETICS

1. Scenic Resources

Threshold: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Finding: Less than significant impact. (EIR, p. 4.2-20)

Explanation: The proposed segments of CV Link extend from the City of Palm Springs to the City of Coachella and pass through areas where it would occur on top of levees and merge into existing trails, streets, and highways. Throughout its Route, CV Link will not result in the destruction or damage scenic resources (i.e. trees, rock outcroppings, and historic buildings), because it will be a multi-modal transportation path with varying negligible elevation. In addition, the majority of the segments will occur on existing pathways or occur on top of levees throughout the Coachella Valley.

A limited number of segments of CV Link are situated along State Highway 111, which is listed as an "Eligible State Scenic Highway—Not Officially Designated." However, at the time of this analysis, Caltrans has not designated that highway as a State Scenic Highway. Therefore, no segment of CV Link is located within a State Scenic Highway and there will be no impact as a result of the construction and operation of CV Link to this criterion.

A number of bridge structures and/or overcrossings are proposed to provide passage over local channels or streets. These include, North Palm Canyon Drive Bridge, Gene Autry Trail Bridge, Magnesia Falls Bridge, Cook Streets, and Point Happy Bridge. Point Happy is a rock outcropping, which borders the Whitewater River/Coachella Valley Stormwater Channel immediately west of Washington Street. This bridge structure is part of the Proposed Project and Alternative 2. Under Alternative 1 this bridge would not be built. (EIR, p. 4.2-20)

2. Existing Visual Character

Threshold: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

Finding: Less than significant impact. (EIR, pp. 4.2-21 and -22)

Explanation: CV Link's impacts to the existing visual character of sites where the CV Link Route will be constructed were evaluated in terms of potential damage to, or removal of features of the natural or built environment that create a scenic setting. The level of impact to visual character or the quality of existing sites also took into consideration the degree of permanence and temporary and permanent

impacts associated with construction and operational activities, and are discussed below.

Temporary Impacts:

Construction activities would visually impair the project site and its surroundings temporarily as a result of the appearance of construction equipment, excavated areas, stockpiles, and other materials. In order to reduce the impacts of construction activities on neighboring land uses, best management practices (BMPs), time of day restrictions, and other development regulations will be implemented. Due to the temporary nature of construction activities and implementation of BMPs and construction regulations, these adverse effects are considered less than significant for the Proposed Project, Alternative 1 and Alternative 2.

Permanent Impact:

Once constructed, the CV Link path would be located predominantly along levees and existing streets and largely flat, which will not have a permanent effect on the visual character or quality of an area.

At specific locations in Palm Springs, Indio, and Coachella, CV Link segments would pass residential areas that are at a lower elevation than the path. CV Link plans propose either landscaping, physical screening or in-channel paths at those locations, and as a result CV Link will provide a visual barrier or minimize view of the path, which will change the visual character from the rear yards of these homes and in some cases, not change at all because the path will not be seen due to its location in the channel. However, because the homes occur at a lower elevation, and currently have views of the levee slope, the change to the visual character will not represent a significant negative impact, since no views will be lost. Impacts to visual character will be less than significant under the Proposed Project, Alternative 1 and Alternative 2.

CV Link proposes bridges at several locations, which will be aboveground structures and would be the most noticeable feature since they will be slightly taller than the existing landscape and will be visible from surrounding areas. The bridges will be architecturally designed to enhance the visual impact of the structure; therefore, the bridges will change the visual character of the site where the structure is constructed but would improve the visual aesthetics of the area, and impacts would be less than significant. (EIR, p. 4.2-21 through 4.2-24)

Overall, for most of the Route, the path will consist of flat and on-grade features with consistent colors, and the same textures as exist on roads and in the visual environment currently surrounding streets. Many of the proposed visible project elements would be similar to the existing street and compatible with the existing visual setting. Aboveground structures (e.g. restrooms, benches, shade structures,

and bridges) will be architecturally designed to enhance the visual impact of the structure.

B. AGRICULTURE AND FORESTRY RESOURCES

1. Conflict with Existing Zoning for Agricultural Use

Threshold: Would the Project 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?

Threshold: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Threshold: Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Threshold: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Threshold: Would the Project involve other changes in the existing environment, which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Finding: No impact. (EIR, pp. 3-2 and 3-3)

Explanation: There are no forestry resources located in proximity of CV Link, these being limited to upper elevation areas within the San Jacinto Mountains. Agricultural resources in proximity to the CV Link begin east of the Valley Sanitary District wastewater treatment plan in Indio and extend southeast adjacent to the CVSC and CV Link. Not all of these agricultural lands are in cultivation and are also interspersed with residential subdivisions, and agricultural-related industrial lands (packing sheds, irrigation services, etc.).

CV Link will not interfere with agricultural lands or agricultural operations and there will be no impacts to these resources. (EIR, pp. 3-2 and 3-3)

C. AIR QUALITY

1. Conflict with Air Quality Plan

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Finding: Less than significant impact. (EIR, pp. 4.3-7 and -8)

Explanation: CV Link is located within the Salton Sea Air Basin (SSAB), which is governed by the South Coast Air Quality Management District (SCAQMD). CV Link will be subject to the SCAQMD Air Quality Management Plan (AQMP) and 2003 PM_{10} Coachella Valley State Implementation Plan (CVSIP).

CV Link is designed to reduce regional air quality emissions and will not only avoid any conflict with, or obstruction of, the applicable air quality management plans, it will actually assist in meeting the clean air goals that those plans are intended to achieve by reducing standard automobile trips and providing a multi-modal transportation path to be used for alternate transportation modes.

CV Link would be developed in accordance with all applicable air quality management plans to minimize the project impacts. Actions include, but are not limited to, the preparation of a standard dust control management plan, in compliance with the CVSIP, and the enforcement of mitigation measures in the event that criteria pollutant thresholds are exceeded during construction activities. In addition, construction of the CV Link would not prevent the SCAQMD from implementing these actions. With implementation of dust control management plans and the provisions and requirements of the CVSIP, the impact to air quality management plans is less than significant for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.3-7 and 4.3-8)

2. Net Increase of any Criteria Pollutant

Threshold: Would the Project 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Finding: Less than significant impact. (EIR, p. 4.3-14)

Explanation: The 2016 AQMP has set forth attainment deadlines and future emission level projections for criteria pollutants within the project area, which satisfies Section 15130(b)(1)(B) of the CEQA guidelines for analyzing cumulative impacts. These regional plans provide guidelines and rules for achieving state and federal air quality standards, which aid to reduce cumulative impacts, particularly through the enforcement of SCAQMD daily thresholds and implementation of time-sensitive reduction strategies to achieve attainment status.

The SSAB is designated as nonattainment under both the CAAQS and the NAAQS for ozone and PM10. Emissions of CO, NOX and ROG that exceed the SCAQMD operational thresholds would contribute to the ozone nonattainment designation, while emissions of PM10 that exceed the SCAQMD thresholds would contribute to the PM10 nonattainment designation of the SSAB.

Development of CV Link will adhere to ozone reduction measures set forth in the SCAQMD AQMP. In addition, CV Link will result in significant reductions of future ozone precursors related to mobile source emissions by moving people out of automobiles and onto a multi-modal transportation route for walkers, bicyclists and zero emission electric vehicles. Therefore, CV Link is considered less than significant in regards to cumulative air quality impacts related to ozone.

Similar to ozone, PM10 is regulated through the SCAQMD 2016 AQMP and 2002 PM10 CVSIP. Additional PM10 reduction measures include applicable state code and AQMD Rules, such as Rule 403 (Fugitive Dust), which enforces fugitive dust compliance for all activities within the SSAB.

A dust control plan will be prepared and implemented during construction activities to control dust emissions. CV Link will not exceed local daily thresholds for PM10. Therefore, cumulative impacts to PM10 are considered less than significant for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.3-12 and 4.3-13)

3. Expose Sensitive Receptors to Substantial Pollutant Concentrations

Threshold: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than significant impact. (EIR, p. 4.3-10)

Explanation: Sensitive receptors in proximity to CV Link include single- and multi-family residences, public parks, and schools. Local Significance thresholds are not expected to be exceeded during project development under unmitigated conditions. CV Link will be developed in accordance to SCAQMD Rule 403, and apply best management practices to ensure impacts to sensitive receptors are further reduced. Therefore, CV Link would not result in any substantial increases in localized concentrations at any given location along the Route or expose sensitive receptors to substantial pollutant concentrations. The impact would be less than significant for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.3-10 and 4.3-11)

4. Objectionable Odors

Threshold: Would the Project create objectionable odors affecting a substantial number of people?

Finding: Less than significant impact. (EIR, p. 4.3-11)

Explanation: CV Link activities do not include any uses typically associated with odor, such as agricultural uses, wastewater treatment plants, food processing plants, or landfills, among others. During the construction phase, exhaust odors

from equipment may produce discernible odors typical of most construction sites and would be a temporary source of nuisance to adjacent uses. These odors would be temporary and intermittent in nature, and would not result in a significant environmental impact for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.3-11)

D. BIOLOGICAL RESOURCES

1. Riparian Habitat or other Sensitive Natural Community

Threshold: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Finding: Less than significant impact. (EIR, p. 4.4-30)

(i) Explanation: Riparian habitats in the Coachella Valley are located within the sensitive communities of the Santa Rosa and San Jacinto Mountains Conservation Area. The proposed CV Link Route closely approaches, but does not encroach on the Santa Rosa and San Jacinto Mountains Conservation Area in two relatively small areas: between Paxton Drive and Mirage Road on the south side of Highway 111, and in the Parkview Drive/Highway 111 area. CV Link could have limited indirect impacts on conservation areas related to increased noise, activity, and lighting. However, the Route occurs in areas that are already available and frequented by hikers, runners and bicyclists, and has been impacted by these users. Because the Route will not encroach on riparian habitat or other sensitive natural communities, CV Link is not anticipated to have adverse impacts on such resources. Project-related impacts will be less than significant. (EIR, p. 4.4-29 and 4.4-30.)

2. Local Policies or Ordinances

Threshold: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: Less than significant impact. (EIR, p. 4.4-32)

(ii) Explanation: A thorough investigation of all participating jurisdictions' Municipal Codes was conducted for this Project. Neither the County of Riverside nor the cities through which the Route will occur have local ordinances protecting biological resources. All the affected jurisdictions, however, are signatories to, and participate in, the implementation of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) which has guidelines and requirements for protecting sensitive habitats of flora and fauna. The impact will be less than significant for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.4-32)

E. CULTURAL RESOURCES

1. Historical Resources

Threshold: Would the Project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

Finding: Less than significant impact. (EIR, p. 4.5-12 through -15)

Explanation: The CV Link Route and alignment variations cross through lands that have been a part of and have been affected by the historic development of the Coachella Valley. The research into the location of these historic resources, their relationship to CV Link and whether they still exist has resulted in the identification of three significant historical resources that could be adversely impacted by CV Link. These include the Palm Springs Visitor's Center (Former Tramway Gas Station), the Coachella Branch of the All-American Canal (Coachella Canal), and the Southern Pacific Railroad's Coachella Valley line.

Palm Springs Visitor's Center (Former Tramway Gas Station):

CV Link will occur on a portion of APN 504-040-001, on which Palm Springs Visitors Center and former Tramway Gas Station is located. The former Tramway Gas Station's significance is mainly derived from Albert Frey's design of the building and built in 1965. The building will not be altered in any way. The access point planned at this location will occur within the existing parking lot and previously disturbed lands behind this structure. There would be very little alteration to the setting and feeling of the property by the addition of the CV Link path, which will be designed across the property to resemble the appearance of the connecting path alignments as they approach the property, so that the path will be easily identifiable, though modified in size. The impact will be less than significant for the Proposed Project, Alternative 1 and Alternative 2.

Coachella Canal:

The portion of the CV Link passing in the area of the Coachella Canal, which was completed in 1949, is situated in the western portion of the City of Indio, between Fred Waring Drive and Miles Avenue. A rest area will be constructed close to this location but will not affect the site directly. Therefore, the impact would be less than significant for the Proposed Project, Alternative 1 and Alternative 2.

Southern Pacific Railroad Los Angeles to Yuma Mainline:

The former Southern Pacific Railroad's Coachella Valley line, which was constructed in 1876-1877 as a part of the Southern Pacific line from Los Angeles to Yuma, Arizona and is still operational as a part of the Union Pacific Railroad system, represents late 18th century architecture. It is not eligible for listing in National Register of Historic Places or the California Register of Historical

Resources. CV Link passes near the site but will not have a significant adverse effect on the railroad facilities for the Proposed Project, Alternative 1 and Alternative 2.

Potential Impacts to Other Cultural Resources:

Three other cultural resources (Concrete Footing, Palm Springs Water Company Site, and Coachella Valley Stormwater Channel) are also identified within the project area, however, none of these resources have been identified as sensitive or of important historic value, and any direct or indirect CV Link impacts to these resources would be less than significant for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.5-12 through 4.5-15)

F. GEOLOGY AND SOILS

1. Alquist-Priolo Earthquake Fault Map

Threshold: Would the Project be impacted by the 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?

Finding: Less than significant impact. (EIR, p. 4.6-9)

Explanation: No portion of CV Link is located in an Alquist-Priolo Earthquake Fault Zone and there are no other known faults in the project vicinity. Also, CV Link-specific Geotechnical Investigation Report concludes that there are no known active or potentially active faults traversing the project site and the site is not within an Alquist-Priolo Earthquake Fault Zone. There would be no impact related to surface fault rupture under the Proposed Project, Alternative 1 or Alternative 2. (EIR, p. 4.6-9)

2. Seismic Ground Shaking

Threshold: Would the Project be subject to strong seismic ground shaking?

Finding: Less than significant impact. (EIR, p. 4.6-9)

Explanation: CV Link is located in the Coachella Valley where the southern segment of the San Andreas Fault System transverses the San Bernardino Mountains and splays into multiple branches. Accumulated stress can be released along any known or unknown fault within the southern segment fault zone; therefore, it is reasonable to expect a strong ground motion seismic event during the lifetime of any proposed project in the region.

All elements of CV Link (e.g. flatwork, shade structures, bridges and other vertical elements) will be constructed in compliance with applicable seismic

safety codes, including the California Building Code and other relevant codes. The implementation of these standard requirements will assure that the impact would be less than significant for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.6-9)

3. Ground Failure

Threshold: Would the Project be subject to seismic-related ground failure, including liquefaction?

Finding: Less than significant impact. (EIR, p. 4.6-10)

Explanation: CV Link is a linear multi-modal transportation path that passes through the northern, western, and eastern Coachella Valley. The soil type and groundwater level changes throughout the Valley due to subsurface heterogeneity. Since the region is susceptible to seismic groundshaking, the areas with loose soil type and shallow groundwater level are susceptible to liquefaction and lateral spreading. Therefore, segments of CV Link would be susceptible to these impacts, especially in the eastern valley. Best Management Practices and standard methods of soil engineering (e.g. over excavation, hydroconsolidation, and spread footings) will be applied to construction, resulting in a less than significant impact for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.6-9 and 4.6-10)

4. Unstable Soils

Threshold: Would the Project 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?

Finding: Less than significant impact. (EIR, p. 4.6-10)

Explanation: CV Link is a linear multi-modal transportation path that passes through the northern, western, and eastern Coachella Valley. Since the region is susceptible to seismic groundshaking, the areas with loose soil type and shallow groundwater level are susceptible to lateral spreading. Therefore, segments of CV Link would be susceptible to these impacts, especially in the eastern valley. Best Management Practices and standard methods of soil engineering (e.g. over excavation, hydroconsolidation, and spread footings) will be applied to construction, resulting in a less than significant impact for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.6-9 and 4.6-10)

5. Septic Tanks

Threshold: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Finding: No impact. (EIR, p. 4.6-12)

Explanation: The CV Link restrooms will be connected to municipal sewage systems and will not rely on on-lot septic tanks. Therefore, no impact is anticipated. (EIR, p. 4.6-12)

G. GREENHOUSE GAS EMISSIONS

1. SCAQMD Thresholds

Threshold: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less than significant impact. (EIR, p. 4.7-6)

Explanation: CV Link is a multi-modal transportation path whose goals include the reduction of greenhouse gas emissions in the future in the area. During the construction phase, vehicles, equipment, and ground disturbance activities would generate short-term GHG emissions that will end once the construction is complete. Construction emissions for each alternative are shown below.

Proposed Project
Construction GHG Emissions Summary
(Metric Tons/Year)

	CO_2	CH_4	N_2O	Total CO_2e
Buildout	3,712.85	0.72	0.00	3,728.04
Source: CalEEMod Versions 2013.2.2. See Appendix E of this DEIR for detailed tables. Values shown represent the total unmitigated GHG emission projections for construction of the Proposed Project. $CO2_e$ includes the remaining GHG pollutants, such as hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.				

Alternative 1
Construction GHG Emissions Summary
(Metric Tons/Year)

	CO_2	CH_4	N_2O	Total CO_2e
Alternative 1	3,454.24	0.72	0.00	3,469.40
Proposed Project	3,712.85	0.72	0.00	3,728.04
Net Difference				**258.64**
Source: CalEEMod Versions 2013.2.2. See Appendix E of this DEIR for detailed tables. Values shown represent the total unmitigated GHG emission projections for construction of the Proposed Project.				

Alternative 2
Construction GHG Emissions Summary
(Metric Tons/Year)

	CO_2	CH_4	N_2O	Total CO_2e
Alternative 2	3,831.20	0.72	0.00	3,846.39
Proposed Project	3,712.85	0.72	0.00	3,728.04
Net Difference				**118.35**
Source: CalEEMod Versions 2013.2.2. See Appendix E of this DEIR for detailed tables. Values shown represent the total unmitigated GHG emission projections for construction of the Proposed Project.				

Operational GHG emissions associated with CV Link will be limited to off-site energy production, water demands, and solid waste disposal. CV Link will also result in significant GHG reductions due to the motor vehicle trips that may be avoided and the associated reduction in Valley-wide vehicle miles traveled. It is expected that CV Link will result in a net GHG reduction of 63,283.67 tonnes per year for the Proposed Project, 56,755.46 tonnes per year for Alternative 1, and 70,557.20 tonnes per year for Alternative 2. The CV Link project is consistent with Tier 2, in that the project will result in an overall positive impact on the environment by reducing Valley-wide GHG emissions consistent with AB 32. GHG emissions will not have significant impacts on environment. (EIR, p. 4.7-4 through 4.7-6)

2. Greenhouse Gases Reduction Plans and Policies

Threshold: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Finding: Less than significant impact. (EIR, p. 4.7-7)

Explanation: For this Project, all components of construction (e.g. equipment, fuels, materials, and management practices) will be subject to current and future County, City and SCAQMD rules and regulations related to greenhouse gases. The CV Link project is also consistent with regional and local GHG reduction goals. The nature of intra- and inter-district vehicle trips makes it difficult to attribute specific vehicle trips reductions to an individual jurisdiction. CV Link will result in overall vehicle trip and GHG emission reductions that will benefit each of the participating jurisdictions and support reduction goals consistent with SB375. With implementation of project design features and applicable rules and regulations, CV Link would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. (EIR, p. 4.7-6 and 4.7-7)

H. HAZARDS AND HAZARDOUS MATERIALS

1. Release of Hazardous Materials

Threshold: Would the Project 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?

Finding: Less than significant impact. (EIR, p. 4.8-17)

Explanation: Five sites (Meader's Cleaners, 81824 Trader Place, Shell service station, wastewater dumping site in La Quinta, and contaminated site due to an underground tank leak near Shields Road and Avenue 46) with hazardous material releases have been reported with the project area. All these sites have been cleaned to the satisfaction of the regulatory agencies and are not located directly beneath the CV Link Route. Therefore, these sites are not considered a threat to the soil and groundwater underlying CV Link.

The construction and operation of CV Link would not result in a significant hazard to the public from foreseeable upset. Cleaners, solvents, fertilizers and pesticides may be used on-site for routine maintenance and landscaping. Their use will be in small amounts, regulated by the Department of Environmental Health and the Fire Department of the jurisdiction in which the work occurs.

The construction phase would involve the use of heavy equipment, which uses small amounts of oil and fuels and other potential flammable substances that will be temporary and would have less than significant impacts to the public or the environment in case of any accident. At buildout, CV Link is not expected to utilize or release significant hazardous materials to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (EIR, p. 4.8-16 through 4.8-18)

2. Hazardous Emissions Adjacent to a School

Threshold: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Finding: Less than significant impact. (EIR, p. 4.8-18)

Explanation: 14 schools are located within ¼ mile of CV Link. Since CV Link will involve the use of small amounts of paints, solvents and fuels, during construction, and does not involve use of any hazardous materials at buildout, the construction and operation of CV Link will have no significant impact on these schools from a hazardous materials perspective. (EIR, p. 4.8-18)

3. Hazardous Materials Sites

Threshold: Would the Project 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?

Finding: No impact. (EIR, p. 4.8-18)

Explanation: No site within the Proposed Route is included on any lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5. For this reason, this criterion is not applicable to the proposed CV Link project and no impact will occur. (EIR, p. 4.8-18)

4. Airport Land Use

Threshold: For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Finding: No impact. (EIR, p. 4.8-19)

Explanation: No portion of the CV Link Route is 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; therefore, CV Link would not result in a safety hazard for people residing or working in the project area. (EIR, p. 4.8-19)

5. Private Airstrip

Threshold: For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Finding: No impact. (EIR, p. 4.8-19)

Explanation: There are no private airstrips in the vicinity of CV Link. (EIR, p. 4.8-19)

6. Emergency Response Plan

Threshold: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Finding: Less than significant impact. (EIR, p. 4.8-19)

Explanation: All the cities through which CV Link passes, as well as the County of Riverside, have adopted emergency response plans and CV Link will be

subject to these plans during construction and operational phases. The construction of CV Link may create some temporary road detours, however, these will not conflict with established plans since they will be minimal and span relatively short distances given that the construction phase will be carried out in segments. At buildout, the CV Link may prove to be an alternative form for emergency evacuation routes in a major catastrophe. (EIR, p. 4.8-19)

As described in Master Response 2 of the Final EIR, throughout the development of CV Link, CVAG has consulted with local law enforcement and fire protection agencies to identify public safety issues and ways to address them. This effort included meetings with the Palm Springs Police Department, the Cathedral City Police Department, the Riverside County Sheriff Department, former police chief and Cathedral City Mayor Stan Henry, the Riverside County Fire Department and the Palm Springs Fire Department. These meetings identified key safety and security considerations across multiple agencies that are relevant for CV Link.

CV Link is not expected to create a significant additional demand for police or emergency services (including both fire services and ambulance services) above current levels. CV Link users will not constitute a new population requiring additional services, rather they will be existing residents and tourists. These residents and the residential units they will occupy have been considered in the General Plan of each City through which CV Link travels. These cities completed, as part of their General Plan review and adoption process, an EIR to assess the impacts to fire and police services associated with build out of the City's land use plan. In all cases, the impacts associated with the provision of fire and police services at build out of the General Plan would be less than significant. Therefore, the cities involved in CV Link have determined that they can support expanded fire and police services through their planned build out. Impacts will be less than significant for the Proposed Project, Alternative 1 and Alternative 2.

The potential demand for fire containment services along CV Link is very low. CV Link is a flat concrete path. The few structures that are planned (e.g. restrooms, informational kiosks, shade structures) will be built to current building code standards with non-combustible materials, such as masonry and structural steel, which in addition to being fire resistant are durable and have lower maintenance costs. The project is located on top of compacted, earthen, stormwater levees that are largely devoid of vegetation. Impacts will be less than significant for the Proposed Project, Alternative 1 and Alternative 2.

CV Link will enhance the ability of emergency responders to provide their services because it will improve access to currently isolated lands. CV Link will build a solid concrete surface on what are now dirt maintenance roads. This superior travel surface will be constructed to withstand the weight of emergency response vehicles and improve response times to any incidents on or near the project. Access roads are already in place in many locations that allow maintenance vehicles access to the Whitewater Channel along its entire length.

Police departments and emergency services will continue to use these same points of entry to respond to incidents, as well as additional access ramps that CV Link will provide at Washington Street in La Quinta, Miles Avenue, Golf Center Parkway, and Fred Waring Drive in Indio, and many other locations. The distance between access points is 1.1 miles or less except between Monroe and Avenue 44 (eastbound) with a distance of 1.5 miles, and between Dillon Road and Avenue 50 with a distance of 1.89 miles. In practice, this means that the vast majority of CV Link will be readily accessible and within 0.55 miles from the nearest access point. The CV Link pavement cross-section and load bearing design will accommodate heavy vehicles, including fire trucks, ambulances, and police cars. Therefore, emergency vehicles will be able to access and exit CV Link in a time efficient manner. Impacts will be less than significant for the Proposed Project, Alternative 1 and Alternative 2.

7. Wildland Fires

Threshold: Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Finding: No impact. (EIR, p. 4.8-19)

Explanation: CV Link will extend through urban and developed areas, which are not located in a wildfire hazard zone as defined in any of the cities' General Plans, or in the County General Plan; therefore, the risk of wildland fires during construction or operational phases would not occur. (EIR, p. 4.8-19)

I. HYDROLOGY AND WATER QUALITY

1. Groundwater Supplies

Threshold: Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Finding: Less than significant impact. (EIR, p. 4.9-13)

Explanation: During construction, CV Link will generate demand for water resources for dust control, hydro-consolidation of soils, haul truck cleaning, and related construction activities. During operation, domestic water will be required to irrigate project landscape areas and for periodic cleaning of access points, rest areas and other Route facilities. The water purveyors serving CV Link have sufficient underground resources to meet that water demand.

CV Link's modest demand constitutes a 0.0030% increase in demand. Therefore, the water demand associated with both construction and operation of CV Link will be very limited and any impacts to groundwater will be less than significant. (EIR, p. 4.9-12 and 4.9-13)

2. Existing Drainage Pattern and Erosion

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Finding: Less than significant impact. (EIR, p. 4.9-27)

Explanation: The Coachella Valley is a lowland between the San Bernardino and San Jacinto Mountains where a number of streams, rivers, and channels (e.g. Chino Canyon Creek and the Whitewater Floodplain, Tahquitz Channel, Palm Canyon Channel, Cathedral Canyon Channel West and East, San Pasqual Channel, Deep Canyon Channel, Whitewater and Coachella Valley Stormwater Channels) traverse the valley floor and create floodplains and drainage patterns. The Whitewater River/Coachella Valley Stormwater Channel is the prominent hydrologic feature within the Valley, which extends from Palm Springs and drains into the Salton Sea.

The areas where CV Link crosses or encroaches into potentially affected drainages have been analyzed through hydraulic and other analysis to determine whether and to what extent project improvements will alter the drainage patterns in these facilities. These analyses evaluated the potential of CV Link facilities, including pathways, bridges and associated piers, and channel access ramps, to change the flood water surface elevations.

In accordance with the Colorado River Basin Region NPDES Permit (NPDES No. CAS617002), the pathway is not a Priority Development project. Therefore, no post-construction Best Management Practices (BMPs) are required. Construction BMPs include establishing limits of construction and the use of silt berms and fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, temporary sediment basins and flow diversion.

The impermeable portions of the path are limited in width and linear in layout, thereby limiting the amount of runoff that can be generated. CV Link's pedestrian paths will be permeable and will further reduce Link runoff.

Based upon the hydrology analyses prepared for this project, there will be no substantial increase in the rate of surface runoff nor will CV Link runoff result in flooding on- or off-site. While project impacts will be less than significant, Mitigation Measures HYD-1, HYD-2 and HYD-5 are provided to assure that CV Link improvements meet all District standards. (EIR, p. 4.9-13 through 4.9-27)

Mitigation Measure HYD-1: Prior to finalizing design and engineering plans for all CV Link facilities that are located atop, within or adjacent to CVWD and/or RCFCWCD facilities and drainages, said plans shall be reviewed and approved by the responsible flood control agency to ensure that these improvements do not interfere with or adversely affect channel capacity or the ability of the flood control agencies to manage and maintain these facilities.

Mitigation Measure HYD-2: *Prior to the completion of 60% plans for the Cook Street and Point Happy bridges, the project designers shall ensure that bridge supports do not impact requisite stormwater channel freeboard at these locations and shall secure CVWD concurrence before final design engineering is completed.*

Mitigation Measure HYD-5*: At sections of the WWRSC/CVSC that do not meet requisite 100-year freeboard standards, the responsible flood control agencies shall ensure that necessary embankment or levee adjustments are accomplished before or concurrent with construction of CV Link improvements. Any CV Link-related improvements, including but not limited to levee modifications, shall be submitted to and approved by the responsible flood control agency.*

These mitigation measures assure that the design of CV Link will be consistent with CVWD and RCFCWCD standards, and will not alter the capacity or flow of existing channels, maintaining the less than significant impacts associated with erosion, siltation or flooding.

3. Water Quality

Threshold: Would the Project otherwise substantially degrade water quality?

Finding: Less than significant impact. (EIR, p. 4.9-28)

Explanation: CV Link development will occur almost entirely on previously disturbed land, levees and roadways, which will limit the extent of site disturbance and the potential for contaminated runoff. Work within stormwater channel rights-of-way will be primarily outside the channel area and atop channel embankment and levee service roads. The nature of the construction materials, which are primarily aggregate, concrete, and decomposed granite, are relatively inert and not polluting. The use of the Link facilities will be limited to pedestrians, bicyclists and LSEV, and the contamination associated with motor vehicles will not occur along CV Link alignments. While project impacts to water quality will be insignificant, mitigation measures HYD-6, 7 and 8 require the

implementation of BMPs, including establishing access routes and limits of construction, and the use of silt berms and fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, temporary sediment basins and flow diversion during and following project construction:

Mitigation Measure HYD-6: *The implementation of BMPs during construction activities shall ensure that erosion and siltation from earthmoving and other construction activities is limited. Exposed soil from excavated areas, stockpiles, and other areas where ground cover is removed shall be stabilized by wetting or other approved means to avoid or minimize the inadvertent transport by wind or water. The project is subject to NPDES Construction General Permit requirements. Project implementation of a Stormwater Pollution Prevention Plan shall be required to ensure that erosion, siltation and runoff do not result in flooding on or off the project sites, and that impacts are less than significant.*

Mitigation Measure HYD-7: *A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented during construction of the Proposed Project. The SWPPP shall identify specific best management practices (BMPs) that will be implemented during project construction. BMPs implemented as a part of the project will ensure that the project meets the requirements of the California State Water Resources Control Board (SWRCB) NPDES Construction General Permit and the Caltrans NPDES Permit. BMPs appropriate for and applicable to the CV Link project include the following. Construction-related erosion and sediment controls, including any necessary stabilization practices or structural controls, shall be implemented at and in all potentially affected drainages. General structural practices may include, but are not limited to, silt fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, temporary or permanent sediment basins and flow diversion. Temporary erosion and sediment control measures shall be installed during or immediately after initial disturbance of the soil, maintained throughout construction (on a daily basis), and reinstalled until replaced by permanent erosion control structures or restoration of the construction right-of-way is complete. In addition, the following specific actions shall be taken to ensure that impacts are less than significant.*

a. *CV Link construction shall be avoided within the limits of identified waterways as depicted on the Jurisdictional Delineation Report prepared for this DEIR, except where authorized by federal, state or local permits.*
b. *Protect inlets and outlets of culverts from construction material intrusions using temporary berms to prevent channel incision, erosion, and sedimentation.*
c. *Erosion control measures appropriate for on-the-ground conditions, including percent slope, length of slope, and soil type and erosive factor, shall be implemented.*
d. *Temporary erosion controls such as straw bales and tubes, geotextiles and other appropriate diversion and impounding materials and facilities shall be properly maintained throughout construction (on a daily basis) and*

reinstalled (such as after backfilling) until replaced with permanent erosion controls or restoration is complete.

e. *Where jurisdictional waters are adjacent to the construction right-of-way, the contractor shall install sediment barriers along the edge of the construction right-of-way to contain spoil and sediment within the construction right-of-way.*
f. *Ensure that all employees and contractors are properly informed and trained on how to properly install and maintain erosion control BMPs. Contractors shall require all employees and contractors responsible for supervising the installation and maintenance of BMPs and those responsible for the actual installation and maintenance to receive training in proper installation and maintenance techniques.*
g. *Project scheduling will include efficient staging of CV Link construction that minimizes the extent of disturbed and destabilized work area, and reduces the amount of soil exposed and the duration of its exposure to wind, rain, and vehicle tracking.*
h. *The use of a schedule or flow chart will be incorporated to lay out the construction plan and will allow Link construction to proceed in a manner that keep water quality control measures synchronized with site disturbance, paving and other construction activities.*
i. *The sequencing and time frame for the initiation and completion of tasks, such as site clearing, grading, excavation, path construction, and reclamation, shall be planned in advance to ensure minimization of potential impacts.*
j. *Erosion and sediment control BMPs shall be incorporated into travelway construction plans.*

Mitigation Measure HYD-8: *To prevent petroleum products from contaminating soils and water bodies, the following BMPs shall be implemented:*

a. *Construction equipment and vehicles shall be properly maintained to prevent leakage of petroleum products.*
b. *Herbicides, fertilizers, vehicle maintenance fluids, petroleum products shall be stored, and/or changed in staging areas established at least 100 feet from delineated streams and other drainages. These products must be discarded at disposal sites in accordance with state and federal laws, rules, and regulations.*
c. *Drip pans and tarps or other containment systems shall be used when changing oil or other vehicle/equipment fluids.*
d. *Areas where discharge material, overburden, fuel, and equipment are stored shall be designed and established at least 100 vegetated (permeable) feet from the edge of delineated streams.*
e. *Any contaminated soils or materials will be disposed of off-site in proper receptacles at an approved disposal facility.*
f. *All erosion control measures shall be inspected and repaired after each rainfall event that results in overland runoff. The project contractor and*

CVAG shall be prepared year round to deploy and maintain erosion control BMPs associated with CV Link.

g. *Existing culverts shall be carefully maintained in place in order to ensure that they function properly. Considerations include: maintenance of inlet and outlet elevations, grade, adequate compacted material cover, and inlet/outlet protection.*

Mitigation Measure HYD-6 will stabilize the exposed soil during excavation activities before the water and/or wind erosion and transport starts, therefore minimizing the flooding on or off the project site.

Mitigation Measure HYD-7 will further control the construction-related erosion and sediment runoff before it enters into local inlets and culverts. As part of HYD-7, a Stormwater Pollution Prevention Plan (SWPPP) will be prepared to identify specific best management practices (BMPs) that suit the construction related activities for CV Link. BMPs will also ensure that the project meets the requirements of the California State Water Resources Control Board (SWRCB) NPDES Construction General Permit and the Caltrans NPDES Permit.

During construction activities, herbicides, fertilizers, vehicle maintenance fluids, and petroleum products will be used. Mitigation Measure HYD-8 will ensure that these products would be properly handled, stored, and used. BMPs as part of Mitigation Measure HYD-8 will also ensure that these products do not enter into local drainages to contaminate water quality.

Therefore, the CV Link project will not substantially degrade local surface or groundwater quality, and the above mitigation measures would further reduce this already less than significant impact for the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.9-28)

4. Flood Hazard to Housing

Threshold: Would the Project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Finding: No impact. (EIR, p. 4.9-28)

Explanation: CV Link is a proposed multi-modal transportation path along the top of the levees of, and within, the Whitewater River/Coachella Valley Stormwater Channel and existing streets, and proposes no housing. There will be no impact under any of the project alternatives. (EIR, p. 4.9-28)

J. LAND USE AND PLANNING

1. Physically Divide a Community

Threshold: Would the Project physically divide an established community?

Finding: Less than significant impact. (EIR, p. 4.10-17)

Explanation: The main objective of CV Link is to connect the Coachella Valley cities through a multi-modal transportation path, which will primarily be constructed atop existing flood control channel levees. These levees already serve to divide communities to some degree. Other CV Link alignments are planned on or adjacent to existing streets and will have no further effect of dividing an established community. Nonetheless, during the construction phase, access to neighborhoods, commercial areas, schools and adjacent parks could be temporarily disrupted by the Route construction and lane closures or detours; however, that will not physically divide any established communities permanently. (EIR, p. 4.10-17)

2. Habitat Conservation Plans

Threshold: Would the Project conflict with any applicable habitat conservation plan or natural community conservation plan?

Finding: Less than significant impact. (EIR, p. 4.10-24)

Explanation: Most of the CV Link segments are located outside of designated Coachella Valley MSHCP conservation areas. However, one segment does occur immediately adjacent to the MSHCP Whitewater Floodplain Conservation Area, which occurs immediately north of the Whitewater River flood control levee and extends west from Highway 111 to just west of Gene Autry Trail. Impacts to protected species covered under the MSCHP would be less than significant for the Proposed Project, Alternative 1 and Alternative 2 because the MSHCP land use and development regulations would be implemented.

Under Alternative 2, CV Link would occur adjacent to the Santa Rosa Mountains conservation area, but would not encroach upon it, and users would have no access to it due to grade and existing fencing. Impacts associated with that conservation area would be less than significant under Alternative 2, and would not occur at all under the Proposed Project and Alternative 1.

The Coachella Valley MSHCP includes land use and development regulations and guidelines applicable to lands within and in proximity to a Conservation Area. These include Land Use Adjacency Guidelines that are designed to minimize impacts to protect species and their habitat. With adherence of CV Link development to the MSHCP guidelines, impacts to MSHCP-managed lands will be less than significant and will not conflict with the MSHCP under the Proposed Project, Alternative 1 or Alternative 2. (EIR, p. 4.10-23 and 4.10-24)

K. ENERGY & MINERAL RESOURCES

1. Use of Fuel or Energy

Threshold: Would the Project use large or excessive amounts of fuel or energy in an unnecessary, wasteful, or inefficient manner.

Finding: Less than significant impact. (EIR, p. 4.11-7)

Explanation: At buildout, CV Link will only need electricity for LED pathway lighting, embedded barrier lighting, charging stations, kiosk and ambient rest area lighting, and that associated with access points and restroom facilities. Table 4.11-1 shows the annual operational electric demand for all the CV Link components. Solar panels will be installed as part of CV Link to generate electricity to reduce its electricity demand. The operation of the route could generate energy demand of 734,296 kwh annually under the Proposed Project, 677,913 kwh annually under Alternative 1, and 819,527 kwh annually under Alternative 2, only 10.23% of which would be supplied by electrical companies, because the balance will be produced from solar panels included in the project. CV Link will be energy efficient under all project alternatives. (EIR, p. 4.11-7)

2. Local or Regional Energy Supplier's Capacity

Threshold: Would the Project constrain local or regional energy supplies, require additional capacity, or substantially affect peak and base periods of electrical demand.

Finding: Less than significant impact. (EIR, p. 4.11-8)

Explanation: CV Link will only need limited amounts of electricity during construction and operational. And, at buildout, CV Link will be generating most of its electricity through solar panels and will only need 10.23% (75,118 kWh) of CV Link's electricity from local or regional energy supplies per year. Therefore, CV Link will not substantially affect peak and base periods of electrical demand of suppliers under the Proposed Project, Alternative 1 or Alternative 2. (EIR, p. 4.11-8)

3. Expansion of New Electrical or Transmission Facilities

Threshold: Would the Project require or result in the construction or expansion of new electrical generation and/or transmission facilities, the construction of which could cause significant environmental effects?

Finding: Less than significant impact. (EIR, p. 4.11-8)

Explanation: As discussed above, annual electricity consumption for CV Link is approximately 734,296 kwh, 88.77% of which will be generated through solar

panels each year. Only 10.23% (75,118 kWh) of CV Link's electricity would be supplied by local suppliers and will not require expansion of new electrical generation and/or transmission facilities under any project alternative. (EIR, p. 4.11-8)

4. Existing Energy Standards

Threshold: Would the Project conflict with existing energy standards, including standards for energy conservation?

Finding: Less than significant impact. (EIR, p. 4.11-8)

Explanation: CV Link is designed to provide an alternative transportation source (multi-modal transportation path) for pedestrians and bicyclists to walk and bike instead driving between cities. In addition, it will also utilize solar panels to generate electricity from natural resources without burning fossil fuel, which helps to ensure that CV Link is consistent with current energy standards and conservation goals. CV Link will implement energy conservation and GHG reduction plans and strategies that have been adopted by all of the participating entities. (EIR, p. 4.11-8)

5. Loss of Mineral Resources

Threshold: Would the Project 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?

