



City of Coachella Notice of Preparation of a Draft EIR

Date: August 25, 2023
To: Responsible and Trustee Agencies/Interested Organizations and Individuals
Subject: Notice of Preparation of a Draft Environmental Impact Report for the Coachella Airport Business Park Project

Lead Agency:

CITY OF COACHELLA
Development Services Department
53990 Enterprise Way
Coachella, CA 92236
Contact: Nicole Sauviat Criste
Consulting Planner
ncriste@terranovaplanning.com
(760) 341-4800

Consulting Firm:

The Altum Group
44-600 Village Court,
Suite 100
Palm Desert, CA 92260
Contact: Anna Choudhuri
Env Manager
anna.choudhuri@thealtumgroup.com
(760) 346-4750

This NOP includes a project description and a list of the environmental issues to be examined in the environmental impact report (EIR).

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 30 days after the date of this notice.

Please send your response to Nicole Sauviat Criste, Consulting Planner at the City of Coachella. Please include the name, phone number, email address, and mailing address of a contact person in your response.

Project Title: Coachella Airport Business Park

Location: The approximate 45.46 acres Project site (APNs: 763-330-013, 763-330-018, 763-330-029) is located in the City of Coachella, at the northwest corner of the intersection of State Route (SR) 86 and Airport Boulevard. *Please refer to Exhibit 1: Regional Map.* The site is bordered by SR 86 to the east, the Coachella Valley Stormwater Channel to the west, Airport Boulevard to the south and vacant land south of Avenue 54 to the north *Please refer to Exhibit 2: Project Location Map and Exhibit 3: Project Site.*



City of Coachella

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Project Description

A. Project Overview

Project Settings

The approximate 45.46 acre proposed Project site is located at the northwest corner of the intersection of State Route 86 (SR-86) and Airport Boulevard in the City of Coachella (City), in Riverside County, California. The site is comprised of three parcels totaling approximately 45.46 acres in size. The Assessor's Parcel Numbers (APNs) of the project site are 763-330-013, 763-330-018, and 763-330-029.

The Project site is designated as "Industrial District" under the City's General Plan 2035 Land Use and Community Character Element, within the southwestern corner of Sub-Area 8 – East Industrial District, which allows for development of a variety of industrial and office uses. The site is located within the Heavy Industrial (M-H) zoning district, per the City's Official Zoning Map.

The site is bordered on the north by a vacant, undeveloped property owned by the California Department of Transportation (Caltrans) containing shrubbery and tamarisk trees. To the west, the project site is bordered by the Coachella Valley Stormwater Channel; to the east by SR-86 and agricultural land uses beyond; and to the south by Airport Boulevard and a mobile home park beyond. A vacant 3.44-acre right-of-way under Caltrans' jurisdiction abuts the southeastern frontage of the project site.

Project Components

The proposed Project would include the development of the Coachella Airport Business Park as a mixed-use business park development to include (see *Exhibit 4: Proposed Site Plan* and **Table 1: Proposed Project Components**):

- 4,000 square feet (sf) service station/mini mart;
- 4,650 sf drive-thru fast food restaurant;
- two (2) retail buildings for a total of 81,000 sf;
- 18 buildings approximately 4,500 sf in size for office and warehouse uses;
- 17 self-storage buildings ranging in building footprints from 5,200 sf to 10,400 sf.;
- four (4) hangar type buildings at 19,200 sf per building;
- four (4) warehouse buildings ranging from approximately 22,400 sf to 48,800 sf;
- five (5) warehouse buildings ranging from approximately 9,600 sf to 24,000 sf;
- an advertising billboard, measuring 14 by 48 feet, on a 44 foot high base to be located adjacent to the SR-86 right-of-way; and,
- a 315' x 315' substation and transformer to be operated by the Imperial Irrigation District (IID).

Proposed building heights on the site would range from 24 to 50-feet. All proposed Project design will be required to maintain consistency with the Design Guidelines for the Project.



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Table 1: Proposed Project Components

Proposed Building Type	Square Footage (SF)	Proposed Building Height
Large Warehouse	233,100 SF	±38' to 50'
Small Warehouse	96,000 SF	±28' to 32'
Small Business	81,000 SF	±24' to 28'
Personal Vehicle Storage	76,800 SF	±24' to 28'
Self-Storage	128,600 SF	±24' to 28'
Service Station/Mini Mart	4,000 SF	±24' to 28'
Drive-Thru Fast-Food Restaurant	4,650 SF	±24' to 28'
Sub Station	135,000 SF	N/A
Total Building Area	759,150 SF	

Employment

The proposed Project would provide employment for approximately 698 persons onsite.

Parking and Circulation

A total of 686 parking spaces would be provided by the proposed Project (*Table 2: Proposed Parking*). Primary site access would be provided along Airport Boulevard, along the site's southwest frontage. A secondary and emergency access would be provided at the southeast corner of the site, from Airport Boulevard. A 30-to-40-foot internal roadway would provide circulation within the site as well as access to emergency vehicles and fire trucks.

Table 2 Proposed Parking

Proposed Building Type	Parking Spaces
Large Warehouse	50 Stalls
	213.1 Stalls
Small Warehouse	50 Stalls
	76 Stalls
Small Business	50 Stalls
	61 Stalls
Personal Vehicle Storage	50 Stalls
	56.8 Stalls
Self-Storage (Office)	1.5 Stalls
Service Station/Mini Mart	5 Stalls
Drive-Thru Fast Food Restaurant	44.4 Stalls
	10 Stalls
Total Parking	686 Stalls

Utility Services

The proposed Project site would be served by city water services, by the Coachella Valley Water District for sewer services, IID for electrical services, and Southern California Gas Company (SoCal Gas) for natural gas services.



