

RESOLUTION NO. 2017-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, ADOPTING AN ADDENDUM TO THE CERTIFIED LA ENTRADA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2012071061) AND APPROVING THE AVENUE 50 EXTENSION PROJECT WITHIN THE LA ENTRADA SPECIFIC PLAN AREA.

WHEREAS, the La Entrada Specific Plan is a master-planned community in the City of Coachella (the “City”), located on approximately 2,200 acres generally located south of Interstate 10, east of the Coachella Branch of the All American Canal, and north of the extension of Avenues 50 and 52; and

WHEREAS, on November 13, 2013, the City of Coachella (the “City”) adopted Resolution No. 2013-53 certifying the La Entrada Specific Plan Final Environmental Impact Report (“EIR”), State Clearinghouse No. 2012071061, in compliance with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.), the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), and the City’s Local CEQA Guidelines (collectively, “CEQA”); and

WHEREAS, because neither the La Entrada Specific Plan nor certification of the EIR was challenged, pursuant to Public Resources Code section 21167.2, the EIR is presumed to be valid; and

WHEREAS, the La Entrada Specific Plan anticipated and described the construction of an Avenue 50 extension, including a bridge over the Coachella Branch of the All American Canal, through the Specific Plan area; and

WHEREAS, since the approval of the La Entrada Specific Plan, the alignment of the Avenue 50 extension has been modified and refined, in order to accommodate the height of the bridge over the All American Canal and accommodate the 250 kV electrical transmission corridor along the east side of the Canal (“Avenue 50 Extension project” or “proposed Project”); and

WHEREAS, the Avenue 50 Extension Project would include construction of a temporary diversion channel, canal modifications, a canal crossing, utility relocations and extension, drainage improvements, and new roadway easement along an existing but undedicated dirt road; and

WHEREAS, approval of the proposed Project is a subsequent discretionary action in furtherance of the La Entrada Specific Plan; and

WHEREAS, pursuant to Public Resources Code section 21067 and State CEQA Guidelines section 15367, the City is the Lead Agency for the proposed Project; and

WHEREAS, City staff has evaluated the proposed Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and State CEQA Guidelines section 15162 and concluded that the previously certified EIR fully analyzed and mitigated all potentially significant environmental impacts, if any, that would result from the proposed Project; and

WHEREAS, pursuant to State CEQA Guidelines section 15164, because the proposed Project nonetheless requires the City to make some changes and additions to the previously certified EIR the City has prepared an Addendum to the EIR (the “Addendum”); and

WHEREAS, the City Council has been provided the Addendum and has reviewed it in connection with the previously certified EIR; and

WHEREAS, pursuant to State CEQA Guidelines section 15164(c), the Addendum is not required to be circulated for public review, but can be attached to the adopted La Entrada Specific Plan EIR; and

WHEREAS, on March 22, 2017, at a regularly scheduled meeting, the City Council considered the Addendum together with the previously certified EIR, and accepted oral and written testimony from interested parties; and

WHEREAS, having reviewed and considered the information contained in the Addendum together with the previously certified EIR, all comments made at the regularly scheduled meeting, and all other information in the administrative record, the City Council has determined that all potentially significant environmental effects of the proposed Project were fully examined and mitigated in the previously certified EIR; and

WHEREAS, the Addendum was prepared pursuant to CEQA, the State CEQA Guidelines, and the City’s Local Guidelines; and

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

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein by reference.

SECTION 2. Compliance with CEQA. State CEQA Guidelines section 15164 requires lead agencies to prepare an addendum to a previously certified EIR or MND if some changes or additions to the project are necessary, but none of the conditions requiring preparation of a subsequent EIR or negative declaration are present. The City Council has reviewed and considered the Addendum for the proposed Project and the certified La Entrada Specific Plan EIR, and finds that those documents taken together contain a complete and accurate reporting of

all of the environmental impacts associated with the proposed Project. The City Council further finds that the Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City's Local Guidelines. The City Council further finds and determines that the Addendum reflects the City's independent judgment.

SECTION 3. Findings Regarding Environmental Impacts. Based on the substantial evidence set forth in the record, including but not limited to the Addendum, the City Council finds that an addendum is the appropriate document for disclosing the minor changes and additions that are necessary to account for the Avenue 50 Extension Project. The City Council finds that based on the whole record before it, including but not limited to the Addendum, the La Entrada Specific Plan EIR, all related and supporting technical reports, and the staff report, none of the conditions identified in State CEQA Guidelines section 15162 requiring the need for further subsequent environmental review have occurred because:

a) The Avenue 50 Extension Project does not constitute a substantial change that would require major revisions of the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

b) There have been no substantial changes with respect to the circumstances under which the Avenue 50 Extension Project or La Entrada Specific Plan will be constructed that would require major revisions of the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

c) There has been no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the La Entrada Specific Plan EIR was certified that has come to light, and that shows any of the following: (i) that the Avenue 50 Extension Project or the La Entrada Specific Plan would have one or more significant effects not discussed in the certified EIR; (ii) that significant effects previously examined would be substantially more severe than shown in the certified EIR; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the City Council declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the City Council declined to adopt.

SECTION 4. Approval of Addendum. The City Council hereby approves and adopts the Addendum to the La Entrada Specific Plan EIR (State Clearinghouse No. 2012071061).

SECTION 5. Approval of the Avenue 50 Extension. The City Council hereby approves the Avenue 50 Extension Project.

SECTION 6. Notice of Determination. The City Council hereby directs staff to prepare, execute and file a CEQA Notice of Determination with the Riverside County Clerk's Office

within five (5) working days of the approval of this Resolution.

SECTION 7. Custodian of Records and Location of Documents. The documents and materials that constitute the record of proceedings upon which this Resolution is based are located at the City of Coachella, Development Services Department, 1515 Sixth Street, Coachella, California 92236. The custodian for these records is Luis Lopez, Development Services Director. This information is provided in compliance with Public Resources Code section 21081.6.

PASSED, APPROVED and ADOPTED this 12th day of April, 2017.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. 2017-16 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 12th day of April, 2017, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza
Deputy City Clerk