Finding: Less than significant impact. (EIR, p. 4.11-8)

Explanation: The construction of the Proposed Project would require approximately 98,763 cy of aggregate, as well as, approximately 368,220 cubic yards (cy) of concrete, of which approximately 60 to 75% (220,932 to 276,165 cy) is comprised of aggregate. Therefore, total aggregate demand for the Proposed Project is approximately 319,695 to 374,928 cy or 0.15% of permitted aggregate at all operating mining operations in the valley. Alternative 1 is estimated to require approximately 90,862 cy of aggregate base (approximately 7,901 cy less than the Proposed Project). Total aggregate required for Alternative 1, including its use in concrete, will be approximately 294,412 to 344,934 cy. Alternative 2 is estimated to require approximately 108,866 cy of aggregate base. Total aggregate required for Alternative 2, including its use in concrete, will be approximately 356,399 to 413,283 cy.

Therefore, the aggregate demand for all project alternatives represents a fraction of permitted resources and will have a less than significant impact on these mineral resources. (EIR, p. 4.11-8)

6. Mineral Resource Recovery Site

Threshold: Would the Project 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?

Finding: Less than significant impact. (EIR, p. 4.11-8)

Explanation: The CV Link alignments occur within and along the urbanized portions of the valley, which precludes the mining of such resources by virtue of the incompatibility of sand and gravel mining with urban land uses. As CV Link would be located away from identified and/or actively mined sand and gravel resources, it will not 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. (EIR, p. 4.11-8)

L. NOISE

1. Exposure of People to Noise in Excess of Standards

Threshold: Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant impact. (EIR, p. 4.12-17)

Explanation: Noise levels adjacent to the CV Link Route are, in a number of locations, elevated under existing conditions. The noise prediction model calculated the noise that would result from full implementation of CV Link. Unlike most development projects, CV Link will not add a permanent, stationary source of noise to the environment, but rather a mobile, intermittent source. As a result, the analysis of whether CV Link's noise will exceed Municipal Code noise occurrence standards was conducted. CV Link's operational noise will not, where it occurs adjacent to a sensitive receptor, exceed the noise standards established by each jurisdiction, and will therefore not result in a violation of local noise standards under the Proposed Project, Alternative 1, or Alternative 2 (EIR, p. 4.12-15 through 4.12-17)

2. Permanent Ambient Noise Levels

Threshold: Would the Project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Finding: Less than significant impact. (EIR, p. 4.12-21)

Explanation: CV Link will not add a permanent, stationary source of noise to the environment, but rather a mobile, intermittent source. Based on Federal Interagency Committee on Noise (FICON) guidelines, CV Link would have an impact on sensitive receptors if it resulted in an increase of 5 dBA Leq (equivalent continuous noise level) or greater. The Proposed Project, Alternative 1 and Alternative 2 will increase ambient noise levels up to 1.7 dBA Leq during the daytime hours. During the evening, Proposed Project, Alternative 1 and Alternative 2 operational noise level increases will reach 2.0 dBA Leq, and nighttime noise level increases with CV Link will be up to 3.7 dBA Leq. Project-related operational noise level contributions will be below the FICON significance thresholds; therefore, the increase in noise level at the sensitive receiver locations will be less than significant under all project alternatives. (EIR, p. 4.12-15 through 4.12-24)

3. Exposure of People to Excess Noise from Airports

Threshold: 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 expose people residing or working in the project area to excessive noise levels?

Finding: No impact. (EIR, p. 4.12-29)

Explanation: CV Link is outside the 60 dBA CNEL noise contour boundary of the Palm Springs International Airport, the 55 dBA CNEL noise contour boundary of the Jacqueline Cochrane Regional Airport, and is within the 55 dBA CNEL noise level contour boundary of the Bermuda Dunes airport. Therefore, because CV Link is located in areas with noise levels that are less than 65 dBA CNEL, CV Link is not located within the sensitive noise contour boundaries of any airport and will not expose people residing or working in the project area to excessive noise levels. (EIR, p. 4.12-29)

4. Exposure of People to Excess Noise from Private Airstrips

Threshold: For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Finding: No impact. (EIR, p. 4.12-29)

Explanation: There are no private airstrips in the vicinity of CV Link, so there is no potential to expose people residing or working in the project area to excessive noise levels from such land use. (EIR, p. 4.12-29)

M. POPULATION AND HOUSING

1. Induce Population Growth

Threshold: Would the Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Finding: Less than significant impact. (EIR, p. 4.13-5)

Explanation: CV Link is a multi-modal transportation path, which will not directly or indirectly induce substantial population growth in an area. Much of the pathway will be built along existing right-of-way, including channel levees, trails, and roadways. New infrastructure will largely include pavement, landscaping improvements, over- and underpasses, and ancillary features (restrooms, informational kiosks, street furniture, etc.). Vacant parcels in close proximity to the pathway may be more appealing to future developers due to enhanced accessibility. However, CV Link itself will have no direct impact on land use designations, development proposals, or building densities.

Construction and long-term maintenance and operation of CV Link will create new jobs, including work for surveyors, engineers, heavy machine operators, landscapers, and security and law enforcement, among others. It is anticipated that the local and regional work force will fill most of these jobs. Workers from outside the Coachella Valley may visit or reside temporarily in the area during construction, but are not expected to stay permanently as a result of the Proposed Project, Alternative 1 or Alternative 2. (EIR, p. 4.13-5)

2. Displace Housing

Threshold: Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Finding: No impact. (EIR, p. 4.13-5)

Explanation: CV Link will not result in demolition, relocation, acquisition, or other alterations to existing housing; therefore, it will not result in the replacement of housing or relocation of people elsewhere. No new housing is proposed, and none will be required as a result of CV Link. (EIR, p. 4.13-5)

3. Displace People

Threshold: Would the Project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Finding: No impact. (EIR, p. 4.13-5)

Explanation: CV Link will not displace any residents and will not require the construction of replacement housing. (EIR, p. 4.13-5)

N. RECREATION

1. Physical Deterioration, Construction or Expansion of Recreational Facilities

Threshold: Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Threshold: Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Finding: Less than significant. (EIR, p. 4.15-12)

Explanation: CV Link passes through and/or runs in close proximity to several parks (Desert Highland Park, Demuth Park, Palm Desert Civic Center Park, Jackson Park, and Sierra Vista Park) along its route and at buildout, people may visit these local parks using CV Link, which might increase the use of the parks and their facilities. The path could increase the number of visitors but would not result in a permanent increase in the local population that would result in substantial physical deterioration of the facilities or expansion of recreational facilities.

CV Link will also pass through and/or run in close proximity to golf courses (i.e. Tahquitz Creek public golf course, Cimarron Golf Course, Cathedral Canyon Golf Course, Indian Springs Golf Course, Indian Wells Golf Resort golf, and Indio Municipal Golf Course) where it would not obstruct golf course players. However, in order to assure that final design adequately buffers golf course facilities from CV Link improvements, (EIR, p. 4.15-7. through 4.15-12)

Mitigation Measure REC-1: *CVAG shall obtain concurrence from the owners of the Tahquitz Creek, Cimarron, Cathedral Canyon, and Indian Wells Golf Resort golf courses of the final design of CV Link facilities located on those respective golf courses prior to the commencement of any CV Link construction activities on those respective golf courses in order to assure that the final design of CV Link facilities adequately buffer fairways, greens, tee boxes and in play areas in proximity to the proposed alignments.*

Mitigation Measure REC-1 is provided to further reduce these already less than significant impacts and would apply to the Proposed Project, Alternative 1 and Alternative 2. Mitigation Measure REC-1 will protect existing recreational facilities by assuring collaboration with property owners and incorporating adequately buffered fairways, greens, tee boxes and play areas.

O. TRAFFIC AND TRANSPORTATION

1. Congestion Management Program

Threshold: Would the Project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Finding: Less than significant impact. (EIR, p. 4.16-39)

Explanation: CV Link serves to implement the multi-modal transportation performance standards set forth in the Congestion Management Program (CMP), as well as helping to address long-term Level of Service (LOS) deficiencies and improving local and regional air quality by taking people out of their vehicles, off the roadways and onto a separate path. CV Link will be consistent with, and facilitate the achievement of CMP goals and programs. In this regard, CV Link will have a less than significant impact on CMP facilities and will have a beneficial impact in helping to achieve CMP goals under the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.16-39)

2. Air Traffic Patterns

Threshold: Would the Project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Finding: No impact. (EIR, p. 4.16-39)

Explanation: CV Link will be constructed on the ground surface and will not cross any airport land. Therefore, there is no potential to result in a change in air traffic patterns or airport traffic levels under any project alternative. (EIR, p. 4.16-39)

3. Increase Hazards Due to a Design Feature

Threshold: Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less than significant impact. (EIR, p. 4.16-41)

Explanation: The basic design premise of CV Link is to provide a multi-modal transportation facility that is generally separate from the roadway network and its associated hazards. The potential for pedestrian/bicyclist collisions with vehicles is substantially lower on CV Link given that most of its alignments are off-street

with fewer distractions and includes a separate LSEV lane. The design standards and specifics of CV Link take into account the potential conflicts between pedestrian, bicycles and LSEVs. One of the principal goals of the CV Link project is to provide safer facilities for all multi-modal transportation users. CV Link designs and facilities have been developed in compliance with the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities and the National Association of City Transportation Officials (NACTO) Urban Street Design Guide also provide additional bikeway guidance not included in the California Highway Design Manual. CV Link also complies with the Americans With Disabilities Act (ADA) standards.

A number of design elements and features have been included to address existing and future safety issues, including maximizing the extent of off-street facilities and siting the Link on stormwater channel levees and embankments. Bridges and roadway undercrossings are widely used along the route, which avoid the interaction of multi-modal Link users with vehicular traffic. Other safety-related design features include the incorporation of state of the art on-street traffic controls, including HAWK and other controls that maximize safety while maintaining traffic flow.

On-path improvements planned to enhance safety include the provision of pullouts and rest areas that are distributed along the route. Lighting and shade structures are also provided along CV Link to further enhance safety along the pathway. Signage along the pathway, including and especially where CV Link crosses the flow of or intersects with vehicular traffic, will also minimize confusion, enhance wayfinding and help to harmonize the various modes of travel.

An important component of the project is the inclusion of High-Intensity Activated crossWalK (HAWK) beacons. The plan also calls for the use of Rectangular Rapid Flashing Beacons (RRFB) or Pedestrian Hybrid Beacons (aka HAWK). These are Caltrans- and FHWA-approved devices that are proposed at locations where no traffic signal currently exists.

For the Proposed Project, as described on pages 4.16-40 and 4.16-41 of the EIR, the termini on the west and east sides of Rancho Mirage will provide signage and turnaround areas for users, and allow them to either turn around, in the case of LSEVs, or continue on existing bike lanes and sidewalks should they choose to continue in Rancho Mirage.

According to Cathedral City traffic counts, Buddy Rogers Drive accommodates less than 2,200 in and out trips per day, indicating that there will not be a significant conflict between CV Link user traffic and that associated with the auto dealership adjacent to Terminus A. The auto dealership is the only land use served by this roadway, and CVAG staff has consulted with the dealership regarding

plans for CV Link in this area. There is continuous sidewalk on the north (east) side of Highway 111 from the intersection of Buddy Rogers Avenue and Highway 111 to Frank Sinatra Drive.

In the case of the western termini, the continuation of travel would occur on Highway 111, on existing sidewalks, and on Frank Sinatra Drive, which includes an existing in-channel pathway.

In the case of the eastern terminus, travel would occur on Highway 111, again on existing sidewalks. Because the expected number of users, as shown on Exhibits 7.1.2-D and 7.1.3-D is expected to be less than 15 pedestrians or bicyclists at any terminus in the peak hour, the number of pedestrians, bicyclists or LSEVs to be traveling beyond a terminus on existing facilities will not result in any significant impact to the City's existing roadway system.

For Alternative 1, as described on pages 5-130 and 5-131 of the EIR, the termini on the west and east sides of the City of Indian Wells will provide signage and turnaround areas for users, and allow them to either turn around, in the case of LSEVs, or continue on existing bike lanes and sidewalks should they choose to continue in Indian Wells. In the case of the western termini, the continuation of travel would occur on Fred Waring Drive, on existing sidewalks, and on El Dorado, which includes an existing on street bike lane. In the case of the eastern termini, travel would occur on Highway 111, again on existing sidewalks. Because the expected number of users, as shown on Exhibits 7.1.2-F and 7.1.3-F is expected to be less than 12 at any given location in the peak hour, the number of pedestrians, bicyclists or LSEVs to be traveling beyond a terminus on existing facilities will not result in any significant impact to the City's existing roadway system.

Under Alternative 2, there would be no termini at either Rancho Mirage or Indian Wells.

Overall, CV Link will be designed according to local and regional transportation design safety guidelines to avoid any design feature or incompatible uses, to provide a safe transportation path, and will not result in substantial or significant increases in hazards. (EIR, p. 4.16-39 through 4.16-41)

4. Inadequate Emergency Access

Threshold: Would the Project result in inadequate emergency access?

Finding: Less than significant impact. (EIR, p. 4.16-41)

Explanation: The CV Link Conceptual Master Plan was developed in cooperation and coordination with police chiefs and emergency services managers and a variety of design components were identified as critical to adequate emergency

access. Access to CV Link will be provided using existing and modified ramps used by Coachella Valley Water District (CVWD) and Riverside County Flood Control & Water Conservation District (RCFC&WCD) for maintenance purposes, to ensure an efficient emergency response.

As described in the Final EIR, Master Response 2, CV Link will enhance the ability of emergency responders to provide their services because it will improve access to currently isolated lands. CV Link will build a solid concrete surface on what are now dirt maintenance roads. This superior travel surface will improve response times to any incidents on or near the project. Access roads are already in place in many locations that allow maintenance of the Whitewater River Channel along its entire length. Police departments and emergency services will continue to use these same points of entry to respond to incidents, as well as additional access ramps that CV Link will provide at Washington Street in La Quinta, Miles Avenue, Golf Center Parkway, and Fred Waring Drive in Indio, and many other locations. The distance between access points is 1.1 miles or less except between Monroe and Avenue 44 (eastbound) with a distance of 1.5 miles, and between Dillon Road and Avenue 50 with a distance of 1.89 miles. The CV Link pavement cross-section and load bearing design will accommodate heavy vehicles, including fire trucks, ambulances, and police cars. Therefore, emergency vehicles will be able to access and exit CV Link in a time efficient manner. Impacts will be less than significant for the Proposed Project, Alternative 1 and Alternative 2.

In addition, for every mile marker, a physical address will be created in the 911-response system and a shortest path route should be mapped to emergency service provider locations. Markers will be placed at every quarter mile of CV Link in accordance with AASHTO guidelines, and wayfinding signs at major streets, overcrossings, and undercrossing will also be provided to allow users to easily identify their location in case of an emergency. Call boxes will also be installed along the path to provide users an alternative to report emergencies where cellular service may not be available. CV Link will also provide a useful alternative escape or access route in the event of an emergency, such as an earthquake. During a major natural disaster, principal highways may be congested or impassable, and even if portions are damaged, CV Link could provide additional capacity and network redundancy under all project alternatives. (EIR, p. 4.16-41.)

5. Public Transit, Bicycle and Pedestrian Facilities

Threshold: Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Finding: Less than significant impact. (EIR, p. 4.16-42)

Explanation: CV Link is envisioned to be a multi-modal transportation path to accommodate bicycle, pedestrian and LSEV facilities, and would also provide enhanced access to employment centers, institutional uses, business districts, and

parks and open space areas. CV Link will also enhance access to regional and local transit facilities by enhancing access to transit stops located in proximity to CV Link alignments. CV Link is developed based, in part, on a review of transportation-related planning and technical documents of the various local jurisdictions in order to harmonize the CV Link design with local transportation planning, facilities and regulations. CV Link is actually proposed to enhance, rather than decrease, the performance and safety of these multi-modal transportation facilities. (EIR, p. 4.16-41 and 4.16-42)

P. UTILITIES AND SERVICE SYSTEMS

1. Exceed Wastewater Treatment Requirements

Threshold: Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Finding: Less than significant impact. (EIR, p. 4.17-8)

Explanation: The buildout of CV Link will result in a multi-modal transportation path primarily along the Whitewater River and Tahquitz Creek to connect various cities of the Coachella Valley. Development of the linear pathway will not result in increased wastewater flows with the exception of eight rest areas, which will include restrooms and drinking fountain facilities. The wastewater generated by CV Link will not exceed wastewater treatment requirements of the applicable California Regional Water Quality Control Board due to its limited linear design feature and covered area under all project alternatives.

Construction activities of CV Link may result in sediment flows such as trash and debris, oil and grease, fuels, lubricants, paints, and miscellaneous chemicals, which may affect water quality. To minimize their impacts, construction BMPs will be designed and implemented as part of CV Link's NPDES permitting process, which will effectively reduce any pollutants of concern that may enter nearby receiving waters and/or wastewater treatment plants. Portable toilets would be utilized only during construction (a limited timeframe) and waste would be disposed of according to required regulations under the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.17-8)

2. New Water or Wastewater Treatment Facilities

Threshold: Would the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Finding: Less than significant impact. (EIR, p. 4.17-8)

Explanation: CV Link would require water use during construction, primarily for periodic dust control on access roads and during earthmoving activities. However,

this water use would be temporary in nature and would not generate wastewater that would require treatment or disposal. The total estimated water demand during the construction phase is approximately 86.4 acre-feet. Water supplied to the rest stops for toilet and drinking water is estimated to be approximately 4.48 acre-feet per year. It is further estimated that the operational water demand for landscape irrigation will be approximately 12.86 acre-feet per year. According to the Coachella Valley Integrated Water Management Plan (2010), the projected Valley-wide water demand for 2020 is 719,100 acre-feet per year. Based on this, CV Link's modest demand of 17.34 acre-feet per year constitutes a 0.0024% increase in demand. This increase is negligible and will have a less than significant impact on Valley-wide water supplies. (EIR, p. 4.17-8.)

3. New Storm Water Drainage Facilities

Threshold: Would the Project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Finding: Less than significant impact. (EIR, p. 4.17-9)

Explanation: CV Link would introduce impervious surfaces in the project area through the construction or expansion of a multi-modal transportation path and access roads, bridges, and new foundations at rest areas. The surface area of CV Link under the Proposed Project would result in 209.53 acres in impervious areas in the jurisdictions through which it will occur in the Coachella Valley, which would result in a permanent increase in runoff. Under Alternative 1, the area of impervious surface would be somewhat reduced, because the Indian Wells levee top construction would not occur. Under Alternative 2, the area of impervious surface would be somewhat greater, insofar as levee tops in Rancho Mirage would be added to the project. The amount of increase would not be substantial, because approximately 127 acres of this area is currently in City streets, and park and golf course paths and similar surfaces will be upgraded but are already covered with impermeable surfaces. The primary increase in impervious surfaces will occur on levee tops, where compacted soils currently occur. In this case, storm water will be directed into the adjoining channel, however, channel capacity will not be significantly affected. CV Link would not create or contribute runoff that exceeds stormwater drainage system capacity or require construction of new storm water drainage facilities under the Proposed Project, Alternative 1 or Alternative 2. (EIR, p. 4.17-8 and 4.17-9)

4. Sufficient Water Supplies

Threshold: Would the Project have sufficient water supplies available to serve the project from existing entitlements and resources, or require new or expanded entitlements?

Finding: Less than significant impact. (EIR, p. 4.17-9)

Explanation: CV Link would require water during construction and operation that will be available by the local water providers as discussed earlier. Coachella Valley Water District (CVWD), Desert Water Agency (DWA), Indio Water Authority (IWA), and Coachella Water Authority (CWA) have sufficient water supplies available to serve CV Link from existing entitlements and resources and no new or expanded entitlements are needed. Therefore, there is no potential to result in a need for expanded entitlements under the Proposed Project, Alternative 1 or Alternative 2. (EIR, p. 4.17-9.)

5. Adequate Wastewater Treatment Capacity

Threshold: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Finding: Less than significant impact. (EIR, p. 4.17-10)

Explanation: As described above, the primary use of water during construction of CV Link would be for dust suppression on the CV Link Route. Disposal would not be required because the water used during dust suppression activities would be absorbed into the ground. In addition, construction crews would use portable sanitation facilities (portable toilets), generating relatively small volumes of wastewater for a limited time during the construction phase. Sanitation waste would be disposed of according to sanitation waste management practices. No other sources of wastewater are anticipated during CV Link construction activities.

Operation of CV Link would generate 800 gallons per day of wastewater at each restroom, which will be transferred to local wastewater treatment plants. Wastewater generation represents a 0.000012% of the capacity of local wastewater treatment plants, and would not generate the need for additional facilities. Project related impacts will be less than significant under the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.17-10)

6. Landfill Capacity

Threshold: Would the Project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Finding: Less than significant impact. (EIR, p. 4.17-10.)

Explanation: A variety of potential solid waste (e.g. sediments, trash and debris, oil and grease, fuels, lubricants, concrete waste and similar materials) could be generated during project construction. Soils and vegetative matter unsuitable for backfill use would be disposed of at appropriate disposal sites. The construction

contractors would be required by law to divert construction waste material (by reduction, recycling, reuse, and composting) from landfills within Riverside County. As a result of these reduction and recycling activities, the total amount of construction waste material anticipated to be disposed of in area landfills would be limited and is not expected to exceed the permitted capacity of the regional landfills.

Each of the three landfills serving the study area has more than 50 percent capacity available. CV Link operations would generate trash and debris (i.e. dog waste, fertilizers and other chemicals) from the path and landscaped areas. The estimated amount of solid waste that would be generated by CV Link is approximately 2,875 tons per year, which will contribute 0.00015% to Lamb Canyon's remaining capacity. (EIR, p. 4.17-10 and 4.17-11)

7. Federal, State, and Local Solid Waste Statutes

Threshold: Would the project not comply with federal, state, and local statutes and regulations related to solid waste?

Finding: No impact. (EIR, p. 4.17-11)

Explanation: As discussed above, CV Link would generate waste during construction and operations, which will be disposed according to federal, state, and local statutes and regulation related to solid waste. (EIR, p. 4.17-11)

SECTION 4: FINDINGS REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO A LESS THAN SIGNIFICANT LEVEL.

The Executive Committee hereby finds that feasible Mitigation Measures have been identified in the EIR and this Resolution that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

A. AESTHETICS

1. Adverse Effect on Scenic Vistas

Threshold: Would the Project have a substantial adverse effect on a scenic vista?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.2-20)

Explanation: Most of the segments of CV Link will consist of flatwork with negligible mass extending from Palm Springs to Coachella. The analysis of the visual simulations shows that design elements such as bridges, shade structures, and associated structures may add context to the views without creating a

substantial adverse effect since they will be small in size and take into account the surrounding lands.

Overcrossings at North Palm Canyon Drive, Gene Autry Trail, Cook Street and Point Happy will include bridges, landscaping, paved paths, and fencing to facilitate path design and user safety. Adding these features would affect public views in the short range, however, they would not be visible from more distant locations. Also, these features will be designed architecturally as less dense structures; therefore, they will not result in the elimination of any visual resources currently contributing to the quality of the viewing environment.

The EIR, in both Section 4.2 (Aesthetics, page 4.2-7 ff.) and 4.10 (Land Use, page 4.10-18 ff.) determines that at the Four Seasons community in Palm Springs, and in areas of the Route in Indio and Coachella, CV Link occurring on the top of the levee would have the potential to impact adjacent residents, because its elevation is higher than the residences. As described in the Final EIR, at other locations on the Route, including apartment complexes in Rancho Mirage and Indian Wells that occur adjacent to the path and have either no perimeter wall or open fencing, the privacy of residents would also be impacted. The EIR includes Mitigation Measure LU-1, which requires that screening be provided at any location where CV Link has the potential to affect abutting residents' privacy. The EIR also determines that locating CV Link at the bottom of the channel, east of the levee adjacent to the Four Seasons community, would not impact privacy for Four Seasons residents. The EIR also determines that with the addition of screening where necessary, views of mountain ranges in the distance will remain, and that impacts associated with scenic vistas will be less than significant for the Proposed Project, Alternative 1 and Alternative 2.

Mitigation Measure LU-1: *Where CV Link alignments abut residential land uses, and has the potential to affect their privacy, structural and landscape screening as provided in the Conceptual Master Plan standards and guidelines shall be applied.*

Construction of CV Link will result in temporary impacts to scenic vistas from the use of construction equipment on the Route, and the use of cranes at planned bridge locations. Construction activities on levee tops adjacent to existing homes would result in visibility of construction equipment over the walls of those residences that abut the levee. There is the potential for view blockage for short time periods while equipment works on the area behind any given home. Construction of CV Link would also require staging areas. These staging areas are proposed at several locations along the route, in locations adjacent or proximate to the alignment which it would serve. The location of these staging areas will be visible to surrounding travelers, residents and businesses who currently have views of these areas. Once construction is complete, the staging areas will be removed and any disturbed areas will be restored to its original condition. However, during the construction of any given portion of the Route, multiple staging areas will be in place.

In order to assure that heavy equipment, construction materials and similar utilitarian items stored in staging areas are not visible to the traveling public or adjacent residents or businesses, and that impacts to scenic vistas are minimized during the temporary construction period, mitigation measure AES-1 has been added, requiring the screening of staging areas. This mitigation measure will assure that temporary construction impacts associated with staging areas are less than significant. (EIR, p. 4.2-6 through 4.2-20)

Mitigation Measure AES-1: *Construction staging areas shall be screened from public view. The screening will consist of a perimeter chainlink fence with a windscreen, which will also provide a view screen. When staging areas' use is complete, the land shall be restored to its original condition.*

During construction, Mitigation Measure AES-1 will conceal the staging areas from public view through proper screens.

2. New Source of Light or Glare

Threshold: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.2-25.)

Explanation: As part of CV Link, low-level lighting is proposed along the Route and at the various rest areas, which will encourage and provide a level of safety to evening use. Lighting will be comprised of low profile bollards, as well as embedded LED lighting that would be incorporated throughout the Route which will produce a limited and directed level of light. CV Link will comply with local ordinances which prohibit light spillage beyond project boundaries. CV Link may use pole lighting, which would be subject to local standards as well.

In order to assure that lighting would not significantly impact neighboring uses, mitigation measure AES-2 has been included, and is provided below. (EIR, p. 4.2-25.)

Mitigation Measure AES-2: *Lighting plans shall be prepared by the project design team, and shall demonstrate that lighting from all fixtures will not extend beyond the edge of the right-of-way. Any lighting fixture proposed above the path shall be fully shielded.*

Lighting plans will be prepared according to the respective city's lighting design standards as part of Mitigation Measure AES-2. AES-2 will assure that the lighting from all fixtures is fully shielded and will not extend beyond the edge of the right-of-way so that light spillage onto adjacent properties does not occur. This mitigation measure will reduce impacts to less than significant levels for the Proposed Project, Alternative 1 and Alternative 2.

B. AIR QUALITY

1. Violate Air Quality Standards

Threshold: Would the Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.3-9)

Explanation: Air quality analysis conducted for CV Link analyzed potential impacts associated with construction and operation criteria pollutant emissions. Construction and operation related activities associated with implementation of the CV Link would result in a net increase of localized construction emissions of nitrogen oxide (NOx) or carbon monoxide (CO); regional construction emissions of volatile organic compounds (VOCs) or CO; localized operation emissions of NOx, CO, PM10, and PM2.5; and regional operation emissions of PM2.5 when compared to existing conditions. However, the CV Link contribution would not exceed SCAQMD thresholds, with the exception of nitrogen oxides, which under unmitigated conditions would have the potential to exceed thresholds. CV Link will comply with applicable AQMD standards and requirements to the fullest extent possible to reduce impacts to air quality. With the implementation of Mitigation Measures AQ-1 and AQ-2, however, NOx emissions would be reduced to less than significant levels for the Proposed Project and Alternative 1. (EIR, p. 4.3-7 through 4.3-12)

Mitigation Measure AQ-1: *To reduce particulate matter and NOx emissions construction equipment shall utilize aqueous diesel fuels, diesel particulate filters and diesel oxidation catalyst with a minimum 30% reduction rating during all construction activities.*

Mitigation Measure AQ-2: *SCAQMD Rule 403 (403.1 specific to the Coachella Valley): A dust control Plan shall be prepared and implemented by all contractors during all construction activities, including ground disturbance, grubbing, grading, and materials import and export. Said plan shall include but not be limited to the following best management practices:*

- *Chemically treat soil where activity will cease for at least four consecutive days;*
- *All construction grading operations and earth moving operations shall cease when winds exceed 25 miles per hour;*
- *Water site and equipment morning and evening and during all earth-moving operations;*
- *Operate street-sweepers on paved roads adjacent to site;*

- *Establish and strictly enforce limits of grading for each phase of development;*

- *Wash off trucks as they leave the project site to control fugitive dust emissions*

- *Cover all transported loads of soils, wet materials prior to transport, provide freeboard (space from the top of the material to the top of the truck) to reduce PM_{10} and deposition of particulate matter during transportation*

- *Use track-out reduction measures such as gravel pads at project access points to minimize dust and mud deposits on roads affected by construction traffic.*

Under Alternative 2, in order to reduce NOx emissions to less than significant levels, Mitigation Measure AQ-1 would require filters with greater reduction ratings, as described on page 5-24 of the EIR:

AQ-1: To reduce particulate matter and NOx emissions construction equipment shall utilize aqueous diesel fuels, diesel particulate filters and diesel oxidation catalyst with a minimum 35% reduction rating during all construction activities for Alternative 2.

Mitigation Measure AQ-1 will assure that construction equipment will utilize refined crude oil and filters to reduce particulate matter and NOx emissions and will not exceed regional NOx thresholds. Dust Control Plan prepared as part of the Mitigation Measure AQ-2 will further enforce implementation of the best management practices imposed by SCAQMD and enforced by all Coachella Valley cities for all development projects to reduce particulate emissions.

C. BIOLOGICAL RESOURCES

1. Habitat Modifications

Threshold: Would the Project 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?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.4-10)

Explanation: CV Link has the potential to impact sensitive species with the introduction of pathway facilities and the generation of new sources of noise or light, which may generate edge effects.

Tables 4.4-1 through 4.4-6 of the EIR summarize information on all special-status species that have been reported within the vicinity (5-mile radius), or are considered to have some potential to occur onsite based on geographic distribution and presence of potentially suitable habitat. The CVMSHCP protects

a number of species that could occur in the area surrounding CV Link. Potential impacts to those species will be mitigated through the payment of impact fees.

One species not covered by the CVMSHCP and federally listed as endangered occurs in the vicinity of a portion of CV Link. The Casey's June Beetle has been observed along the portion of the Route occurring between Demuth Park and the Tahquitz Creek Golf Course in the City of Palm Springs. CV Link occurs in the Survey Area for the species, and not in critical habitat. Take of the species during construction or long term operation of the path would represent a potentially significant impact to the species, which requires mitigation, as provided in Mitigation Measure BIO-5, below. (EIR, p. 4.4-8 through 4.4-29.)

Mitigation Measure BIO-5: *Prior to any construction in that portion of the Proposed Project occurring within the Survey Area for Casey's June Beetle, an HCP containing the following requirements shall be approved by the USFWS.*

a. Restoration of portions of Tahquitz Creek Golf Course (10.38 acres) to natural wash habitat suitable for CJB as identified on Exhibit 4.4-1.

b. Establishment of conservation easement(s) on 10.38 acres of land within the restoration area of Tahquitz Creek Golf course, as described in item 1.

c. Installation of 0.07 acres of native landscaping to enhance habitat adjacent to the path.

In addition, the following shall be incorporated by CVAG in its management and maintenance of the path within the Survey Area.

a. Any and all lighting fixtures shall be turned off between April 1 and May 31 of any year.

b. Construction activities will not occur within the Survey Area from April 1 to May 31 of any year.

c. An education kiosk will be installed along the CV Link path with information about the species and the importance of native desert wash habitat.

d. Signage will be placed along the CV Link path to alert users to the presence of habitat and to encourage respect for and avoidance of undisturbed habitat areas.

e. Any lands conserved by CVAG may be available as sites for future CJB propagation, if such propagation is determined to be a viable means of conserving the species.

f. Pesticide use on non-listed species is an allowable use, but no take of Casey's June Beetle associated with pesticide use will be authorized by the permit. Application, storage, and use of pesticides, herbicides, insecticides,

biocides, and fertilizers in a lawful manner that does not affect Casey's June Beetle is allowed. All such use must occur in accordance with the EPA label on each product.

g. *CVAG shall post signage at each end of the path within the Survey Area, identifying the area as Casey's June beetle habitat, and cautioning users that mating season for the species occurs between April 1 and May 31. Signage shall also include warnings about not harming the species if it is encountered by the user or impacting adjacent habitat.*

h. *No electronic "bug zappers" will be utilized.*

i. *Irrigation at the surface of the soil will be prohibited in the habitat areas created, restored or conserved by CVAG.*

j. *CVAG shall place $160,075.00 in an endowment approved by the Service to be used for the maintenance of all acreage conserved, created or restored as part of this HCP.*

k. *CVAG shall assure that management and maintenance of all acreage conserved, created or restored is contracted in perpetuity with a qualified land management agency/organization approved by the Service.*

The amount of the endowment has been modified from the Draft EIR because of ongoing analysis by CVAG in its discussions with the Service, including calculations of the long term interest income to be generated by the endowment. The endowment amount does not correlate to the mitigation lands directly. Its purpose is to assure that sufficient monies are available to monitor the mitigation lands and provide for coordination and reporting on the status of these lands. The change in endowment amounts does not change the need for the endowment, and its final amount will ultimately be approved by the Service upon approval of the HCP. Furthermore, and also as a result of discussions with the Service and Project refinements, the total mitigation acreage being provided by the Project (approximately 10 acres) is larger than the acreage initially identified in the Draft EIR (approximately 6 acres). As such, the reduction in the anticipated sum needed to fund the endowment has not resulted in any decrease in the actual mitigation being provided for impacts. These changes to mitigation acreage and the endowment sum needed to assure its management merely clarify and amplify the mitigation that was already identified in the Draft EIR. These changes do not constitute new information of substantial importance requiring recirculation. This measure reduces impacts to less than significant levels by restoring impacted areas, establishing conservation easements and installing additional native landscaping where needed, consistent with the Endangered Species Act, for the Proposed Project, Alternative 1 and Alternative 2.

2. Federally Protected Wetlands

Threshold: Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.4-31)

Explanation: The entire length of the Route was surveyed to identify the potential for jurisdictional water features. US Fish and Wildlife Service National Wetlands Inventory (NWI) wetlands occurring along Tahquitz Creek at the north end of the CV Link Route are characterized as riverine (R4USJx) and freshwater pond (PUSKx, PUBHx). They occur between South Palm Canyon Drive and Sunrise Way; north of the Palm Canyon Wash on both sides of Gene Autry Trail; and west of Cathedral Canyon Drive. NWI wetlands occurring along the Whitewater River, throughout the Route, are characterized as riverine (R4SBJ, R4SBJx), freshwater pond (PUBHx, PUSCh, PUSJ), freshwater emergent wetland (PEMC, PEMFx), and freshwater forested/ shrub wetland (PSSC). They occur west of Frank Sinatra Drive, east and west of Peterson Road, east of Paxton Road, between Cabazon Avenue and Dillon Road, east of Harrison Street, and north and east of Polk Street. The analysis conducted in the jurisdictional delineation, Appendix G of the EIR, concluded that along CV Link, CV Link will:

Temporarily impact 0.40 acre of wetlands;

Permanently impact 0.19 acre of wetlands;

Temporarily impact 4.55 acres of waters of the US;

Permanently impact 2.67 acres of waters of the US;

Temporarily impact 31.18 acres of California Department of Fish & Wildlife (CDFW) streambed; and

Permanently impact 16.28 acres of CDFW streambed.

In order to assure that impacts to wetlands and streambeds are reduced to less than significant levels, the following Mitigation Measures are provided in the EIR: (EIR, p. 4.4-30 and 4.4-31)

Mitigation Measure BIO-6: *Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the US, a permit or permits shall be approved and issued by the USACE under Section 404 of the CWA to authorize the discharge of dredged or fill material into waters of the US.*

Mitigation Measure BIO-7: *Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the US or the State, a Water Quality Certification(s) shall be approved and issued by the Colorado River RWQCB (Region 7) under Section 401 of the CWA.*

Mitigation Measure BIO-8: *Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the State, a permit or permits shall be approved and issued by the Colorado River RWQCB (Region 7) under the Porter Cologne Water Quality Control Act. The permit could be a Construction General Permit, State General Waste Discharge Order, or Waste Discharge Requirements, depending upon the level of impact and the properties of the waterway.*

Mitigation Measure BIO-9: *Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the State, a 1602 Streambed Alteration Agreement shall be approved and issued by the California Department of Fish and Wildlife.*

Mitigation Measures BIO-6, BIO-7, BIO-8, and BIO-9 will mitigate for the impact to jurisdictional waters by securing Section 401 and 404 permits and 1602 Streambed Alteration Agreements, and minimizing impacts to these waters. Furthermore, mitigation fees will be paid to assure off-site restoration of wetlands. These mitigation measures will assure that impacts to jurisdictional waters are reduced to less than significant levels for the Proposed Project, Alternative 1 and Alternative 2.

3. Wildlife Movement

Threshold: Would the Project 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?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.4-31)

Explanation: The proposed CV Link Route is not located within a mapped migratory corridor or native wildlife nursery site. The majority of the proposed route has been previously cleared of vegetation (dirt levee roads maintained by CVWD), or is located within paved roads and/or golf cart paths completely devoid of vegetation suitable for migratory movement. In addition, buildout of CV Link will not result in habitable structures or fencing that would potentially restrict wildlife movement from occurring.

However, significant portions of the Route pass through or adjacent to areas including golf courses, park lands, and areas of landscaped trees and shrubs that contain habitat for a variety of nesting birds. Bird nests were observed in landscaped trees and shrubs, and on several of the existing bridges along the

proposed CV Link Route. Impacts to birds covered by MBTA could be significant if construction activities for any portion of the Route are undertaken during nesting season, without the implementation of mitigation measures. CVAG will be required to implement mitigation measures that adhere to conditions set forth under the MBTA to ensure impacts to migratory or other nesting birds will be less than significant, as provided in Mitigation Measure BIO-3, below. (EIR, p. 4.4-31)

Mitigation Measure BIO-3: *If ground disturbance, tree or plant removal is proposed between February 1st and August 31st, a qualified biologist shall conduct a nesting bird survey within 14 days of initiation of grading onsite focusing on MBTA covered species. If active nests are reported, then species-specific measures shall be prepared. At a minimum, grading in the vicinity of a nest shall be postponed till the young birds have fledged. For construction between September 1st and January 31th, no pre-removal nesting bird survey is required.*

a. In the event active nests are found, exclusionary fencing shall be placed 200 feet around the nest until such time as nestlings have fledged. Nests of raptors and burrowing owls shall be provided a 500-foot buffer.

Mitigation Measure BIO-3 will require a qualified biologist to conduct a nesting bird survey prior to grading to make sure that grading activities will not disturb any active nests. If any active nests are found, then appropriate buffers will protect those nests. This mitigation measure will reduce impacts from the Proposed Project, Alternative 1 and Alternative 2 to less than significant levels.

4. Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP)

Threshold: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.4-32)

Explanation: All the cities through which CV Link occurs are signatories to and participate in the implementation of the Coachella Valley Multiple Species Habitat Conservation Plan.

The majority of the existing and Project Route is located outside of designated CVMSHCP conservation areas. A portion of the northern part of the alignment, however, is within or immediately adjacent to the CVMSHCP Whitewater Floodplain Conservation Area. As a Permittee under the CVMSHCP, CVAG must comply with all applicable terms and conditions of the CVMSHCP and Implementing Agreement, as provided in the Mitigation Measures below. (EIR, p. 4.4-32.)

Mitigation Measure BIO-1: *CVAG will be required to pay the local development mitigation fee to mitigate for impacts to covered species and natural communities within the plan area, inside or outside of Conservation Areas. Project activities inside Conservation Areas are subject to the Joint Project Review process to determine consistency with plan goals and objectives.*

Mitigation Measure BIO-2: *CVAG shall comply with all terms and conditions of the CVMSHCP and Implementing Agreement including, but not limited to: 1) participation in the Joint Project Review Process with the Coachella Valley Conservation Commission for projects within conservation areas as described in Section 6.6.1.1 of the CVMSHCP, and 2) Implementation of the "Land Use Adjacency Guidelines" as described in Section 4.5 of the CVMSHCP for any portion of the proposed project that impact or are adjacent to the Whitewater Floodplain and Santa Rosa and San Jacinto Mountains Conservation Areas.*

Measures for the "Land Use Adjacency Guidelines" include:

a. Drainage: Development of the proposed project 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. Storm water systems shall be designed to prevent the release of pollutants (e.g., 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.

b. Toxics: Development of the proposed project adjacent to or within a conservation area shall be required to incorporate measures to ensure that application of fertilizers, pesticides, herbicides or similar chemicals does not result in any discharge to the adjacent conservation area.

c. Lighting: Lighting in areas adjacent to or located within conservation areas shall be shielded and directed away from the conservation area, toward developed areas. 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 included in the Implementation Manual.

d. Noise: Noise generated by construction adjacent to or within a conservation area in excess of 75 dBA shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent conservation area according to Implementation Manual guidelines.

e. Invasive: Landscape plans shall be prepared for the proposed project. Landscape plans for areas that are located adjacent to or within a conservation area are prohibited from using invasive, non-native plant species in their design. Prohibited invasive ornamental plant species are listed in Table 4-113 of the

CVMSHCP (Appendix E). The Coachella Valley native plant species listed in Table 4-112 of the CVMSHCP shall be incorporated into landscape design within or adjacent to conservation areas.

Mitigation Measure BIO-4: *A "take avoidance survey" for the burrowing owl no less than 14 days (in accordance with the Staff Report on Burrowing Owl Mitigation [CDFW 2012]) and no more than 30 days (in accordance with CVWD's Operations and Maintenance Manual) prior to ground breaking activities are required within and outside of conservation areas that contain suitable habitat for this species. Additionally, a final survey must be conducted within 24 hours of the initiation of ground disturbance activities in accordance with the CDFW 2012 protocol.*

If no burrowing owls are detected during those surveys, implementation of ground disturbance activities could proceed without further consideration of this species assuming there is no lapse between the surveys and construction as the protocol states "time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance."

If burrowing owls are detected during the take avoidance surveys, avoidance and minimization measures would then be required and could include the establishment of a buffer zone, the passive or active relocation of the individual(s) or other measures approved by the CDFW.

Mitigation Measure BIO-10: Fencing/Signage *– As a means to protect the adjacent lands of the Whitewater Floodplain Conservation Area present on Segment 1 of the CV Link Route (see Appendix B for location of this Segment), fencing and/or regularly placed signage shall be employed near the "top-of-slope" of the levee to prevent people and their pets (particularly dogs being walked by their owners) from straying off the designated CV Link path and into the adjacent natural habitat. Signage shall be placed intermittently along the entire CV Link Segment.*

Mitigation Measure BIO-11: Pet Control *– Additional signage shall be placed intermittently along the entire CV Link Route indicating that all dogs shall be required to be on a leash while traversing CV Link. Aside from preventing individual animals from entering native habitat, the benefits of such a mandate are numerous including facilitating personal safety for other users of the Link, preventing altercations with other dogs present on the path, and increased safety for the individual pet in question (i.e. preventing collisions with bicyclists and LSEV users). In addition, disposal bins for pet waste shall also be provided throughout CV Link.*

Mitigation Measure BIO-12: Interpretive Signage *– Interpretive signs adjacent to areas of native habitat (such as the Whitewater Floodplain Preserve) shall*

illustrate and educate the public on some of the native wildlife, plant, or vegetation communities present adjacent to CV Link.

Mitigation Measures BIO-1 and -2 will require CVAG to comply with all terms and conditions of the CVMSHCP to mitigate for impacts to covered species. Mitigation Measure BIO-4 will specifically protect burrowing owl by surveying the site for its presence prior any ground disturbance activities. If burrowing owls are detected during survey, then further actions are prescribed, consistent with CDFW protocols and requirements to protect the species.

As part of the Mitigation Measures BIO-10, 11, and 12, fencing/signage, pet control, and interpretative signage will be placed at different locations along the route to illustrate and educate people about the surrounding Whitewater Floodplain Conservation Area and native wildlife, plant, or vegetation communities. These measures, required for compliance with the MSHCP, will reduce potential adjacency impacts to less than significant levels for the Proposed Project, Alternative 1 and Alternative 2.

D. CULTURAL RESOURCES

1. Archaeological Resources

Threshold: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.5-19)

Explanation: A number of archaeological resources and isolates were identified and analyzed within the project vicinity. None of the sensitive resources identified will or are expected to be significantly impacted by CV Link.

As described in the FEIR, based on ongoing consultation with Native American Tribes and the California Department of Transportation, Mitigation Measure CUL-1 and CUL-2 have been refined to address monitoring at specific sites. These amendments represent a refinement of the mitigation measures, and do not represent changed circumstances or increases in the significance of impacts to cultural or tribal resources.

Nonetheless, monitoring by a qualified archaeologist at locations where undisturbed soils may be disturbed by the construction of CV Link will serve to avoid or minimize the potential for impacts to these resources. Mitigation Measures, as described below, are included to further minimize CV Link related impacts. (EIR, p. 4.5-15.)

Mitigation Measure CUL-1: *Construction-related earth-moving operations shall be monitored by a qualified archaeologist at five (5) locations delineated on the CV Link APE mapbook. If cultural materials more than 50 years of age are*

discovered, they will be field-recorded and evaluated in conformance with an approved Post-Review Discovery and Monitoring Plan (PRDMP). The monitor shall be prepared to recover artifacts quickly to avoid construction delays, but shall have the power to temporarily halt or divert construction equipment to allow for controlled archaeological recovery if a substantial cultural deposit is encountered.

Mitigation Measure CUL-2: *CVAG shall prepare a construction archaeological monitoring program to be designed and implemented in coordination with local Native American groups, including the Agua Caliente Band of Cahuilla Indians, Augustine Band of Cahuilla Indians, the Cabazon Band of Mission Indians, and the Twenty-Nine Palms Band of Mission Indians, who have requested and in some cases ~~wish~~ expressed their desire to participate in such monitoring.*

Mitigation Measure CUL-3: *Collected artifacts shall be processed, catalogued, analyzed, and prepared for permanent curation in a repository with permanent retrievable storage that would allow for additional research in the future.*

Mitigation Measure CUL-4: *Archaeological site records shall be prepared to document the cultural remains discovered during monitoring and submitted to the Eastern Information Center for incorporation into the California Historical Resources Inventory.*

Mitigation Measure CUL-5: *Should unknown archeological or tribal materials become unearthed, the qualified archeologist shall prepare a findings report summarizing the methods and results of the monitoring program, including an itemized inventory and a detailed analysis of recovered artifacts upon completion of the field and laboratory work. The report shall include an interpretation of the cultural activities represented by the artifacts and a discussion of the significance of all archaeological or tribal finds. The submittal of the report to the CVAG, along with final curation of the recovered artifacts, will signify completion of the monitoring program and, barring unexpected findings of extraordinary significance, the mitigation of potential project impacts on cultural and tribal resources.*

Mitigation Measure CUL-8: *All project-related ground disturbance and construction activities, including access and staging area, shall remain within the APE boundaries.*

Mitigation Measure CUL-9: *In the event that project changes are made to include land not contained within the designated APE, subsequent surveys and revisions to the HPSR, HRER and ASR shall be required.*

Mitigation Measures CUL-1, CUL-2, CUL-3, CUL-4, CUL-5, CUL-8, and CUL-9 will require all project-related ground disturbance and construction activities, including access and staging area, to be conducted within the APE boundaries, which have been thoroughly analyzed, and where potential impacts are clearly

defined. The requirements in these mitigation measures to monitor, stop work and study any resource identified during ground disturbing activities will assure that impacts to these resources do not occur, and that they are preserved consistent with professional and Tribal protocols. Implementation of these mitigation measures will assure that impacts are reduced to less than significant levels for the Proposed Project, Alternative 1 and Alternative 2.

2. Paleontological Resource

Threshold: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.5-19)

Explanation: CV Link would be constructed upon various previously disturbed lands, or upon alluvial fan and aeolian deposits that have been previously disturbed and built upon, including those excavated portions of the adjoining channels, the spoils of which were used to construct levees. The lacustrine (lakebed) soils of the eastern Coachella Valley have been identified as sensitive for bi-valves and related fossils, which are well documented. In this area, and with the exception of five in-channel undercrossings, all of the CV Link Route project alignments are located atop the CVSC service/maintenance road built upon excavated channel spoils. As a precaution, Mitigation Measure CUL-7 will further minimize CV Link impact on unknown/potential paleontological resources underground by removing samples containing the remains of small fossil invertebrates and vertebrates to be identified and cataloged consistent with professional standards. With implementation of this mitigation measure, impacts to paleontological resources will be less than significant under the Proposed Project, Alternative 1 and Alternative 2 (EIR, p. 4.5-19)

Mitigation Measure CUL-7: *In the unlikely event paleontological resources be discovered, the monitor shall, upon discovery of any fossils, quickly salvage them as they are unearthed to avoid construction delays. The monitor shall remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall have the authority to temporarily halt or divert grading and excavation equipment to allow for removal of abundant or large specimens.*

3. Human Remains

Threshold: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.5-19.)

Explanation: Cremation sites have been among the resources identified in proximity to CV Link. These include locations in the vicinity of the Indian Wells

Golf Resort and lands along the Whitewater River Channel east of the Miles Avenue bridge and associated with the Kavinish Village, and in the vicinity of Jefferson Street and the CVSC. No human remains or signs of cremation were identified during field surveys and are not expected to be encountered in the locations where CV Link alignments are planned. Nonetheless, in the event that unknown and unexpected human remains are discovered during project construction, the provisions of California Health and Safety Code Section 7050.5 - 7055 and Mitigation Measure CUL-6 would ensure that impacts would be less than significant under the Proposed Project, Alternative 1 and Alternative 2 because CV Link will comply with the requirements of law if remains are found. (EIR, p. 4.5-19)

Mitigation Measure CUL-6: *Should buried human remains be discovered during grading or project development, in accordance with State law, the County coroner shall be contacted. If the remains are determined to be of Native American heritage, the Native American Heritage Commission and the appropriate local Native American Tribe shall be contacted to determine the Most Likely Descendant (MLD). CVAG shall work with the designated MLD to determine the final disposition of the remains.*

E. GEOLOGY AND SOILS

1. Landslide

Threshold: Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: landslides?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.6-10)

Explanation: The majority of CV Link alignments will be located within areas of relatively flat terrain along the Whitewater River and local drainages. The majority of the slopes along local drainages are already lined with concrete and protected from instability and movement.

There is one location where a rockfall hazard potential exists along CV Link alignment under the Proposed Project and Alternative 1, at Point Happy at the Indian Wells/La Quinta city boundary west of Washington Street. Point Happy is a spur of the Santa Rosa Mountains foothills that juts north and into the Whitewater Stormwater Channel. Around the tip of Point Happy a bridge is planned that would be suspended on and supported by a tubular steel arch and cable stays, away from the rock face. With the type of conventional rock face stabilization recently carried out on the Highway 111 side of this spur of rock, and with the proposed innovative bridge design, potential rock fall impacts will be less than significant with implementation of Mitigation Measure GEO-9 for the Proposed Project and Alternative 2. Under Alternative 1 the Point Happy Bridge would not occur and there would be no rockfall hazard. (EIR, p. 4.6-10)

Mitigation Measure GEO-9: *In order to address the potential rockfall hazards at Point Happy, the adjoining rock face shall be thoroughly evaluated and scaling of loose rock from the surface of exposed slopes shall be conducted, as determined by the project geologist. The installation of rock catchment devices, such as walls or steel mesh shall be installed, as determined by the project geologist, to mitigate the rockfall hazards.*

Implementation of this mitigation measure at Point Happy will assure that rockfall cannot physically occur by installing catchment devices that will prevent rock from reaching the ground or bridge surface.

Under Alternative 2, an additional rockfall hazard was identified opposite Paxton Road. At this location, roadway widening in recent years has included cutting back and stabilizing the rocky slope to accommodate the eastbound sidewalk installed at this location. There is no significant rockfall hazard associated with this location in Rancho Mirage.

2. Soil Erosion

Threshold: Would the Project 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?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.6-11)

Explanation: CV Link is located within areas with "moderate" to "high" wind erosion or erodability potential. Construction of the CV Link alignments will result in very limited new ground disturbance, including areas where grading will be required atop channel levees and embankments, where soils are already well compacted. Disturbance within the channels will be limited and will occur in areas already regularly disturbed by nuisance and flood flows, as well as on-going channel maintenance activities. To control wind erosion during grading, CV Link construction will occur incrementally and in measured stages. Wind erosion hazard occurs throughout the Valley, therefore, impacts associated with CV Link could be significant. Mitigation Measures GEO-4, GEO-5 and GEO-10 provided below are expected to reduce wind erosion potential to less than significant levels, by controlling wind-blown soils during construction.

The soil in the project area is also susceptible to water erosion. Although rain events are very infrequent in the region, when they occur they can be intense and generate high rates of runoff in a short period of time. Therefore, the potential exists for disturbed or stockpiled soils associated with CV Link construction to be eroded by rainstorms or by the inadvertent or inappropriate application of water during construction. A variety of avoidance/minimization/mitigation measures are provided in Section 4.9, Hydrology and Water Quality, to minimize the potential for water erosion of soils. Mitigation Measures GEO-3, GEO-7, GEO-8, GEO-10

will ensure that the loss of soils from water erosion will be less than significant by compacting soils and directing water away from structures. (EIR, p. 4.6-11)

Mitigation Measure GEO-3: *Ground improvements consisting of removal and recompaction of loose, near surface sandy soils, is required to minimize dynamic settlement of dry soils. Other methods may include deep dynamic compaction, additives to the soils, such as cement or fiber (e.g., nylon) and flooding of in-place loose granular soils, to increase the density of the resultant compacted fill and thereby removing or reducing to insignificant levels the tendency to settle under dynamic shaking. Deep foundation elements should also be considered, as determined by the project geologist, when effective at bypassing zones of loose sand subject to dynamic settlement.*

Mitigation Measure GEO-4: *All grading plans shall include a soil erosion prevention/dust control plan. Blowing dust and sand during grading operations shall be mitigated by adequate watering of soils prior to and during grading, and limiting the area of dry, exposed and disturbed materials and soils during these activities. To mitigate against the effects of wind erosion after site development, a variety of measure shall be provided including maintaining moist surface soils, planting stabilizing vegetation, establishing windbreaks with non-invasive vegetation or perimeter block walls, and using chemical soil stabilizers.*

Mitigation Measure GEO-5: *Unprotected, permanent graded slopes shall not be steeper than 3:1 (horizontal/vertical) to reduce wind and water erosion. Protected slopes with ground cover may be as steep as 2:1. However, maintenance with motorized equipment may not be possible at this inclination. Fill slopes shall be overfilled and trimmed back to competent material. Fill slope surfaces shall be compacted to 90% of the laboratory maximum density by either over-filling and cutting back to expose a compacted core or by approved mechanical methods.*

Mitigation Measure GEO-7: *Utility trench excavations in slope areas or within the zone of influence of structures shall be properly backfilled in accordance with the recommendations of the project geotechnical consultant. Backfill of utilities within roads or public right-of-ways shall be placed in conformance with the requirements of the governing agency (water district, public works department, etc.). Utility trench backfill within the project area shall be placed in conformance with the provisions of the project geotechnical report. In general, service lines extending inside the project area may be backfilled with native soils compacted to a minimum of 90-percent relative compaction. Backfill operations shall be observed and tested to monitor compliance with these recommendations.*

Mitigation Measure GEO-8: *Installation of slope protection, cutoff walls, deepening of proposed foundations below the maximum depth of scour and comparable measures shall be applied, as determined by the project geologist, to mitigate potential scour and any resulting instability.*

Mitigation Measure GEO-10: *There shall be a cessation of grading activities during rainstorms or high wind events. The project contractor shall install flow barriers and soil catchments (such as straw bales, silt fences, and temporary detention basins) during construction to control soil erosion.*

Mitigation Measure GEO-3 will mitigate the dynamic settlement of dry soils by removal or recompaction of loose soil. Mitigation Measure GEO-4 will mitigate blowing dust and sand by adequately watering soils during grading activities. Mitigation Measure GEO-5 will mitigate unstable slopes by compacting unstable slope surfaces to 90% of the laboratory maximum density by either over-filling and cutting back to expose a compacted core or by approved mechanical methods. Mitigation Measure GEO-7 will mitigate any soil or slope instability at utility trench excavations in slope areas or within the zone of influence of structures by properly backfilling the trenches in accordance with the recommendations of the project geotechnical consultant. Mitigation Measure GEO-8 will mitigate potential scour and any resulting instability by installation of slope protection, cutoff walls, deepening of proposed foundations below the maximum depth of scour and comparable measures as determined by the project geologist.

As part of the Mitigation Measure GEO-10, grading activities during rainstorms or high wind events will be stopped and the contractor will install flow barriers and soil during construction to minimize soil erosion. With implementation of these mitigation measures, impacts of the Proposed Project, Alternative 1 and Alternative 2 will be reduced to less than significant levels.

3. Expansive Soil

Threshold: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.6-12)

Explanation: Most of the soils along the CV Link Route have a low shrink/swell potential. However, expansive soils are common in the lakebed soils in the eastern area of CV Link. CV Link travelways and structural foundations that are built upon collapsible soils are potentially subject to damage if such soils become saturated. The potential impacts associated with expansive or collapsible soils can be effectively mitigated through prescribed soils engineering and foundation and flatwork, which are provided as Mitigation Measures GEO-1, GEO-2, GEO-4, GEO-5, GEO-6, GEO-11 through 16. (EIR, p. 4.6-11 and 4.6-12)

Mitigation Measure GEO-1: *CV Link final design and engineering shall conform to the prevailing California Building Code (CBC) for buildings and other structures, and Caltrans design standards for bridges where appropriate in order to mitigate the effects of groundshaking and earthquake damage.*

Mitigation Measure GEO-2: *GEO-2 Structural foundation designs and subsurface soil improvements shall be conducted based on the California Code of Regulations Volume 18, Title 14, Article 10, Section3721[a]) to minimize liquefaction hazards. Such measures shall include but are not limited to overexcavation and hydrocompaction, other remedial grading, strengthening and deepening structural foundations.*

Mitigation Measure GEO-4: *GEO-4 All grading plans shall include a soil erosion prevention/dust control plan. Blowing dust and sand during grading operations shall be mitigated by adequate watering of soils prior to and during grading, and limiting the area of dry, exposed and disturbed materials and soils during these activities. To mitigate against the effects of wind erosion after site development, a variety of measure shall be provided including maintaining moist surface soils, planting stabilizing vegetation, establishing windbreaks with non-invasive vegetation or perimeter block walls, and using chemical soil stabilizers.*

Mitigation Measure GEO-5: *Unprotected, permanent graded slopes shall not be steeper than 3:1 (horizontal/vertical) to reduce wind and water erosion. Protected slopes with ground cover may be as steep as 2:1. However, maintenance with motorized equipment may not be possible at this inclination. Fill slopes shall be overfilled and trimmed back to competent material. Fill slope surfaces shall be compacted to 90% of the laboratory maximum density by either over-filling and cutting back to expose a compacted core or by approved mechanical methods.*

Mitigation Measure GEO-6: *Positive site drainage shall be established during finish grading. Finish grading shall include a minimum positive gradient of 2% away from structures for a minimum distance of 3 feet and a minimum gradient of 1% to the street, channel or other approved drainage course.*

Mitigation Measure GEO-11: *The project contractor shall ensure that the dust control measures set forth in Sections 4.3 and 4.9 are implemented to control wind-blown sand during construction. Project grading shall be conducted in strict compliance with the requirements of the SCAQMD and the Coachella Valley PM10 SIP.*

Mitigation Measure GEO-12: *Excavated soils may be used as fill material so long as they are free of organic or deleterious matter. Rocks or concrete larger than 6 inches in greatest dimension shall be removed from fill or backfill material. Prior to integrating reconditioned fill soil onto needed sites, receiving areas shall be scarified, brought to near optimum moisture conditions, and recompacted to at least 90% relative compaction (ASTM D1557).*

Mitigation Measure GEO-13: *Imported soils (if needed) shall be non-expansive, granular soils meeting the USCS classifications of SM, SP-SM, or SW-SM with a maximum rock size of 3 inches and 5 to 35 percent passing the No. 200 sieve. Imported fill shall be placed in maximum 8-inch lifts (loose) and compacted to at*

least 90 percent relative compaction (ASTM D 1557) near optimum moisture content.

Mitigation Measure GEO-14: *Excavations within sandy soil shall be kept moist, but not saturated, to reduce the potential of caving or sloughing. Where excavations over 4 feet deep are planned, lateral bracing or appropriate cut slopes of 1.5:1 (horizontal/vertical) shall be provided. No surcharge loads from stockpiled soils or construction materials shall be allowed within a horizontal distance measured from the top of the excavation slope and equal to the depth of the excavation.*

Mitigation Measure GEO-15: *Removal and recompaction of susceptible soils, flooding and surcharging, and/or other ground densification techniques shall be implemented to mitigate hydro-collapse potential.*

Mitigation Measure GEO-16: *Standard geotechnical practices such as excavation of the expansive soils and replacement with non-expansive compacted fill (by using additional steel reinforcing in foundations, post-tensioned slabs, presoaking, and drainage control devices) shall also be used as determined appropriate by the geotechnical and structural engineers.*

Mitigation Measure GEO-1 will mitigate the effect of groundshaking and earthquake damage on expansive soils by requiring compliance with California Building Code (CBC) requirements. Implementation of Mitigation Measure GEO-2 will minimize the liquefaction hazards through incorporation of California Code of Regulations for structural foundation designs and subsurface soil improvements. Mitigation Measures GEO-5 and 6 will mitigate unprotected and unstable slopes by compacting slope surfaces to 90% of the laboratory maximum density by either over-filling and cutting back to expose a compacted core or by approved mechanical methods and slope gradients. Mitigation Measure GEO-4 and 11 will enforce dust control measures to prevent soil erosion and wind-brown sand during grading activities. Mitigation Measure GEO-12 and 13 will require compaction of excavated and imported soils prior backfilling the trenches for stable foundations. Mitigation Measure GEO-14 will reduce the potential of caving or sloughing by hydrating the excavated soil. Mitigation Measure GEO-15 will mitigate the potential for hydro-collapse by removing and recompacting susceptible soils. Implementation of Mitigation Measure GEO-16 will further strengthen structures' foundations. With implementation of these mitigation measures, impacts to the Proposed Project, Alternative 1 and Alternative 2 will be reduced to less than significant levels.

F. HAZARDS AND HAZARDOUS MATERIALS

1. Disposal of Hazardous Materials

Threshold: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.8-15)

Explanation: Two electrical transformers are located adjacent to the proposed alignment, one between Cathedral Canyon Drive and Date Palm Drive in Cathedral City, and one at the Cathedral City/Rancho Mirage corporate limit. If these transformers are removed as part of CV Link, Mitigation Measure HAZ-1 should be implemented to properly handle the removal of PCBs contained within them. (EIR, p. 4.8-15 and 4.8-16)

Mitigation Measure HAZ-1: *If the pad-mounted or pole-mounted transformers situated immediately adjacent to the CV Link alignment must be removed during construction activities, they will be tested for PCBs prior to their removal and disposal. If PCBs are identified, the transformers and associated fluids shall be transported offsite and disposed of in accordance with the standards and requirements of the Riverside County Department of Environmental Health, including draining of materials into approved containers, and secured transport to approved disposal facilities.*

Mitigation Measure HAZ-1 requires that the transformers and any associated fluids be disposed of in accordance with Riverside County protocol for the removal and disposal of PCBs. Implementation of this protocol will ensure that exposure to PCBs and detrimental health consequences are avoided because it would limit and eliminate the exposure of these harmful materials to construction workers. As a result, any impacts associated with the transport, use, or disposal of the transformers will be reduced to less than significant levels under the Proposed Project, Alternative 1 and Alternative 2.

G. HYDROLOGY AND WATER QUALITY

1. Water Quality Standards Violation

Threshold: Would the Project violate any water quality standards or waste discharge requirements?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.9-12)

Explanation: A variety of potential water contaminants (e.g. sediments, trash and debris, oil and grease, fuels, lubricants, concrete waste, paints, sanitary waste and miscellaneous chemicals.), disturbed soils, liquid fuels and lubricants,

construction waste and debris could be generated during construction activities and should be managed before they enter into the receiving water bodies. Therefore, construction BMPs included in Mitigation Measures HYD-3, HYD-4, HYD-6, HYD-7, HYD-8, and HYD-9 will be implemented to minimize the impacts without violating water quality standards or waste water discharge requirements.

Mitigation Measure HYD-3: *The Proposed Project shall comply with the requirements of the National Pollution Discharge Elimination System (NPDES).*

Mitigation Measure HYD-4: *As applicable, CV Link construction shall follow the design and development standards and guidelines promulgated by CVWD and RCFCWCD, including but not limited to the Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development (RCFCWCD, 2014) and the CVWD Development Design Manual (CVWD, 2013).*

Mitigation Measure HYD-6: *The implementation of BMPs during construction activities shall ensure that erosion and siltation from earthmoving and other construction activities is limited. Exposed soil from excavated areas, stockpiles, and other areas where ground cover is removed shall be stabilized by wetting or other approved means to avoid or minimize the inadvertent transport by wind or water. The project is subject to NPDES Construction General Permit requirements. Project implementation of a Stormwater Pollution Prevention Plan shall be required to ensure that erosion, siltation and runoff do not result in flooding on or off the project sites, and that impacts are less than significant.*

Mitigation Measure HYD-7: *A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented during construction of the Proposed Project. The SWPPP shall identify specific best management practices (BMPs) that will be implemented during project construction. BMPs implemented as a part of the project will ensure that the project meets the requirements of the California State Water Resources Control Board (SWRCB) NPDES Construction General Permit and the Caltrans NPDES Permit. BMPs appropriate for and applicable to the CV Link project include the following.*

Construction-related erosion and sediment controls, including any necessary stabilization practices or structural controls, shall be implemented at and in all potentially affected drainages. General structural practices may include, but are not limited to, silt fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, temporary or permanent sediment basins and flow diversion. Temporary erosion and sediment control measures shall be installed during or immediately after initial disturbance of the soil, maintained throughout construction (on a daily basis), and reinstalled until replaced by permanent erosion control structures or restoration of the construction right-of-way is complete. In addition, the following specific actions shall be taken to ensure that impacts are less than significant.

a. CV Link construction shall be avoided within the limits of identified waterways as depicted on the Jurisdictional Delineation Report prepared for this DEIR, except where authorized by federal, state or local permits.

b. Protect inlets and outlets of culverts from construction material intrusions using temporary berms to prevent channel incision, erosion, and sedimentation.

c. Erosion control measures appropriate for on-the-ground conditions, including percent slope, length of slope, and soil type and erosive factor, shall be implemented.

d. Temporary erosion controls such as straw bales and tubes, geotextiles and other appropriate diversion and impounding materials and facilities shall be properly maintained throughout construction (on a daily basis) and reinstalled (such as after backfilling) until replaced with permanent erosion controls or restoration is complete.

e. Where jurisdictional waters are adjacent to the construction right-of-way, the contractor shall install sediment barriers along the edge of the construction right-of-way to contain spoil and sediment within the construction right-of-way.

f. Ensure that all employees and contractors are properly informed and trained on how to properly install and maintain erosion control BMPs. Contractors shall require all employees and contractors responsible for supervising the installation and maintenance of BMPs and those responsible for the actual installation and maintenance to receive training in proper installation and maintenance techniques.

g. Project scheduling will include efficient staging of CV Link construction that minimizes the extent of disturbed and destabilized work area, and reduces the amount of soil exposed and the duration of its exposure to wind, rain, and vehicle tracking.

h. The use of a schedule or flow chart will be incorporated to lay out the construction plan and will allow Link construction to proceed in a manner that keep water quality control measures synchronized with site disturbance, paving and other construction activities.

i. The sequencing and time frame for the initiation and completion of tasks, such as site clearing, grading, excavation, path construction, and reclamation, shall be planned in advance to ensure minimization of potential impacts.

j. Erosion and sediment control BMPs shall be incorporated into travelway construction plans.

Mitigation Measure HYD-8: *To prevent petroleum products from contaminating soils and water bodies, the following BMPs shall be implemented:*

a. Construction equipment and vehicles shall be properly maintained to prevent leakage of petroleum products.

b. Herbicides, fertilizers, vehicle maintenance fluids, petroleum products shall be stored, and/or changed in staging areas established at least 100 feet from delineated streams and other drainages. These products must be discarded at disposal sites in accordance with state and federal laws, rules, and regulations.

c. Drip pans and tarps or other containment systems shall be used when changing oil or other vehicle/equipment fluids.

d. Areas where discharge material, overburden, fuel, and equipment are stored shall be designed and established at least 100 vegetated (permeable) feet from the edge of delineated streams.

e. Any contaminated soils or materials will be disposed of off-site in proper receptacles at an approved disposal facility.

f. All erosion control measures shall be inspected and repaired after each rainfall event that results in overland runoff. The project contractor and CVAG shall be prepared year round to deploy and maintain erosion control BMPs associated with CV Link.

g. Existing culverts shall be carefully maintained in place in order to ensure that they function properly. Considerations include: maintenance of inlet and outlet elevations, grade, adequate compacted material cover, and inlet/outlet protection.

Mitigation Measure HYD-9: *Restoration involves restoring the right-of-way to pre-construction conditions by final grading, installation of permanent erosion control measures such as slope breaks and retaining walls at appropriate distances to prevent rill (channel) formation between slope breaks, and re-establishing vegetation where it has been removed to facilitate construction.*

a. Cleanup operations shall commence immediately following backfill operations on slopes approaching delineated streams and other drainages.

b. Final grading to restore pre-construction contours shall be completed and soil left in pre-existing condition within 7 days after backfilling the trench.

c. Restoration crew shall follow construction crews as they work systematically from one end to the other end of each Link alignment. If crews cannot work systematically from one end to the other, then erosion

control BMPs shall be maintained on all slopes approaching a delineated stream and adjacent to these sensitive areas. If seasonal or other weather related conditions prevent compliance with these time frames, erosion control BMPs shall be maintained until conditions allow completion of cleanup.

These measures will reduce the potential for water quality violations by implementing NPDES, CVWD, RCFCWCD, and SWPPP standards to prevent contamination of soil and water bodies within the project area. With implementation of these mitigation measures, impacts will be reduced to less than significant levels for the Proposed Project, Alternative 1 and Alternative 2.

2. Runoff

Threshold: Would the Project 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?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.9-28)

Explanation: CV Link may discharge into local drainages (e.g. Whitewater Floodplain, Tahquitz Creek Channel, Tahquitz Creek, Palm Canyon Channel, East and West Cathedral Canyon Channels, and the Whitewater and Coachella Valley Stormwater Channels), all of which ultimately discharge to the Salton Sea. A range of construction BMPs that will be implemented during project construction include establishing access routes and limits of construction, and the use of silt berms and fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, temporary sediment basins and flow diversion. These practices will further ensure that CV Link does not generate substantial additional polluted runoff. Implementation of Mitigation Measures HYD-6, HYD-7, HYD-8 and HYD-11 will minimize the impacts associated with stormwater runoff. (EIR, p. 4.9-27 through 4.9-28)

As described in the Final EIR, Mitigation Measure HYD-11, as presented in the EIR, required that the in-channel alignment be moved on to the levee top adjacent to the Four Seasons community at the DWA well site, in order to minimize impacts to waters of the US. CVAG has studied this portion of the alignment, in an effort to preserve the privacy of the Four Seasons community to the greatest extent possible, and has found that by narrowing the path to 14 feet in the channel bottom, impacts to waters of the US can be reduced to 0.39 acres. This reduction is consistent with the reduction in impacts analyzed in the EIR, and allows the path to remain at the bottom of the channel along the entire length of the Four Seasons community.

Mitigation Measure HYD-6: *The implementation of BMPs during construction activities shall ensure that erosion and siltation from earthmoving and other construction activities is limited. Exposed soil from excavated areas, stockpiles,*

and other areas where ground cover is removed shall be stabilized by wetting or other approved means to avoid or minimize the inadvertent transport by wind or water. The project is subject to NPDES Construction General Permit requirements. Project implementation of a Stormwater Pollution Prevention Plan shall be required to ensure that erosion, siltation and runoff do not result in flooding on or off the project sites, and that impacts are less than significant.

Mitigation Measure HYD-7 A: *A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented during construction of the Proposed Project. The SWPPP shall identify specific best management practices (BMPs) that will be implemented during project construction. BMPs implemented as a part of the project will ensure that the project meets the requirements of the California State Water Resources Control Board (SWRCB) NPDES Construction General Permit and the Caltrans NPDES Permit. BMPs appropriate for and applicable to the CV Link project include the following.*

Construction-related erosion and sediment controls, including any necessary stabilization practices or structural controls, shall be implemented at and in all potentially affected drainages. General structural practices may include, but are not limited to, silt fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, temporary or permanent sediment basins and flow diversion. Temporary erosion and sediment control measures shall be installed during or immediately after initial disturbance of the soil, maintained throughout construction (on a daily basis), and reinstalled until replaced by permanent erosion control structures or restoration of the construction right-of-way is complete. In addition, the following specific actions shall be taken to ensure that impacts are less than significant.

a. CV Link construction shall be avoided within the limits of identified waterways as depicted on the Jurisdictional Delineation Report prepared for this DEIR, except where authorized by federal, state or local permits.

b. Protect inlets and outlets of culverts from construction material intrusions using temporary berms to prevent channel incision, erosion, and sedimentation.

c. Erosion control measures appropriate for on-the-ground conditions, including percent slope, length of slope, and soil type and erosive factor, shall be implemented.

d. Temporary erosion controls such as straw bales and tubes, geotextiles and other appropriate diversion and impounding materials and facilities shall be properly maintained throughout construction (on a daily basis) and reinstalled (such as after backfilling) until replaced with permanent erosion controls or restoration is complete.

e. Where jurisdictional waters are adjacent to the construction right-of-way, the contractor shall install sediment barriers along the edge of the construction right-of-way to contain spoil and sediment within the construction right-of-way.

f. Ensure that all employees and contractors are properly informed and trained on how to properly install and maintain erosion control BMPs. Contractors shall require all employees and contractors responsible for supervising the installation and maintenance of BMPs and those responsible for the actual installation and maintenance to receive training in proper installation and maintenance techniques.

g. Project scheduling will include efficient staging of CV Link construction that minimizes the extent of disturbed and destabilized work area, and reduces the amount of soil exposed and the duration of its exposure to wind, rain, and vehicle tracking.

h. The use of a schedule or flow chart will be incorporated to lay out the construction plan and will allow Link construction to proceed in a manner that keep water quality control measures synchronized with site disturbance, paving and other construction activities.

i. The sequencing and time frame for the initiation and completion of tasks, such as site clearing, grading, excavation, path construction, and reclamation, shall be planned in advance to ensure minimization of potential impacts.

j. Erosion and sediment control BMPs shall be incorporated into travelway construction plans.

***Mitigation Measure HYD-8**: To prevent petroleum products from contaminating soils and water bodies, the following BMPs shall be implemented:*

a. Construction equipment and vehicles shall be properly maintained to prevent leakage of petroleum products.

b. Herbicides, fertilizers, vehicle maintenance fluids, petroleum products shall be stored, and/or changed in staging areas established at least 100 feet from delineated streams and other drainages. These products must be discarded at disposal sites in accordance with state and federal laws, rules, and regulations.

c. Drip pans and tarps or other containment systems shall be used when changing oil or other vehicle/equipment fluids.

d. Areas where discharge material, overburden, fuel, and equipment are stored shall be designed and established at least 100 vegetated (permeable) feet from the edge of delineated streams.

e. Any contaminated soils or materials will be disposed of off-site in proper receptacles at an approved disposal facility.

f. All erosion control measures shall be inspected and repaired after each rainfall event that results in overland runoff. The project contractor and CVAG shall be prepared year round to deploy and maintain erosion control BMPs associated with CV Link.

g. Existing culverts shall be carefully maintained in place in order to ensure that they function properly. Considerations include: maintenance of inlet and outlet elevations, grade, adequate compacted material cover, and inlet/outlet protection.

Mitigation Measure HYD-11 *In order to reduce impacts to waters of the State and US in the Whitewater Floodplain in the vicinity of the Four Seasons development, the in-channel alignment shall be reduced to 14 feet in width the DWA well site (APN: 669-590-064) to the San Rafael discharge channel.*

These mitigation measures will implement BMPs during construction to control the runoff of contaminants to soil and water bodies, thereby preventing contamination. With implementation of these mitigation measures, impacts associated with the Proposed Project, Alternative 1 and Alternative 2 will be reduced to less than significant levels.

3. 100-Year Flood Hazard

Threshold: Would the Project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.9-28.)

Explanation: Several locations in the project area are designated as "A" and "AO" zones (100-year flood areas) into which CV Link improvements would encroach. These areas of encroachment include channel encroachments and crossings, and bridge undercrossings, including those in the vicinity of Chino Canyon Channel, the Whitewater Floodplain, Tahquitz Creek Channel and the Whitewater/Coachella Valley Stormwater Channel. Only two locations have been identified where CV Link facilities have the potential to substantially increase the 100-year water surface elevation, and only one location (at Frank Sinatra Drive) where additional freeboard is needed to meet CVWD 100-year design standards. The need to raise the embankment just north of Frank Sinatra Drive currently exists and is not CV Link-dependent, although CV Link does contribute to future 100-year water surface elevations. The limited effects (0.10 under 100 year storm conditions, and 0.88 feet under standard project flood conditions) that CV Link could have on floodwater surface elevations in the Whitewater River Channel in the vicinity of Frank Sinatra Drive would be negligible. Nonetheless, nowhere along the CV Link Route do channel encroachments result in the significant

impediment or redirection of channel flows. While final plans must be developed and will necessarily be approved by either CVWD or RCFCWDC, the hydraulic analysis for CV Link indicates that none of the CV Link encroachments into the 100-year floodplain will significantly impede or redirect flood flow in any of the various project drainage. (EIR, p. 4.9-27. and 4.9.28.)

Mitigation Measure HYD-4: *As applicable, CV Link construction shall follow the design and development standards and guidelines promulgated by CVWD and RCFCWCD, including but not limited to the Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development (RCFCWCD, 2014) and the CVWD Development Design Manual (CVWD, 2013).*

Mitigation Measure HYD-4 ensures that all CV Link designs will comply to the flood control districts' regulations, and be designed to current standards. With implementation of this mitigation measure, impacts associated with 100 year flood hazards will be reduced to less than significant levels for the Proposed Project, Alternative 1 and Alternative 2.

4. Failure of a Levee or Dam and Inundation

Threshold: Would the Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Threshold: Would the Project expose people or structures to inundation by seiche, tsunami, or mudflow?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.9-29)

Explanation: CV Link's modest contribution to the need to raise the embankment just north of Frank Sinatra Drive is a currently existing condition and is not CV Link-dependent. Mitigation Measure HYD-4 ensures that any necessary raising of the channel embankment in the vicinity of Frank Sinatra Drive shall be completed prior to or concurrent with completion of this segment of CV Link. (EIR, p. 4.9-29 and 4.9-30)

As described in the Final EIR, where CV Link passes through areas subject to flooding appropriate signage will be posted. CVAG will be responsible for closing the pathway during flood events, posting signs, and notifying the public that the pathway is closed, as part of its management responsibilities with CVWD.

Mitigation Measure HYD-4: *As applicable, CV Link construction shall follow the design and development standards and guidelines promulgated by CVWD and RCFCWCD, including but not limited to the Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low*

Impact Development (RCFCWCD, 2014) and the CVWD Development Design Manual (CVWD, 2013).

Mitigation Measure HYD-10 *Human access into the channels during periods of storms and potential flooding shall be restricted by barriers and noticed by signage to ensure that there is no significant risk of injury or death.*

Implementation of mitigation measure HYD-4 will assure that the project is constructed to current district standards, which will protect surrounding properties from inundation. Mitigation measure HYD-10 assures that CV Link will be closed during storm events, preventing user access and the potential for injury. The implementation of this mitigation measure will assure that impacts will be reduced to less than significant levels under the Proposed Project, Alternative 1 and Alternative 2.

H. LAND USE AND PLANNING

1. Land Use Plan

Threshold: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: Less than significant with mitigation incorporated. (EIR, p. 4.10-18)

Explanation: CV Link incorporates various planning techniques to achieve compatibility with neighboring land uses, including residential, commercial, open space and recreational, and City streets.

In Palm Springs CV Link has the potential to impact privacy at the Four Seasons project if the alignment were to occur on top of the levee. As this would result in a potentially significant impact, Mitigation Measure LU-1 is provided in the EIR.

In Indio, the CV Link alignment follows the right bank of the stormwater channel and is adjacent to the rear yards, walls and fences of predominantly single family homes, most of which are at an elevation lower than the top of levee. While CV Link is compatible with and complimentary to these residential uses, at some locations screening will be required to assure that privacy of adjacent residents is preserved.

In Coachella, CV Link is located almost entirely on the right bank service road of the Coachella Valley Stormwater Channel. There are areas of single-family development and residentially designated vacant lands that are generally north of Avenue 52 and that back onto the channel levee. As with other portions of the channel, the top of levee is higher than residential rear yards in these areas. While

CV Link is compatible with and complementary to these residential uses, at some locations screening will be required to assure that privacy of adjacent residents is preserved.

With implementation of privacy screening that would block the view of CV Link users into residential back yards as provided in Mitigation Measure LU-1, impacts associated with privacy in residential yards would be less than significant. (EIR, p. 4.10-17 through 4.10-23)

Mitigation Measure LU-1: *Where CV Link alignments abut residential land uses, and has the potential to affect their privacy, structural and landscape screening as provided in the Conceptual Master Plan standards and guidelines shall be applied.*

Implementation of structural and landscape screening, as part of Mitigation Measure LU-1 will assure that privacy of adjacent properties is protected by blocking views into these properties. With implementation of this mitigation measure, impacts will be reduced to less than significant levels under the Proposed Project, Alternative 1 and Alternative 2.

I. PUBLIC SERVICES

1. Need for Public Services

Threshold: Could the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire Protection, Police Protection, Schools, Parks, and Other Public Facilities?

Finding: Less than significant with mitigation incorporated to address impacts associated with police response during construction. (EIR, p. 4.14-11)

Explanation:

Police

CV Link will separate criminals from their escape vehicles; will provide lighting at underpasses; will maintain clear long-distance lines of sight; will introduce more "eyes on the trail" to help deter illegal activities; and will improve maintenance at several existing locations where trail use is low and graffiti or other vandalism may go unnoticed, unreported, and uncleaned. Further, maintenance will include regular and ongoing inspection and upkeep activities. Therefore, potential impacts associated with crime along CV Link will not generate demand for police services, and impacts will not be significant.

Project construction may require police services due to possible theft of construction equipment and/or vandalism that might occur during the construction period. The demand on these services will be reduced to less than significant levels if equipment, construction supplies and tools are secured at the end of each work day. In order to assure that impacts during construction are less than significant, Mitigation Measure PS-1 has been provided below, and requires that construction staging areas be fenced and locked. With the implementation of this mitigation measure, the project related impact would be less than significant under the Proposed Project, Alternative 1 and Alternative 2. (EIR, p. 4.14-11)

Fire

CV Link will include paved pathways, access points and rest areas with benches, restrooms and similar facilities, and shade structures and charging stations. Shade structures will be constructed of metal and will include solar panels. Therefore, the potential for fire hazard on CV Link would not pose long-term impacts related to fire protection services.

Construction activities associated with CV Link would not unduly burden local fire services, although emergency response services may be needed in the unlikely event of worker injury or other accidental conditions. The potential for these occurrences is consistent with that of any construction site.

Fire stations are located within 1.5 miles of the Route along its entire length. At that distance, fire and emergency medical assistance can reach the Route within the cities' established response times. Further, because the cities have mutual aid agreements in place, multiple engines from multiple stations will be available in the event that the station closest to an incident is not available.

As described in Master Response 2 of the FEIR, access roads are already in place in many locations that allow maintenance of the Whitewater Channel along its entire length. Police departments and emergency services will continue to use these same points of entry to respond to incidents, as well as additional access ramps that CV Link will provide at Washington Street in La Quinta, Miles Avenue, Golf Center Parkway, and Fred Waring Drive in Indio, and many other locations. CV Link will also provide undercrossings of numerous arterial roadways that will facilitate incident response. CVAG has analyzed the distance between access points and confirmed that there are only two locations where the distance is greater than 1.1 mile. These are between Monroe and Avenue 44 (eastbound) with a distance of 1.5 miles, and between Dillon Road and Avenue 50 with a distance of 1.89 miles. Therefore, emergency vehicles will be able to access and exit CV Link in a time efficient manner.

At buildout, CV Link would not result in a permanent increase in the local population. The operation and post-construction maintenance activities would not result in substantial increases in the demand for fire protection services. The path will be built with access for maintenance, or will occur in existing streets, parks

and golf courses, where access is available. Therefore, no substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection would occur under the Proposed Project, Alternative 1 or Alternative 2.

Schools

The proposed CV Link project would not result in a permanent increase in the local population and would not result in substantial increases in the demand for school services. Construction and operations of the proposed CV Link project would not require the provision of new or additional school facilities, nor would it affect the enrollment or capacity of the schools within the surrounding area.

Six schools are immediately adjacent to CV Link, including College of the Desert, Abraham Lincoln Elementary School, Palm Desert High School, Palm Desert Charter Middle School, Andrew Jackson Elementary, and Amistad Continuation High School. These schools will benefit from direct access to the Route, providing a safe, well defined path for students to and from the school. Therefore, no substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities in order to maintain acceptable performance objectives for schools under the Proposed Project, Alternative 1, as modified, or Alternative 2.

Parks

At buildout, people may visit local parks using CV Link, which might increase the use of the parks and their facilities. The path could increase the number of the visitors but would not result in a permanent increase in the local population. For this reason, CV Link will not result in the substantial deterioration or require the construction of new or expansion of existing parks or other recreational facilities. Therefore, operational impacts related to public and/or private parks would be less than significant under the Proposed Project, Alternative 1 or Alternative 2.

Other Public Facilities

At buildout, there will be no impacts to city halls or public libraries. CV Link will require city-issued encroachment permits where the Route occurs on public city streets, but the level of work involved in preparing these encroachment permits will not significantly increase workloads for City staff members. Project related impacts will be less than significant under the Proposed Project, Alternative 1 or Alternative 2.

Mitigation Measure PS-1: *Construction staging and storage areas shall be fenced and locked. All equipment shall be returned to staging and storage areas at the end of each work day.*

This mitigation measure will assure that construction equipment is secured and does not become an attraction to criminal activity, thereby reducing the potential for additional police calls during the construction process.

J. TRAFFIC AND TRANSPORTATION

1. Circulation System During Construction

Threshold: Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Finding: Less than significant with mitigation incorporated during construction. (EIR, p. 4.16-3)

Explanation: One of the goals of CV Link is to connect valley cities through a multi-modal transportation path where people can walk and/or bike without any interferences from motor vehicle traffic. A separate adjacent path will be provided for LSEVs. Along its Route, traffic control features and devices would be installed to manage users and merge the Route into the existing at grade traffic mechanics without exerting any significant change in the traffic flow. All 33 intersections studied for CV Link will continue to operate at acceptable levels of service in 2040.

During construction, CV Link could result in temporary impacts to the existing transportation network due to temporary lane closures, modified signal controls and temporary stop signs, limited excavation and equipment installation, and by-pass or closures for pedestrian and bicycle paths. The need for full intersection closures is not anticipated except on occasions where CV Link construction is occurring over roadways, such as for CV Link overcrossings. CV Link construction is not expected to impact access to surrounding properties.

In summary, CV Link construction impacts on the local roadway network will be temporary, construction/traffic management, including lane adjustments or closures, staging areas and limits of work delineation, will be planned in a manner that avoids and minimizes impacts to the traveling public. It should also be noted that the project contractor will be required to provide construction management plans, including any and all temporary facilities needed to accomplish project improvements while preserving traffic flow and safety to the greatest extent practicable. Standard methods to be applied to construction management are provided in Mitigation Measures TRA-1 through 6. These measures would reduce potential impacts by…. [describe]. (EIR, p. 4.16-15 through 4.16-39)

Mitigation Measure TRA-1: *The construction activities shall meet or exceed all applicable federal, state and local statutory requirements for public safety.*

Mitigation Measure TRA-2: *All necessary permits or approvals, including traffic control plans, shall be secured prior to the initiation of site disturbance such as grading, paving and other construction activities where public streets may be affected. Prior to the initiation of site development, CVAG shall confer with the appropriate City Public Works Department to ensure that construction activities and traffic control are carried out in a manner that causes minimal disruption to traffic on adjoining city streets.*

Mitigation Measure TRA-3: *The Construction Manager shall be required to identify and repair any project-related damage to existing public roads upon completion of the construction activities within the project site. The contractor shall monitor the condition of these routes throughout the construction process and, in the event of an accidental load spill, to arrange for the immediate cleanup of any spilled material with street sweeping or other procedures, as needed.*

Mitigation Measure TRA-4: *The final location and design of the Link access points and the internal circulation improvements shall comply with applicable city access and design standards, and be reviewed by the City Engineer. CVAG shall submit CV Link and associated street improvement and striping plans to each respective City Engineer for review and approval, prior to the issuance of grading and/or construction permits.*

Mitigation Measure TRA-5: *Properly designed and maintained CV Link and any associated street, roadway, and access area lighting shall be provided along the CV Link route, as identified in the final construction plans, to facilitate the safe movement of vehicular, pedestrian and bicycle traffic, and to ensure good visibility under both daylight and nighttime conditions.*

Mitigation Measure TRA-6: *In order to minimize or avoid accessibility issues for nearby residences, business and schools, CVAG and the CV Link Construction Manager shall develop and implement construction management strategies and traffic control and operations plans that maximize the efficiency of construction and minimize the disruption of traffic flow through CV Link construction areas. Traffic control plans shall be approved by the affected jurisdiction, and shall include requirements that at least one lane remain open in each direction; that signage be installed for road work and/or detours; and that emergency vehicle access is not affected.*

These measures would reduce potential impacts by implementing applicable federal, state and local statutory requirements for public safety during construction to assure minimal disruption to traffic on adjoining city streets. These measures will also require coordination with the respective City Engineer to assure review and approval of encroachment permits.

SECTION 5: FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The Executive Committee hereby finds that, despite the incorporation of Mitigation Measures outlined in the EIR and in this Resolution, the following impacts from CV Link and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

A. NOISE

1. Excessive Groundborne Vibration or Groundborne Noise Levels

Threshold: Would the Project expose persons to or result in the generations of excessive groundborne vibration or goundborne noise levels?

Finding: Significant and unavoidable with mitigation incorporated. (EIR, p. 4.12-25)

Explanation: CV Link will be constructed in sections, over a four-year period. As a result, it is expected that ground-borne vibration from construction would cause intermittent, localized intrusion into the noise environment. Grading activities, construction equipment and trucks hauling project materials would have the potential to generate low levels of ground-borne vibration within CV Link.

At distances ranging from 25 to 125 feet from the project site, construction vibration velocity levels are expected to range from 0.008 in/sec PPV at 25 feet to 0.089 in/sec PPV at 125 feet. Using the Caltrans construction vibration standard for human annoyance, CV Link construction activities will exceed the vibration standard of 0.01 in/sec PPV at receiver locations within 100 feet of large bulldozers during construction. If used as part of CV Link, large bulldozers within 100 feet of nearby sensitive residential or school land uses would be represent a significant impact. Mitigation measures N-1 and N-4 are provided below to reduce construction vibration levels to the greatest extent possible by implementing local jurisdictions' Municipal Codes regarding construction hours, limiting the use of large bulldozers and avoiding sensitive receptors to the greatest extent possible. However, large bulldozers could operate within proximity to residences.

In addition to pathway construction, the CV Link project includes the construction of several bridges, with which pile driving may be associated, although drilled piles are also under consideration. A vibratory impact analysis was prepared to supplement CV Link noise impact study and evaluate potential impacts from this construction technique.

The results of this impact pile driving vibration analysis indicate that the vibration levels due to pile driving will exceed the Caltrans 0.12 in/sec PPV building

damage threshold at up to two locations, at the Deep Canyon bridge in Indian Wells and the Thunderbird Channel bridge on Highway 111 in Rancho Mirage, and represent potentially significant vibration impacts. Additionally, vibration levels exceeding the Caltrans barely perceptible human annoyance threshold of 0.01 in/sec PPV will occur at sensitive receiver locations within a 400-foot radius of the pile locations, and result in potentially significant vibration levels at up to 55 receiver locations along the CV Link Route. Therefore, if pile driving is selected as the means of constructing bridge piles, mitigation measure N-6 is required to reduce the vibration levels at nearby sensitive receiver locations to the greatest extent possible by utilizing alternative piling methods (e.g. No impact pile driving devices and CIDH piling and Cast-In-Drilled-Hole (CIDH) piling methods).. In addition, mitigation measure N-7 requires that the sensitive land uses (including residences) within 400 feet of the planned pile locations will be notified of the construction in writing to let people know about the noise and/or vibration prior to its occurrence. (EIR, p. 4.12-24 through 4.12-27)

Mitigation Measure N-1: *Project construction activities shall only occur between the permitted hours of each local jurisdiction's Municipal Code. The project construction supervisor shall ensure compliance.*

Mitigation Measure N-4: *The use of large bulldozers within 100 feet of nearby sensitive land uses (e.g. residential, school, etc.) shall be minimized and avoided if possible.*

Mitigation Measure N-6:*Alternative piling methods shall be used to reduce the potential impacts at nearby sensitive receiver locations as follows:*

a. *No impact pile driving devices and CIDH piling methods shall be used within 76 feet of sensitive receiver locations near the Thunderbird Channel and Deep Canyon Channel Bridge (as indicated on Table 4.12-17 of the EIR). Alternative piling methods are required to reduce the vibration levels at these locations. Based on an evaluation by Caltrans an alternative method, such as Tubex piles, which can produce lower vibration levels of 0.05 in/sec PPV at 25 feet during installation shall be used. Other pile driving alternatives capable of producing equal or lower vibration levels are acceptable.*

b. *Cast-In-Drilled-Hole (CIDH) piling methods, or alternatives capable of producing equal or lower vibration levels, shall be used for the following bridge locations as an alternative to impact pile driving activities planned within 400 feet of sensitive receiver locations (as indicated on Table 4.12-17 of the EIR):*

    - *Highway 111 Overcrossing*
    - *West Magnesia Canyon Channel Bridge at Highway 111*
    - *West Magnesia Canyon Channel Bridge at Library*

- *Cook Street Overcrossing*
- *La Quinta Channel Bridge*

Mitigation Measure N-7: *Residences and other sensitive land uses within 400 feet of the planned pile locations shall be notified of the construction in writing. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of a noise and vibration complaint and response procedure.*

The construction of CV Link may create substantial vibration increases, and cause perceptible vibration if large bulldozers are used in proximity to sensitive uses along the Route. Implementation of the mitigation measures detailed above would reduce vibration impacts during construction to the extent feasible by requiring that activities be limited to the hours of the participating jurisdictions' municipal codes and that alternative construction techniques be implemented for bridge pilings. However, vibration levels during construction will nonetheless exceed local jurisdiction standards at locations immediately adjacent to sensitive receptors along CV Link alignments, even with the incorporation of all feasible mitigation measures. There is no feasible mitigation for these vibration levels, and construction vibration will be significant and unavoidable.

2. Temporary or Periodic Increase in Ambient Noise Levels

Threshold: Would the Project result a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Finding: Significant and unavoidable with mitigation incorporated. (EIR, p. 4.12-29)

Explanation: Noise from construction activities will intermittently impact the noise environment in the immediate area of each phase of construction. Project construction could generate short term noise impacts from vehicle trips associated with construction crew commuting and materials deliveries; and from the use of heavy equipment for the construction process itself. Total noise exposure would vary by location, with most areas (such as those where basic paving is required) experiencing noise only for a period of a few days and other areas (such as where overcrossings are to be constructed) experiencing noise for periods of up to several weeks.

Worst-case noise levels from the mobile and stationary equipment during construction activities were modeled as part of the Noise Impact Analysis for CV Link. The analysis was conducted for site preparation, grading, and paving activities. The noise model determined that the noise levels during site preparation would be 84.2 dBA Lmax (maximum hourly noise level) at a distance of 50 feet; that the grading activities would generate a noise level of 89.7 dBA Lmax

(maximum hourly noise level) at a distance of 50 feet; and that the paving phase of construction would result in a noise level of 82.8 dBA Lmax (maximum hourly noise level) at a distance of 50 feet. Therefore, the loudest construction period can be expected to be the grading phase.

Noise levels decrease at a rate of 6 dBA for each doubling of distance from construction equipment. Therefore, the noise levels of 89.7 dBA generated during the grading phase and measured at 50 feet would be reduced to 83.7 dBA at 100 feet, and 77.7 dBA at 200 feet from the source to the receiver.

In addition to the noise generated by mobile construction equipment, noise will also be generated from stationary source equipment at staging areas. These areas are identified in the project design plans, and occur at multiple locations along the Route. The closest distance between a sensitive receptor to a staging area will be 30 feet. Each area would be used during a portion of construction occurring nearest its location, and not for the entire construction period. Noise from these areas is considered stationary source (as opposed to mobile source) noise, and was estimated to have the potential to generate noise levels of up to 80.0 dBA Lmax (maximum hourly noise level) at a distance of 50 feet. In order to mitigate these impacts to the greatest extent possible, the following Mitigation Measures are included in the EIR: (EIR, p. 4.12-28. through 4.12-29)

Mitigation Measure N-1: *Project construction activities shall only occur between the permitted hours of each local jurisdiction's Municipal Code. The project construction supervisor shall ensure compliance.*

Mitigation Measure N-2: *During all project site construction, all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction supervisor shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receivers nearest the Project site.*

Mitigation Measure N-3: *The construction supervisor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site (i.e., at the planned staging areas or farther from nearby sensitive receiver locations if possible) during all Project construction. 61 staging areas have been determined along the Route, please see Appendix B (Alignments Map Book). The closest distance between a sensitive receptor to a staging area will be 30 feet.*

Mitigation Measure N-4: *The use of large bulldozers within 100 feet of nearby sensitive land uses (e.g. residential, school, etc.) shall be minimized and avoided if possible.*

Mitigation Measure N-5: *The construction supervisor shall limit haul truck deliveries to the same hours specified for construction equipment by each local jurisdiction's Municipal Code.*

These measures reduce impacts to the extent feasible by implementing local jurisdictions' Municipal Codes regarding construction hours, limiting the use of large bulldozers and avoiding sensitive receptors. However, large bulldozers could operate within proximity to residences. The worst-case noise levels expected during the construction of CV Link would by 89.7 dBA Lmax at a distance of 50 feet. These noise levels, however, do not consider the attenuation provided by existing or proposed sound barriers, such as walls, differences in topography or similar factors that serve to reduce noise levels. As a result, the analysis is conservative. The construction of CV Link will create substantial noise increases to sensitive uses along the Route. Implementation of the mitigation measures above would reduce noise impacts during construction to the extent feasible. However, noise levels during construction will exceed local jurisdiction standards at locations immediately adjacent to sensitive receptors along the Route – potentially including areas within neighboring jurisdictions, even if construction does not occur within those jurisdictions, and even with the incorporation of all feasible mitigation measures. There is no additional feasible mitigation for these noise levels, and construction noise will be significant and unavoidable.

SECTION 6: FINDINGS REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS

The State CEQA Guidelines (14 CCR 15130) require a reasonable analysis of the significant cumulative impacts of a Proposed Project. Cumulative impacts are defined by CEQA as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (State CEQA Guidelines, Section 15355). Currently there are several projects with approved environmental documentation proposed to occur within or near the project vicinity.

Consistent with CEQA's requirements, the EIR for CV Link includes an analysis of cumulative impacts, which include the impacts of CV Link plus all other pending or approved projects within the affected area for each resource. The geographic scope of the analysis the jurisdictions of the Coachella Valley, unless specifically identified below.

The Executive Committee hereby finds as follows:

A. AESTHETICS

Each jurisdiction's visual resources were analyzed to determine the extent of the impacts CV Link would create to the resources. Given that CV Link is a regional project the cumulative impacts are based on the regional impacts, and the scope of the analysis was based on the jurisdictions' General Plan and Zoning policies and standards relating to visual resources and lighting. The majority of CV Link construction and use activities will be only minimally visible to residents, whose views shall also be maintained because CV Link does not propose large structures that could block views.

Generally, the CV Link Route is proposed within areas of existing activity, development, and light. The construction and long term use of CV Link will not significantly change

the scenic vistas or visual character of the areas where it occurs. Because of the limited structures proposed, it will not contribute to cumulative increases in mass of urban development along the Route. The implementation of CV Link will have less than significant cumulative impacts. (EIR, p. 4.2-26)

B. AGRICULTURE AND FORESTRY RESOURCES

CV Link will not affect any agricultural and forestry resources because it will not occur on or adjacent to any such resource. (EIR, p. 3-3)

C. AIR QUALITY

Cumulative air quality impacts were assessed on a regional scale given the dispersing nature of pollutant emissions and aggregate impacts from surrounding jurisdictions and air management districts. Any activity resulting in emissions of PM10, ozone, or ozone precursors will unavoidably contribute, at some level, to regional non-attainment designations of ozone and PM10. However, the level of impact a single project may have on regional air quality is difficult to measure. The Coachella Valley is subject to the SCAQMD 2016 Air Quality Management Plan and the 2003 PM10 Coachella Valley State Implementation Plan (CVSIP) to ensure levels of criteria pollutants are regulated and minimized to the best of the region's ability. The 2016 AQMP has set forth attainment deadlines and future emission level projections for criteria pollutants within the project area, which satisfies Section 15130(b)(1)(B) of the CEQA guidelines for analyzing cumulative impacts. These regional plans provide guidelines and rules for achieving state and federal air quality standards, which aid to reduce cumulative impacts, particularly through the enforcement of SCAQMD daily thresholds and implementation of time-sensitive reduction strategies to achieve attainment status. Overall, CV Link will result in a net reduction of all criteria pollutants and will have a positive long-term impact on cumulative air quality conditions. Cumulative air quality impacts are therefore limited to construction emissions. Construction mitigation and minimization measures set forth in this EIR are aimed to reduce CV Link's contribution to any significant cumulative effects related to air quality.

The SSAB is designated as nonattainment under both the CAAQS and the NAAQS for ozone and PM10. Emissions of CO, NOX and ROG that exceed the SCAQMD operational thresholds would contribute to the ozone nonattainment designation, while emissions of PM10 that exceed the SCAQMD thresholds would contribute to the PM10 nonattainment designation of the SSAB.

Construction activities associated with development of CV Link will not exceed SCAQMD daily thresholds for criteria pollutants with the imposition of the above mitigation measures. However, emission of CO, NOx, ROG, and PM10 during construction of the project are unavoidable and will marginally contribute to regional ozone and PM10 non-attainment designations. The following discussions address cumulative impacts related to ozone and PM10.

Regulation of Ozone

SCAQMD studies indicate that most ozone is transported to the Salton Sea Air Basin from the upwind sources in the South Coast Air Basin. The amount of ozone contributed from other air basins is difficult to quantify; however, improved air quality in the project area depends upon reduced ozone emissions in the South Coast Air Basin. Therefore, cumulative impacts to ozone are better managed on a multi-regional scale as opposed to single projects. The SCAQMD 2012 AQMP and Draft 2016 AQMP provide current and future measures to reduce both stationary and mobile source ozone emissions. Proposed measures to reduce ozone include emission reductions from coatings and solvents, RECLAIM facilities, early transitions to cleaner mobile technologies, and incentives to adopt net zero and near zero technologies.

CalEEMod does not calculate ozone emissions directly and therefore emissions of ozone precursors (CO, NOx, and ROG) were evaluated to determine project-related impacts to ozone. Ozone precursors are the primary pollutants involved in the chemical reaction process that forms ozone. CV Link will not exceed local construction or operational thresholds for ozone precursors under required mitigated conditions. In addition, the reduction of criteria pollutants associated with reduced vehicle miles traveled when CV Link is completed significantly outweighs new emissions created during project construction.

Development of the CV Link will adhere to ozone reduction measures set forth in the SCAQMD AQMP. In addition, CV Link will result in significant reductions of future ozone precursors related to mobile source emissions. Therefore, CV Link is considered less than significant in regards to cumulative air quality impacts related to ozone.

Regulation of PM10

Similar to ozone, PM10 is regulated through the SCAQMD 2016 Air Quality Management Plan and 2002 PM10 Coachella Valley State Implementation Plan (CVSIP). Additional PM10 reduction measures include applicable state code and AQMD Rules, such as Rule 403 (Fugitive Dust), which enforces fugitive dust compliance for all activities within the SSAB. As shown in the analysis above, CV Link will not exceed local daily thresholds for PM10. Therefore, cumulative impacts to PM10 are considered less than significant.

In conclusion, cumulative air quality impacts related to construction and use of CV Link are considered less than significant with mitigation. Development and operation will not exceed air quality maximum daily thresholds for CO, NOx and PM10, which are cumulative thresholds by their nature. In addition, CV Link is consistent with regulation requirements of ozone and PM10 in the Salton Sea Air Basin. Therefore, cumulative impacts related to ozone and PM10 emissions will be less than significant. (EIR, p. 4.3-12)

D. BIOLOGICAL RESOURCES

CV Link has been designed to adhere to local, state, and federal regulations related to the protection of biological resources; therefore, CV Link would not make a considerable contribution to cumulative impacts to biological resources. The geographic scope for the analysis of potential cumulative biological impacts includes the immediate vicinity around each of the path segments. Using the summary of projections method to analyze cumulative impacts set forth in State CEQA Guidelines section 15130 (b)(1)(B), impacts have been assessed on both a regional and local level. The primary document used to determine cumulative impacts was the CVMSHCP, which was designed for the long-term protection and regulation of biological resources in the project area.

The species of concern in the project area are covered species under the CVMSHCP, with the exception of the Casey's June Beetle. Potential impacts to biological resources in and outside of CVMSHCP Conservation Areas will be largely avoided or mitigated to less than significant levels with implementation of the mitigation program provided above. CVAG shall also comply with all terms and conditions of the CVMSHCP and its Implementing Agreement including, but not limited to, participation in the Joint Project Review Process and implementation of the "Land Use Adjacency Guidelines", which are set forth in the above mitigation measures. As regards CJB, CV Link will be required to comply with the requirements of the ESA, and implement an HCP which results in the addition of habitat for the species, and a net increase in native lands suitable for its occupation. Therefore, CV Link's impacts to biological resources will be less than significant and CV Link's contribution to cumulative impacts will not be cumulatively considerable. (EIR, p. 4.4-36)

E. CULTURAL RESOURCES

The geographic scope of analysis of potential cumulative impacts on cultural, historical, tribal, and paleontological resources includes the Areas of Potential Effect (APE), the immediate vicinity and the traditional use areas of the Cahuilla people in the Coachella Valley. CV Link would contribute considerably to cumulative impacts if it were to have a substantial or significant adverse effect on these cultural, historical or paleontological resources in the Coachella Valley. Cultural resources surveys and, where necessary, resource recovery and other mitigation, serve to limit if not preclude further cumulative impacts to cultural resources in the planning area.

The CV Link cultural resources surveys have consolidated a wide range of literature, data and information on historic, tribal and other archaeological resources that has added to our knowledge and understanding of these resources and the people who made them. Three historical resources have been identified as listed or eligible for listing under the California Register of Historical Resources and the National Register of Historic Places. No new unmitigated impacts to historic or archaeological resources will result from the construction or operation of CV Link project that are cumulatively considerable.

Impacts to paleontological resources could also be cumulatively substantial if CV Link impacted any unique paleontological features. CV Link alignments do not occur in areas

or on lands, which have been identified as being sensitive for paleontological resources. The lacustrine (lakebed) deposits in the eastern portion of the project area are associated with ancient Lake Cahuilla, may make up portions of the stormwater levee and channel in these areas, and remains of bi-valves have been identified in these soils. However, the past excavation of fill for the channel and levees, as well as the periodic grading and other disturbance in the channel during maintenance operations, have further reduced the likelihood that the CV Link project will impact sensitive resources.

While other development may also impact paleontological resources, which occur throughout much of the southeastern portion of the Valley, these resources have been well documented by past surveys and studies. The potential impacts of CV Link on important paleontological resources has been assessed and none of the build alternatives will have a significantly impact paleontological resources. In addition, avoidance, minimization and mitigation measures have been set forth requiring that in the unlikely event paleontological resources are encountered during project construction, impacts to these resources will be mitigated to levels that are less than significant. Therefore, CV Link's incremental impacts to these resources, if any, will not be cumulatively considerable.

The CV Link project has a less than significant potential to impact unique geologic features. The Point Happy bridge component of the CV Link project is designed to avoid any alteration of this feature, suspending the pathway from a tubular steel arch anchored above the channel. Therefore, CV Link will not make a considerable cumulative contribution to impacts to unique geologic features. (EIR, p. 4.5-22)

F. GEOLOGY AND SOILS

A consideration of cumulative effects associated with geotechnical conditions includes the degree to which a project may contribute to the cumulative impacts from seismic events, marginal soils, steep and unstable terrain and other conditions. CV Link will not significantly increase the community impacts associated with prevailing geotechnical conditions in the Coachella Valley. To the extent the project may provide an alternative means of travel through CV Link communities in the event streets are impacted by earthquakes or other geotechnical condition, CV Link can serve to offset these adverse impacts by providing alternative access, any contribution that would otherwise be cumulatively substantial. (EIR, p. 4.6-14)

G. GREENHOUSE GAS EMISSIONS

Cumulative impacts were analyzed on a regional scale due to the dispersing nature of these pollutant emissions and aggregate impacts from surrounding jurisdictions and air management districts. Through analysis of the regional and statewide plans for GHG reductions, a summary of projects approach was used. The geographic scope for the analysis of potential cumulative greenhouse gas impacts is the overall Salton Sea Air Basin region in which the facilities are being constructed and operated. However, some percentage of electric power and vehicular emissions GHGs associated with the

construction, operations and maintenance of CV Link facilities may also come from sources outside of the SSAB. Therefore, cumulative greenhouse gas impacts were assessed on a regional scale due to the dispersing nature of these pollutant emissions and aggregate impacts from surrounding jurisdictions and air management districts. Any new power generation resulting in emissions of carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases (hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride), would contribute, at some level, to greenhouse gas concentrations in the atmosphere.

However, based on the above analysis, the project would result in a net reduction of greenhouse gases. Therefore, the project's GHG emissions would not be cumulatively considerable. (EIR, p. 4.7-7)

H. HAZARDS AND HAZARDOUS MATERIALS

The project would have less than significant impacts associated with hazards and hazardous materials during both construction and operations. The addition of CV Link to the urban environment, when added to other future development in the Coachella Valley, will marginally increase the potential for impacts associated with hazards and hazardous materials. However, CV Link and all future other projects are subject to stringent regulations imposed by local, regional, State and federal law. The construction and operation of CV Link will not significantly impact this progressive increase, because it will not use or distribute significant amounts of hazardous materials. Any project occurring in the vicinity of CV Link would be required to construct and operate facilities consistent with these same local, regional or State requirements. Therefore, CV Link will not significantly contribute to cumulative impacts associated with hazardous materials. (ER p. 4.8-20)

I. HYDROLOGY AND WATER QUALITY

The geographic scope for the analysis of cumulative surface water hydrology and water quality/resources impacts consists of the individual CV Link sites and their adjacent surface drainages. The scope of analysis also includes and takes into consideration the effects of other development on the subject flood control facilities, including development along all areas tributary to these drainages. The various stormwater management plans implemented by CVWD and the RCFCWCD include requirements of all new development to detain or retain stormwater it generates, and to implement control measures that protect both surface and groundwater quality.

This analysis was performed using the growth projection approach pursuant to State CEQA Guidelines Section 15130(b)(1)(B) and secured from various public regulatory and planning documents. Due to the nature of the project, this analysis relies on activities that involve ground-disturbance, the placement of fill or structures within the 100-year flood zone, and an increase in impervious surfaces that could be occurring concurrently with construction of the project.

For CV Link, sediments, trash and debris, oil and grease, fuels, lubricants, concrete waste, sanitary waste and chemicals are pollutants of concern that could be discharged during construction activities. During grading and excavation, soil surface would be exposed and will be susceptible to soil erosion and sediment transport downstream. Construction BMPs and as required by local and regional agencies, will also be implemented to minimize the polluted included into the drainages.

Concrete and/or asphalt applications could also be a source of fine sediment, metals and chemicals that could change the pH levels in water bodies. Oil, grease, fuels and lubricants from construction equipment that may be leaking could affect receiving waters during construction activities. Temporary or portable sanitary facilities provided for construction workers could be a source of sanitary waste. Construction BMPs shall be implemented during construction activities to reduce any pollutants of concern that may enter nearby receiving waters, which would help reduce short term water quality impacts caused by the construction of CV Link.

Completion of the CV Link project and its on-going operation and maintenance will ensure that project impacts to local drainages will be less than significant and, in fact, may facilitate or accelerate the correction of existing levee and bank elevation deficiencies. In this context and in light of the very limited impacts associated with CV Link, the project will have a less than cumulatively substantial impact on area drainages and water quality. (EIR p. 4.9-33)

J. LAND USE

The majority of the proposed CV Link Route will be on top of existing flood control levee service roads, and in some places along existing street rights-of-way. Any cumulative project related to land use would be typical of the land uses in the cumulative study area and would have a long-term or permanent effect on the character of the vicinity given their nature. The geographic scope for the analysis of cumulative impacts on land use consists of each project area and the immediate vicinity around each of these sites where adverse land use impacts could occur. Potential project conflicts or inconsistencies with applicable adopted plans, policies and regulations would be specific to an individual project component, and would not combine to result in a substantial cumulative impact. Given the physical extent nature of the project, construction will be carried out in stages and its effects will be short-lived. During the operation of the proposed CV Link facility, the surrounding land uses will benefit and in many cases will be enhanced by the project. In the overall, there will be a less than cumulatively substantial effect on existing and planned land uses generated by this project. (EIR p. 4.10-24)

K. ENERGY & MINERAL RESOURCES

As the Coachella Valley continues to grow, cumulative demand for energy resources will also continue to increase. The demand for energy at the completion of CV Link would not trigger the need for new electrical or natural gas generation facilities, as it will generate approximately 89.79% of its need through solar panels. The project's

contribution to a cumulative impact on energy resources would not be cumulatively considerable. Buildout of CV Link would not directly or indirectly induce growth in the project area or the region, which might increase energy use in the long-term, because it will not result in additional residential units, businesses or increased population. Rather, the project has a demonstrated net positive effect on energy resources when transportation energy offsets associated with the project are considered. The electrical demand required for CV Link will, when combined with the demand from future homes and businesses, will result in additional cumulative demand for energy. However, when compared to the electricity required for these homes and businesses, the project's impacts will not be cumulatively considerable.

As the cities of the Valley continue to expand, the demand for mineral resources will also continue to expand. CV Link will result in a demand for 0.15% of the total permitted aggregate currently available in the Coachella Valley. Other construction projects, particularly those which require foundations, concrete and stucco for structures such as homes and commercial buildings, will collectively result in a much higher demand for aggregate than that created by CV Link. Although the aggregate required for CV Link will contribute to the continued reduction in this material, CV Link will not be cumulatively considerable. (EIR p. 4.11-9)

L. NOISE

CV Link will not result in a permanent stationary noise source. The proposed CV Link is expected to operate at noise levels that are essentially the same as current conditions. The noise source will be mobile, and will come and go as users move down the pathway. Unmitigated noise levels will not exceed 65 dBA Leq at 25 feet from the project planning area for any sensitive receptor except within the allowable hours of 7 a.m. and 5 p.m. for construction-related noise, which would be within the site boundaries of project planning area. Operational noise levels resulting from CV Link would not exceed city or county standards for sensitive receptors, nor would they result in substantial permanent increases in ambient noise levels in the project vicinity above levels existing without the project. Cumulative noise impacts occur when multiple sources of noise, though individually not substantial, combine to result in excessive, cumulative noise exposure at noise sensitive areas. Noise generated from use of CV Link will be transient in nature, and will not exposed sensitive receptors for a substantial amount of time. Therefore, noise impacts associated with operation of CV Link would not be cumulatively considerable.

Construction noise generated by the project could be significant adjacent to sensitive receptors. However, construction noise will occur for short periods at locations where CV Link is being built, and move on to another location at a rate of approximately one mile per month. There are no other known projects planned for construction on or adjacent to CV Link Route which could increase those temporary noise levels. As a result, impacts associated with construction noise at CV Link and other construction activities will not be cumulatively considerable. (EIR p. 4.12-32)

M. POPULATION & HOUSING

Vacant land in close proximity to CV Link could be developed in the future, adding new housing and hotels and providing new residents with access to CV Link.

Construction of CV Link has the potential to attract workers and crew members to the area for a temporary construction opportunity. The project may result in some increase in indirect employment, as CV Link will add an attraction for tourism in the Valley, which could result in an added economic multiplier. However, tourism remains one of the largest economic sectors in the region, and will remain so with or without CV Link.

The Southern California Association of Governments predicts moderate to strong population growth in the Coachella Valley in the future, and these new residents will require employment. The 2016 SCAG projection for the incorporated cities of the Coachella Valley within the Route is that they will have a population of 536,200, or an increase of 197,688 people over 2014 conditions.

It is expected that CV Link will continue to accommodate additional residents and visitors in the project area and provide multi-modal transportation connections between existing and planned land uses. CV Link itself will not add new residential units or population to the project area. It is proposed along largely existing right-of-way such that no significant impacts to housing or population, such as displacement or relocation, will occur. No cumulative impacts will occur. (EIR p. 4.13-6)

N. PUBLIC SERVICES

The geographic scope of cumulative impacts related to public services includes the cities of Palm Springs, City of Cathedral, Palm Desert, Indian Wells, La Quinta, Indio, and Coachella, and the unincorporated community of Thermal. Construction of CV Link would require fire and police protection and emergency medical services in case of emergency situations. However, that demand would not result in a need for expansion of fire and police service facilities and emergency medical service facilities. Identified mitigation measures will secure the construction equipment and staging areas and further reduce the project related impacts to police protection services during construction phase. At buildout, CV Link's demand for fire and police protection services would be inconsequential. When considered with the growth expected in the Coachella Valley by 2040, CV Link's need for emergency services will be minimal, and will not substantially increase the demand for these services. Therefore, cumulative impacts will be less than significant.

At buildout, CV Link is expected to increase the number of visitors to parks and recreational facilities in the project area, but will not increase the permanent local population. When compared to the population growth anticipated in the Valley, the demand for park services from existing residents and visitors using CV Link will be marginal compared to the demand for parks created by new residential development and

its associated population increases. Therefore, cumulative impacts to parks and recreational facilities will be less than significant. (EIR p. 4.14-14)

O. RECREATION

The near and long-term cumulative adverse impacts associated with the CV Link Proposed Project will not be considerable. The increased access provided by CV Link is more likely to allow existing residents who currently drive to local parks to use alternative transportation. CV Link is not expected to result in an exceedance of capacity at any of the recreational facilities it will access. When considered with other growth in the Valley, CV Link would not result in the development of new residential development and associated population increases, which would increase demand on parks, and would therefore not contribute to cumulatively significant impacts to parks.

Importantly, the project is expected to have a cumulatively considerable positive or beneficial impact on individual and area-wide recreational amenities and resources, providing a much needed multi-modal transportation backbone facility that improves community linkage to its recreational amenities, while providing a new and unique facility for walking and jogging, or bicycling. (EIR p. 4.15-12)

P. TRAFFIC AND TRANSPORTATION

CV Link has been developed within the framework of local and regional transportation planning and policy. In addition to being consistent with the Circulation/Mobility Elements of the local jurisdictions, CV Link is also consistent with and implements the SCAG Regional Transportation Plan and Coachella Valley's CVAG Active Transportation Plan. CV Link also implements such important federal transportation plans as "Complete Streets", which serve to enhance roadway access to and use by all modes of transportation, including pedestrian, bicyclists and LSEVs.

The CV Link Proposed Project will have a less than considerable adverse cumulative impact on local and regional transportation facilities and operations. Rather, CV Link will provide a cumulatively beneficial impact on these facilities, their operations and levels of service. The project provides much needed multi-modal transportation facilities that address an identified need for a larger and more diverse multi-modal network in the Coachella Valley. Therefore, the project will not result in any cumulatively considerable adverse impacts but, rather, the CV Link Proposed Project's contributions will have cumulatively considerable beneficial effects on local and regional traffic of all types and modes. (EIR p. 4.16-43)

Q. UTILITIES & SERVICE SYSTEMS

The geographic scope for the analysis of cumulative impacts on utilities and service systems consists of the proposed CV Link Route in the cities of Palm Springs, Cathedral City, Palm Desert, Indian Wells, La Quinta, Indio, and Coachella. Along its proposed Route, multiple providers of water, wastewater and solid waste disposal will have jurisdiction over the project.

CVWD, DWA, IWA, and CWA maintain and operate water and wastewater services where Proposed Project alignments are located. Each has identified adequate capacity to serve these project sites along with current and future projects. CV Link will result in an increase of less than 1% in water demand from all water providers. Construction and operation of CV Link alignments developed under CV Link would not require the construction or expansion of stormwater or wastewater facilities, because their impacts on these facilities will be minimal, and sufficient capacity exists. When taken with other projects in the region, the implementation of CV Link will have a marginal and fractional impact on services. Therefore, the project's contribution to cumulative impacts related to these services would not be cumulatively considerable.

SCE and IID have adequate policies, programs, and projects in place to provide electricity to its users, including CV Link, for 20 years. Approximately 89.79% of CV Link's electric demand will be generated through 42 solar panels. Therefore, CV Link's incremental demand for electricity from SCE and IID would not be cumulatively considerable.

For solid waste, implementation of the programs and municipal codes to reuse and recycle generated construction and operation waste would lessen the amount of the solid waste. When taken with other projects in the Valley, the solid waste generated by CV Link will result in a fractional increase in waste to landfills, particularly when compared to the waste generated by residential or commercial project.

Therefore, implementation of CV Link would not result in cumulatively considerable impacts related to utilities and service systems; and cumulative impacts would be less than significant. (EIR p. 4.17-11)

SECTION 7: FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Sections 15126.2(b) and (c) of the State CEQA Guidelines require discussion of significant environmental effects which cannot be avoided if the Project is implemented and significant irreversible environmental changes which would be caused by CV Link should it be implemented, respectively. Where there are significant impacts that cannot be alleviated without imposing an alternate design, their implications and the reasons why the project is being proposed, notwithstanding the effect, should be described. Irretrievable commitments of resources may include large commitments of nonrenewable resources, commitment of future generations to similar uses, and irreversible damage resulting from environmental accidents. Irretrievable commitments of resources should, therefore, be evaluated to assure that such current consumption is justified.

The implementation of the CV Link project will result in the irretrievable and irreversible commitment of non-renewable natural resources, including energy resources such as petroleum, coal, water resources, and mineral resources used for construction materials, such as gravel, sand, asphalt, and metals.

Construction and operation of the proposed CV Link route will result in the permanent loss of fossil fuels for the production of petroleum or natural gas to fuel construction and maintenance vehicles, and to provide electricity to project lighting. As detailed in Section 4.11 of the EIR, the construction of CV Link could result in energy demand ranging from 84.96 million kwh to 95.58 million kwh in order to produce the concrete necessary for project construction. The operation of the route could generate energy demand of 734,296 kwh annually under the Proposed Project, 677,913 kwh annually under Alternative 1, and 819,527 kwh annually under Alternative 2, for lighting and operation of project features, including the trash management system. However, the project also includes solar panel installations on 42 shade structures throughout the route. Once installed and operating, these shade structures would produce 89.79% of the electrical demand annually. Therefore, CV Link will generate all but 10% of the electrical power necessary to operate it.

The project has the potential to reduce motor vehicle fuel consumption, because of avoided vehicle trips, by 151,245± gallons annually by 2040, thus providing a long-term positive reduction in the consumption of energy resources.

The construction of CV Link will require approximately 98,763 cubic yards of aggregate base for concrete. CV Link will also require approximately 410,960 cy of concrete, of which approximately 60 to 75% (246,576 to 308,200 cy) is comprised of aggregate. Therefore, total aggregate demand for the overall CV Link project is approximately 358,807 to 420,451 cy or 0.15% of permitted aggregate. Aggregate base is actively mined in the Coachella Valley, and supplies for CV Link are expected to come from local sources. The Valley has a supply of aggregate to meet demand for 130 years, as estimated by the California Department of Conservation. The demand created by the proposed CV Link project will not represent a significant impact in that supply.

Finally, outside influences, such as the development of new and more efficient technologies are anticipated to reduce impacts on fossil fuel resources and other finite mineral resources. These efforts will minimize the irreversible or irretrievable loss

The construction of CV Link will marginally change the physical environment, insofar as it will result in the addition of concrete to the tops of existing compacted flood control soil levees, and the striping and painting of on-street segments of the route. However, given that the route occurs on lands that are currently developed either as levees, streets, parks or golf courses, the impact on the affected land will not be significant.

The addition of concrete pathways at the locations planned for CV Link will not result in significant loss of biological resources. The project route does not propose facilities which will significantly permanently change habitat for sensitive species. CV Link includes a segment in Palm Springs which will occur adjacent to critical habitat for Casey's June Beetle. As detailed in Section 4.4 of the EIR, however, CV Link will fully mitigate its impact on this species through the implementation of a Habitat Conservation Plan that will preserve, restore or create 6.81 acres of habitat for the species, as well as a

number of avoidance and minimization measures in conformance with the requirements of the Endangered Species Act. With approval of the Plan by the USFWS, and the other mitigation measures included in this EIR, the long term loss associated with biological resources will be less than significant.

The construction and implementation of CV Link will result in a demand for domestic water. It is estimated that the project's landscaped areas will generate a demand for 12.86 acre-feet annually. Water fountains and restrooms will result in a need for 4.48 acre-feet of water annually. This represents a 0.0024% increase in current water demand in the Valley, and will not result in a significant impact.

As described above, CV Link will have a limited irreversible impacts on irretrievable resources. However, since the CV Link project will not significantly add to constructed areas, will generate power through solar panel operation, and will mitigate its impacts to biological resources, any irreversible impacts will be less than significant. (EIR, p. 7-1 and 7-2)

SECTION 8: FINDINGS REGARDING GROWTH-INDUCING IMPACTS

CEQA specifies that growth-inducing impacts of a project must be addressed in an EIR (PRC § 21100[b][5]). Specifically, Section 15126.2(d) of the CEQA Guidelines requires an EIR to discuss the ways CV Link could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

The construction and implementation of CV Link will not result in new homes or businesses. The project could indirectly influence a future resident's decision to locate in the Coachella Valley, if that resident were to consider CV Link an influencer in his or her decision to move to the area. However, the potential for the occurrence of a multi-modal transportation path across the Valley to encourage a large number of people to move to the area is remote.

Similarly, the implementation of the CV Link project could influence the decision of a tourist or part-time resident to visit the Valley, if the project were considered by that individual to be a touristic attraction. Although CV Link will have the potential to provide a positive additional attraction for the tourism industry, its potential to attract, in and of itself, large numbers of tourists or part-time residents to the Valley is small.

Construction of CV Link has the potential to attract workers and crew members to the area for a temporary construction opportunity. Economic analysis conducted early in the planning process estimated that the construction of CV Link would require 743 worker-

years. Assuming a four year construction process, CV Link will generate 186 construction jobs annually for four years.

Direct job creation resulting from the project, however, is not expected to be significant. It will be limited to maintenance and operational activities, and local residents are likely to be employed by the project. The project may result in some increase in indirect employment, as CV Link will add an attraction for tourism in the Valley, which could result in an added economic multiplier. However, tourism remains one of the largest economic sectors in the region, and will remain so with or without CV Link.

The Southern California Association of Governments predicts moderate to strong population growth in the Coachella Valley in the future, and these new residents will require employment. The 2016 SCAG projection for the incorporated cities of the Coachella Valley within the Route is that they will have a population of 536,200, or an increase of 197,688 people over 2014 conditions. These new residents will require employment. In the long term, CV Link will also require a work force to cover maintenance, security and landscaping activities that will be part of the project's long term operation. As with the construction jobs, the jobs generated by maintenance and operation of the CV Link project are likely to be filled by local residents.

The proposed CV Link will occur in developed areas, where infrastructure is available to serve its needs, including domestic water, sanitary sewer and utilities. CV Link will not require the extension of services, nor will it result in new or increased infrastructure beyond local connections to existing abutting facilities. As a result, the implementation of CV Link will not induce growth by making new infrastructure available to other types of development.

CV Link is expected to reduce traffic, as discussed in Section 4 of this EIR. However, CV Link is not expected to reduce traffic to such a level as to induce the development of additional homes or businesses, beyond those forecast to be constructed through the natural growth process predicted by SCAG. As such, CV Link will not remove an existing impediment to growth in a manner that may result in direct or indirect growth inducing impacts.

In conclusion, the implementation of the CV Link project will not result in growth inducing impacts that could cumulatively impact the environment. No new infrastructure, services or utilities, beyond direct connection to adjacent existing facilities to accommodate project features, will be required for CV Link, and its impacts on the local population will be less than significant. (EIR, p. 8-1 and 8-2)

SECTION 9: FINDINGS REGARDING ALTERNATIVES

A. PROJECT OBJECTIVES

As required by CEQA, project objectives have been developed to describe the project. These are set forth below.

A. Create a regional multi-modal transportation facility that interconnects the highest intensity land use corridor in the Coachella Valley with neighborhoods, schools, parks, tourist destinations, retail centers, high density residential development, and employment centers, to enhance community livability and cohesiveness.

B. Help the Coachella Valley comply with the Global Warming Solutions Act (AB 32) and the Sustainable Communities and Climate Protection Act (SB 375) by encouraging zero-emission transportation technologies, transit, and active transportation.

C. Promote healthy lifestyles through the provision of infrastructure where people can safely travel and recreate by means of active transportation, which in turn can help to address public health problems such as childhood obesity and diabetes.

D. Limit conflicts between motor vehicle traffic, pedestrians and bicyclists, reduce injuries and fatalities, and create a pleasant user experience by providing grade-separated crossings (bridges and undercrossings) of major roadways to the greatest extent possible.

E. Support "safe routes to schools" efforts by providing connections to K-12 schools in three school districts and to higher education opportunities.

F. Optimize the use of underutilized flood control rights-of-way, enhance stormwater maintenance infrastructure, and improve emergency response access.

B. SIGNIFICANT AND UNAVOIDABLE IMPACTS

Based upon the Final Project EIR and the CEQA Findings of Fact contained herein, as well as the evidentiary materials supporting these documents, the Executive Committee finds that implementing the Proposed Project, Alternative 1 and Alternative 2 could result in the following list of significant and unavoidable impacts to the environment:

Noise

Temporary increase in ambient noise levels in the project vicinity above levels existing without the project.

The worst-case noise levels expected during the construction of the Proposed Project would by 89.7 dBA Lmax at a distance of 50 feet. These noise levels, however, do not consider the attenuation provided by existing or proposed sound barriers, such as walls, differences in topography or similar factors that serve to reduce noise levels. As a result, the analysis is conservative. The construction of CV Link will create substantial noise

increases to sensitive uses along the Route. Implementation of the mitigation measures above would reduce noise impacts during construction to the extent feasible. However, noise levels during construction will exceed local jurisdiction standards at locations immediately adjacent to sensitive receptors along the Route – potentially including areas within neighboring jurisdictions, even if construction does not occur within those jurisdictions. There is no additional feasible mitigation for these noise levels, and construction noise will be significant and unavoidable.

Excessive groundborne vibration or goundborne noise levels.

The construction of CV Link may create substantial vibration increases, and cause perceptible vibration if large bulldozers are used in proximity to sensitive uses along the Route. Implementation of the mitigation measures detailed above would reduce vibration impacts during construction to the extent feasible by requiring that activities be limited to the hours of the participating jurisdictions' municipal codes and that alternative construction techniques be implemented for bridge pilings. However, vibration levels during construction will exceed local jurisdiction standards at locations immediately adjacent to sensitive receptors along CV Link alignments. There is no feasible mitigation for these noise levels, and construction vibration will be significant and unavoidable.

C. ALTERNATIVES CONSIDERED AND REJECTED

A wide range of alignment variations were considered, in consultation with local jurisdictions, user groups and other parties of interest. The identification of prospective CV Link routes was guided by the project's goals and objectives set forth in Section 1.3 of the EIR and in the CV Link Conceptual Master Plan. The Conceptual Master Plan is not the "Proposed Project" for purposes of CEQA because the full range of routes, alignments, and project design components described within the Master Plan are not being considered for approval by the CVAG Executive Committee. (See State CEQA Guidelines, § 15378(c) ["The term 'project' refers to the activity which is being approved"].) The EIR prepared for CV Link instead analyzes and discloses the potential environmental impacts of a specific route, approximately 44 miles in length and which does not include the City of Rancho Mirage – as well as several alternatives including an alternative that excludes both the Cities of Rancho Mirage and Indian Wells, and an alternative addressing a 49-mile route from Palm Springs to Coachella, including Rancho Mirage and Indian Wells. The Proposed Project includes many, but not all, aspects and project components described in detail in the Master Plan. (See EIR, p. 2-3.)

The project master planning, preliminary engineering, and environmental documentation started on Jan. 2, 2013 with a kick-off meeting between CVAG staff and consulting team. Detailed field surveys and reviews (including over 2,000 geocoded photos and walking or cycling the entire length of the proposed Route) informed the selection process. Route selection was also guided by more than 75 community meetings and events, and the preparation of design guidelines and elements reports. Consultations with local service providers and the flood control agencies, including the mapping of known utilities and right-of-way, also made certain routes infeasible. High definition video data was

collected for the majority of the Route. Based on this collected data, extensive stakeholder outreach, and the Preliminary Study Report, proposals were refined for CV Link Master Plan.

Palm Springs

A short portion of an earlier iteration of the CV Link Route selection process include an in-channel alignment that extended from east of the Tahquitz Creek bridge at South Palm Canyon Drive to Belardo Road. A variety of constraints prompted the deletion of this segment from the Route selection, including known sensitive cultural resources in the area, and access constraints into and out of the Creek.

Rancho Mirage

Over the course of project design and development, a wide variety of concerns and recommendation made by the City of Rancho Mirage were considered and accommodated by project designers and engineers. These include the location of alignments and access points, as well as pointing to potential CV Link destinations serving resident and visitor needs. The City of Rancho Mirage raised a series of concerns about the CV Link corridor passing through and near its downtown area east and west of Bob Hope Drive. As a result, the City asked CVAG to consider alternative northerly alignment variations, which are briefly described below and which are not analyzed in this EIR.

The City of Rancho Mirage recommended alignments that essentially shunted CV Link traffic north on Date Palm Drive in Cathedral City to Gerald Ford Drive and east to DaVall Drive. From this point, the City recommended that the Route continue north to Ramon Road and the Union Pacific Railroad corridor, thence southeasterly into Palm Desert, where it would be approximately 5.25 miles north of the rest of the CV Link Route. In addition to eliminating a portion of the Link accessible to most Rancho Mirage residents and guests, the City-offered alternative did not link to logical destinations, traveled past closed landfills and along a major railroad and interstate highway corridor, which would have resulted in associated air quality impacts for users, and back south along major arterial roadways lacking adequate right of way to accommodate CV Link facilities.

Indian Wells

In Indian Wells, the CV Link Conceptual Master Plan calls for alignments within and along the Whitewater River Channel, as well as channel crossings. East of the Miles Avenue bridge and to Washington Street, earlier iterations of the plan called for an alignment along the north (left) bank of the stormwater channel. This area is highly constrained by an unstable slope above the future channel service road and an area of sensitive cultural resources. In consultation with CVWD and local Native American Tribes regarding future channel improvements and a possible CV Link alignment in this area, this alignment was determined to be infeasible.

Alternative Transportation Modes to CV Link

In addition to the variations in alignments and locations described above, other modes of transportation were considered in the development of project alternatives. This potential alternative focused on the potential for a Valley-wide bussing system. In considering this alternative, several factors were evaluated. First, the Valley currently has a transit system, in the form of the SunLine Transit Agency, which provides public transit to all Valley cities and unincorporated County lands. The SunLine system is not at capacity, and has the ability, when demand warrants, to expand. The service is now available to residents and visitors, and its ridership is growing. However, the expansion of SunLine, or the creation of a separate bus service specifically tailored to tourist travel, would not meet either the health benefit objectives of the project, or the tourism attraction objective. Furthermore, any traditional highway/roadway modes of transportation will be constrained by increased traffic congestion and/or roadway blockages resulting from accidents or intentional closures. Accordingly, even a bussing system alternative will not achieve CV Link's objective of contributing towards reduced traffic congestion. CV Link represents a unique facility for the desert which would create a positive environment in which to enjoy the health and relaxation of walking, bicycling or hiking. A bussing alternative would provide none of these benefits, and would not meet primary objectives of the project. As a result, this alternative was rejected.

Other Alternatives Raised in Comments to the EIR

From its inception, the Proposed Project was intended to be, to the greatest extent possible, an off-street alternative along the Whitewater River and Tahquitz Creek channels for bicycle, pedestrian and low-speed electric vehicle travel. The CV Link proposal would not exist if not for the existence of these drainages that provide opportunities for long linear corridors apart from automobile traffic. The geographic location of these channels provides a nearby alternative to East Palm Canyon Drive and Highway 111, the primary transportation corridor through the Coachella Valley. That concept remains in the Proposed Project, as described in Section 2.3 of the EIR, and is a key goal and objective of the project. Comments received on the EIR asserted that two additional alternatives should be considered:

- An on-street circumnavigation of Rancho Mirage and Indian Wells, requiring on-street improvements north of the I-10 corridor and in the City of Palm Desert, north of CV Link planned facilities.
- An alternative that excludes LSEVs along the entire length of the Route.

Each of these is briefly described below.

An alternative that circumnavigates the city limits of Rancho Mirage and Indian Wells fails to consider the genesis and objectives of CV Link. Such an alternative would require departing the Whitewater River at Date Palm Drive, traveling on arterial roadways without the physical separation and safety provided by the off-street portions of the project, and continuing north of the Union Pacific Railroad tracks adjacent to Interstate 10, in order to avoid Rancho Mirage city limits. Between Palm Desert and La Quinta, an on-street option would also be the only alternative available, once again eliminating the separation and safety of off-street facilities. As such, the alternative would not meet project objectives, and would not provide the off-street safety associated with the Proposed Project.

As regards an alternative that excludes LSEVs. CV Link aims to provide a transportation route for as many forms of active and alternative transportation as possible. From its inception, CV Link has been envisioned as a corridor for pedestrians, bicycles and LSEVs. Therefore, to propose an alternative that excludes the LSEV component of the project entirely would not be appropriate. Additionally, an alternative that removed LSEVs from CV Link in Rancho Mirage was offered to and rejected by the City. In response to the offer made by CVAG, Rancho Mirage City Manager Randal Bynder on November 2, 2015 sent a letter stating "Thank you for your letter of October 13, 2015 offering an alternative in the CV Link environmental analysis prohibiting low speed electric vehicles on all or part of the route through Rancho Mirage. We do not consider this to be a viable alternative."

D. ALTERNATIVES SELECTED FOR ANALYSIS IN THE EIR

Alternative 1: Project Without Rancho Mirage and Indian Wells

This alternative was developed to analyze the environmental consequences of CV Link buildout but without the participation of the cities of Rancho Mirage and Indian Wells. The primary difference between the Proposed Project and Alternative 1 is the deletion of CV Link improvements in both cities and the provision of logical termini at and in the vicinity of respective city limits. A categorical evaluation of potential impacts associated with this alternative are set forth in Section V of the EIR. This alternative is suggested by the ambivalence of the Indian Wells City Council regarding the development of CV Link in its community, and the need to understand the consequences if Indian Wells does not participate.

Under Alternative 1, the CV Link segments generally extending from Frank Sinatra Drive and along the stormwater channel and public streets, are not included. Neither are those street and channel alignments planned in Indian Wells and generally extending from Fred Waring Drive on the west to Washington Street on the east. With the deletion of CV Link segments through Rancho Mirage and Indian Wells, Alternative 1 requires the selection of logical termini at Indian Wells, as have been selected for Rancho Mirage under the Proposed Project. The east and west Indian Wells termini are described below

and shown on Exhibits 2-19. For Alternative 1, the Route length is 40.53± miles, and the total length of all Alternative 1 alignments is 48.2± miles.

In addition to the depiction of logical termini in Rancho Mirage described in the Proposed Project, Alternative 1 also assumes that CV Link users in Palm Desert and La Quinta will be able to continue to pass through Rancho Mirage and Indian Wells on their existing sidewalks, bike paths, and streets in accordance with applicable state and federal requirements that local jurisdictions ensure multi-modal access (see California's Complete Streets Act (Government Code (65302(b)(2)(A), etc.). Therefore and where appropriate, multiple termini have been developed for analysis to provide options for final terminus selection.

Indian Wells Segments Deleted

In addition to the Rancho Mirage segments that have been removed to result in the Proposed Project, Alternative 1 would also result in the deletion of the following alignments currently planned for this portion of the CV Link Route, specifically:

- Deletes the segment of CV Link proposed for the right bank of Whitewater River Channel.
- Deletes the segment of CV Link proposed for the left bank of Whitewater River Channel.
- Deletes the segment of CV Link proposed for Eldorado Drive and Highway 111.
- Deletes the segment of CV Link proposed for Miles Avenue.
- Deletes intersection improvements at Intersection #28, Eldorado at Fred Waring.

Indian Wells Termini

With the deletion of the above-described CV Link segments, Alternative 1 requires the selection of logical termini at and in the vicinity of the Indian Wells city limits. The east and west termini proposed for this alternative are described below.

East Indian Wells Terminus

The east terminus developed for this alternative has been designed to bring CV Link users to a diverse activity center with an array of commercial services and access to recreation and sports venues. It also optimizes the ability of CV Link users to continue westward on existing and future facilities, and Indian Wells residents and visitors to continue eastward along city streets, sidewalks and bike paths to CV Link improvements in La Quinta.

Therefore, the east Indian Wells terminus has been placed at the city limits with La Quinta on the south side of Highway 111. The terminus will be reached by a spur path coming south from the WWR Channel path alignment and along the west end of the Point Happy commercial development to the signalized intersection of Plaza La Quinta and Highway 111. From this point, the path will cross Highway 111 and continue west along the south side of the highway to the city limits. At this location, Indian Wells provides a dedicated pedestrian bridge over the Deep Canyon Channel, generous parkway

with sidewalks continuing west, and east and west on-street bike paths (unsigned). These facilities will be able to accommodate those CV Link users and others that wish to proceed west via alternative modes of travel.

West Indian Wells Termini

The deletion of the above described Indian Wells CV Link alignments will also affect how the Link is terminated on the west side of the city. To this end, a variety of possible termini were considered that depend upon different Route alignments and end points. Each of the four west end termini being considered is briefly described in the EIR.

Terminus A: This terminus would be located on the south (right) bank of the channel at the planned Kelsey Circle access point located within the Desert Rose development in Palm Desert.

Terminus B: This terminus would be located approximately 700-800 feet southeast of Terminus A at the intersection of the old (now abandoned) and partially paved Eldorado Drive alignment, which currently provides CVWD access to the channel and SCE access to an adjoining substation. This terminus would extend south on the existing right of way to Fred Waring Drive, where CV Link users could proceed west on existing parkway improvements.

Terminus C: This terminus would be located on the north (left) bank of the channel and essentially due north of Terminus B on the south side of the channel. This terminus would be reached by an in-channel path that would cross the wash and ramp back up onto the north (left) bank channel service road.

Terminus D: Terminus D is the easterly most of the four considered. It would continue along the north (left) bank of the channel and would continue southeast along the channel to the north side of Fred Waring Drive where it would proceed east to the intersection of Fred Waring Drive and Eldorado Drive where the terminus would be sited. Terminus D and the left bank Route to same would be located within the Indian Wells city limits.

Alternative 1 Environmental Impacts

Alternative 1 would reduce impacts in most issue areas, insofar as the Project would not occur in either Rancho Mirage or Indian Wells, and there would thereby be lower impacts associated with aesthetics, air quality during construction, biological resources, cultural resources, geology and soils, greenhouse gas emissions during construction, hazards and hazardous materials, hydrology and water quality, energy and mineral resources, noise during operations, public services and utilities and service systems. Alternative 1 would result in significant and unavoidable impacts associated with construction noise and vibration, but these impacts would not occur in Indian Wells. Alternative 1 would not, however, reduce air quality and greenhouse gas operational benefits from reduced vehicle trips to the extent of the Proposed Project or Alternative 2, because the reduction in these trips would not be as great as the Proposed Project or Alternative 2. Alternative 1 would also not implement General Plan goals and policies relating to alternative transportation and inter-city connectivity as effectively as the Proposed Project or Alternative 2,

because neither Rancho Mirage nor Indian Wells would be readily accessible to CV Link users. Alternative 1 would also reduce recreational opportunities for potential users in Indian Wells, as compared to the Proposed Project or Alternative 2. Finally, Alternative 1 will result in a lower reduction in vehicle miles traveled when compared to the Proposed Project and Alternative 2. However, Alternative 1 would result in the project excluding both cities that have passed ballot measures and taken City Council actions opposing the project. Although not a CEQA issue, this consideration plays a role in the selection of the project to be undertaken by CVAG and approved by the Executive Committee.

Alternative 1 Project Objectives

Alternative 1 meets project objectives less effectively than the Proposed Project and Alternative 2, because it provides the least connectivity and reduces the accessibility of the project the most. Residents and visitors in Rancho Mirage and Indian Wells will be able to access the Route, but not as conveniently as if it occurred in those two jurisdictions. As a result, the objectives of the project for regional multi-modal transportation, GHG reduction, healthy living, improvements to prevent vehicle/pedestrian/bicycle conflicts, adding safe routes to school, or enhancing flood control rights of way will be implemented less successfully. However, this alternative provides logical termini to exclude Rancho Mirage and Indian Wells, both of which currently opposing the project through their jurisdictions currently. With the inclusion of termini on each side of these cities, this alternative is feasible.

Finding: The Executive Committee finds that Alternative 1, as modified by the project approval recommendations, is the superior alternative, because: (1) Alternative 1, as modified, meets the Project objectives; (2) Alternative 1, as modified, would reduce impacts relating to aesthetics, air quality during construction, biological resources, cultural resources, geology and soils, greenhouse gas emissions during construction, hazards and hazardous materials, hydrology and water quality, energy and mineral resources, noise during operations, public services and utilities and service systems; and (3) Alternative 1, as modified, is feasible because it excludes the two jurisdictions that have taken action to preclude, at the current time, the Project.

Alternative 2: Project With All Eight Cities

This project alternative evaluates the environmental impacts associated with a complete and full buildout of the CV Link Route through all of the incorporated cities, unincorporated county and Native American lands from Pam Springs to Coachella. It evaluates all of the prospective Route alignments, including those that pass through the cities of Indian Wells and Rancho Mirage. This alternative, therefore, evaluates all of the alignment variations for the complete 49± mile long Route and its associated 64.34 miles of alignments.

Alternative 2 Environmental Impacts

Alternative 2 would increase impacts in most issue areas, insofar as the Project would occur in either Rancho Mirage or Indian Wells, and there would thereby be greater impacts associated with aesthetics, air quality during construction, biological resources,

cultural resources, geology and soils, greenhouse gas emissions during construction, hazards and hazardous materials, hydrology and water quality, energy and mineral resources, noise during operations, public services and utilities and service systems. Alternative 2 would result in significant and unavoidable impacts associated with construction noise and vibration, and these impacts would occur in both Rancho Mirage and Indian Wells. Alternative 2 would increase air quality and greenhouse gas operational benefits from reduced vehicle trips more than any other alternative, because the reduction in these trips would the greatest under this alternative. Alternative 2 would implement General Plan goals and policies relating to alternative transportation and inter-city connectivity more effectively than the Proposed Project or Alternative 1, because both Rancho Mirage and Indian Wells would be readily accessible to CV Link users. Alternative 2 would also increase recreational opportunities for potential users in Rancho Mirage and Indian Wells, as compared to the Proposed Project or Alternative 1. Finally, Alternative 2 will result in the greatest reduction in vehicle miles traveled when compared to the Proposed Project and Alternative 1. However, Alternative 2 would result in the project including both cities that have passed ballot measures and taken City Council actions opposing the project. Although not a CEQA issue, this consideration plays a role in the selection of the project to be undertaken by CVAG and approved by the Executive Committee.

Alternative 2 Project Objectives

Alternative 2 meets the project objectives to the greatest degree, insofar as it would implement the project from Palm Springs to Coachella, and provide a complete and uninterrupted multi-modal facility, most significantly reduce GHG emissions, promote healthy living, make all improvements to prevent vehicle/pedestrian/bicycle conflicts, add the most safe routes to school, and enhance flood control rights of way to the greatest extent. However, Alternative 2 cannot be fully implemented without the affirmative vote of the cities' of Rancho Mirage and Indian Wells electorate at this time. Should such a vote occur, this alternative would be feasible.

Finding: The Executive Committee rejects Alternative 2, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) Alternative 2 would result in greater impacts associated with aesthetics, air quality during construction, biological resources, cultural resources, geology and soils, greenhouse gas emissions during construction, hazards and hazardous materials, hydrology and water quality, energy and mineral resources, noise during operations, public services and utilities and service systems; and (2) Alternative 2 is infeasible because it includes the two jurisdictions that have taken action to preclude, at the current time, the Project.

Alternative 3: No Build/No Project

Under the No Project alternative, the existing but limited multi-modal network in the vicinity of the CV Link Route will continue to provide current levels and types of service and facilities. Future facilities planned for and set forth in jurisdiction general plans or their equivalent will continue to expand both intra-city and inter-city multi-modal networks. In the absence of unifying, "multi-modal arterial" like CV Link the level of

interconnectivity and the provision of meaningful user experiences are expected to be limited.

Alternative 3 Environmental Impacts
Alternative 3 would eliminate impacts in most issue areas, insofar as the Project would not occur, and there would thereby be no impacts associated with aesthetics, air quality during construction, biological resources, cultural resources, geology and soils, greenhouse gas emissions during construction, hazards and hazardous materials, hydrology and water quality, energy and mineral resources, noise, public services and utilities and service systems. Alternative 3 would not, however, reduce air quality and greenhouse gas operational benefits from reduced vehicle trips, because there would be no alternative transportation Route through the Valley. Alternative 3 would also not implement General Plan goals and policies relating to alternative transportation and inter-city connectivity. Finally, Alternative 3 will not reduce vehicle miles traveled and the potential for accidents between vehicles and pedestrians/bicyclists will not be diminished and continue to be a significant impact on the health & safety of residents and tourists.

Alternative 3 Project Objectives
Alternative 3, the No Project Alternative, meets none of the project objectives because it does not result in a multi-modal transportation facility, does not reduce GHG emissions, promote healthy living, make any improvements to prevent vehicle/pedestrian/bicycle conflicts, add any safe routes to school, or enhance flood control rights of way. Neither would this alternative provide opportunities for other important partnerships to be created to further the Valley's multi-modal transportation network. The desired local economic effects also would not be met nor would long-term economic effects of CV Link be realized. However, this alternative is feasible.

Finding: The Executive Committee rejects Alternative 3, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) Alternative 3 fails to meet any of the project objectives; (2) even though Alternative 3 would avoid impacts relating to development of the Project, it would not result in air quality emission reductions, greenhouse gas emission reductions or reductions in vehicle miles traveled; and (3) Alternative 3 is infeasible because it would not provide a multi-modal transportation alternative for CVAG jurisdictions consistent with the Active Transportation Plan. Therefore, Alternative 3 is eliminated from further consideration.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR.

Development Alternative Comparison

	Environmentally Superior Alternative			
Environmental Issue	**Proposed Project**	**Alternative 1**	**Alternative 2**	**Alternative 3**
Aesthetics		X		
Air Quality			X	
Biological Resources		X		
Cultural Resources		X		
Geology and Soils		X		
Greenhouse Gas Emissions			X	
Hazards and Hazardous Materials		X		
Hydrology and Water Quality		X		
Land Use and Planning			X	
Energy & Mineral Resources		X		
Noise		X		
Population and Housing			X	
Public Services		X		
Recreation			X	
Transportation and Traffic			X	
Utilities and Service Systems		X		

Each sub-section of the EIR has analyzed the two build alternatives (Alternative 1 and 2) and the No Project alternative to consider which alternative is environmentally superior in each environmental category and detailed analysis shows that Alternative 3, the No Project alternative, would not result in any environmental impacts in most areas, with the exception of Air Quality and Greenhouse gases. In these two issue areas, there is no potential for the reduction in emissions resulting from reduced vehicle trips, and as a result Alternative 3 is the least environmentally superior alternative. Alternative 3, however, does not meet any of the project objectives.

Of the development alternatives, Alternative 1 is environmentally superior as it relates to its impacts on disturbance, while Alternative 2 provides the greatest reduction in air emissions and the greatest connectivity, and ranks second. Alternative 1 would represent a shorter route, and therefore would reduce impacts where the disturbance of land, floodways, and the use of materials would be involved. Alternative 2 would have the greatest impact in these areas, but would provide the most connectivity, and the greatest reduction in vehicle miles traveled, and associated reduction in use of fossil fuels.

The Proposed Project results in significant and unavoidable impacts associated with construction noise and vibration during construction. Alternative 3, the No Project Alternative, would not result in any construction, and therefore would not have any resulting construction noise or construction vibration impacts. Among the development alternatives, Alternative 1 would have construction noise and vibration impacts in fewer jurisdictions, so these impacts would be reduced. However, the impacts in the

participating jurisdictions would still remain significant and unavoidable, because construction noise and vibration would occur adjacent to sensitive receptors in each of these jurisdictions. Alternative 2 would result in the greatest construction noise and vibration impacts, insofar as all the jurisdictions from Palm Springs to Coachella would be impacted. On this basis, Alternative 1 is the environmentally superior alternative, in that it would reduce the area in which construction noise and construction vibration would occur. However, under all built alternatives, including the Proposed Project, construction noise and construction vibration would remain significant and unavoidable.

The Executive Committee finds that the Alternative 1, as modified by the project approval recommendations, is the environmentally superior alternative overall that best meets the project purpose and need and project objectives.

SECTION 10: ADOPTION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code Section 21081.6 requires that a Mitigation, Monitoring, and Reporting Program be adopted upon certification of an EIR to ensure that the mitigation measures are implemented. The Mitigation, Monitoring, and Reporting Program specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished.

The Executive Committee hereby adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as **Exhibit "B."** Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Project. In the event of any inconsistencies between the Mitigation Measures set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

SECTION 11: CERTIFICATION OF THE EIR

The Executive Committee finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines and the City's Local CEQA Guidelines and that the EIR reflects the independent judgment and analysis of the Executive Committee.

The Executive Committee declares that no evidence of new significant impacts as defined by the State CEQA Guidelines section 15088.5 have been received by the Executive Committee after circulation of the Draft EIR which would require recirculation.

Therefore, the Executive Committee hereby certifies the EIR based on the entirety of the record of proceedings.

SECTION 12: CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at CVAG's offices, 73-710 Fred Waring Drive, Suite 200, Palm Desert, CA 92260. The custodian for these records is CVAG's Executive Director or designee. This information is provided in compliance with Public Resources Code section 21081.6.

PASSED, APPROVED and ADOPTED this 15th day of May, 2017.

AYES:
NOES:
ABSTAIN:

Dana Reed, Chair
Coachella Valley Association of Governments

ATTEST:

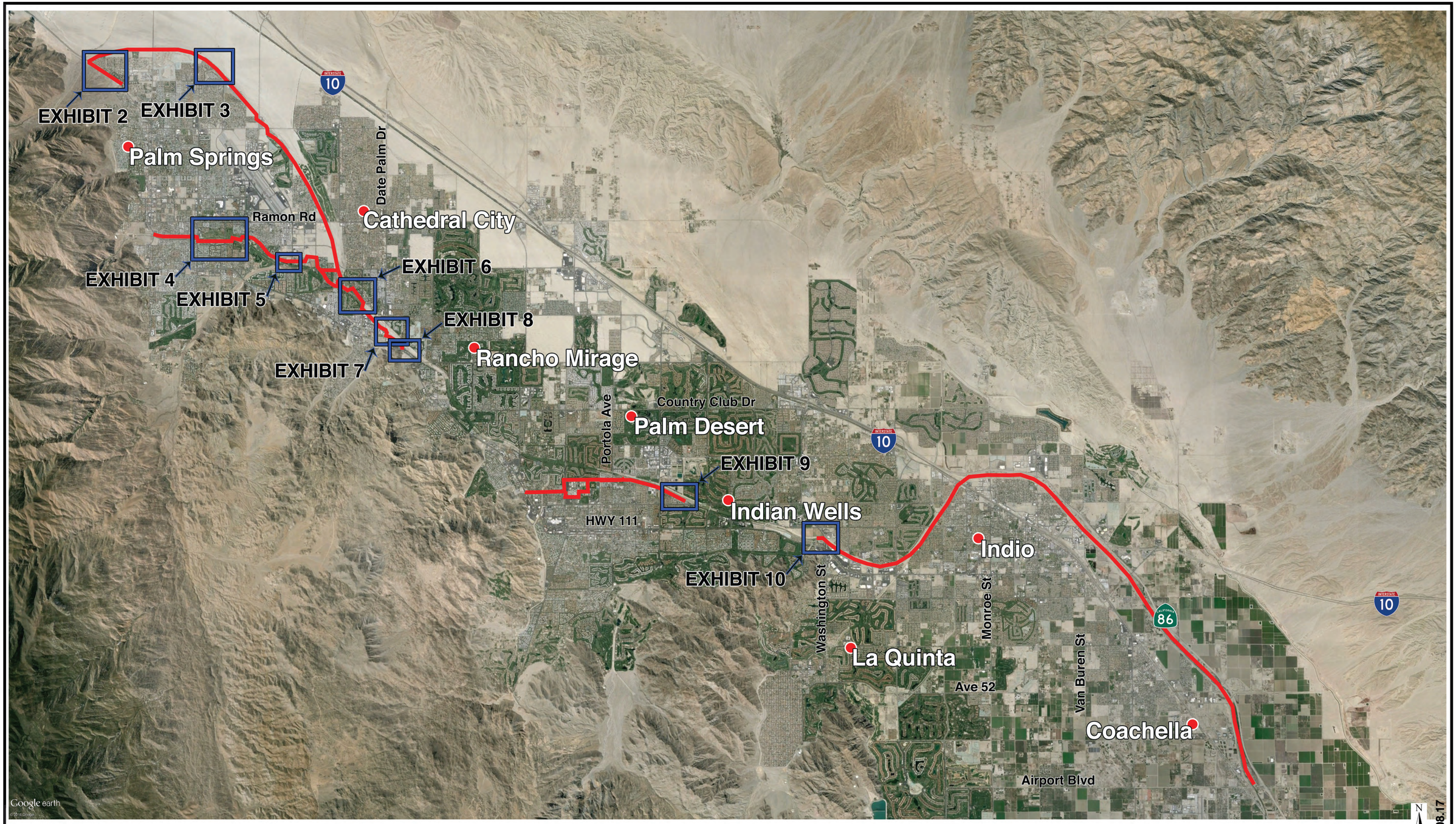
Tom Kirk, Executive Director
Coachella Valley Association of Governments

APPROVED AS TO FORM:

Charity Schiller, CEQA Counsel
Coachella Valley Association of Governments

Exhibit "A"

Exhibits Depicting Alternative 1 Route, As Modified, and Alignments



Source: Google Earth, 2016

05.08.17

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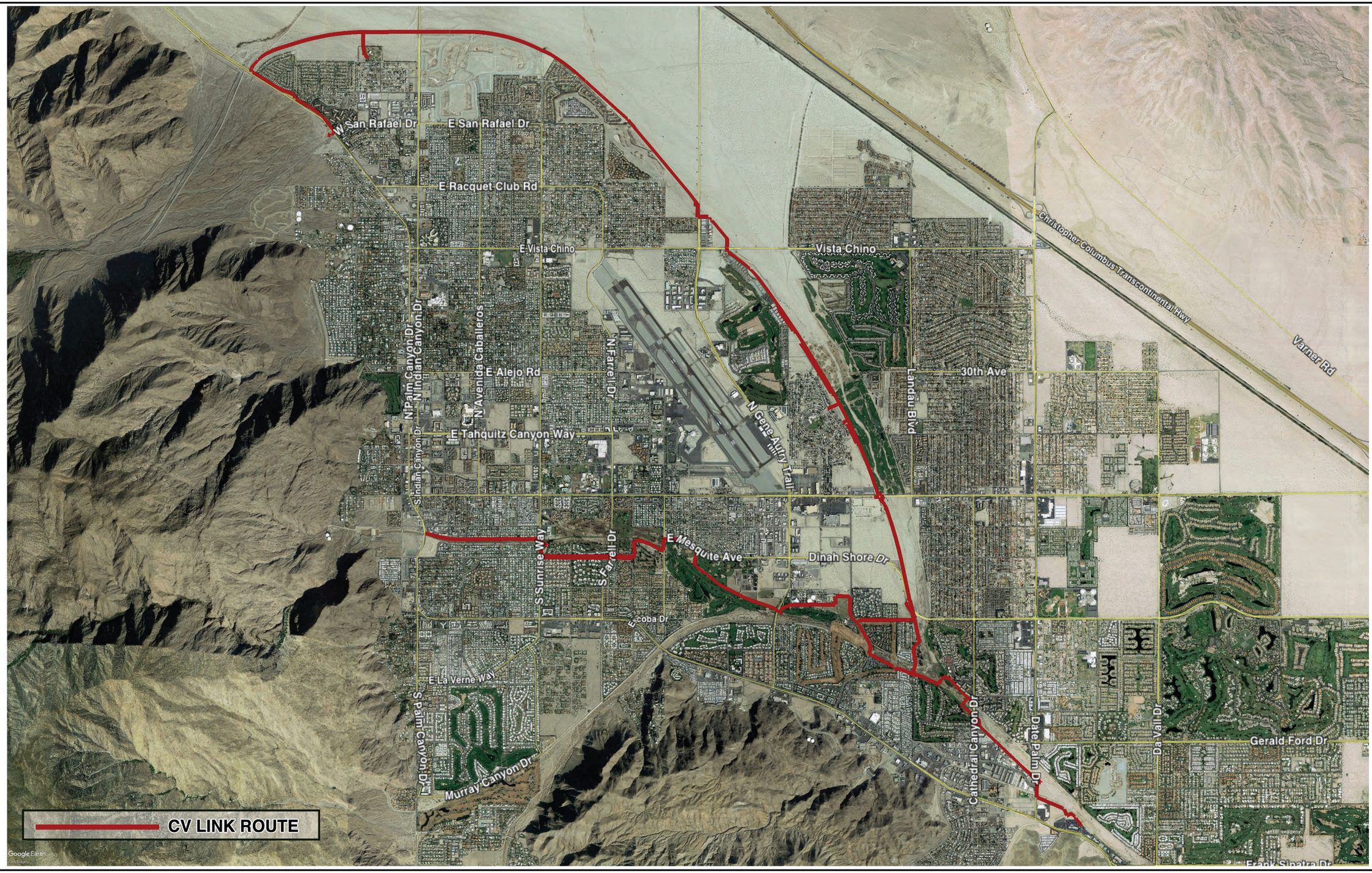
PLANNING & RESEARCH, INC.

CV Link Project
Alternative 1 - Project Recommended for Approval
Coachella Valley Association of Governments

CV LINK
CONNECTING THE COACHELLA VALLEY
CVAG

EXHIBIT
1



N

05.09.17

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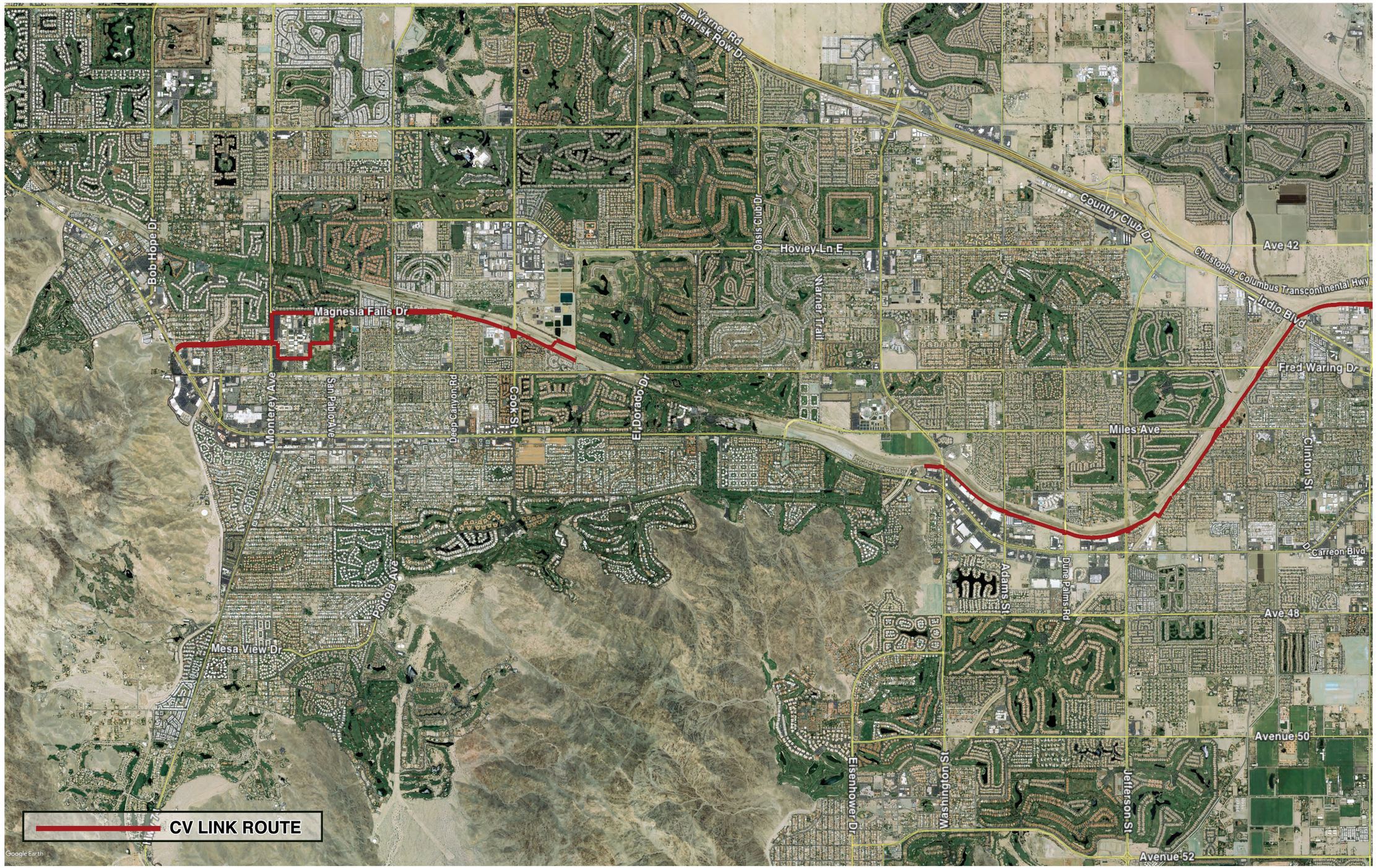
CV Link Project
West Valley
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY
CVAG

Exhibit
1A



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05.08.17

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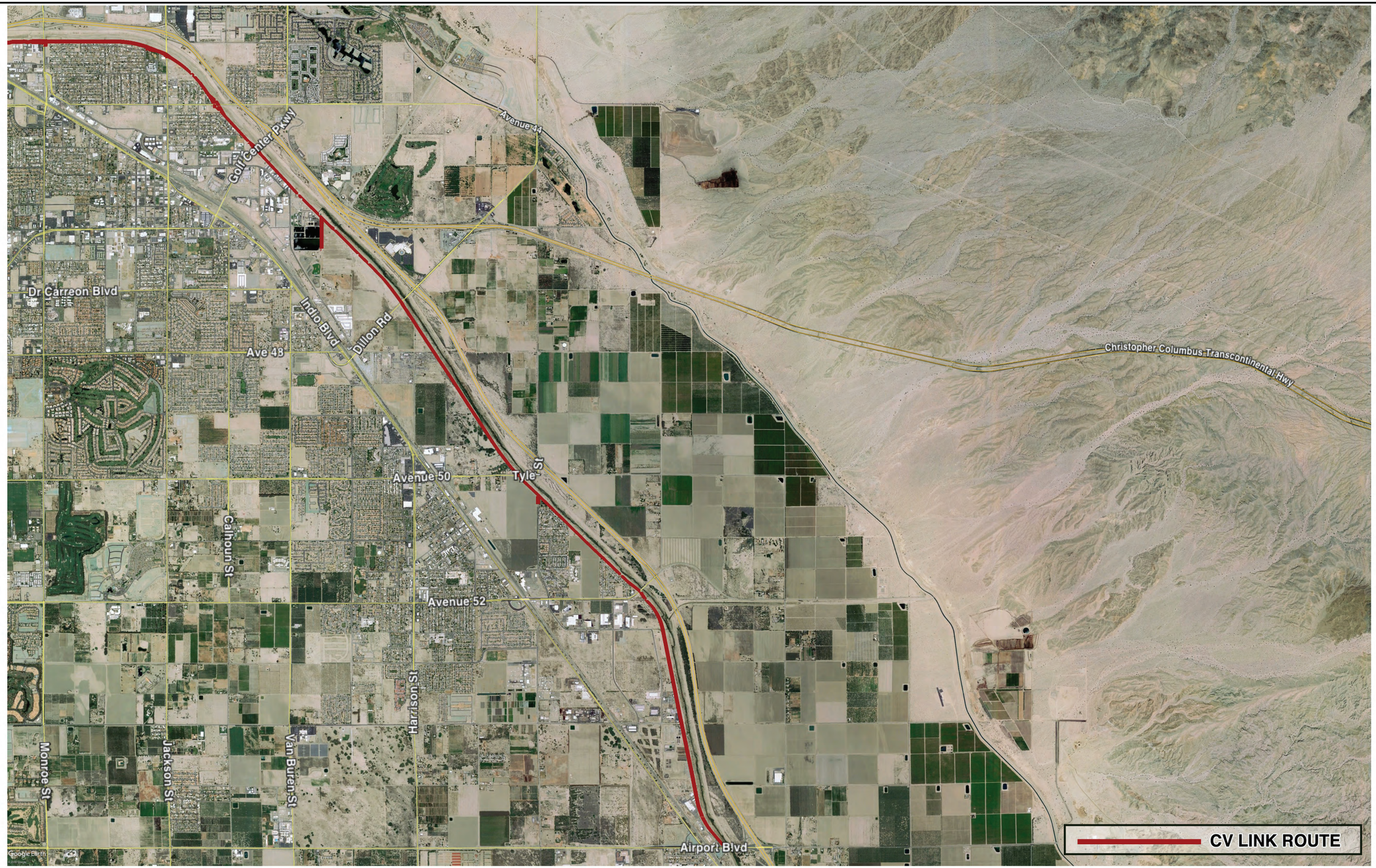
CV Link Project
Central Valley
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY
CVAG

Exhibit
1B



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CV Link Project
East Valley
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY
CVAG

Exhibit
1C

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 250 500 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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PLANNING & RESEARCH, INC.

CV Link Project
North Palm Canyon Drive
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
2

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 250 500 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

TERRA NOVA®
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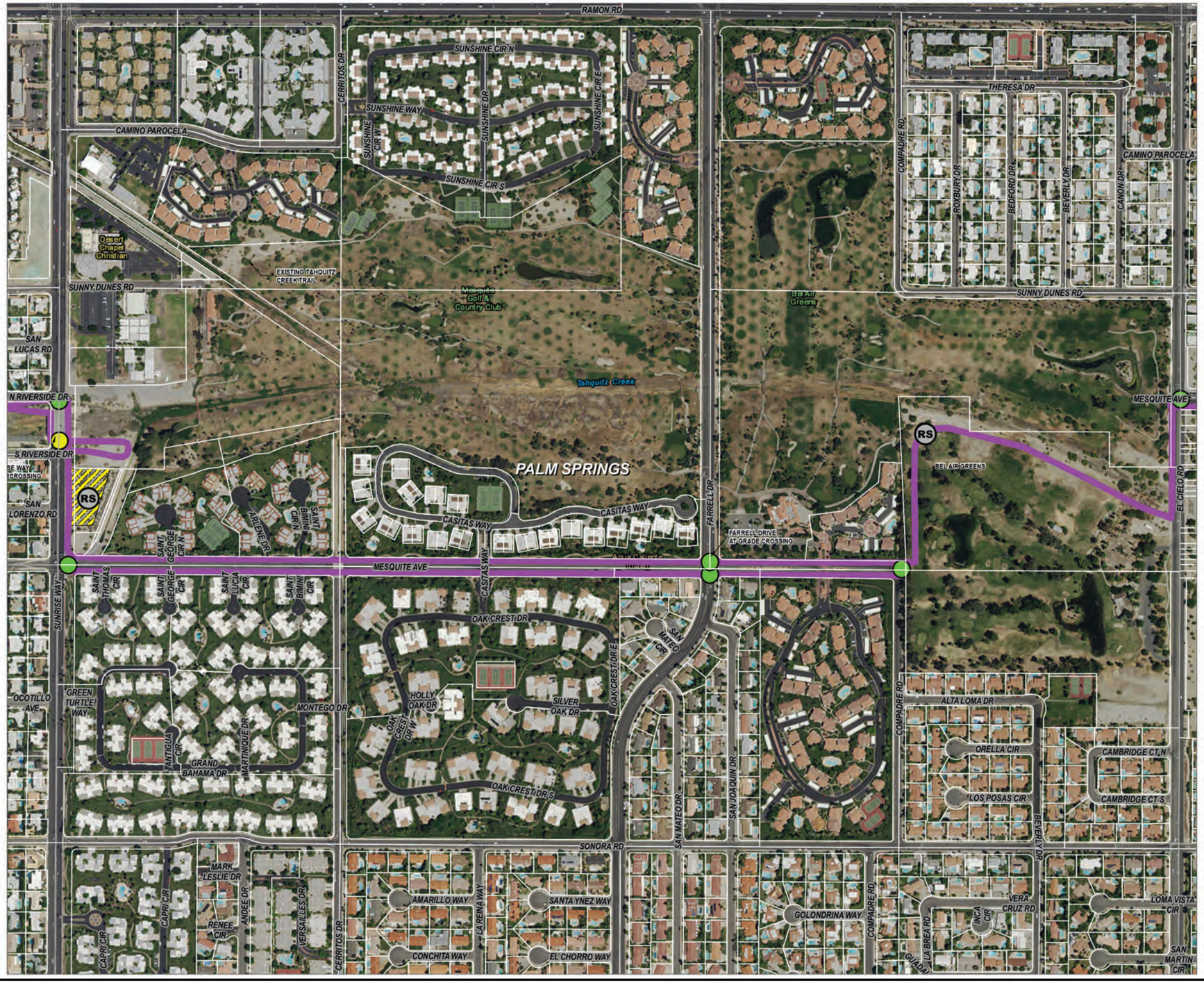
CV Link Project
Four Seasons
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
3



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 250 500 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

TERRA NOVA®
PLANNING & RESEARCH, INC.

CV Link Project
Sunrise Way to El Cielo Road
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
4

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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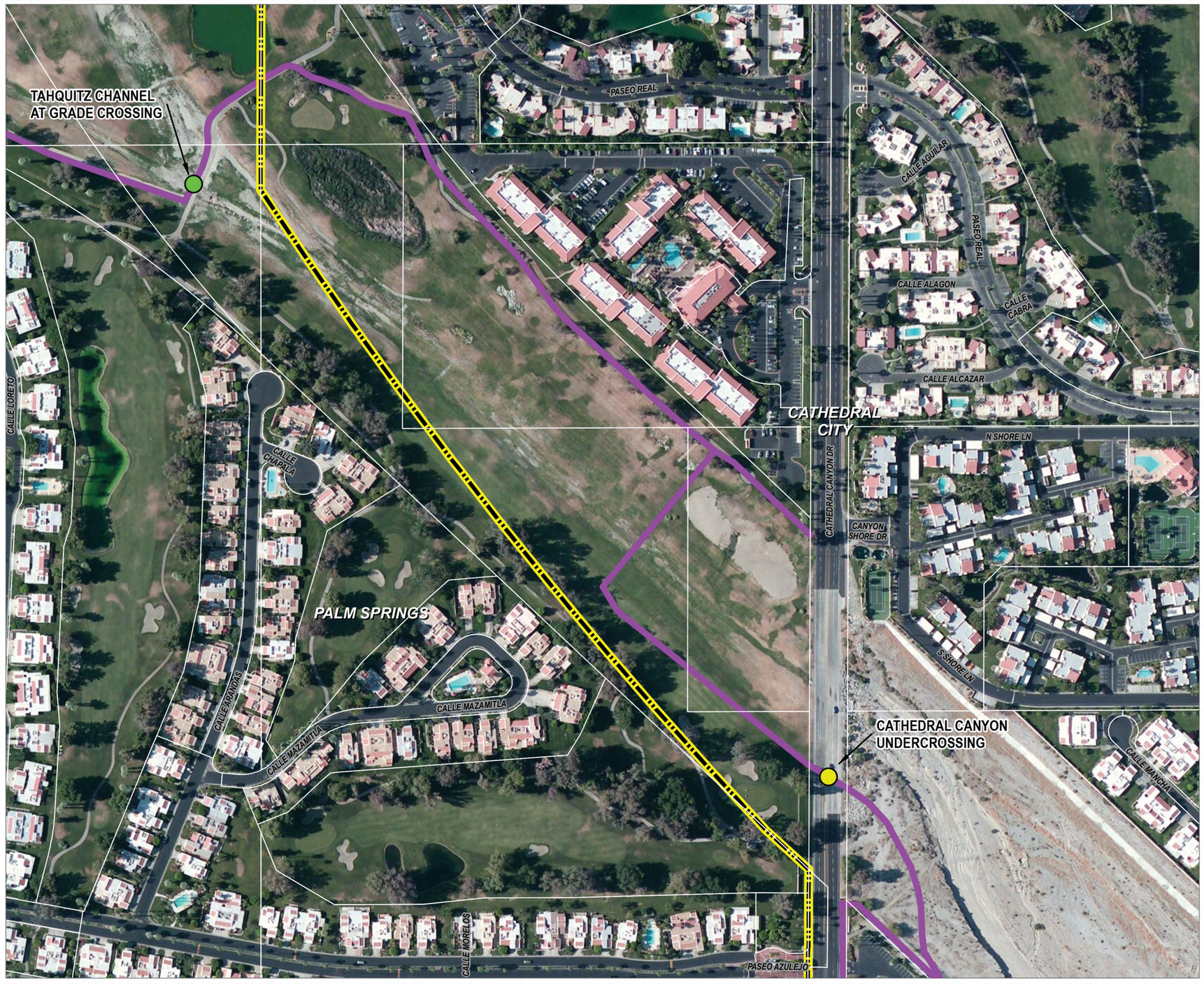
CV Link Project
Tahquitz Creek Colf Course, 17th Hole
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
5



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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CV Link Project
Cathedral Canyon Golf Course
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit

6

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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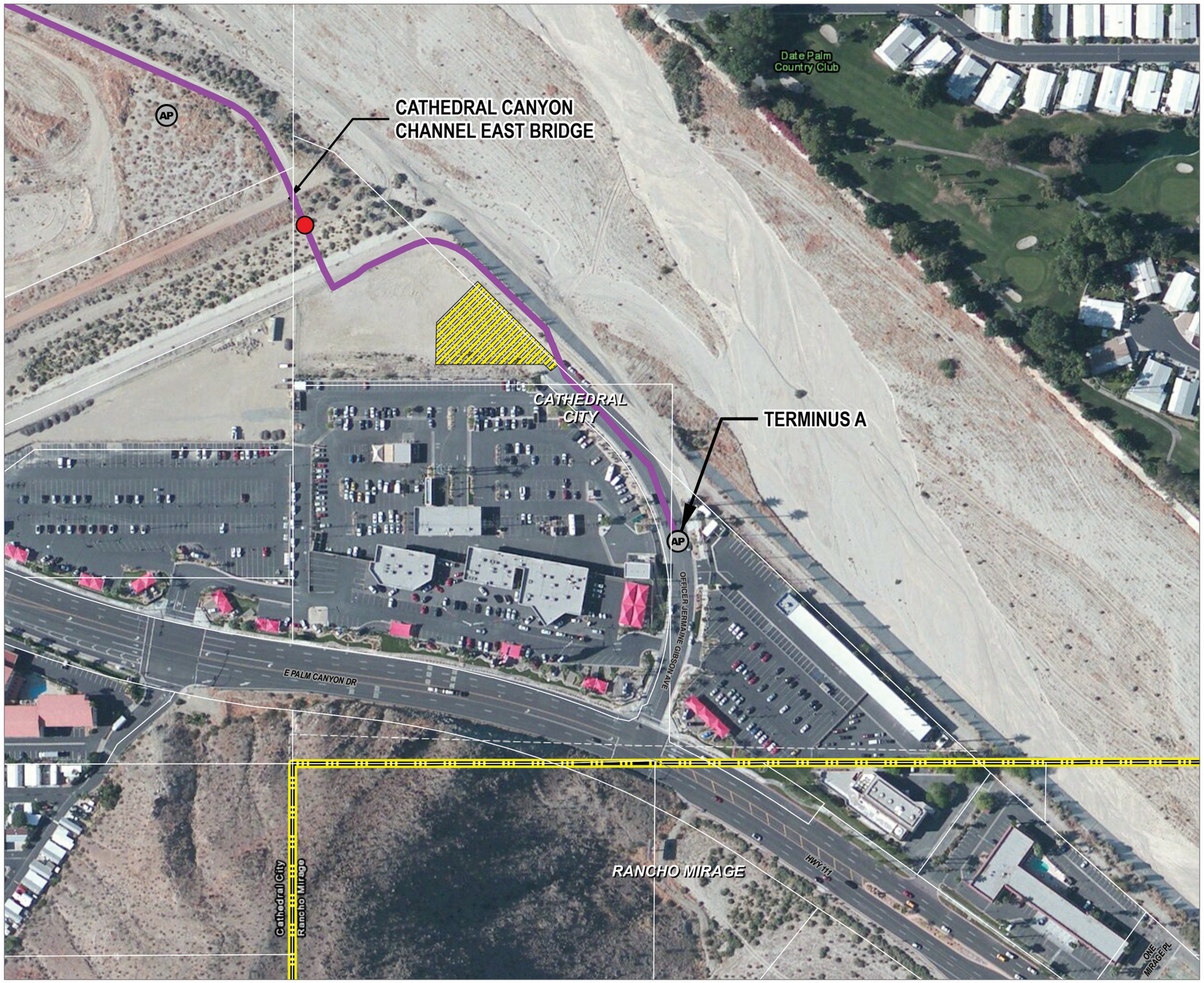
CV Link Project
Date Palm Drive
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
7



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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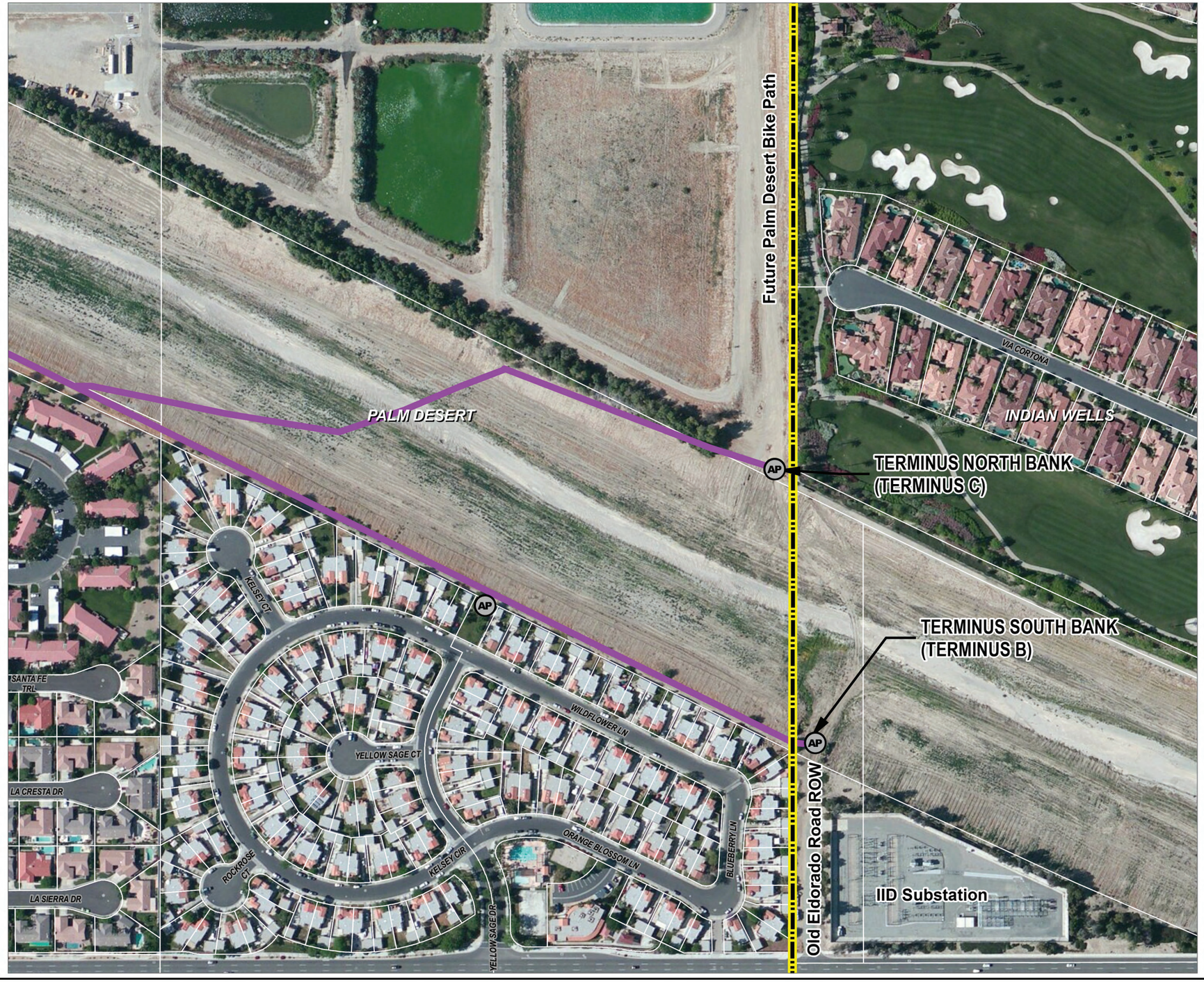
PLANNING & RESEARCH, INC.

CV Link Project
Cathedral City/Rancho Mirage Terminus
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
8



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 105 210 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/9/2017

05.08.17

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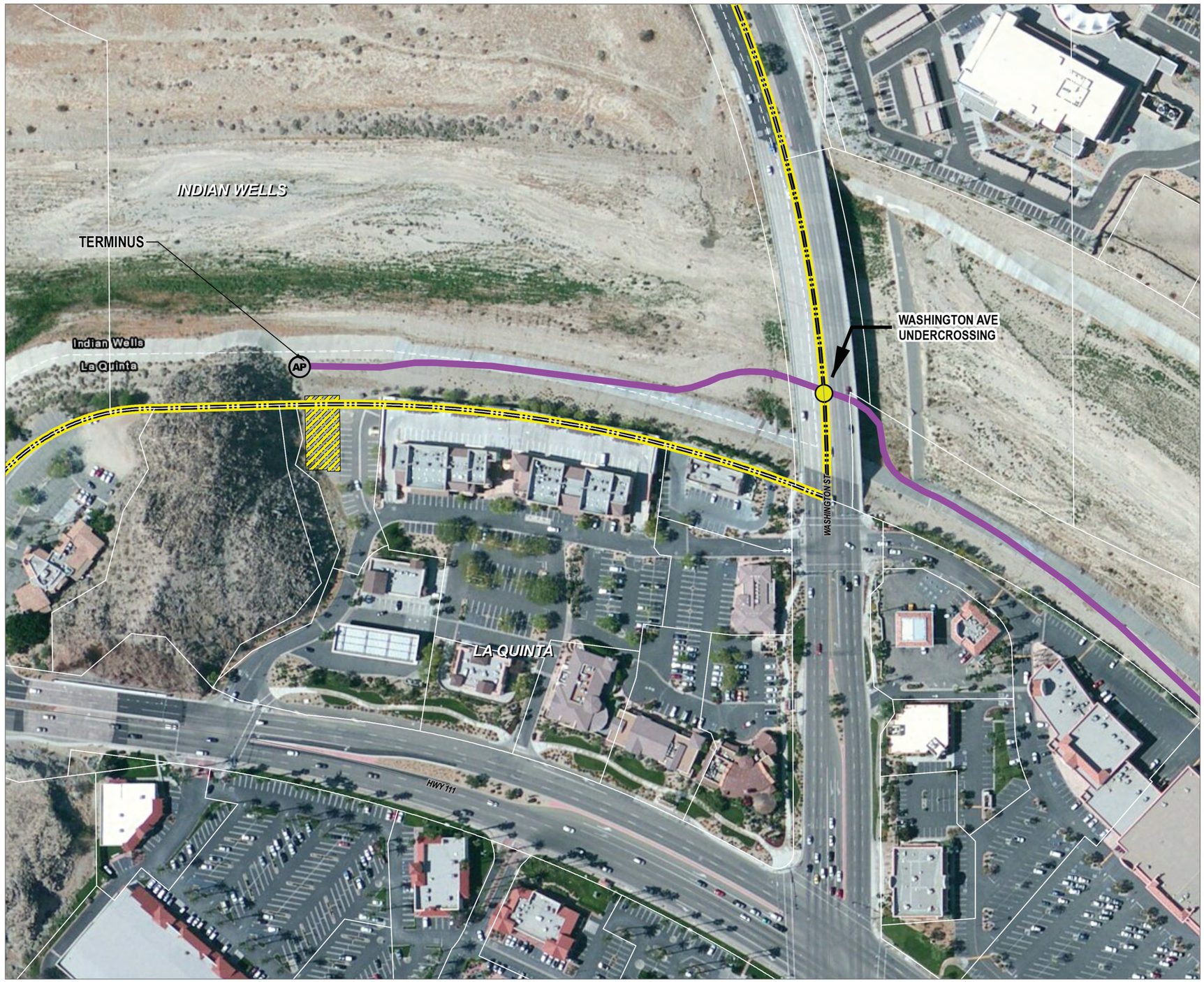
PLANNING & RESEARCH, INC.

CV Link Project
Palm Desert/Indian Wells Termini
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
9



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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PLANNING & RESEARCH, INC.

CV Link Project
Indian Wells/La Quinta Terminus
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
10

Exhibit "B"

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING & REPORTING PROGRAM

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
Section 4.2 Aesthetics	Less Than Significant	AES-1: Construction staging areas should be located as far away from sensitive receptors as practicable and shall be screened from public view. The screening will consist of a perimeter chainlink fence with a windscreen, which will also provide a view screen. When staging areas' use is complete, the land shall be restored to its original condition.	CVAG, Project Contractor	Concurrent with project construction.
	Less Than Significant	AES-2: Lighting plans shall be prepared by the project design team, and shall demonstrate that lighting from all fixtures will not extend beyond the edge of the right-of-way. Any lighting fixture proposed above the path shall be fully shielded.	CVAG, Project Manager, Project Architect	Prior to the issuance of grading and/or building permits.
Section 4.3 Air Quality	Less Than Significant	AQ-1: To reduce particulate matter and NOx emissions construction equipment shall utilize aqueous diesel fuels, diesel particulate filters and diesel oxidation catalyst with a minimum 30% reduction rating during all construction activities.	CVAG, Project Manager, General Contractor	Approved dust control plans from all participating jurisdictions prior to site disturbance. Adherence to the confirmed during all project plan reviews.
	Less Than Significant	AQ-2: SCAQMD Rule 403 (403.1 specific to the Coachella Valley): A dust control Plan shall be prepared and implemented by all contractors during all construction activities, including ground disturbance, grubbing, grading, and materials import and export. Said plan shall include but not be limited to the following best management practices: Chemically treat soil where activity will cease for at least four consecutive days; • All construction grading operations and earth moving operations shall cease when winds exceed 25 miles per hour; • Water site and equipment morning and evening and during all earth-moving operations; • Operate street-sweepers on paved roads adjacent to site; • Establish and strictly enforce limits of grading for each phase of development; • Wash off trucks as they leave the project site to control fugitive dust emissions • Cover all transported loads of soils, wet materials prior to transport, provide freeboard (space from the top of the material to the top of the truck) to reduce PM_{10} and deposition of particulate matter during	CVAG, Project Manager, General Contractor	Approved dust control plans from all participating jurisdictions prior to site disturbance. Adherence to the confirmed during all project plan reviews.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		transportation Use track-out reduction measures such as gravel pads at project access points to minimize dust and mud deposits on roads affected by construction traffic.		
Section 4.4 Biological Resources	Less Than Significant	BIO-1: CVAG will be required to pay the local development mitigation fee to mitigate for impacts to covered species and natural communities within the plan area, inside or outside of Conservation Areas. Project activities inside Conservation Areas are subject to the Joint Project Review process to determine consistency with plan goals and objectives.	CVAG, Project Manager	Prior to approval of the final development plans.
	Less Than Significant	BIO-2: CVAG shall comply with all terms and conditions of the CVMSHCP and Implementing Agreement including, but not limited to: 1) participation in the Joint Project Review Process with the Coachella Valley Conservation Commission for projects within conservation areas as described in Section 6.6.1.1 of the CVMSHCP, and 2) Implementation of the "Land Use Adjacency Guidelines" as described in Section 4.5 of the CVMSHCP for any portion of the Proposed Project that impact or are adjacent to the Whitewater Floodplain and Santa Rosa and San Jacinto Mountains Conservation Areas. Measures for the "Land Use Adjacency Guidelines" include: a. Drainage: Development of the Proposed Project 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. Storm water systems shall be designed to prevent the release of pollutants (e.g., 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. b. Toxics: Development of the Proposed Project adjacent to or within a conservation area shall be required to incorporate measures to ensure that application of fertilizers, pesticides, herbicides or similar chemicals does not result in any discharge to the adjacent conservation area. c. Lighting: Lighting in areas adjacent to or located within conservation areas shall be shielded and directed away from the conservation area, toward developed areas. 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 included in the Implementation Manual.	CVAG	Prior to the issuance of authorization to proceed.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		d. Noise: Noise generated by construction adjacent to or within a conservation area in excess of 75 dBA shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent conservation area according to Implementation Manual guidelines. e. Invasives: Landscape plans shall be prepared for the Proposed Project. Landscape plans for areas that are located adjacent to or within a conservation area are prohibited from using invasive, non-native plant species in their design. Prohibited invasive ornamental plant species are listed in Table 4-113 of the CVMSHCP (Appendix F). The Coachella Valley native plant species listed in Table 4-112 of the CVMSHCP shall be incorporated into landscape design within or adjacent to conservation areas.		
	Less Than Significant	<u>Mitigation Related to MBTA</u> BIO-3: If ground disturbance, tree or plant removal is proposed between February 1st and August 31st, a qualified biologist shall conduct a nesting bird survey within 14 days of initiation of grading onsite focusing on MBTA covered species. If active nests are reported, then species-specific measures shall be prepared. At a minimum, grading in the vicinity of a nest shall be postponed till the young birds have fledged. For construction between September 1st and January 31th, no pre-removal nesting bird survey is required. a. In the event active nests are found, exclusionary fencing shall be placed 200 feet around the nest until such time as nestlings have fledged. Nests of raptors and burrowing owls shall be provided a 500-foot buffer. Ground disturbance between September 1 and January 31 shall be exempt from this requirement.	CVAG, Project Biologist	Not more than 30-days and not less than 3-days prior to the authorization to begin.
	Less Than Significant	<u>Mitigation Related to Burrowing Owl</u> BIO-4: A “take avoidance survey” for the burrowing owl no less than 14 days (in accordance with the Staff Report on Burrowing Owl Mitigation [CDFW 2012]) and no more than 30 days (in accordance with CVWD’s Operations and Maintenance Manual) prior to ground breaking activities are required within and outside of conservation areas that contain suitable habitat for this species. Additionally, a final survey must be conducted within 24 hours of the initiation of ground disturbance activities in accordance with the CDFW 2012 protocol.	CVAG, Project Biologist	Not more than 30-days and not less than 3-days prior to the authorization to begin.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		a. If no burrowing owls are detected during those surveys, implementation of ground disturbance activities could proceed without further consideration of this species assuming there is no lapse between the surveys and construction as the protocol states "time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance." b. If burrowing owls are detected during the take avoidance surveys, avoidance and minimization measures would then be required and could include the establishment of a buffer zone, the passive or active relocation of the individual(s) or other measures approved by the CDFW.		
	Less Than Significant	Mitigation Related to Casey's June Beetle BIO-5 Prior to any construction in that portion of the Proposed Project occurring within the Survey Area for Casey's June Beetle, an HCP containing the following requirements shall be approved by the USFWS. a. Restoration of portions of Tahquitz Creek Golf Course (10.38 acres) to natural wash habitat suitable for CJB as identified on Exhibit 4.4-1. b. Establishment of conservation easement(s) on10.38 acres of land within the restoration area of Tahquitz Creek Golf course, as described in item 1. c. Installation of 0.07 acres of native landscaping to enhance habitat adjacent to the path In addition, the following shall be incorporated by CVAG in its management and maintenance of the path within the Survey Area. a. Any and all lighting fixtures shall be turned off between April 1 and May 31 of any year. b. Construction activities will not occur within the Survey Area from April 1 to May 31 of any year. c. An education kiosk will be installed along the CV Link path with information about the species and the importance of native desert wash habitat. d. Signage will be placed along the CV Link path to alert users to the presence of habitat and to encourage respect for and avoidance of undisturbed habitat areas. e. Any lands conserved by CVAG may be available as sites for future CJB propagation, if such propagation is determined to be a viable means of conserving the species.	CVAG	Prior to approval of the final development plans.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		f. Pesticide use on non-listed species is an allowable use, but no take of Casey's June Beetle associated with pesticide use will be authorized by the permit. Application, storage, and use of pesticides, herbicides, insecticides, biocides, and fertilizers in a lawful manner that does not affect Casey's June Beetle is allowed. All such use must occur in accordance with the EPA label on each product. g. CVAG shall post signage at each end of the path within the Survey Area, identifying the area as Casey's June beetle habitat, and cautioning users that mating season for the species occurs between April 1 and May 31. Signage shall also include warnings about not harming the species if it is encountered by the user or impacting adjacent habitat. h. No electronic "bug zappers" will be utilized. i. Irrigation at the surface of the soil will be prohibited in the habitat areas created, restored or conserved by CVAG. j. CVAG shall place $160,075.00 in an endowment approved by the Service to be used for the maintenance of all acreage conserved, created or restored as part of this HCP. k. CVAG shall assure that management and maintenance of all acreage conserved, created or restored is contracted in perpetuity with a qualified land management agency/organization approved by the Service.		
	Less Than Significant	<u>Mitigation Related to Jurisdictional Waters and Wetlands</u> BIO-6: Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the US, a permit or permits shall be approved and issued by the USACE under Section 404 of the CWA to authorize the discharge of dredged or fill material into waters of the US.	CVAG, USACE	Prior to any construction activity in waters of the State.
	Less Than Significant	BIO-7 "Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the US or the State, a Water Quality Certification(s) shall be approved and issued by the Colorado River RWQCB (Region 7), and by the Twenty-Nine Palms Band of Mission Indians for lands within Tribal boundaries, under Section 401 of the CWA.	CVAG, RWQCB	Prior to any construction activity in waters of the US.
	Less Than Significant	BIO-8: Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the State, a permit or permits shall be approved and issued by the Colorado River RWQCB (Region 7) under the Porter Cologne Water Quality Control Act. The permit could be a Construction General Permit, State General Waste Discharge Order, or Waste Discharge Requirements, depending upon the level of impact and the properties of the waterway.	CVAG, RWQCB	Prior to any construction activity in waters of the US.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
	Less Than Significant	BIO-9: Prior to the initiation of any construction within areas determined by the Jurisdictional Delineation to be waters of the State, a 1602 Streambed Alteration Agreement shall be approved and issued by the California Department of Fish and Wildlife.	CVAG, CDFW	Prior to any construction activity in waters of the State.
		<u>Additional Mitigation Measures</u> The following mitigation measures are applicable to those sections of the Route adjacent to native habitat, as described in the Biological Resource Assessment Report.	CVAG, Project Designer	Prior to approval of final construction plan set.
	Less Than Significant	BIO-10: Fencing/Signage – As a means to protect the adjacent lands of the Whitewater Floodplain Conservation Area present on Segment 1 of the CV Link Route (see Appendix B, CV Link Alignments Map Book for location of this Segment), and as prescribed by the requirements of the MSHCP for all areas adjacent to conservation areas under that document's "Land Use Adjacency Guidelines", fencing and/or regularly placed signage shall be employed near the "top-of-slope" of the levee to prevent people and their pets (particularly dogs being walked by their owners) from straying off the designated CV Link path and into the adjacent natural habitat. Signage shall be placed intermittently along the entire CV Link Segment.		
	Less Than Significant	BIO-11: Pet Control – Additional signage shall be placed intermittently along the entire CV Link Route indicating that all dogs shall be required to be on a leash while traversing CV Link. Signage location shall be shown on the construction plans for all portions of the project. Aside from preventing individual animals from entering native habitat, the benefits of such a mandate are numerous including facilitating personal safety for other users of the Link, preventing altercations with other dogs present on the path, and increased safety for the individual pet in question (i.e. preventing collisions with bicyclists and LSEV users). In addition, disposal bins for pet waste shall also be provided throughout CV Link.	CVAG, Project Designer	Prior to approval of final construction plan set.
	Less Than Significant	BIO-12: Interpretive Signage – Interpretive signs adjacent to areas of native habitat (such as the Whitewater Floodplain Preserve) shall illustrate and educate the public on some of the native wildlife, plant, or vegetation communities present adjacent to CV Link.	CVAG, Project Designer	Prior to approval of final construction plan set.
Section 4.5 Cultural Resources	Less Than Significant	CUL-1: Construction-related earth-moving operations shall be monitored by a qualified archaeologist at five (5) locations delineated on the CV Link APE mapbook. If cultural materials more than 50 years of age are discovered, they will be field-recorded and evaluated in conformance with an approved Post-Review Discovery and Monitoring Plan (PRDMP). The monitor shall be prepared to recover artifacts quickly to avoid construction delays, but shall have the power to temporarily halt or divert construction equipment to allow	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		for controlled archaeological recovery if a substantial cultural deposit is encountered.		
	Less Than Significant	CUL-2: CVAG shall prepare a construction archaeological monitoring program to be designed and implemented in coordination with local Native American groups, including the Agua Caliente Band of Cahuilla Indians, Augustine Band of Cahuilla Indians, the Cabazon Band of Mission Indians, and the Twenty-Nine Palms Band of Mission Indians, who have requested and in some cases expressed their desire to participate in such monitoring.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.
	Less Than Significant	CUL-3: Collected artifacts shall be processed, catalogued, analyzed, and prepared for permanent curation in a repository with permanent retrievable storage that would allow for additional research in the future.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.
	Less Than Significant	CUL-4: Archaeological site records shall be prepared to document the cultural remains discovered during monitoring and submitted to the Eastern Information Center for incorporation into the California Historical Resources Inventory.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.
	Less Than Significant	CUL-5: Should unknown archeological or tribal materials become unearthed, the qualified archeologist shall prepare a findings report summarizing the methods and results of the monitoring program, including an itemized inventory and a detailed analysis of recovered artifacts upon completion of the field and laboratory work. The report shall include an interpretation of the cultural activities represented by the artifacts and a discussion of the significance of all archaeological or tribal finds. The submittal of the report to the CVAG, along with final curation of the recovered artifacts, will signify completion of the monitoring program and, barring unexpected findings of extraordinary significance, the mitigation of potential project impacts on cultural and tribal resources.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.
	Less Than Significant	CUL-6: Should buried human remains be discovered during grading or project development, in accordance with State law, the County coroner shall be contacted. If the remains are determined to be of Native American heritage, the Native American Heritage Commission and the appropriate local Native American Tribe shall be contacted to determine the Most Likely Descendant (MLD). CVAG shall work with the designated MLD to determine the final disposition of the remains.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
	Less Than Significant	CUL-7: In the unlikely event paleontological resources be discovered, the monitor shall, upon discovery of any fossils, quickly salvage them as they are unearthed to avoid construction delays. The monitor shall remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall have the authority to temporarily halt or divert grading and excavation equipment to allow for removal of abundant or large specimens.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.
	Less Than Significant	CUL-8: All project-related ground disturbance and construction activities, including access and staging area, shall remain within the APE boundaries.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.
	Less Than Significant	CUL-9: In the event that project changes are made to include land not contained within the designated APE, subsequent surveys and revisions to the HPSR, HRER and ASR shall be required.	CVAG, Project Contractor, Project Archaeologist	Prior to any site disturbance. During all phases of construction.
Section 4.6 Geology and Soils	Less Than Significant	GEO-1: CV Link final design and engineering shall conform to the prevailing California Building Code (CBC) for buildings and other structures, and Caltrans design standards for bridges where appropriate in order to mitigate the effects of groundshaking and earthquake damage.	CVAG, Project Engineer	Prior to approval of construction plan set.
	Less Than Significant	GEO-2: Structural foundation designs and subsurface soil improvements shall be conducted based on the California Code of Regulations Volume 18, Title 14, Article 10, Section 3721[a]) to minimize liquefaction hazards. Such measures shall include but are not limited to overexcavation and hydrocompaction, other remedial grading, strengthening and deepening structural foundations.	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-3: Ground improvements consisting of removal and recompaction of loose, near surface sandy soils, is required to minimize dynamic settlement of dry soils. Other methods may include deep dynamic compaction, additives to the soils, such as cement or fiber (e.g., nylon) and flooding of in-place loose granular soils, to increase the density of the resultant compacted fill and thereby removing or reducing to insignificant levels the tendency to settle under dynamic shaking. Deep foundation elements should also be considered, as determined by the project geologist, when effective at bypassing zones of loose sand subject to dynamic settlement.	CVAG, Project Geologist	During construction.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
	Less Than Significant	GEO-4: All grading plans shall include a soil erosion prevention/dust control plan. Blowing dust and sand during grading operations shall be mitigated by adequate watering of soils prior to and during grading, and limiting the area of dry, exposed and disturbed materials and soils during these activities. To mitigate against the effects of wind erosion after site development, a variety of measure shall be provided including maintaining moist surface soils, planting stabilizing vegetation, establishing windbreaks with non-invasive vegetation or perimeter block walls, and using chemical soil stabilizers.	CVAG, Project Contractor	Prior to ground disturbance.
	Less Than Significant	GEO-5: Unprotected, permanent graded slopes shall not be steeper than 3:1 (horizontal/vertical) to reduce wind and water erosion. Protected slopes with ground cover may be as steep as 2:1. However, maintenance with motorized equipment may not be possible at this inclination. Fill slopes shall be overfilled and trimmed back to competent material. Fill slope surfaces shall be compacted to 90% of the laboratory maximum density by either over-filling and cutting back to expose a compacted core or by approved mechanical methods.	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-6: Positive site drainage shall be established during finish grading. Finish grading shall include a minimum positive gradient of 2% away from structures for a minimum distance of 3 feet and a minimum gradient of 1% to the street, channel or other approved drainage course.	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-7: Utility trench excavations in slope areas or within the zone of influence of structures shall be properly backfilled in accordance with the recommendations of the project geotechnical consultant. Backfill of utilities within roads or public right-of-ways shall be placed in conformance with the requirements of the governing agency (water district, public works department, etc.). Utility trench backfill within the project area shall be placed in conformance with the provisions of the project geotechnical report. In general, service lines extending inside the project area may be backfilled with native soils compacted to a minimum of 90-percent relative compaction. Backfill operations shall be observed and tested to monitor compliance with these recommendations.	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-8: Installation of slope protection, cutoff walls, deepening of proposed foundations below the maximum depth of scour and comparable measures shall be applied, as determined by the project geologist, to mitigate potential scour and any resulting instability.	CVAG, Project Geologist	During construction.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
	Less Than Significant	GEO-9: In order to address the potential rockfall hazards at Point Happy, the adjoining rock face shall be thoroughly evaluated and scaling of loose rock from the surface of exposed slopes shall be conducted as determined by the project geologist. The installation of rock catchment devices, such as walls or steel mesh shall be installed, as determined by the project geologist, to mitigate the rockfall hazards.	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-10: There shall be a cessation of grading activities during rainstorms or high wind events. The project contractor shall install flow barriers and soil catchments (such as straw bales, silt fences, and temporary detention basins) during construction to control soil erosion.	CVAG, Project Contractor	During construction.
	Less Than Significant	GEO-11: The project contractor shall ensure that the dust control measures set forth in Sections 4.3 and 4.9 are implemented to control wind-blown sand during construction. Project grading shall be conducted in strict compliance with the requirements of the SCAQMD and the Coachella Valley PM10 SIP.	CVAG, Project Contractor	Prior to ground disturbance.
	Less Than Significant	GEO-12. Excavated soils may be used as fill material so long as they are free of organic or deleterious matter. Rocks or concrete larger than 6 inches in greatest dimension shall be removed from fill or backfill material. Prior to integrating reconditioned fill soil onto needed sites, receiving areas shall be scarified, brought to near optimum moisture conditions, and recompacted to at least 90% relative compaction (ASTM D1557).	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-13. Imported soils (if needed) shall be non-expansive, granular soils meeting the USCS classifications of SM, SP-SM, or SW-SM with a maximum rock size of 3 inches and 5 to 35 percent passing the No. 200 sieve. Imported fill shall be placed in maximum 8-inch lifts (loose) and compacted to at least 90 percent relative compaction (ASTM D 1557) near optimum moisture content.	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-14. Excavations within sandy soil shall be kept moist, but not saturated, to reduce the potential of caving or sloughing. Where excavations over 4 feet deep are planned, lateral bracing or appropriate cut slopes of 1.5:1 (horizontal/vertical) shall be provided. No surcharge loads from stockpiled soils or construction materials shall be allowed within a horizontal distance measured from the top of the excavation slope and equal to the depth of the excavation.	CVAG, Project Geologist	During construction.
	Less Than Significant	GEO-15. Removal and recompaction of susceptible soils, flooding and surcharging, and/or other ground densification techniques shall be implemented to mitigate hydro-collapse potential.	CVAG, Project Geologist	During construction.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
	Less Than Significant	GEO-16. Standard geotechnical practices such as excavation of the expansive soils and replacement with non-expansive compacted fill (by using additional steel reinforcing in foundations, post-tensioned slabs, presoaking, and drainage control devices) shall also be used as determined appropriate by the geotechnical and structural engineers.	CVAG, Project Geologist	During construction.
Section 4.7 Greenhouse Gases		No mitigation required.		
Section 4.8 Hazards and Hazardous Materials	Less Than Significant	HAZ-1: If the pad-mounted or pole-mounted transformers situated immediately adjacent to the CV Link alignment must be removed during construction activities, they will be tested for PCBs prior to their removal and disposal. If PCBs are identified, the transformers and associated fluids shall be transported offsite and disposed of in accordance with the standards and requirements of the Riverside County Department of Environmental Health, including draining of materials into approved containers, and secured transport to approved disposal facilities.	CVAG, Project Contractor	During all phases of construction
Section 4.9 Hydrology	Less Than Significant	HYD-1: Prior to finalizing design and engineering plans for all CV Link facilities that are located atop, within or adjacent to CVWD and/or RCFCWCD facilities and drainages, said plans shall be reviewed and approved by the responsible flood control agency to ensure that these improvements do not interfere with or adversely affect channel capacity or the ability of the flood control agencies to manage and maintain these facilities.	CVAG, Project Contractor	Prior to and during construction activities.
	Less Than Significant	HYD-2: Prior to the completion of 60% plans for the Cook Street and Point Happy bridges, the project designers shall ensure that bridge supports do not impact requisite stormwater channel freeboard at these locations and shall secure CVWD concurrence before final design engineering is completed.	CVAG, Project Contractor	Prior to and during construction activities.
	Less Than Significant	HYD-3: The Proposed Project shall comply with the requirements of the National Pollution Discharge Elimination System (NPDES).	CVAG, Project Contractor	Prior to and during construction activities.
	Less Than Significant	HYD-4: As applicable, CV Link construction shall follow the design and development standards and guidelines promulgated by CVWD and RCFCWCD, including but not limited to the Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development (RCFCWCD, 2014) and the CVWD Development Design Manual (CVWD, 2013).	CVAG, Flood Control Agencies (CVWD, RCFCWCD), Project Contractor	Prior to finalizing engineering plans

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
	Less Than Significant	HYD-5: At sections of the WWRSC/CVSC that do not meet requisite 100-year freeboard standards, the responsible flood control agencies shall ensure that necessary embankment or levee adjustments are accomplished before or concurrent with construction of CV Link improvements. Any CV Link-related improvements, including but not limited to levee modifications, shall be submitted to and approved by the responsible flood control agency.	CVAG, Project Contractor	Prior to finalizing engineering plans
	Less Than Significant	HYD-6: The implementation of BMPs during construction activities shall ensure that erosion and siltation from earthmoving and other construction activities is limited. Exposed soil from excavated areas, stockpiles, and other areas where ground cover is removed shall be stabilized by wetting or other approved means to avoid or minimize the inadvertent transport by wind or water. The project is subject to NPDES Construction General Permit requirements. Project implementation of a Stormwater Pollution Prevention Plan shall be required to ensure that erosion, siltation and runoff do not result in flooding on or off the project sites, and that impacts are less than significant.	CVAG, Project Contractor	Prior to and during construction activities.
	Less Than Significant	HYD-7: A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented during construction of the Proposed Project. The SWPPP shall identify specific best management practices (BMPs) that will be implemented during project construction. BMPs implemented as a part of the project will ensure that the project meets the requirements of the California State Water Resources Control Board (SWRCB) NPDES Construction General Permit and the Caltrans NPDES Permit. BMPs appropriate for and applicable to the CV Link project include the following. Construction-related erosion and sediment controls, including any necessary stabilization practices or structural controls, shall be implemented at and in all potentially affected drainages. General structural practices may include, but are not limited to, silt fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, temporary or permanent sediment basins and flow diversion. Temporary erosion and sediment control measures shall be installed during or immediately after initial disturbance of the soil, maintained throughout construction (on a daily basis), and reinstalled until replaced by permanent erosion control structures or restoration of the construction right-of-way is complete. In addition, the following specific actions shall be taken to ensure that impacts are less than significant. a. CV Link construction shall be avoided within the limits of identified waterways as depicted on the Jurisdictional Delineation Report prepared for this DEIR, except where authorized by federal, state or local permits.	CVAG, Project Contractor	Prior to and during construction activities.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		b. Protect inlets and outlets of culverts from construction material intrusions using temporary berms to prevent channel incision, erosion, and sedimentation. c. Erosion control measures appropriate for on-the-ground conditions, including percent slope, length of slope, and soil type and erosive factor, shall be implemented. d. Temporary erosion controls such as straw bales and tubes, geotextiles and other appropriate diversion and impounding materials and facilities shall be properly maintained throughout construction (on a daily basis) and reinstalled (such as after backfilling) until replaced with permanent erosion controls or restoration is complete. e. Where jurisdictional waters are adjacent to the construction right-of-way, the contractor shall install sediment barriers along the edge of the construction right-of-way to contain spoil and sediment within the construction right-of-way. f. Ensure that all employees and contractors are properly informed and trained on how to properly install and maintain erosion control BMPs. Contractors shall require all employees and contractors responsible for supervising the installation and maintenance of BMPs and those responsible for the actual installation and maintenance to receive training in proper installation and maintenance techniques. g. Project scheduling will include efficient staging of CV Link construction that minimizes the extent of disturbed and destabilized work area, and reduces the amount of soil exposed and the duration of its exposure to wind, rain, and vehicle tracking. h. The use of a schedule or flow chart will be incorporated to lay out the construction plan and will allow Link construction to proceed in a manner that keep water quality control measures synchronized with site disturbance, paving and other construction activities. i. The sequencing and time frame for the initiation and completion of tasks, such as site clearing, grading, excavation, path construction, and reclamation, shall be planned in advance to ensure minimization of potential impacts. j. Erosion and sediment control BMPs shall be incorporated into travelway construction plans.		
	Less Than Significant	HYD-8: To prevent petroleum products from contaminating soils and water bodies, the following BMPs shall be implemented: a. Construction equipment and vehicles shall be properly maintained to prevent leakage of petroleum products.	CVAG, Project Contractor	During all phases of construction.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		b. Herbicides, fertilizers, vehicle maintenance fluids, petroleum products shall be stored, and/or changed in staging areas established at least 100 feet from delineated streams and other drainages. These products must be discarded at disposal sites in accordance with state and federal laws, rules, and regulations. c. Drip pans and tarps or other containment systems shall be used when changing oil or other vehicle/equipment fluids. d. Areas where discharge material, overburden, fuel, and equipment are stored shall be designed and established at least 100 vegetated (permeable) feet from the edge of delineated streams. e. Any contaminated soils or materials will be disposed of off-site in proper receptacles at an approved disposal facility. f. All erosion control measures shall be inspected and repaired after each rainfall event that results in overland runoff. The project contractor and CVAG shall be prepared year round to deploy and maintain erosion control BMPs associated with CV Link. g. Existing culverts shall be carefully maintained in place in order to ensure that they function properly. Considerations include: maintenance of inlet and outlet elevations, grade, adequate compacted material cover, and inlet/outlet protection.		
	Less Than Significant	HYD-9: Restoration involves restoring the right-of-way to pre-construction conditions by final grading, installation of permanent erosion control measures such as slope breaks and retaining walls at appropriate distances to prevent rill (channel) formation between slope breaks, and re-establishing vegetation where it has been removed to facilitate construction. a. Cleanup operations shall commence immediately following backfill operations on slopes approaching delineated streams and other drainages. b. Final grading to restore pre-construction contours shall be completed and soil left in pre-existing condition within 7 days after backfilling the trench. c. Restoration crew shall follow construction crews as they work systematically from one end to the other end of each Link alignment. If crews cannot work systematically from one end to the other, then erosion control BMPs shall be maintained on all slopes approaching a delineated stream and adjacent to these sensitive areas. If seasonal or other weather related conditions prevent compliance with these time frames, erosion control BMPs shall be maintained until conditions allow completion of cleanup.	CVAG, Project Contractor	During all phases of construction.
	Less Than Significant	HYD-10: Human access into the channels during periods of storms and potential flooding shall be restricted by barriers and noticed by signage to ensure that there is no significant risk of injury or death.	CVAG	Prior to finalizing engineering plans.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
	Less Than Significant	HYD-11 In order to reduce impacts to waters of the State and US in the Whitewater Floodplain in the vicinity of the Four Seasons development, the in-channel alignment shall be reduced to 14 feet in width from the DWA well site (APN: 669-590-064) to the San Rafael discharge channel.	CVAG, Project Designer	Prior to finalizing engineering plans.
Section 4.10 Land Use	Less Than Significant	LU-1: Where CV Link alignments abut residential land uses, and has the potential to affect their privacy, structural and landscape screening as provided in the Conceptual Master Plan standards and guidelines shall be applied.	CVAG	Prior to finalizing project plans.
Section 4.11 Energy and Mineral Resources		No mitigation is required		
Section 4.12 Noise	Less Than Significant	N-1: Project construction activities shall only occur between the permitted hours of each local jurisdiction's Municipal Code. The project construction supervisor shall ensure compliance.	CVAG, Project Contractor	All phases of project construction.
	Less Than Significant	N-2: During all project site construction, all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction supervisor shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receivers nearest the Project site.	CVAG, Project Contractor	All phases of project construction.
	Less Than Significant	N-3: The construction supervisor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site (i.e., at the planned staging areas or farther from nearby sensitive receiver locations if possible) during all Project construction. 61 staging areas have been determined along the Route, please see Appendix B (Alignments Map Book). The closest distance between a sensitive receptor to a staging area will be 30 feet.	CVAG, Project Contractor	Prior to issuance of any grading or building permits or authorizations to proceed.
	Less Than Significant	N-4: The use of large bulldozers within 100 feet of nearby sensitive land uses (e.g. residential, school, etc.) shall be minimized and avoided if possible.	CVAG, Project Contractor	All phases of project construction.
	Less Than Significant	N-5: The construction supervisor shall limit haul truck deliveries to the same hours specified for construction equipment by each local jurisdiction's Municipal Code.	CVAG, Project Contractor	All phases of project construction.
	Less Than Significant	N-6: Alternative piling methods shall be used to reduce the potential impacts at nearby sensitive receiver locations as follows:	CVAG, Project Contractor	During construction.

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
		a. No impact pile driving devices and CIDH piling methods shall be used within 76 feet of sensitive receiver locations near the Thunderbird Channel and Deep Canyon Channel Bridge (as indicated on Table 4.12-17). Alternative piling methods are required to reduce the vibration levels at these locations. Based on an evaluation by Caltrans an alternative method, such as Tubex piles, which can produce lower vibration levels of 0.05 in/sec PPV at 25 feet during installation, shall be used. Other pile driving alternatives capable of producing equal or lower vibration levels are acceptable. b. Cast-In-Drilled-Hole (CIDH) piling methods, or alternatives capable of producing equal or lower vibration levels, shall be used for the following bridge locations as an alternative to impact pile driving activities planned within 400 feet of sensitive receiver locations (as indicated on Table 4.12-17, below): § Highway 111 Overcrossing § West Magnesia Canyon Channel Bridge at Highway 111 § West Magnesia Canyon Channel Bridge at Library § Cook Street Overcrossing § La Quinta Channel Bridge		
	Less Than Significant	N-7: Residences and other sensitive land uses within 400 feet of the planned pile locations shall be notified of the construction in writing. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of a noise and vibration complaint and response procedure.	CVAG, Project Contractor	During construction.
Section 4.13 Population/Housing		No mitigation is required		
Section 4.14 Public Services	Less Than Significant	PS-1: Construction staging and storage areas shall be fenced and locked. All equipment shall be returned to staging and storage areas at the end of each workday.	CVAG, Project Contractor	During all phases of construction
Section 4.15 Recreation	Less Than Significant	REC-1: CVAG shall obtain concurrence from the owners of the Tahquitz Creek, Cimarron, Cathedral Canyon, and Indian Wells Golf Resort golf courses of the final design of CV Link facilities located on those respective golf courses prior to the commencement of any CV Link construction activities on those respective golf courses in order to assure that the final design of CV Link facilities adequately buffer fairways, greens, tee boxes and in play areas in proximity to the proposed alignments.	CVAG	Prior to approval of final design plans

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
Section 4.16 Traffic and Circulation	Less Than Significant	TRA-1: The construction activities shall meet or exceed all applicable federal, state and local statutory requirements for public safety.	CVAG, Project Contractor	Prior to finalizing engineering plans.
	Less Than Significant	TRA-2: All necessary permits or approvals, including traffic control plans, shall be secured prior to the initiation of site disturbance such as grading, paving and other construction activities where public streets may be affected. Prior to the initiation of site development, CVAG shall confer with the appropriate City Public Works Department to ensure that construction activities and traffic control are carried out in a manner that causes minimal disruption to traffic on adjoining city streets.	CVAG, Project Contractor	Prior to the initiation of site disturbance.
	Less Than Significant	TRA-3: The Construction Manager shall be required to identify and promptly repair any project-related damage to existing public roads upon completion of the construction activities within the project site. The contractor shall monitor the condition of these routes throughout the construction process and, in the event of an accidental load spill, to arrange for the immediate cleanup of any spilled material with street sweeping or other procedures, as needed.	Project Contractor	All phases of construction.
	Less Than Significant	TRA-4: The final location and design of the Link access points and the internal circulation improvements shall comply with applicable city access and design standards, and be reviewed by the City Engineer. CVAG shall submit CV Link and associated street improvement and striping plans to each respective City Engineer for review and approval, prior to the issuance of grading and/or construction permits.	CVAG	Prior to issuance of grading and/or construction permits.
	Less Than Significant	TRA-5: Properly designed and maintained CV Link and any associated street, roadway, and access area lighting shall be provided along the CV Link route as identified in the final plans, to facilitate the safe movement of vehicular, pedestrian and bicycle traffic, and to ensure good visibility under both daylight and nighttime conditions.	CVAG, Project Contractor	All phases of construction.
	Less Than Significant	TRA-6: In order to minimize or avoid accessibility issues for nearby residences, business and schools, CVAG and the CV Link Construction Manager shall develop and implement construction management strategies and traffic control and operations plans that maximize the efficiency of construction and minimize the disruption of traffic flow through CV Link construction areas. Traffic control plans shall be approved by the affected jurisdiction, and shall include requirements that at least one lane remain open in each direction; that signage be installed for road work and/or detours; and that emergency vehicle access is not affected.	CVAG, Project Contractor	All phases of construction.
Section 4.17 Utilities and Service Systems		No mitigation is required.		

RESOLUTION NO. 17-004

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS APPROVING CV LINK ALTERNATIVE 1, AS MODIFIED; AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, the Coachella Valley Association of Governments ("CVAG") has prepared plans for the "CV Link Multi-Modal Transportation Project" ("CV Link"), an approximately 49-mile multi-modal transportation pathway extending from the City of Palm Springs on the west to the City of Coachella on the east, in the Coachella Valley, in Riverside County; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA") (Pub. Resources Code, §§ 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000 et seq.), CVAG prepared and circulated for public review and comment a Draft Environmental Impact Report ("Draft EIR"); and

WHEREAS, comments were received during the public review and comment period, and written responses to those comments and errata revising the Draft EIR were prepared (together, "Final EIR"); and

WHEREAS, for purposes of this Resolution, "the EIR" shall refer to the Draft EIR, as revised by the Final EIR, together with the other sections of the Final EIR; and

WHEREAS, the EIR analyzed three different build iterations for CV Link, described below; and

WHEREAS, the EIR analyzed an approximately 44-mile route, spanning from the City of Palm Springs to the City of Coachella, but which does not include route improvements through the City of Rancho Mirage (termed "the Proposed Project");

WHEREAS, the EIR also analyzed an approximately 40-mile route, spanning from the City of Palm Springs to the City of Coachella, but which does not include route improvements through the City of Rancho Mirage or the City of Indian Wells (termed "Alternative 1"); and

WHEREAS, the EIR also analyzed an approximately 49-mile route, spanning from the City of Palm Springs to the City of Coachella, and which does include route improvements through both the City of Rancho Mirage and the City of Indian Wells (termed "Alternative 2"); and

WHEREAS, in addition to the above-described three "build alternatives" the EIR also analyzed a "No Build/No Project Alternative" under which the existing multi-modal network within the region will continue to provide current levels and types of service and facilities and a unifying multi-modal arterial would not be provided (termed "Alternative 3"); and

WHEREAS, Alternative 1, as modified, is determined to be the environmentally superior build alternative; and

WHEREAS, CVAG staff has recommended to the Executive Committee approval of Alternative 1, as modified, to the CV Link Multi-Modal Transportation Project, as depicted in Exhibit "A" to this Resolution, incorporated herein by reference; and

WHEREAS, on May 15, 2017 the CVAG Executive Committee held a public meeting on CV Link, at which all persons wishing to testify were heard; and

WHEREAS, as recommended by CVAG staff, Alternative 1, as modified, includes no improvements located within the City of Rancho Mirage and only small improvements within the City of Indian Wells, for Terminus B at the Indian Wells/Palm Desert, and for the terminus planned immediately east of Point Happy at the Indian Wells/La Quinta border; and

WHEREAS, after its review and consideration, the CVAG Executive Committee determined that the EIR is an accurate and objective statement, completed in full compliance with CEQA, the State CEQA Guidelines and reflects the independent judgment of the Executive Committee; and

WHEREAS, the Executive Committee has certified the EIR based on the entirety of the record of proceedings, adopted CEQA Findings of Fact, and adopted a Mitigation Monitoring and Reporting Program which are incorporated herein by reference; and

WHEREAS, as contained herein, the CVAG Executive Committee has endeavored in good faith to set forth the basis for its decision; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

THE EXECUTIVE COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: RECITALS

The recitals above are true and correct and are incorporated into this Resolution by reference as findings of fact.

SECTION 2: PROJECT APPROVAL

Based upon the entire administrative record before the Executive Committee, including all written and oral evidence presented during the administrative process, the Executive Committee as the decision-making body for CVAG hereby approves "Alternative 1," as modified, to the CV Link Multi-Modal Transportation Project, as depicted in Exhibit "A" to this Resolution and incorporated herein by reference. Specifically, the Executive Committee

approves a multi-modal facility that allows off-street access for pedestrian, bicycle, and Low Speed Electric Vehicles (LSEV) travel and which follows the following route and alignments:

- North Palm Canyon: The alignment will cross Highway 111 at Tramway, then follow the east side of 111 Tramway to Whitewater River. An alignment along the west side of Highway 111 is also approved, contingent upon identification of outside funding for the bridge over Highway 111 at the Chino Wash.
- In the vicinity of the Four Seasons: The alignment will be located within the stormwater channel.
- Sunrise at Tahquitz Creek: The alignment will include both an at-grade crossing and all-weather undercrossing.
- Mesquite Avenue and Compadre Road to El Cielo Road: The alignment as described in the EIR shall be moved to the east and south, to avoid impacts to the existing equestrian trail.
- Tahquitz Creek Golf Course 17th Hole: The alignment will bridge the pond at this this location.
- Cathedral Canyon Golf Course: The alignment will follow the north bank and Cathedral Canyon Bridge undercrossing.
- Cathedral Canyon to Date Palm Drive: The alignment will use existing path.
- Date Palm Drive at the Whitewater Channel: The alignment will follow an easement (to be acquired) east of Date Palm and use the existing bridge over the West Cathedral Canyon Evacuation Channel.
- Cathedral City/Rancho Mirage Termini: Terminus A as described in the EIR, which is located entirely outside of the City of Rancho Mirage.
- Palm Desert/Indian Wells Termini: Termini B and C as described in the EIR.
- Indian Wells/La Quinta Termini: The terminus will be located at Point Happy, but will not connect to the signal located at Hwy 111.

In total, the above pathway improvements will cover approximately 40 miles, and do not include any improvements within the City of Rancho Mirage, and include only small improvements within the City of Indian Wells, for Terminus B at the Indian Wells/Palm Desert border, and for the terminus planned immediately east of Point Happy at the Indian Wells/La Quinta border.

In addition to the approving the above route and alignments, the Executive Committee also approves the following pathway, design, operational, safety and security project components:

Pathway Improvements

- Off-Street Cross Sections consistent with those shown in Exhibits 2-13 and 2-14 of the EIR and described in the Master Plan, and which are designed to accommodate heavy vehicles, including fire trucks, ambulances and police cars. (See EIR, pp. 2-6, 2-20, 2-21; Master Plan, Vol. 2, § 12.1 "Off-Street Facilities"].)

- On-Street Cross Sections consistent with those shown in Exhibit 2-15 of the EIR and described in the Master Plan. (See EIR, pp. 2-6, 2-22; Master Plan, Vol. 2, § 12.4 ["On-Street Facilities"].)
- Arterial undercrossings consistent with those shown in Exhibits 2-2 through 2-12 of the EIR and described in the Master Plan. (See EIR, pp. 2-8 through 2-18; Master Plan, Vol. 2, § 12.1 ["Off-Street Facilities"].)
- Bridges consistent with those shown in Exhibits 2-2 through 2-12 of the EIR and described in the Master Plan. (See EIR, pp. 2-8 through -18; Master Plan, Vol. 2, § 12.2 ["Bridge Design"]).
- Stormwater management systems are not required for the path itself. However, access point hardscapes greater than 5,000 square feet trigger the requirement for stormwater best management practices (BMPs). CV Link will use permeable pavers for the access point hardscapes, which will meet the BMP requirements for these areas.

Design Components

- Concrete paving materials for bicycles and LSEVs, including special pavement joints, designed to provide a smoother ride than traditional standard concrete sidewalks, and decomposed granite pathway for pedestrian paths. (See EIR, pp. 1-18, 2-6, 2-23, 4.2-25, 4.9-27, 4.9-28; Master Plan, § 5.12 ["Materials"]; Master Plan, Vol. 2, § 12.9 ["Path Surface Materials"].)
- On-Street Design Features, including dedicated through-lanes, two-stage turn boxes, high-visibility "ladder style" cross walks, and Rectangular Rapid Flashing Beacons or Pedestrian Hybrid Beacons (also known as HAWK Beacons) as described in the Master Plan. (See EIR, pp. 2-24, 2-25, 4.16-35 through -37, 4.16-40; Master Plan, p. 9 [Table ES-1]; see also Master Plan § 5.1 ["On-Street: At-Grade"]; Master Plan Vol. 2, § 12.7 ["Path/Roadway Crossings"].)
- Shaded rest areas and shade structures, with solar panels, Wi-Fi base stations, and dual voltage electric vehicle charging facilities consistent with those shown in Exhibit 2-16 of the EIR and described in the Master Plan. (See EIR, pp. 2-19, 2-23, 2-16, 4.2-7, 4.2-19, 4.2-25, 4.3-9, 4.5-13, 4.7-4, 4.7-5, 4.17-7; Master Plan, p. 9 [Table ES-1]; see also Master Plan, §§ 5.9 ["Shade Structures and LSEV Charging Facilities"], 5.14 ["Site Furnishings, Lighting, and Security"].)
- Potable ADA-accessible drinking fountains and four restrooms, consistent with those shown in Exhibit 2-17 of the EIR and described in the Master Plan. (See EIR, pp. 2-27, 4.5-22, 4.6-12, 4.9-12, 4.17-8; Master Plan, p. 9 [Table ES-1].)
- Conceptual Wayfinding and Informational Kiosk Structures, consistent with those shown in Exhibit 2-18 of the EIR and described in the Master Plan. (See EIR, pp. 2-19, 2-23, 2-28, 4.4-9, 4.8-19, 4.11-6, 4.16-41; Master Plan, p. 9 [Table ES-1]; see also Master Plan § 5.17 ["Interpretation"]; Master Plan, Vol. 2, §§ 12.6.4 ["Signage and Wayfinding"], 12.6.5 ["Directional/Wayfinding Signs"].)
- Inert and non-toxic paving and coating materials. (See EIR, pp. 4.9-12, 4.9-28, 4.9-29.)

- Structural and landscape screening consistent with those shown in Exhibit 4.2-10 of the EIR and described in the Master Plan. (See EIR, pp. 4.2-6, 4.2-7, 4.2-19, 4.2-21, 4.2-24, 4.10-24; Master Plan, §§ 5.13 ["Planting"], 5.15 ["Privacy"].)
- Trash containers and dog waste receptacles as described in the Master Plan. (See EIR, p. 4.9-12; Master Plan, p. 9 [Table ES-1].)
- Low-maintenance energy-efficient lighting, including low profile bollards and embedded LED lighting, along the Route and at various rest areas. (See EIR, p. 4.2-25, 4.3-9, 4.7-4; Master Plan, p. 9 [Table ES-1].)
- Signage forewarning users of the potential bottlenecks and forewarning LSEV users where they cannot be further accommodated along the route. (See EIR, p. 4.16-32, 4.16-39 through 4.16-41.)

Operational Components

- Operational upkeep to be addressed concurrently with development of each specific segment of the route, through the preparation of an Operations and Maintenance Plan.
- Implementation of ongoing maintenance plans, to include inspections, restroom maintenance, sign repair/replacement, graffiti repairs/cleaning, lighting and landscaping maintenance, *inter alia*. However, CV Link will not include "Big Belly" trash compactors, and trash collection will be weekly. (Master Plan, p. 147 [Table 16: Routine Maintenance Tasks and Frequency].)

Safety and Security Components

- Vegetation management that allows CV Link to be visually surveyed from adjacent streets and residents, and that incorporates thorny vegetation to eliminate entrapment areas and control off-path use. (See Master Plan, Vol. 2, § 15.)
- Placement of benches and other CV Link amenities at locations with good visual surveillance and high activity, and placement of garbage receptacles at access points. (See Master Plan, Vol. 2, § 15.)
- Placement of mileage markers at quarter-mile increments and clear directional signage for orientation, and signage encouraging users to bring water. (See Final EIR, Master Response 3.)
- Development of "CV Link User Rules and Regulations" to be disseminated through signage, marketing, and bike/pedestrian safety programs. Establishment of standards for user etiquette, to be broadly publicized to reduce conflicts or altercations between different user types. (See Final EIR, Master Response 3.)
- Placement of mileage markers at quarter-mile increments and creation of a physical address for every mile marker that is tied to the 911 response system. (See Final EIR, Master Response 3.)
- Placement of wayfinding signs at major streets so users can easily discern their relative location in the Coachella Valley and locate amenities and services that are available close to their specific location. (See Final EIR, Master Response 3.)

- Installation of signage and development of protocols prohibiting ATV and motorcycle access and use. (See Final EIR, Master Response 3.)
- Creation of a volunteer CV Link Watch program to act as eyes on CV Link and photographically document illegal activities, including ATV/motorcycle infractions, for action by local law enforcement authorities. (See Final EIR, Master Response 3.)
- Installation of emergency notification/call boxes, particularly in areas with limited cell phone reception. (See Final EIR, Master Response 3.)

SECTION 3: ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15093(a), the Executive Committee must balance, as applicable, the economic, legal, social, technological, or other benefits of Alternative 1, as modified, against its unavoidable environmental risks in determining whether to approve Alternative 1, as modified. If the specific benefits of Alternative 1, as modified, outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of Alternative 1, as modified, to the extent feasible by adopting the mitigation measures provided in the Mitigation Monitoring and Reporting Program ("MMRP") previously adopted by CVAG and incorporated herein by reference, and having considered the entire administrative record on CV Link, the Executive Committee has weighed the benefits of Alternative 1, as modified, against its unavoidable adverse impacts after mitigation in regards to temporary noise and vibration during construction. While recognizing that the unavoidable adverse impacts regarding temporary noise and vibration during construction are significant under CEQA thresholds, the Executive Committee finds that the unavoidable adverse impacts that will result from adoption and implementation of Alternative 1, as modified, are acceptable and outweighed by specific social, economic and other benefits.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of Alternative 1, as modified. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Executive Committee would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The Executive Committee finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), each of the following social, economic, and environmental benefits of Alternative 1, as modified, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts.

Transportation Benefits of Alternative 1, As Modified

- Alternative 1, as modified, would create a regional multi-modal transportation facility that interconnects the highest intensity land use corridor in the Coachella Valley with neighborhoods, schools, parks, tourist destinations, retail centers, high density residential development, and employment centers, to enhance community livability and cohesiveness.

- Alternative 1, as modified, would meet the need for a safe and reliable mode of travel that would link the major cities of the Valley and deliver predictable, consistent travel opportunities sustainable over time. Alternative 1, as modified, also would provide quick, competitive travel times between Valley's cities.

- Alternative 1, as modified, limits conflicts between motor vehicle traffic, pedestrians, and bicyclists, reduces injuries and fatalities, and creates a pleasant user experience by providing a separated pathway, and grade-separated crossings (bridges and undercrossings) of major roadways to the greatest extent possible.

- Alternative 1, as modified, will provide a predominantly separate transportation path that will be less susceptible to many factors influencing reliability, such as capacity constraints, congestion, and incidents that disrupt service.

- Alternative 1, as modified, will reduce vehicle miles traveled by gasoline powered motor vehicles, which will reduce congestion on regional and local roadways.

Benefits to Regional Air Quality of Alternative 1, As Modified

- Alternative 1, as modified, will reduce air emissions and greenhouse gas emissions and would help the Coachella Valley comply with the Global Warming Solutions Act (AB 32) and the Sustainable Communities and Climate Protection Act (SB 375) by encouraging zero-emission transportation technologies, transit, and active transportation.

Land Use Planning Benefits of Alternative 1, As Modified

- In the vicinity of CV Link, Alternative 1, as modified, will support multi-modal and "safe routes to schools" efforts by providing connections to K-12 schools in three school districts and to higher education opportunities.

- Alternative 1, as modified, will offer opportunities for infill development and redevelopment of participating cities, which would reduce pressures for conversion of surrounding agricultural land to non-agricultural uses.

- Alternative 1, as modified, is expected to be a catalyst for wider implementation of multi-modal transportation routes that expand upon CV Link. Alternative 1, as modified, will also meet the need for improved multi-modal connectivity with existing local and commuter streets.

Economic Benefits of Alternative 1, As Modified

- Construction of Alternative 1, as modified, will generate approximately 169 jobs per year during the four year construction period. Operations and maintenance of Alternative 1, as modified, would directly employ about 50 people by 2040. In addition, Alternative 1, as modified, would improve the economic productivity of workers engaging in intercity travel by providing an option to avoid the delays and unpredictability associated with local streets.

Social Benefits of Alternative 1, As Modified

- Alternative 1, as modified, would provide an opportunity for connectivity for areas of the population who currently are limited in their travel options. In addition, Alternative 1, as modified, is a mode of transportation that can enhance and strengthen urban centers. In combination with appropriate local land use policies, the increased accessibility afforded the users could encourage more intensive development and may lead to higher property values around the Route.

- Alternative 1, as modified, promotes healthy lifestyles through the provision of infrastructure where people can safely travel and recreate by means of active transportation, which in turn can help to address public health problems such as childhood obesity and diabetes.

Overall, the Executive Committee hereby declares that the foregoing benefits provided to the public through the approval and implementation of Alternative 1, as modified, outweigh the identified significant adverse environmental impacts that cannot be mitigated. The Executive Committee finds that each of Alternative 1's, as modified, benefits separately and individually outweigh all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

SECTION 4: MITIGATION MONITORING AND REPORTING PROGRAM

Approval of Alternative 1, as modified, is made subject to the Mitigation Measures included in the Mitigation Monitoring and Reporting Program previously adopted by CVAG and incorporated herein by reference.

SECTION 5: CUSTODIAN OF RECORDS

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at CVAG's offices, 73-710 Fred Waring Drive, Suite 200, Palm Desert, CA 92260. The custodian for these records is CVAG's Executive Director or designee. This information is provided in compliance with Public Resources Code section 21081.6.

SECTION 6: NOTICE OF DETERMINATION

The Executive Committee hereby directs staff to prepare, execute, file, and have posted a CEQA Notice of Determination with the Riverside County Clerk's Office and the Office of Planning and Research within five (5) working days of the Executive Committee's adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 15th day of May, 2017.

AYES:
NOES:
ABSTAIN:

Dana Reed, Chair
Coachella Valley Association of Governments

ATTEST:

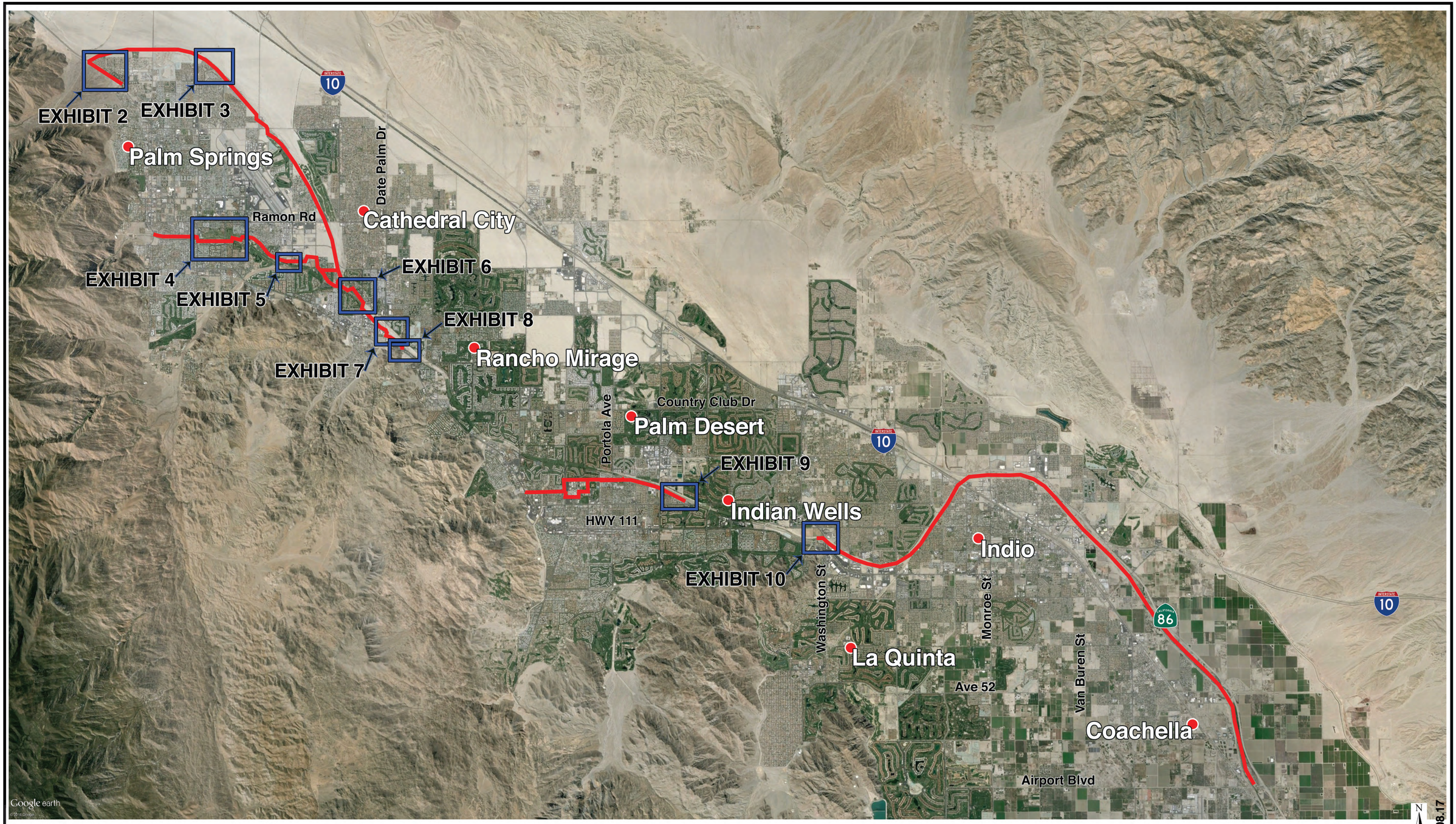
Tom Kirk, Executive Director
Coachella Valley Association of Governments

APPROVED AS TO FORM:

Charity Schiller, CEQA Counsel
Coachella Valley Association of Governments

Exhibit "A"

Exhibits Depicting Alternative 1 Route, As Modified, and Alignments



Source: Google Earth, 2016

05.08.17

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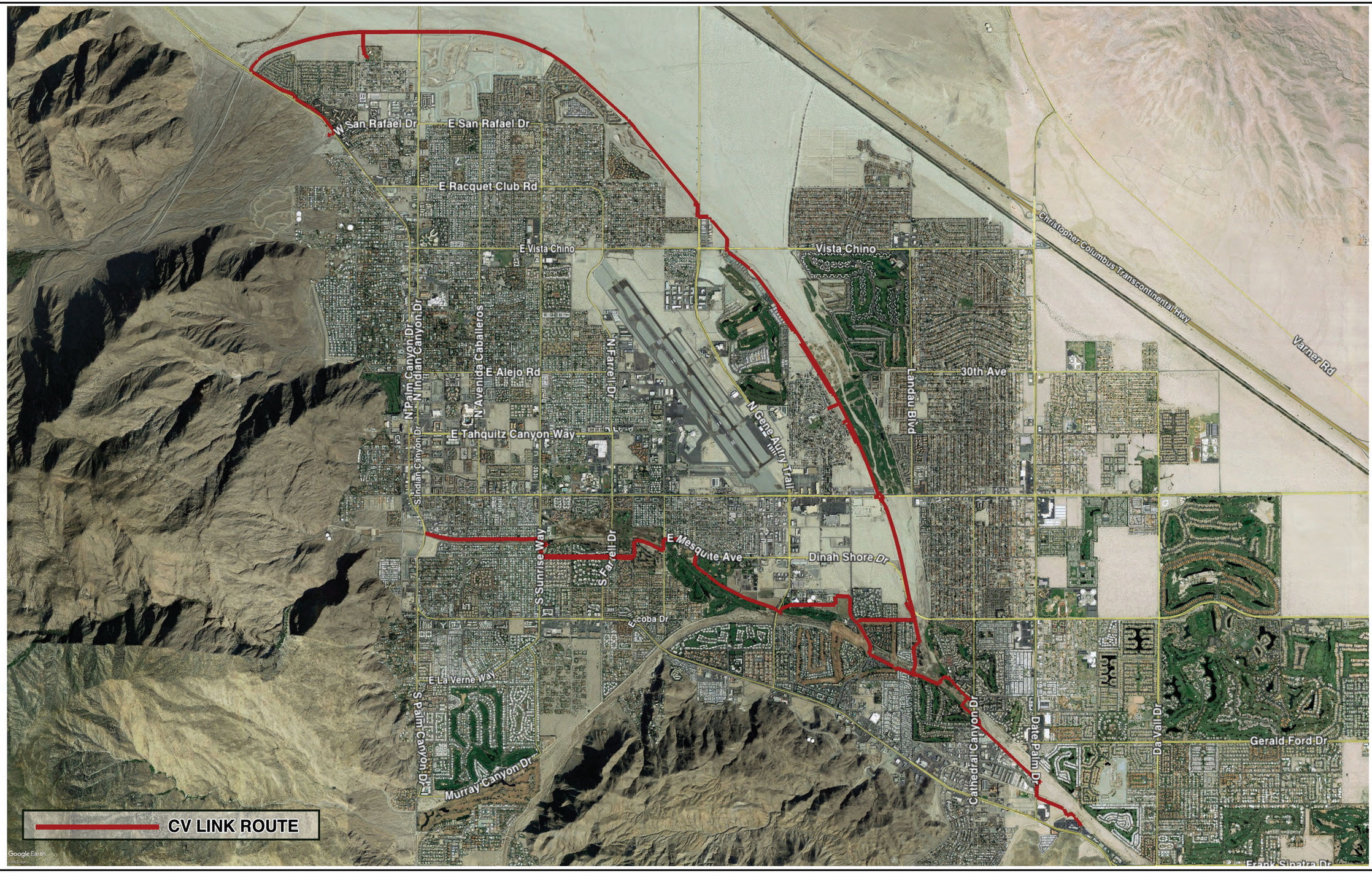
PLANNING & RESEARCH, INC.

CV Link Project
Alternative 1 - Project Recommended for Approval
Coachella Valley Association of Governments

CV LINK
CONNECTING THE COACHELLA VALLEY
CVAG

EXHIBIT
1



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05.09.17

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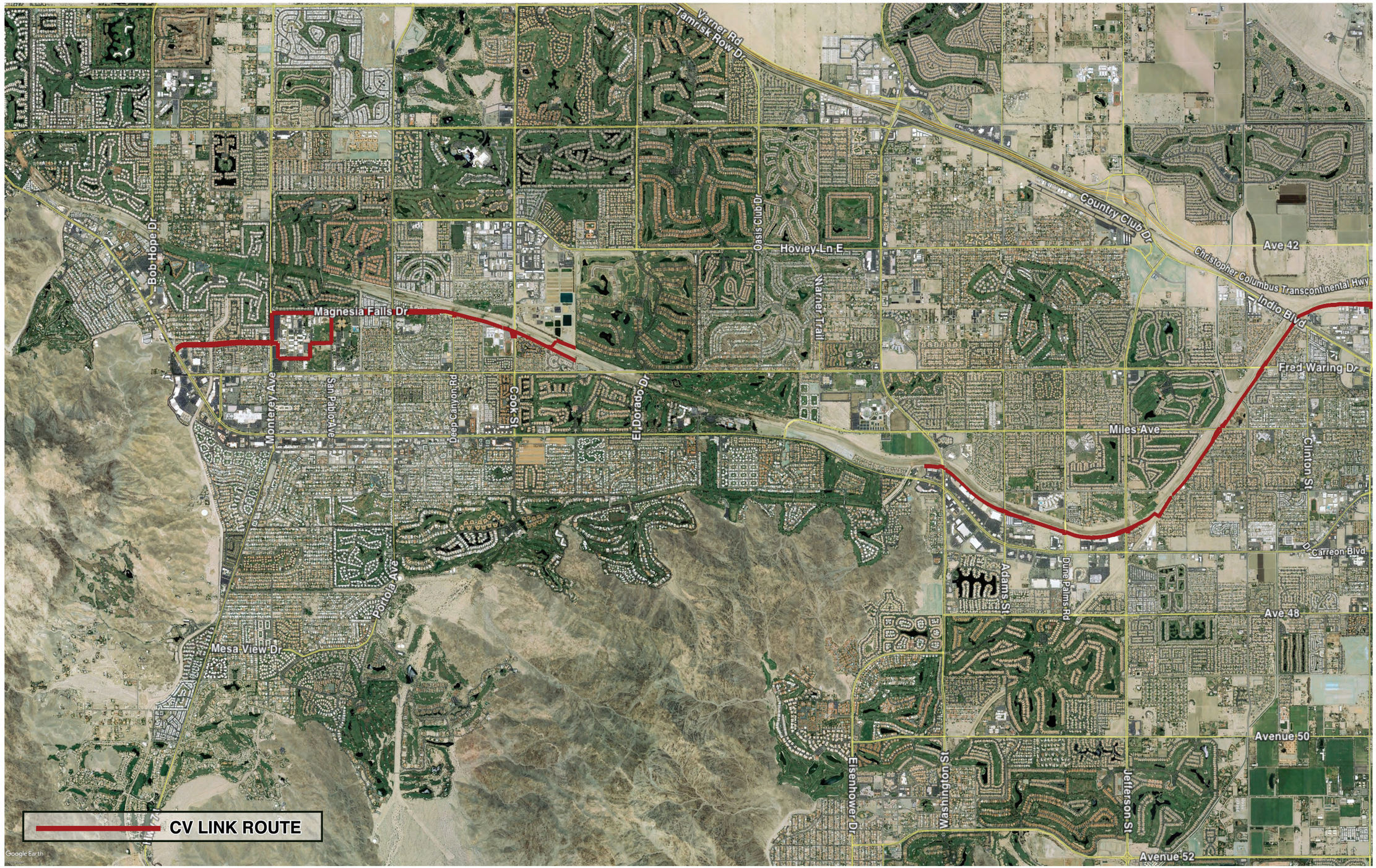
CV Link Project
West Valley
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY
CVAG

Exhibit
1A



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05.08.17

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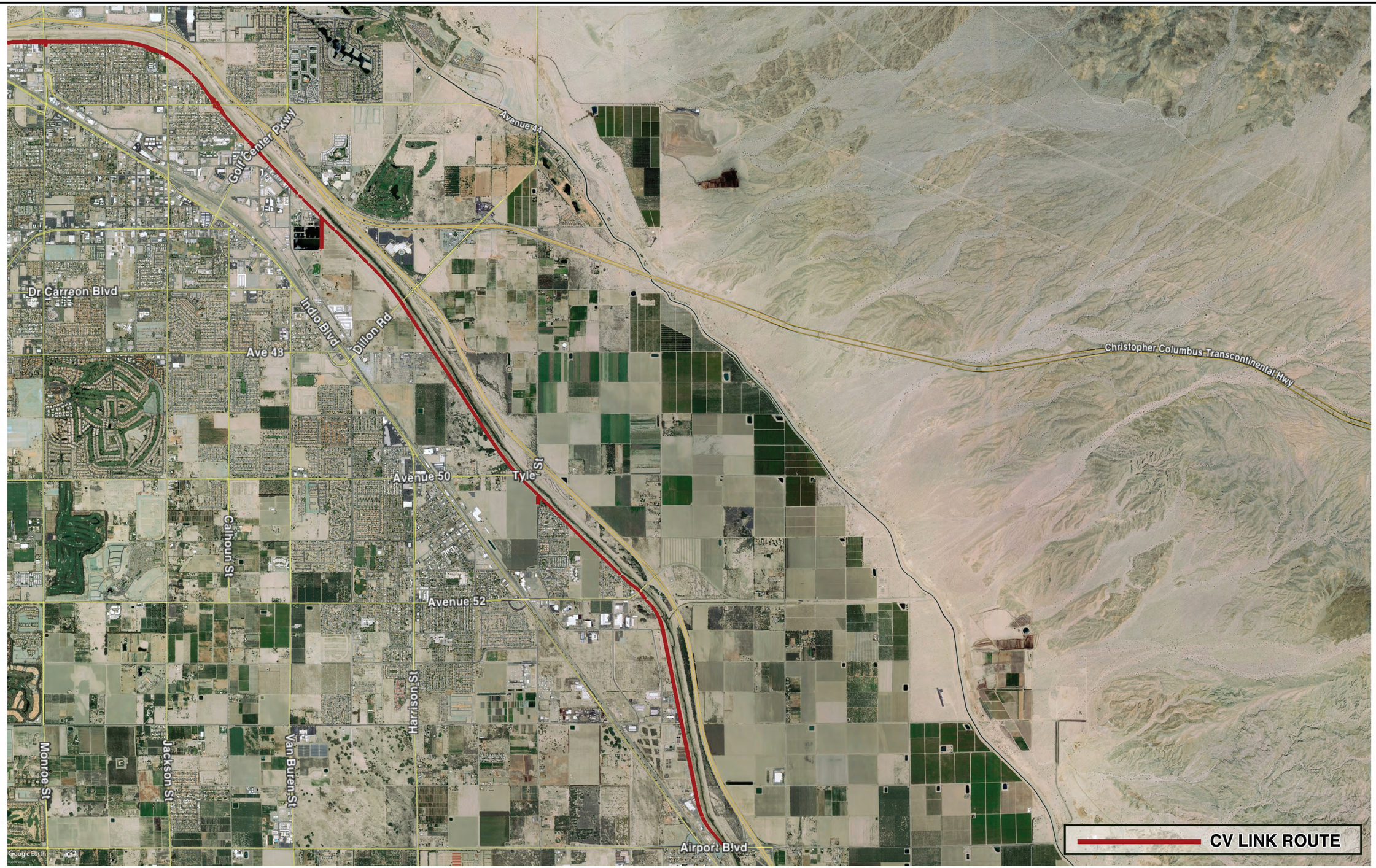
CV Link Project
Central Valley
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY
CVAG

Exhibit
1B



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CV Link Project
East Valley
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY
CVAG

Exhibit
1C

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 250 500 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

TERRA NOVA®
PLANNING & RESEARCH, INC.

CV Link Project
North Palm Canyon Drive
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
2

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 250 500 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

TERRA NOVA®
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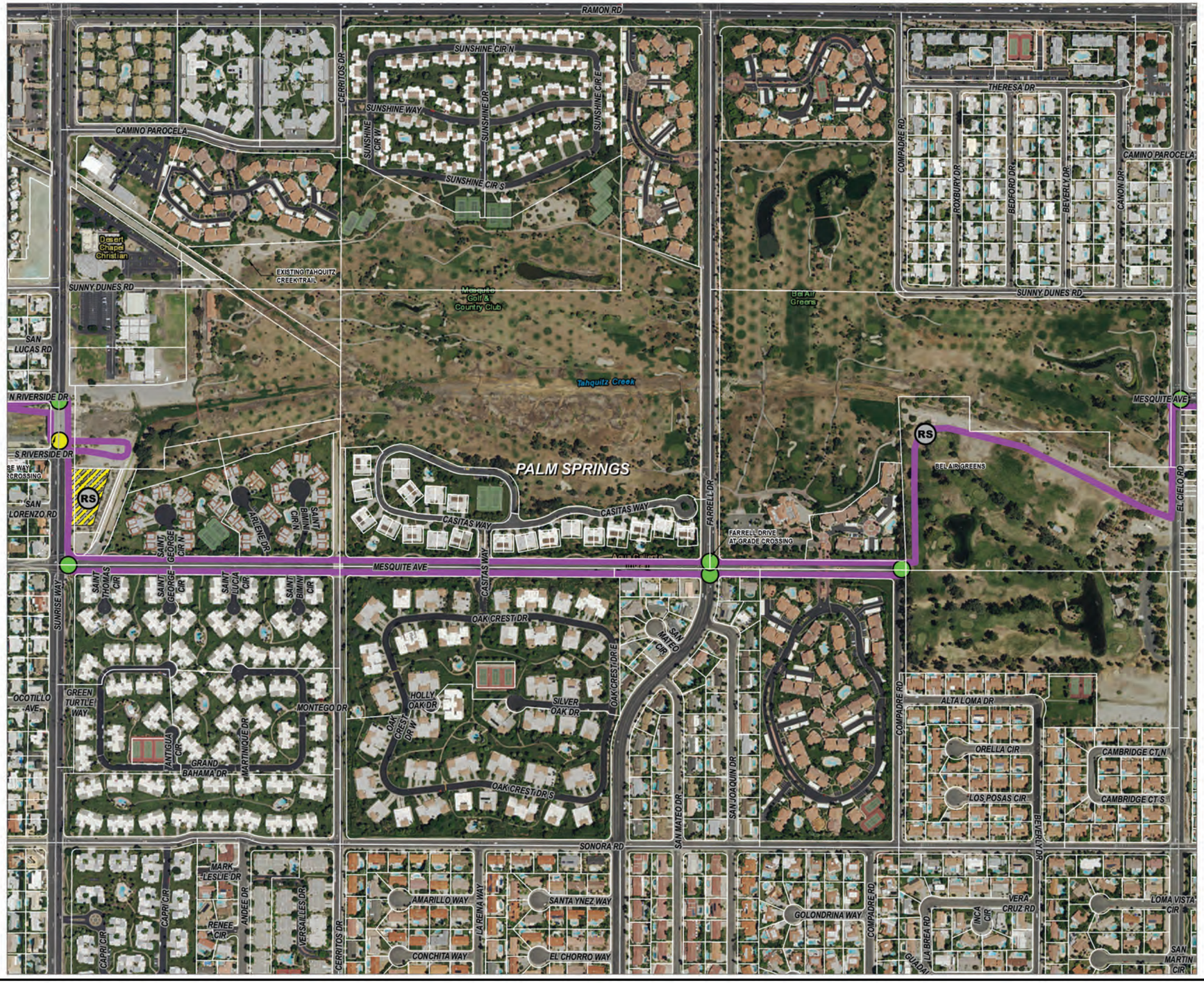
CV Link Project
Four Seasons
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
3



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 250 500 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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PLANNING & RESEARCH, INC.

CV Link Project
Sunrise Way to El Cielo Road
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
4

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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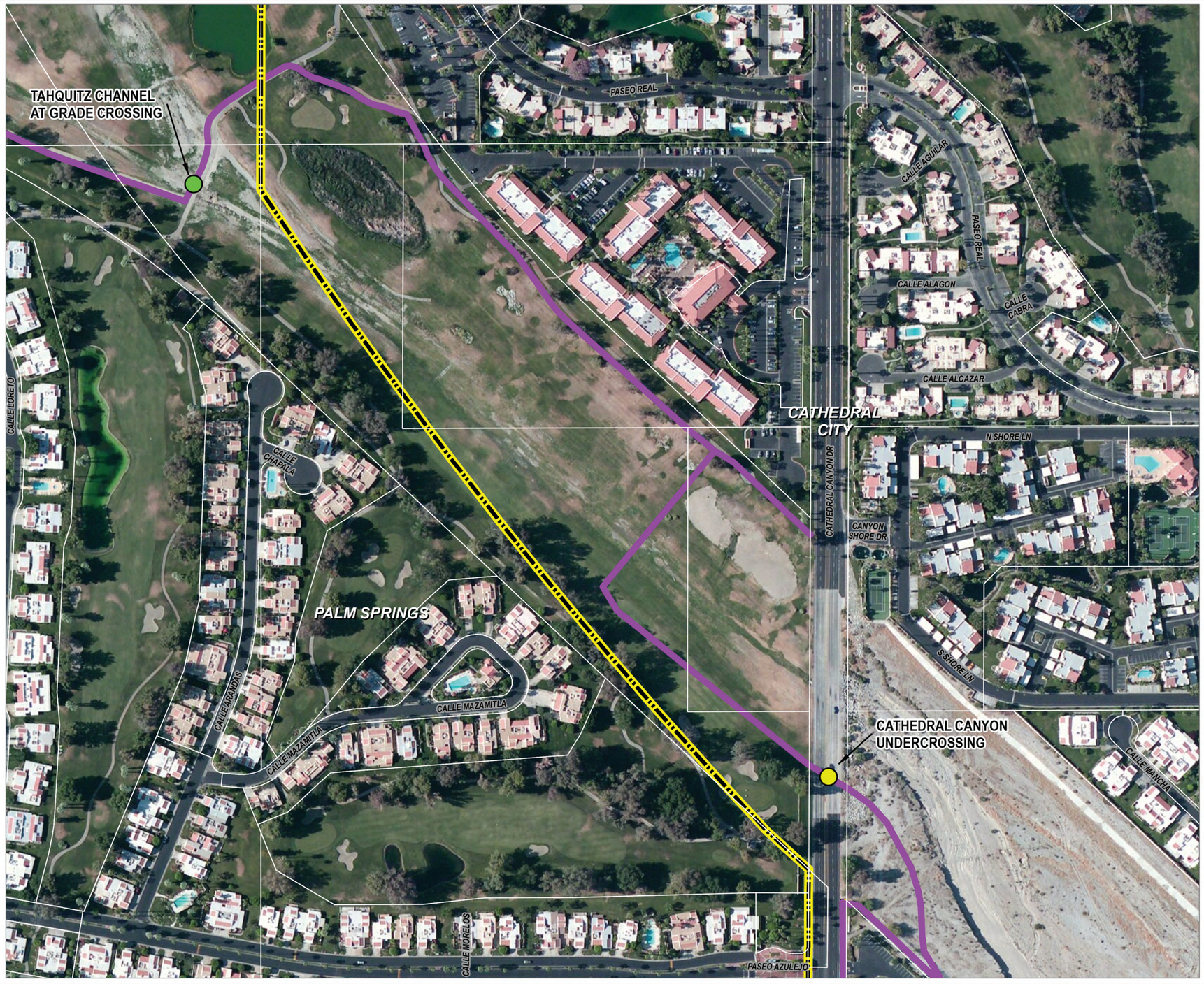
CV Link Project
Tahquitz Creek Colf Course, 17th Hole
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
5



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

05.08.17

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PLANNING & RESEARCH, INC.

CV Link Project
Cathedral Canyon Golf Course
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit

6

CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

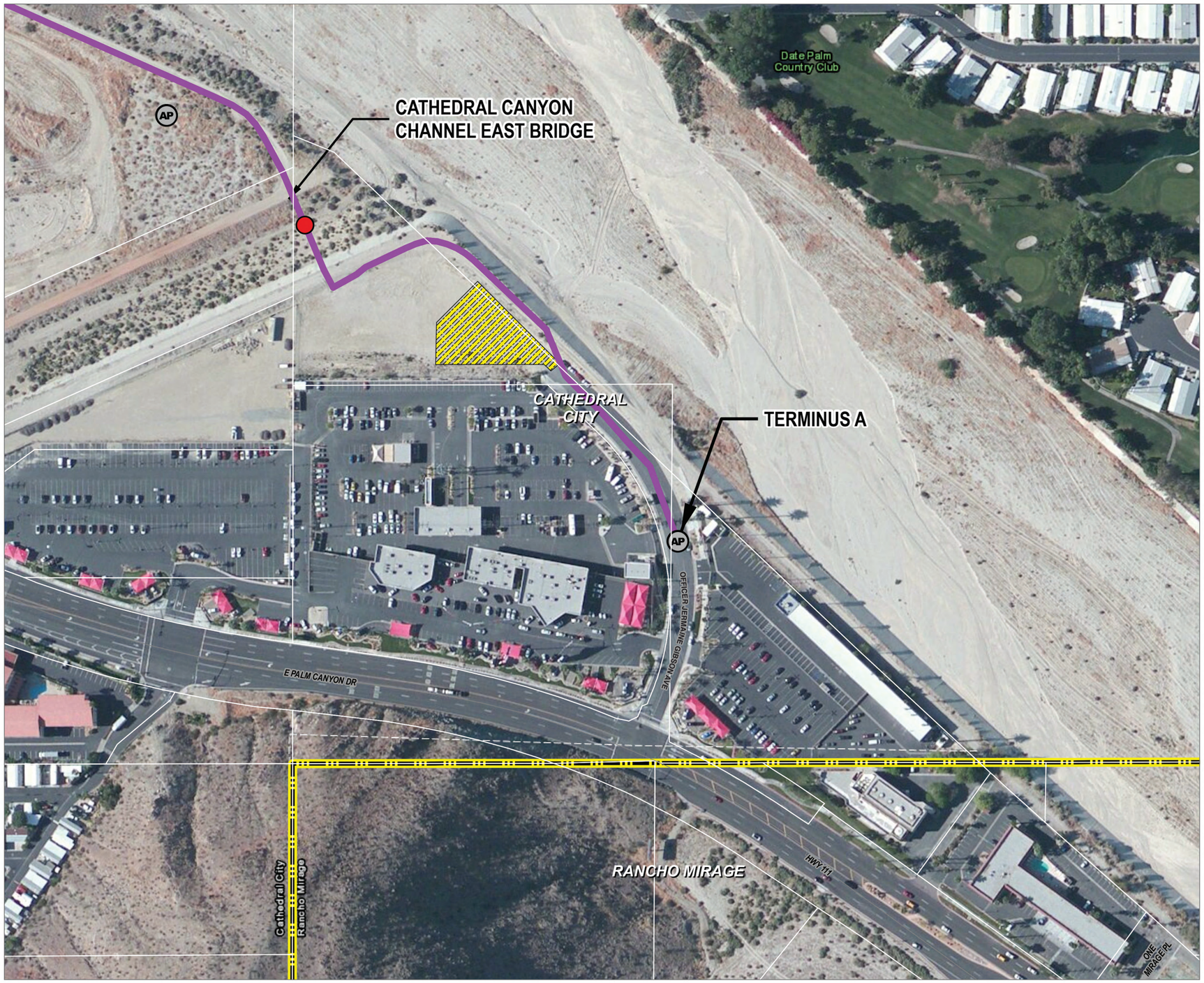
05.08.17

TERRA NOVA®
PLANNING & RESEARCH, INC.

CV Link Project
Date Palm Drive
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
7



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 100 200 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/8/2017

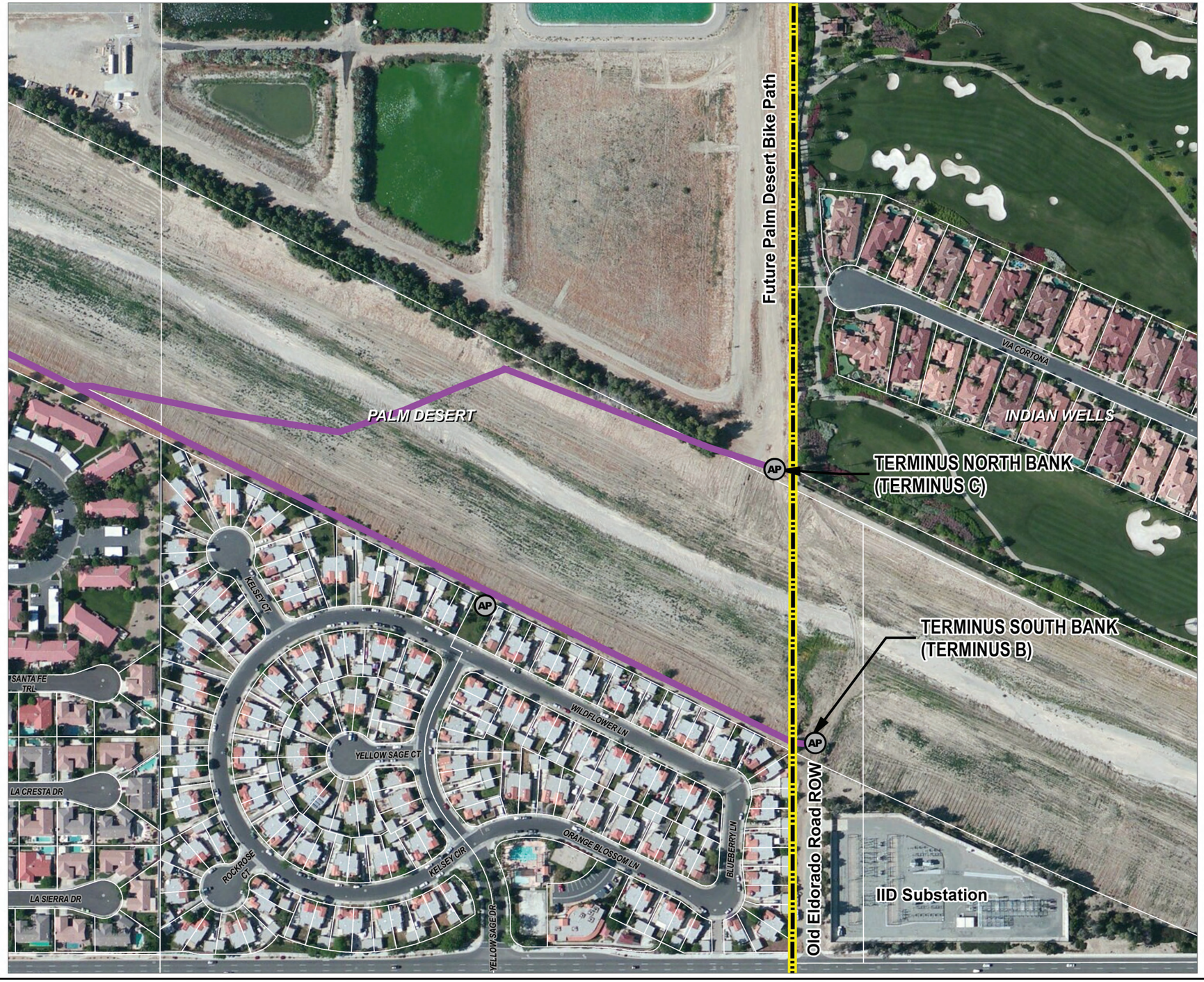
05.08.17

TERRA NOVA®
PLANNING & RESEARCH, INC.

CV Link Project
Cathedral City/Rancho Mirage Terminus
Coachella Valley, California

CV/LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
8



CV LINK

Legend

CV LINK Route

- Alignment Recommended for Approval
- City Boundaries
- Construction Staging Area

Crossings

- At Grade
- Undercrossing
- Overcrossing

Access Points

- AP — Access Point
- RS — Rest Stop

CVAG

0 105 210 Feet

N

Data obtained from CVAG, MSA CONSULTING, INC. CALSIL, RCTLMA, ACBCI, CVWD, and RCFCWCD

Date: 5/9/2017

05.08.17

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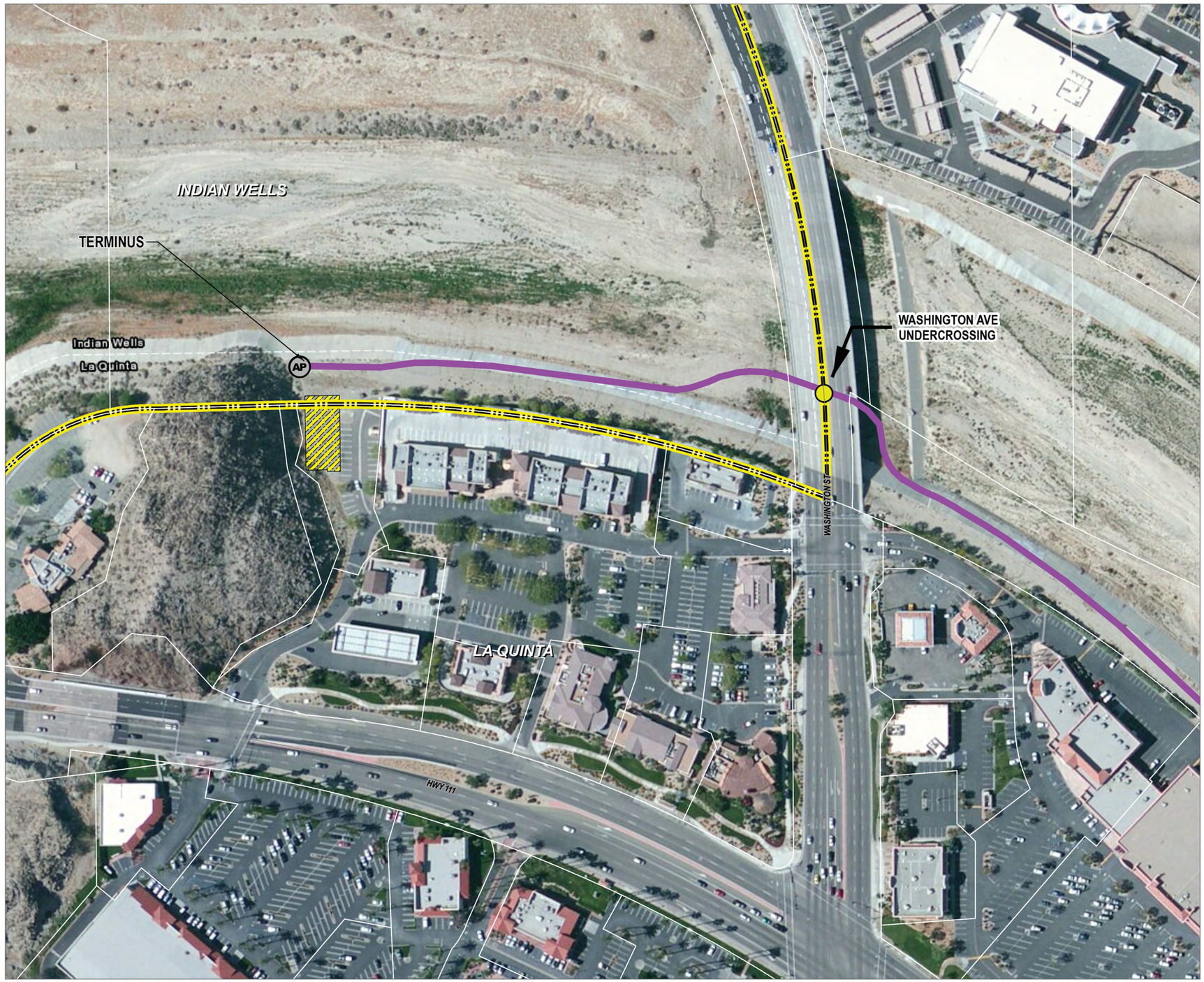
CV Link Project
Palm Desert/Indian Wells Termini
Coachella Valley, California

CV LINK
CONNECTING THE COACHELLA VALLEY

Exhibit
9



CV LINK

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Date: 5/8/2017

05.08.17

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CONNECTING THE COACHELLA VALLEY

Exhibit
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