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Although an existing 30 inch CVWD waterline runs parallel to the southern boundary of the site, the proposed Project would require the construction of a new water line that would connect from a water line planned in the Grapefruit Boulevard right-of-way (from Avenue 54 to the north) to Palm Street. The water line would extend easterly through the Union Pacific Railroad right-of-way and the Whitewater River Channel.

CVWD would provide sewer services to the proposed Project site via a proposed sewer line that would be located beneath Airport Boulevard. An existing 16 inch CVWD drainage line (Avenue 55 East Drainage) runs parallel to the northern boundary of the site, and three private tile drainage lines underlie the center of the site.

No electrical infrastructure currently exists on the site.

B. Requested Project Approvals

Approval to be requested by the applicant include:

Agency	Permit/Approval Required
FEDERAL	
No federal agencies identified	
STATE	
State Water Resources Control Board	Construction Stormwater General Permit Notice of Intent to Comply with Section 402 of the Clean Water Act Construction Stormwater Pollution Prevention Plan
State Department of Transportation (Caltrans)	Encroachment permits, right of way abandonment.
REGIONAL	
South Coast Air Quality Management District	PM-10 Plan for compliance with Rule 403.1, Dust Control in the Coachella Valley
Regional Water Quality Control Board Region 7	Water Quality Management Plan
Riverside County Airport Land Use Commission	Review of project consistency with the Airport Land Use Compatibility Plan
County of Riverside Department of Environmental Health	Approval of Hazardous Waste Business Plan for applicable land uses
LOCAL	
City of Coachella	Approval of the following entitlements: <ul style="list-style-type: none">• Change of Zone from M-H to MS-IP and C-G to allow for proposed land uses• CUP for the cannabis-related uses• CUP for Drive Thru Shop• CUP for Service Station/Mini Mart• Tentative Parcel Map• Condominium Map• Architectural Review



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Notice of Preparation of a Draft EIR
and Notice of a Public Scoping Meeting

Environmental Issues to be Evaluated in the EIR

The City of Coachella, the Lead Agency for the proposed Coachella Airport Business Park Project, has determined that the Project is subject to specific environmental review under CEQA.

CEQA Guidelines Section §15063 establishes that if a lead agency determines that an EIR will clearly be required for a project, an Initial Study is not required. In this case, the City has already determined that an EIR will need to be prepared based on the proposed Project's potential to create short-term, long-term, and cumulative impacts. Therefore, an EIR will be prepared to fully evaluate the potential impacts of the proposed Project. The EIR will be comprehensive in nature evaluating all identified issues from the 2022 CEQA Statutes and Guidelines Appendix G Environmental Checklist Form.

The following issues are anticipated to be addressed in the EIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire



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The EIR will address the short- and long-term effects of the proposed Project on the environment, including the impacts of any off-site improvements. It will also evaluate the potential for the proposed Project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts.

Alternatives to the proposed Project will be evaluated that may reduce impacts that are determined to be significant in the EIR.

Mitigation will be proposed for those impacts that are determined to be significant. A mitigation monitoring program will also be developed as required by Section 15097 of the CEQA Guidelines. The environmental determination in this Notice of Preparation is subject to a 30-day public review period per Public Resources Section 21080.4 and CEQA Guidelines Section 15082. Public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project, and to identify those environmental issues, potentially affected by the Project which should be addressed further by the City of Coachella in the EIR.

The NOP and the Draft and Final EIR for the Project will be made available to download from the City's website: <https://www.coachella.org/departments/development-services/environmental-reviews>

Environmental documents and Project plans will be available for review Monday through Thursday, between 7:00 a.m. and 6:00 p.m. at the following location:

City of Coachella
Development Services Department
Permit Center
53990 Enterprise Way
Coachella, CA 92236

Public Review Period

The City is requesting comments and guidance on the scope and content of the EIR from Responsible and Trustee agencies, interested public agencies, organizations, and the general public (pursuant to CEQA Guidelines Section §15082). CEQA Statutes require a 30-day public review period for an NOP. In accordance with CEQA, should you have any comments, please provide a written response to this NOP within the 30-day NOP period between **August 28, 2023 and September 28, 2023**.

Public Comments

The City requests your careful review and consideration of this notice, and invites *written comments* from interested agencies, persons, and organizations regarding the preparation of the EIR. Please indicate a contact person for your agency or organization. Please send your written comments to:

City of Coachella, Development Services Department
Attn: Nicole Sauviat Criste, Consulting Planner
53990 Enterprise Way
Coachella, CA 92236
Email: ncriste@terranovaplanning.com



1 in = 5.6 mi





1 in = 0.5 mi

NOP Comment Letter A

Agua Caliente Band of Cahuilla Indians (ACBCI)

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-017-2020-001

September 08, 2023

[VIA EMAIL TO:ncriste@terranovaplanning.com]

Terra Nova

Ms. Nicole Criste

42635 Melanie Place, Suite 101

Palm Desert, CA 92211

Re: NOP of EIR

Dear Ms. Nicole Criste,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Coachella Airport Business Park project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

*The presence of an archaeologist that meets the Secretary of Interior's standards during any ground disturbing activities.

*The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 423-3485. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Xitlaly Madrigal

Cultural Resources Analyst

Tribal Historic Preservation Office

AGUA CALIENTE BAND

OF CAHUILLA INDIANS

5401 DINAH SHORE DRIVE, PALM SPRINGS, CA 92264

T 760/699/6800 F 760/699/6924 WWW.AGUACALIENTE-NSN.GOV

NOP Comment Letter B

Lozeau | Drury LLP



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
richard@lozeaudrury.com

Via Email

August 30, 2023

Nicole Sauviat Criste, Consulting Planner
Development Services Department
City of Coachella
53990 Enterprise Way
Coachella, CA 92236
ncriste@terranovaplanning.com

Luis Lopez, Director
Development Services Department
City of Coachella
53990 Enterprise Way
Coachella, CA 92236
planning@coachella.org

Angela M. Zepeda, City Clerk
City Clerk's Office
53990 Enterprise Way
Coachella, CA 92236
cityclerk@coachella.org

Re: CEQA and Land Use Notice Request for Coachella Airport Business Park Project

Dear Ms. Criste, Mr. Lopez, and Ms. Zepeda,

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the project known as the Coachella Airport Business Park Project, including any and all actions related or referring to the development of a 759,150 square foot mixed-use business park, including 135,000 square feet for an IID substation, 8,650 square feet for a fast food restaurant and gas station, 128,000 square feet for self-storage, 76,800 square feet for vehicle storage, 329,100 square feet for warehousing, and 81,000 square feet for small business uses, located at the northwest corner of the intersection of State Route (SR) 86 and Airport Boulevard (APNs: 763-330-013, 763-330-018, 763-330-029), in the City of Coachella ("Project").

We hereby request that the City of Coachella ("City") send by electronic mail, if possible or U.S. mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report ("EIR") is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

August 30, 2023

CEQA and Land Use Notice Request for Coachella Airport Business Park Project

Page 2 of 2

- Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which require local counties to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail or U.S. Mail to:

Richard Drury
Madeline Dawson
Layne Fajeau
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
richard@lozeaudrury.com
madeline@lozeaudrury.com
layne@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Madeline Dawson
Legal Assistant
Lozeau | Drury LLP

NOP Comment Letter C

Native American Heritage Commission



NATIVE AMERICAN HERITAGE COMMISSION

August 30, 2023

Gabriel Perez
City of Coachella
53990 Enterprise Way
City of Coachella, CA 92236

Re: 2023040106, Coachella Airport Business Park EIR Project, Riverside County

Dear Mr. Perez:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Vacant

COMMISSIONER
Vacant

COMMISSIONER
Vacant

EXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
 - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

3. Contact the NAHC for:

- a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
- b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

NOP Comment Letter D1

Rob Bonta, Attorney General



September 8, 2023

Gabriel Perez, Development Services Director
City of Coachella
53990 Enterprise Way
Coachella, CA 92236

RE: Coachella Airport Business Park, SCH #2023040106

Dear Mr. Perez:

Thank you for the opportunity to provide comments on the Notice of Preparation for the Coachella Airport Business Park project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particulate matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.¹ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.² The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a

¹ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (DPM).

² Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

copy of this document to this letter, and it is also available online.³ We encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Sincerely,



CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General

³ <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>.

NOP Comment Letter D2

Rob Bonta, Attorney General, *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*



Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

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In carrying out its duty to enforce laws across California, the California Attorney General's Bureau of Environmental Justice (Bureau)¹ regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies regarding warehouse projects, and in rare cases the Bureau has filed litigation to enforce CEQA.² This document builds upon the Bureau's work on warehouse projects, collecting information gained from the Bureau's review of hundreds of warehouse projects across the state.³ It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.⁴ While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, nearly all of which have been adapted from actual warehouse projects in California.

I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.⁵ California, with its ports, population centers, and transportation network, has found itself at the center of this trend. In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade.⁶ The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day.⁷ Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years.⁸ This trend has only accelerated, with e-commerce growing to

¹ <https://oag.ca.gov/environment/justice>.

² <https://oag.ca.gov/environment/ceqa>; *People of the State of California v. City of Fontana* (Super. Ct. San Bernardino County, No. CIVSB2121829); *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).

³ This September 2022 version revises and replaces the prior March 2021 version of this document.

⁴ Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.

⁵ As used in this document, "warehouse" or "logistics facility" is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers.

⁶ Data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units) (2020), <https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/> (Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide) (last accessed September 18, 2022).

⁷ U.S. Dept. of Transportation, Federal Highway Administration, *FHWA Operations Support – Port Peak Pricing Program Evaluation* (2020), available at <https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm> (last accessed September 18, 2022).

⁸ South Coast Air Qual. Mgmt. Dist., *Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305*, at 7-8, 41 (May 2021).

13% of all retail sales and 2021 being a second consecutive record year for new warehouse space leased.⁹ The latest data and forecasts predict that the next wave of warehouse development will be in the Central Valley.¹⁰

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.¹¹ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.¹² The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents.

These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts and systemic vulnerability. For example, a comprehensive study by the South Coast Air Quality Management District found that communities located near large warehouses scored far higher on California’s environmental justice screening tool, which measures overall pollution and demographic vulnerability.¹³ That

⁹ U.S. Census Bureau News, Quarterly Retail E-Commerce Sales 4th Quarter 2021 (February 22, 2022), https://www.census.gov/retail/mrts/www/data/pdf/ec_current.pdf (last accessed September 18, 2022); CBRE Research, *2022 North America Industrial Big Box Report: Review and Outlook*, at 2-3 (March 2022), available at <https://www.cbre.com/insights/reports/2022-north-america-industrial-big-box#download-report> (last accessed September 18, 2022).

¹⁰ CBRE Research, *supra* note 9, at 4, 36; New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), available at <https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html>.

¹¹ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (last accessed September 18, 2022) (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts> (last accessed September 18, 2022); Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (last accessed September 18, 2022) (DPM).

¹² Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (last accessed September 18, 2022) (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

¹³ South Coast Air Quality Management District, “Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305” (May 2021), at 4-5.

study concluded that, compared to the South Coast Air Basin averages, communities in the South Coast Air Basin near large warehouses had a substantially higher proportion of people of color; were exposed to more diesel particulate matter; had higher rates of asthma, cardiovascular disease, and low birth weights; and had higher poverty and unemployment rates.¹⁴ Each area has its own unique history, but many of these impacts and vulnerabilities reflect historic redlining practices in these communities, which devalued land and concentrated poverty, racial outgroups, and pollution into designated areas.¹⁵

II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically guide warehouse development, we encourage local governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and direct sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take many forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors¹⁶ can help attract investment while avoiding conflicts between warehouse facilities and residential communities. Transition zones with lighter industrial and commercial land uses may also help minimize conflicts between residential and industrial uses.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related general plan elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help

¹⁴ *Id.* at 5-7.

¹⁵ Beginning in the 1930s, federal housing policy directed investment away from Black, immigrant, and working-class communities by color-coding neighborhoods according to the purported “riskiness” of loaning to their residents. In California cities where such “redlining” maps were drawn, nearly all of the communities where warehouses are now concentrated were formerly coded “red,” signifying the least desirable areas where investment was to be avoided. See University of Richmond Digital Scholarship Lab, Mapping Inequality, <https://dsl.richmond.edu/panorama/redlining/#loc=12/33.748/-118.272&city=los-angeles-ca> (Los Angeles), <https://dsl.richmond.edu/panorama/redlining/#loc=13/32.685/-117.132&city=san-diego-ca> (San Diego), <https://dsl.richmond.edu/panorama/redlining/#loc=11/37.81/-122.38&city=oakland-ca> (Oakland), <https://dsl.richmond.edu/panorama/redlining/#loc=13/37.956/-121.326&city=stockton-ca> (Stockton), <https://dsl.richmond.edu/panorama/redlining/#loc=12/36.751/-119.86&city=fresno-ca> (Fresno) (all last accessed September 18, 2022).

¹⁶ In this document, “sensitive receptors” refers to residences, schools, public recreation facilities, health care facilities, places of worship, daycare facilities, community centers, or incarceration facilities.

jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.¹⁷

Local ordinances and good neighbor policies that set development standards for all warehouses in the jurisdiction are a critical and increasingly common tool that serve several goals. When well-designed, these ordinances direct investment to local improvements, provide predictability for developers, conserve government resources by streamlining project review processes, and reduce the environmental impacts of industrial development. While many jurisdictions have adopted warehouse-specific development standards, an ordinance in the City of Fontana provides an example to review and build upon.¹⁸ Good neighbor policies in Riverside County and by the Western Riverside Council of Government include additional measures worth consideration.¹⁹

The Bureau encourages jurisdictions to adopt their own local ordinances that combine the strongest policies from those models with measures discussed in the remainder of this document.

III. Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The

¹⁷ For more information about SB 1000, see <https://oag.ca.gov/environment/sb1000>.

¹⁸ <https://oag.ca.gov/system/files/attachments/press-docs/Final%20Signed%20Fontana%20Ordinance.pdf> (last accessed September 18, 2022).

¹⁹ For example, the Riverside County policy requires community benefits agreements and supplemental funding contributions toward additional pollution offsets, and the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors. <https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf> (last accessed September 18, 2022) (Riverside County); <http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId=> (last accessed September 18, 2022) (Western Riverside Council of Governments).

information should be in a format that is easy to navigate and understand for members of the affected community.

- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the affected community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community liaison to the surrounding community.
- Requiring signage in public view at warehouse facilities with contact information for a local designated representative for the facility operator who can receive community complaints, and requiring any complaints to be answered by the facility operator within 48 hours of receipt.

IV. Warehouse Siting and Design Considerations

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per California Air Resources Board (CARB) guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.²⁰
- Providing adequate amounts of on-site parking to prevent trucks and other vehicles from parking or idling on public streets and to reduce demand for off-site truck yards.
- Establishing setbacks from the property line of the nearest sensitive receptor to warehouse dock doors, loading areas, and truck drive aisles, and locating warehouse dock doors, loading areas, and truck drive aisles on the opposite side of the building from the nearest sensitive receptors—e.g., placing dock doors on the north side of the facility if sensitive receptors are near the south side of the facility.
- Placing facility entry and exit points from the public street away from sensitive receptors—e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Ensuring heavy duty trucks abide by the on-site circulation plans by constructing physical barriers to block those trucks from using areas of the project site restricted to light duty vehicles or emergency vehicles only.
- Preventing truck queuing spillover onto surrounding streets by positioning entry gates after a minimum of 140 feet of space for queuing, and increasing the distance by 70 feet for every 20 loading docks beyond 50 docks.
- Locating facility entry and exit points on streets of higher commercial classification that are designed to accommodate heavy duty truck usage.
- Screening the warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and/or vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.
- Planting exclusively 36-inch box evergreen trees to ensure faster maturity and four-season foliage.
- Requiring all property owners and successors in interest to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

²⁰ CARB, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted in some scenarios. CARB, Concept Paper for the Freight Handbook (December 2019), available at https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf (last accessed September 18, 2022).

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation.²¹
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is required regardless of CEQA.
- Disclosing air pollution from the entire expected length of truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.

²¹ CEQA Guidelines § 15369.

- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California’s Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be hybrid electric-diesel or zero-emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring all heavy-duty vehicles engaged in drayage²² to or from the project site to be zero-emission beginning in 2030.

²² “Drayage” refers generally to transport of cargo to or from a seaport or intermodal railyard.

- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of

- trucks.
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

VI. Noise Impacts Analysis and Mitigation

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound

pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

- Disclosing and considering the significance of short-term noise levels associated with all aspects of project operation (i.e. both on-site noise generation and off-site truck noise). Considering only average noise levels may mask noise impacts sensitive receptors would consider significant—for example, the repeated but short-lived passing of individual trucks or loading activities at night.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Planning and enforcing truck routes that avoid passing sensitive receptors.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

VII. Traffic Impacts Analysis and Mitigation

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Requiring preparation and approval of a truck routing plan describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license

is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.

- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

VIII. Other Significant Environmental Impacts Analysis and Mitigation

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.
- Using full cut-off light shields and/or anti-glare lighting.
- Requiring submission of a property maintenance program for agency review and approval providing for the regular maintenance of all building structures, landscaping, and paved surfaces.
- Using cool pavement to reduce heat island effects.

- Planting trees in parking areas to provide at least 35% shade cover of parking areas within fifteen years to reduce heat island impacts.
- Using light colored roofing materials with a solar reflective index of 78 or greater.
- Including on-site amenities, such as a truck operator lounge with restrooms, vending machines, and air conditioning, to reduce the need for truck operators to idle or travel offsite.
- Designing skylights to provide natural light to interior worker areas.
- Installing climate control and air filtration in the warehouse facility to promote worker well-being.

IX. Conclusion

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

NOP Comment Letter E

Desert Sands Unified School District

Subject: Coachella Airport Business Park
Date: Monday, September 11, 2023 at 10:03:27 AM Pacific Daylight Time
From: Castillo, Yaneli
To: Nicole Criste

Good morning Nicole,

The following project is not within Desert Sands Unified School District boundaries:

Project Title: Coachella Airport Business Park

Project Location: Northwest corner of the intersection of State Route (SR) 86 and Airport Boulevard in the City of Coachella, County of Riverside. (APNs: 763-330-013, 763-330-018-763-330-029)

Thank you,

--



Yaneli Castillo
Office Specialist, Facilities Services

47-950 Dune Palms Road, La Quinta, CA 92253
(760) 771-8515

The Future Is Here!

NOP Comment Letter F
Southern California Gas Company

Subject: Coachella Airport Business Park
Date: Tuesday, September 12, 2023 at 1:42:23 PM Pacific Daylight Time
From: Castellanos, David
To: Nicole Criste
Attachments: image001.jpg, 20230912131736.pdf

Good afternoon Nicole,

SoCalGas Distribution does not have any facilities in that area.

Thanks,

David Castellanos

Lead Planning Associate

Work Planning & Resource Management

Southeast Region

dcastellanos@socalgas.com

213-231-7876



NOP Comment Letter G

Twenty-Nine Palms Band of Mission Indians



TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place. Coachella, CA. 92236. Ph. 760.863.2444. Fax: 760.863.2449

September 22, 2023

Nicole Criste, Consulting Planner
City of Coachella
53990 Enterprise Way
Coachella, CA 92236

RE: Notice of Preparation of a Draft EIR Coachella Airport Business Park

Dear Niole,

This letter is in regards to an informal consultation and in CEQA compliance and Notice of Preparation of a Draft EIR Coachella Airport Business Park. The proposed project includes a total of 759,150 SF is for an IID substation 8,650 SF for fast food and a gas station, 128,000SF for self-storage and 76,800SF for vehicle storage, 329,100 SF for warehousing, and 81,000 SF for small business uses.

After reviewing the proposed project, the Twenty-Nine Palms Band of Mission Indians has determined: The project is outside of the known Chemehuevi Traditional Use Area. The other tribes who do have cultural affiliation with the project area should be contacted.

If you have any questions, please do not hesitate to contact the Tribal Historic Preservation Office at (760) 775-3259 or by email at Christopher.Nicosia@29palmsbomi-nsn.gov.

Sincerely,

Christopher Nicosia
Cultural Resources Manager, Twenty-Nine Palms Band of Mission Indians

NOP Comment Letter H

California Department of Fish and Wildlife



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Desert Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 26, 2023
Sent via email

Nicole Sauviat Criste
Consulting Planner
City of Coachella
53990 Enterprise Way
Coachella, CA 92236

Subject: Notice of Preparation of a Draft Environmental Impact Report
Coachella Airport Business Park
State Clearinghouse No. 2023040106

Dear Ms. Criste:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of Coachella (City) for the Coachella Airport Business Park Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA guidelines¹. On April 25, 2023, CDFW submitted comments on the Draft Mitigated Negative Declaration (MND) for the Coachella Airport Business Park Project (SCH# 2023040106; Project).

Thank you for the opportunity to provide additional comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project Area is located at the northwest corner of the intersection of State Route 86 (SR-86) and Airport Boulevard in the City of Coachella (City), in Riverside County, California. The Project site comprises three parcels totaling approximately 45 acres in size. The Assessor's Parcel Numbers (APNs) of the Project site are 763-330-013, 763-330-018, and 763-330-029. The Project site is located at Latitude 33.64611 N and Longitude -116.13794 W at the approximate geographic center of the Project site. The site is bordered by SR 86 to the east, the Coachella Valley Stormwater Channel to the west, Airport Boulevard to the south and vacant land to the north. The Project site is located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).

The Project proposes to develop a mixed-use business park development that includes warehouse space, small businesses, self- and vehicle-storage, a service station/mini mart, a fast-food drive-thru restaurant, an advertising billboard measuring 14 by 48 feet, on a 44-foot-high base, commercial cannabis-related uses, and an electrical substation to be operated by the Imperial Irrigation District. The Project includes a total of 759,150 square feet of building area. In addition, a total of 686 parking spaces would be provided by the proposed Project.

The Project would provide off-site water and sewer improvements to the Project site. The City will provide water services to the Project site via a proposed water line that would connect from a water line planned in the Grapefruit Boulevard right-of-way from the north to Palm Street and extend easterly through the Union Pacific Railroad right-of-way and the Whitewater River Channel to serve the site. The Coachella Valley Water District would provide sewer services to the Project site via a proposed sewer line that would be located beneath Airport Boulevard.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. The comments and recommendations are also offered to enable the CDFW to adequately

review and comment on the proposed Project with respect to the Project's consistency with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009²). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov or <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data> to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site.

² Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. <http://vegetation.cnps.org/>

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused CVMSHCP surveys, completed by a CVMSHCP Acceptable Biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018³).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).
6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic

³ CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. An evaluation of impacts to on-site and adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would “feasibly attain most of the basic objectives of the Project,” and would avoid or substantially lessen any of the Project’s significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a “no project” alternative (CEQA Guidelines § 15126.6[e]).

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The City of Coachella should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Unless otherwise authorized pursuant to Fish and Game Code section 2081.15, fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid

any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.

2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.
3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: burrowing owl (*Athene cunicularia*), Palm Springs round-tailed ground squirrel (*Xerospermophilus tereticaudus chlorus*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), western yellow bat (*Lasiurus xanthimus*), vermilion flycatcher (*Pyrocephalus rubinus*), Crissal thrasher (*Toxostoma crissale*), and western mastiff bat (*Eumops perotis californicus*).
4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought. CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

7. *Moving out of Harm's Way*: To avoid direct mortality to any non-listed terrestrial wildlife, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to inspect the Project area prior to any activities. Any individuals found shall not be harassed and shall be allowed to leave the Project area unharmed. If needed, a qualified biologist may guide, handle, or capture an individual non-listed, non-special-status wildlife species to move it to a nearby safe location within nearby refugium, or it shall be allowed to leave the Project site of its own volition. Capture methods may include hand, dip net, lizard lasso, snake tongs and snake hook. If the wildlife species is discovered or is caught in any pits, ditches, or other types of excavations, the qualified biologist shall release it into the most suitable habitat near the site of capture. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be

injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Only biologists with appropriate authorization by CDFW shall move CESA-listed or other special status species. Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the project; unless this Project is proposed to be a covered activity under the CVMSHCP. It is the policy of CESA to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Coachella Valley Multiple Species Habitat Conservation Plan

Within the Inland Deserts Region, CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the CVMSHCP per Section 2800, *et seq.*, of the California Fish and Game Code on September 9, 2008. The CVMSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the CVMSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural

community conservation plans. An assessment of the impacts to the CVMSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the CVMSHCP please go to: <http://www.cvmshcp.org/>.

The proposed Project occurs within the CVMSHCP area and is subject to the provisions and policies of the CVMSHCP. In order to be considered a covered activity, Permittees should demonstrate that proposed actions are consistent with the CVMSHCP and its associated Implementing Agreement.

Regardless of whether take of threatened and/or endangered species is obtained through the CVMSHCP or through a CESA ITP, the DEIR needs to address how the proposed Project will affect the conservation objectives of the CVMSHCP. Therefore, all surveys required by the CVMSHCP to determine consistency should be conducted and results included in the DEIR so that CDFW can adequately assess whether the Project will impact the CVMSHCP.

CDFW Lake and Streambed Alteration Program

Based on review of material submitted with the NOP and review of aerial photography, the Project is located directly adjacent to the Whitewater River. In addition, under the Utility Services section, the NOP mentions that the Project “would require the construction of a new water line that would connect from a water line planned in the Grapefruit Boulevard right-of-way (from Avenue 54 to the north) to Palm Street. The water line would extend easterly through the Union Pacific Railroad right-of-way and the Whitewater River Channel” to serve the site. As previously mentioned in the comment letter provided to the City on the Project’s MND (SHC# 2023040106), CDFW requests that the DEIR provide details on the proposed off-site water infrastructure, such as the alignment of the proposed off-site water line, details on how the water line and sewer line will be installed (e.g., horizontal directional drilling), and an analysis of the impacts to biological resources as a result of construction of off-site water and wastewater infrastructure. There is the potential for the Project to directly or indirectly impact fish and wildlife resources subject to Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that results in one or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that “any river, stream or lake” includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water. Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures

necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

Construction Noise

Project-related construction has the potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project. CDFW recommends that the DEIR include an analysis of impacts to wildlife from Project related construction noise, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant. Construction may result in substantial noise through road use, equipment, and other Project-related activities. This may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55 to 60 dB⁴. Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats^{5, 6, 7, 8}. Noise can also affect predator-prey relationships as many nocturnal animals such as bats and owls primarily use auditory cues (i.e., hearing) to hunt. Additionally, many prey species increase their vigilance behavior when exposed to noise because they need to rely more on visual detection of predators when auditory cues may be masked by noise^{9,10}.

⁴ Barber, J. R., K. R. Crooks, and K. M. Fristrup. 2009. The costs of chronic noise exposure for terrestrial organisms. *Trends in Ecology and Evolution* 25:180-189.

⁵ Sun, J. W. C., and P. M. Narins. 2005. Anthropogenic sounds differentially affect amphibian call rate. *Biological Conservation* 121:419-427.

⁶ Patricelli, G., and J. J. L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. *Auk* 123:639-649.

⁷ Gillam, E. H., and G. F. McCracken. 2007. Variability in the echolocation of *Tadarida brasiliensis*: effects of geography and local acoustic environment. *Animal Behaviour* 74:277-286.

⁸ Slabbekoorn, H., and E. A. P. Ripmeester. 2008. Birdsong and anthropogenic noise: Implications and applications for conservation. *Molecular Ecology* 17:72-83.

⁹ Rabin, L. A., R. G. Coss, and D. H. Owings. 2006. The effects of wind turbines on antipredator behavior in California ground squirrels (*Spermophilus beecheyi*). *Biological Conservation* 131:410-420.

¹⁰ Quinn, J. L., M. J. Whittingham, S. J. Butler, W. Cresswell, J. L. Quinn, M. J. Whittingham, S. J. Butler, W. Cresswell, and W. Noise. 2017. Noise, predation risk compensation and vigilance in the chaffinch *Fringilla coelebs*. *Journal of Avian Biology* 37:601-608.

Noise has also been shown to reduce the density of nesting birds¹¹ and cause increased stress that results in decreased immune responses¹². The City of Coachella should include measures in the DEIR to ensure the following: restricting the use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning); restricting the use of generators except for temporary use in emergencies; provide power to sites by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or small wind turbine systems; ensure the use of noise suppression devices such as mufflers or enclosure for generators; and sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

Artificial Nighttime Lighting

The Project will introduce new sources of artificial lighting. CDFW recommends that the DEIR include lighting design specifications for all artificial nighttime lighting that will be used by the Project, an analysis of the direct and indirect impacts of artificial nighttime lighting on biological resources, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant. The direct and indirect impacts of artificial nighttime lighting on biological resources including migratory birds that fly at night, bats, and other nocturnal and crepuscular wildlife should be analyzed, and appropriate avoidance and minimization measures should be included in the DEIR. Artificial nighttime lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and natural enemies; and navigation¹³. Many species use photoperiod cues for communication (e.g., bird song¹⁴), determining when to begin foraging¹⁵, behavioral thermoregulation¹⁶, and migration¹⁷. Phototaxis, a phenomenon that results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it. The City of Coachella should include measures in the DEIR to ensure the following: eliminate all nonessential lighting throughout the Project area; avoid or limit the use of artificial light during the hours of dawn and dusk when many wildlife species are most active; lighting for Project activities is fully shielded, cast

¹¹ Francis, C. D., C. P. Ortega, and A. Cruz. 2009. Noise pollution changes avian communities and species interactions. *Current Biology* 19:1415–1419.

¹² Kight, C. R., and J. P. Swaddle. 2011. How and why environmental noise impacts animals: An integrative, mechanistic review. *Ecology Letters* 14:1052–1061.

¹³ Gatson, K. J., Bennie, J., Davies, T., Hopkins, J. 2013. The ecological impacts of nighttime light pollution: a mechanistic appraisal. *Biological Reviews*, 88.4: 912-927.

¹⁴ Miller, M. W. 2006. Apparent effects of light pollution on singing behavior of American robins. *The Condor* 108:130–139.

¹⁵ Stone, E. L., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology* 19:1123– 1127.

¹⁶ Beiswenger, R. E. 1977. Diet patterns of aggregative behavior in tadpoles of *Bufo americanus*, in relation to light and temperature. *Ecology* 58:98–108.

¹⁷ Longcore, T., and C. Rich. 2004. Ecological light pollution - Review. *Frontiers in Ecology and the Environment* 2:191–198.

downward, reduced in intensity to the greatest extent, and does not result in spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org>; the use of LED lighting with a correlated color temperature of 3,000 Kelvins or less; proper disposal of hazardous waste; and recycling of lighting that contains toxic compounds with a qualified recycler.

Cannabis-Specific Impacts on Biological Resources

CDFW recommends that the City consider cannabis-specific impacts to biological resources that may result from the Project activities.

Pesticides, Including Fungicides, Herbicides, Insecticides, and Rodenticides

Cannabis cultivation sites (whether indoor or outdoor) often use substantial quantities of pesticides, including fungicides, herbicides, insecticides, and rodenticides. Wildlife, including beneficial arthropods, birds, mammals, amphibians, reptiles, and fish, can be poisoned by pesticides after exposure to a toxic dose through ingestion, inhalation, or dermal contact^{18,19,20}. They can also experience secondary poisoning through feeding on animals that have been directly exposed to the pesticides. (Even if used indoors, rodenticides may result in secondary poisoning through ingestion of sickened animals that leave the premises or ingestion of lethally poisoned animals disposed of outside.) Nonlethal doses of pesticides can negatively affect wildlife; pesticides can compromise immune systems, cause hormone imbalances, affect reproduction, and alter growth rates of many wildlife species^{21,22,23,24}.

CDFW recommends minimizing use of synthetic pesticides, and, if they are used, to always use them as directed by the manufacturer, including proper storage and disposal. Toxic pesticides should not be used where they may pass into waters of the state, including ephemeral streams, in violation of Fish and Game Code section 5650(6). Anticoagulant rodenticides and rodenticides that incorporate “flavorizers” that make the pesticides appetizing to a variety of species should not be used at cultivation

¹⁸ Fleischli, M. A., J. C. Franson, N. J. Thomas, D. L. Finley, and W. Riley, Jr. 2004. Avian mortality events in the United States caused by anticholinesterase pesticides: A retrospective summary of national wildlife health center records from 1980 to 2000. *Archives of Environmental Contamination and Toxicology* 46:542–550.

¹⁹ Pimentel, D. 2005. Environmental and economic costs of the application of pesticides primarily in the United States. *Environment, Development and Sustainability* 7:229–252.

²⁰ Berny, P. 2007. Pesticides and the intoxication of wild animals. *Journal of Veterinary Pharmacology and Therapeutics* 30:93–100.

²¹ Pimentel, D. 2005. Environmental and economic costs of the application of pesticides primarily in the United States. *Environment, Development and Sustainability* 7:229–252.

²² Li, Q., and T. Kawada. 2006. The mechanism of organophosphorus pesticide-induced inhibition of cytolytic activity of killer cells. *Cellular & Molecular Immunology* 3:171–178.

²³ Relyea, R. A., and N. Diecks. 2008. An unforeseen chain of events: Lethal effects of pesticides on frogs at sublethal concentrations. *Ecological Applications* 18:1728–1742.

²⁴ Baldwin, D. H., J. A. Spromberg, T. K. Collier, and N. L. Scholz. 2009. A fish of many scales: Extrapolating sublethal pesticide exposures to the productivity of wild salmon populations. *Ecological Applications* 19:2004–2015.

sites. Alternatives to toxic rodenticides may be used to control pest populations at and around cultivation sites, including sanitation (removing food sources like pet food, cleaning up refuse, and securing garbage in sealed containers) and physical barriers (e.g., sealing holes in roofs/walls). Snap traps should not be used outdoors as they pose a hazard to nontarget wildlife. Sticky or glue traps should be avoided altogether; these pose a hazard to nontarget wildlife and result in prolonged/inhumane death. California Department of Pesticide Regulation stipulates that pesticides must certain criteria to be legal for use on cannabis. For details, visit: <https://www.cdpr.ca.gov/docs/cannabis/questions.htm>; <https://www.cdpr.ca.gov/docs/county/cacltrs/penfltrs/penf2015/2015atch/attach1502.pdf>.

Landscaping

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in any Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species and installing water efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org>. Local water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <https://saveourwater.com>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final.

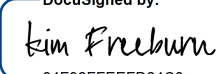
Nicole Criste, Consulting Planner
City of Coachella
September 26, 2023
Page 15

(Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSIONS

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Coachella Airport Business Park (SCH No. 2023040106) and recommends that the City of Coachella address CDFW's comments and concerns in the forthcoming DEIR. Questions regarding this letter or further coordination should be directed to Lydia Rodriguez, Senior Environmental Scientist (Specialist), at Lydia.Rodriguez@wildlife.ca.gov or (909) 544-9932 (cell).

Sincerely,

DocuSigned by:

84F92FFEEFD24C8...

Kim Freeburn
Environmental Program Manager

ec:

Heather Brashear, Senior Environmental Scientist (Supervisor), CDFW
Heather.Brashear@Wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@opr.ca.gov

NOP Comment Letter I

Californians Allied for a Responsible Economy ("CARE
CA")



09/28/2023

VIA EMAIL ONLY

Nicole Sauviat Criste, Consulting Planner
City of Coachella
Development Services Department
53990 Enterprise Way
Coachella, CA 92236
ncriste@terranova.planning.com

RE: NOP Comments for the Coachella Airport Business Park Project

Dear Ms. Criste,

The comments are submitted on behalf of Californians Allied for a Responsible Economy ("CARE CA") regarding the Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("DEIR") for Coachella Airport Business Park ("the Project"). CARE CA understands that the proposed Project consists of a mixed-use business park development with retail, commercial, office and warehouse uses.

The goal of an EIR is to provide decisionmakers and the public with detailed information about the effects of a proposed project on the environment, how significant impacts will be minimized and alternatives to the project (Pub. Res. Code § 21002.2). We, therefore, respectfully request a complete analysis of all identified impacts, imposition of all feasible mitigation and study of a reasonable range of alternatives. In addition, we wish to provide the following comments regarding the warehouse portions of the Project.

i) The NOP does not provide any details about the type of warehouse uses proposed. The DEIR should correct this error by providing details of any and all proposed future warehouse uses of the Project, clearly articulated and quantified. If planned operations are unknown, the DEIR must consider all reasonably foreseeable uses including higher intensity uses such as cold storage and subsequent potential use of transportation refrigeration units (TRUs) during Project operations. