

LA ENTRADA SPECIFIC PLAN PROJECT

Statement of Overriding Considerations

1.0 Introduction

The California Environmental Quality Act (CEQA) requires a public agency to balance the benefits of a proposed project against its significant unavoidable adverse environmental impacts in determining whether to approve the project.

The Guidelines provide the following directives regarding Lead Agencies approving projects with significant unavoidable adverse impacts:

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

2.0 Significant Unavoidable Adverse Impacts

The La Entrada Specific Plan Project would result in seven (7) significant unavoidable adverse impacts, described in detail in Section 4.0 of the Draft EIR and Section 5.0 of the Finding of Fact (Exhibit ‘A’). These significant unavoidable adverse impacts would remain even with the implementation of the Project Design Features, Standard Conditions, and mitigation measures. These impacts are inherent with the development of the Project and cannot be feasibly mitigated. The City of Coachella City Council has adopted all feasible mitigation measures with respect to these impacts. Although in some instances these mitigation measures may substantially lessen these significant impacts, adoption of the measures will not fully avoid the impacts.

While the proposed mitigation measures would reduce the level of many significant impacts to a less than significant level, the Draft EIR identified the following areas where, after the implementation of feasible mitigation measures, the Project may nonetheless result in impacts that cannot be fully mitigated.

Project Impacts

Aesthetics. The proposed project would result in significant unavoidable adverse impacts related to visual character and quality because there are no feasible mitigation measures to reduce impacts associated with a change in visual character to a less than significant level.

Agricultural Resources. Implementation of the proposed project would result in the conversion of State-designated Farmland to a nonagricultural use. Due to the physical design constraints associated with the Avenue 50 alignment through the project site (e.g., the need to cross the Coachella Canal), the loss of approximately 0.025 ac of Prime Farmland and 9.5 ac of Unique Farmland cannot be avoided, and no feasible mitigation is available.

Air Quality. Construction activities associated with the proposed project would exceed South Coast Air Quality Management District (SCAQMD) construction emission thresholds for reactive organic gases (ROG), nitrogen oxides (NOX), and carbon monoxide (CO). Operational activities would exceed SCAQMD operational emission thresholds for ROG, NOX, CO, particulate matter less than 2.5 microns in size (PM_{2.5}), and particulate matter less than 10 microns in size (PM₁₀). Because these impacts cannot be fully mitigated, construction and operation air quality impacts are also considered cumulatively significant.

Geology and Soils. Implementation of the proposed project would result in development within an area with known and potentially active earthquake faults (e.g., the San Andreas fault) and would subject that development to strong ground motion. Because these impacts cannot be fully mitigated, earthquake-related impacts are considered significant and unavoidable.

Global Climate Change. Implementation of the proposed project would result in the generation of 170,000 metric tons per year (MT/year) of carbon dioxide equivalent (CO₂e) at the completion of Phases 1 and 2, which is 0.17 million metric tons per year of carbon dioxide equivalent per year (MMT_{CO2e}/year). The project will produce 280,000 MT/year of CO₂e at the completion of Phases 3 and 4, which is 0.28 MMT_{CO2e}/year. The total project will produce 560,000 MT/year of CO₂e at the completion of Phase 5, which is 0.56 MMT_{CO2e}/year. GHG emissions generated by the project would exceed the 2020 and 2035 Performance Targets for Tier 4 projects. Because these impacts cannot be fully mitigated, these GHG emission impacts are considered significant and unavoidable.

The proposed project is consistent with the goals in the Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (SCAG RTP/SCS) of combining transportation and land use elements in order to achieve greenhouse gas (GHG) emissions reduction targets. However, because the proposed project would generate significant amounts of GHG emissions, it would conflict with applicable plans, policies, or regulations adopted to reduce emissions of GHGs to statewide target levels. In addition, the proposed project would make a significant contribution to cumulative GHG impacts.

Public Services and Utilities. Development of the proposed project would result in a population increase that would result in additional demands on existing fire, police, and library services. Existing facilities would not be able to meet service or response time goals at project build out. Once new public facilities are constructed, it is anticipated that fire, police, and library services and response times would be met. However, in the interim development phases, impacts to police and fire/emergency services would be significant. The Badlands and Lamb Canyon Sanitary Landfills are anticipated to be closed in 2021 and 2024, respectively, prior to completion of project build out (2045). It is currently undetermined where the solid waste would be rerouted after both landfills serving the project site close. Therefore, subsequent to the closure of these landfills, the proposed project would have a significant adverse impact related

to solid waste. The project would also result in a significant unavoidable adverse impact related to wastewater.

Traffic. Development of the proposed project would result in the generation of traffic that would affect existing intersections, freeway mainlines, and freeway ramps as follows:

- Intersections. Under the existing General Plan level of service (LOS) standard, implementation of the project would result in significant impacts at 14 study area intersections and cause further LOS delays at 4 intersections in the existing year scenario. For Year 2035, the project would result in significant impacts at 3 study area intersections and cause further LOS delays at 61 intersections.
- Freeway Mainlines. The addition of project traffic would result in three study area freeway mainline lanes operating at unsatisfactory LOS in the existing baseline plus project build out (with Avenue 50 interchange) scenario. For Year 2035, the project would result in significant impacts at 4 study area freeway mainline lanes and would contribute to further degradation of LOS at 18 study area freeway mainline lanes.
- Freeway Ramps. The addition of project traffic would result in one study area freeway ramp location operating at an unsatisfactory LOS in the existing year scenario. Under the existing baseline plus project build out (with the Avenue 50/I-10 interchange) scenario, four study area freeway ramp locations are forecast to operate at unsatisfactory LOS resulting from project-generated traffic. For Year 2035, the project would result in significant impacts at 4 freeway ramp locations and would contribute to further degradation of LOS at 18 study area freeway ramps.

Although payment of fees would reduce impacts associated with traffic LOS on affected roadways, some traffic infrastructure is outside the City's jurisdiction. Because the City has no control over when and how such improvements to State facilities would be put in place, impacts to the freeway mainline and ramps would remain significant and unavoidable until such improvements are constructed.

In addition to the noted traffic impacts above, potential environmental impacts to air quality, biological resources, hazardous materials, drainage, cultural resources, and noise resulting from construction of off-site intersection improvements within areas outside of current right-of-way may occur with implementation of the off-site intersection improvements. Construction of the improvements contained in Mitigation Measures 4.16.1 and 4.16.2 would require the City or other applicable jurisdiction(s) to conduct preliminary design studies, prepare final design plans, and determine whether or not additional CEQA review is required for each individual improvement. It is anticipated that impacts associated with the future construction of these off-site improvements will be less than significant. However, these off-site improvements will be subject to subsequent CEQA review by the City when determined as necessary, designed, and constructed as dictated by the traffic generated by the land uses covered by each Tentative Tract Map.

In order to approve the La Entrada Specific Plan Project, the City of Coachella City Council must adopt a Statement of Overriding Considerations, pursuant to State CEQA Guidelines Section 15043 and 15093. The statement allows as lead agency to cite a project's general economic, legal, social, technological or other benefits as a justification for choosing to allow the occurrence of specified significant environmental effects that have not been avoided. The statement explains why, in the agency's judgment, the benefits of a project outweigh the unavoidable significant effects.

3.0 The Public Benefits of the Proposed Project

CEQA does not require the lead agency to analyze "beneficial impacts" of a proposed project in an EIR. Rather, EIRs are required to focus on potential significant effects on the environment, defined to be "adverse" impacts after the California Supreme Court held that beneficial impacts must also be addressed (see *Wildlife Alive v. Chickering* [1976] Cal. Ed. 190, 206 [132 Cal. Rptr. 377]). Nevertheless, decision-makers benefit from information about project benefits. These benefits can be cited, if necessary, in a Statement of Overriding Considerations.

The City of Coachella has identified the following public benefits with regard to the La Entrada Specific Plan:

- 1) **Promote General Plan Land Use Principals, Policies, and Objectives:** The proposed Project will implement the development of a creatively-designed master planned community that expresses and embodies the City's vision of its future as articulated in the fundamental land use principals, policies, and objectives of the City's General Plan;
- 2) **Update the McNaughton Specific Plan:** The proposed Project provides an update to the previously-approved 1989 McNaughton Specific Plan to consider current and projected market conditions, while maintaining the Plan's underlying concept of comprehensive and cohesive development planning that allows for the appropriate physical and economic development of the property. The proposed Project will incorporate proper neighborhood design by balancing appropriate land uses, providing for vehicular and pedestrian mobility and enhancement of recreation and open space (in part due to elimination of the golf course in favor of retaining drainage courses and by providing drought tolerant landscaping), thereby reducing anticipated impacts of previous development approvals;
- 3) **Provide a Quality, Livable Community:** The proposed Project will provide a quality, livable community through the implementation of a Specific Plan that will ensure a consistent quality of design, allow for the provision and maintenance of community amenities, and create a collection of cohesive, well-defined neighborhoods that provide residents with a clear sense of place and identity within the diverse fabric of the larger community;
- 4) **Provide a Range of Housing Opportunities:** The proposed Project will provide a range of high-quality housing opportunities by developing a diverse range of housing types that will include very-low density, low-density, medium-density, and high-density residential housing. Such housing will be made available at a variety of price points, responsive to market demand, varying lifestyles, and the developing economic profile of the community;
- 5) **Promote Sustainability:** The proposed Project will promote the concept of sustainable community development by implementing green building practices in the selection of construction materials, the recycling of construction waste, and the use of energy and water efficient building practices. The Project will integrate eco-friendly design approaches that relate to site, landscape, and building design, including optimizing building orientation; implementing shade strategies; and, promoting use of photovoltaic solar arrays on building roofs or parking lot shade structures;
- 6) **Promote Water and Energy Efficiency:** The proposed Project will incorporate energy and water efficient design and technology into the planned residential homes,

commercial buildings, and landscaping for the La Entrada Specific Plan development to respect the desert environment and promote sustainable development methods;

- 7) **Conserve Water Resources:** The proposed Project will conserve water resources and reduce demand for potable water within the Specific Plan area by maximizing the use of recycled water where appropriate (including for landscape irrigation); implementing drought-tolerant landscaping; utilizing high-efficiency plumbing fixtures and appliances throughout the project; and, through Project layout that will be able to accommodate an onsite sewer/reclaimed water treatment facility, if necessary, to create non-potable water supplies and utilize canal water for irrigation purposes.
- 8) **Increase Employment Opportunities:** The proposed Project will increase local job opportunities during both the construction and post-construction phases over the 30-year phased buildout. Planned development of approximately 1,500,000 square feet of mixed-use commercial uses, including retail and office space, will provide economic benefits, as well as business and employment opportunities for residents of the local community and surrounding areas;
- 9) **Promote Ease of Navigation:** The proposed Project will create a community that is easy to navigate through careful use of landscape, signage, and entry design based on the Specific Plan's design objectives;
- 10) **Provide Recreational Amenities:** The proposed Project will provide 345 acres of park land for recreation uses, including a regional park site. The planned recreational amenities which will serve the needs of neighborhood residents and others in the City of Coachella and surrounding communities. The proposed Project will result in construction of a mixture of private and public community and neighborhood parks, as well as a special use regional park offering large-scale open areas to accommodate varying community activities, sports facilities, or other commercial activities for public use and a private recreation center for Project residents;
- 11) **Encourage Safe and Efficient Circulation:** The proposed Project will provide a safe and efficient roadway network, linking all internal elements of the planned community with the surrounding area;
- 12) **Encourage Alternative Transportation:** The proposed Project will encourage alternative transportation choices through the creation of a walkable community with well-defined pedestrian linkages between neighborhoods, recreational amenities, schools, and commercial uses; the provision of bike paths; the creation of LSV/NEV linkages; and, the development of multi-purpose trails. High-density and medium-density residential uses located in proximity to transit and mixed-use activity nodes/community cores will reduce dependency on the automobile and encourage the use of alternative transportation;
- 13) **Provide Improved Vehicular Circulation and Emergency Access:** The proposed Project will result in the extension of Avenues 50 and 52 to provide access into the site from existing developed areas to the west and southwest. The proposed Project would extend these streets from their present termini over the Coachella Canal, providing access into the Specific Plan area to create adequate circulation and emergency access for the proposed development and adjacent properties, enhancing public safety for future residents of the area.

- 14) **Promote Community Security:** The proposed Project will promote community security and safety through appropriate outdoor lighting; design concepts such as residents having direct views of the streets and outdoor living spaces; privacy and/or perimeter theme walls; and, encouraging community involvement through the area's master homeowners association;
- 15) **Address Drainage and Water Quality Issues:** The proposed Project will provide adequate drainage, flood control, and water quality improvements that will satisfy applicable local, State, and federal criteria, while respecting and enhancing/preserving natural onsite and offsite drainage functions and features. Existing drainages onsite will be maintained to provide open space connections for pedestrian and non-motorized mobility along their edges and for the continued conveyance of stormwater;
- 16) **Ensure Provision of Public Services:** The proposed Project will ensure the provision of adequate public services, utilities and infrastructure in a timely manner as development occurs; and,
- 17) **Ensure Provision of School Facilities:** The proposed Project will ensure provision of adequate education facilities within the community, pursuant to applicable school district and State requirements. The Project plans for future development of three elementary schools and one middle school.

4.0 Findings

As required by CEQA Statutes, Section 21081 (a)(3) and (b), and CEQA Guidelines Section 15903, the City of Coachella City Council makes the following findings:

- 1) The City of Coachella City Council has considered the impacts of the proposed La Entrada Specific Plan Project as identified and analyzed in the Final EIR. Although there are mitigation measures, Standard Conditions, and Project Design Features that assist in mitigation of the significant unavoidable adverse impacts, as discussed in Section 5.0 of the Findings (Exhibit 'A'), certain impacts cannot be avoided or reduced to below a level of significance. The City Council finds that all feasible changes and alterations, in the form of mitigation measures, Standard Conditions, and Project Design Features, have been incorporated into, or imposed upon, the proposed La Entrada Specific Plan Project.
- 2) The City of Coachella City Council has considered the four (4) Project alternatives to the proposed La Entrada Specific Plan Project, and the additional one (1) alternative which was rejected from further consideration, as identified and analyzed in the Final EIR. Per the criteria State CEQA Guidelines Section 15126.6, which provides specific guidance with regard to the discussion of alternatives in an EIR, the City Council considers this a reasonable range of alternatives to the Project. Based upon this examination, the City of Coachella City Council has determined that none of the alternatives is feasible, based upon Section 7.0 of the Findings; and,
- 3) Based upon the foregoing, the City of Coachella City Council finds that the seventeen (17) areas of Public Benefit related to the proposed La Entrada Specific Plan Project outweigh the Project's significant unavoidable adverse impacts. The Project is consistent with the City's General Plan (with adoption of the proposed General Plan Amendment) and is a substantial improvement over the currently adopted McNaughton Ranch

Specific Plan. The project is an improvement over the McNaughton Specific Plan in that it:

- Includes a reduced number of dwelling units
- Provides for pedestrian connectivity through concentration of densities around mixed use community cores linked with a paseo system
- Retains a substantial portion of the drainages through the site while the McNaughton plan did not specifically retain drainages
- Provides a regional park site
- Eliminates two golf courses, replacing them with soft bottomed drainage courses, a system of public and private parks, and providing drought tolerant desert landscaping.

Therefore, the City of Coachella City Council finds the significant unavoidable adverse impacts acceptable.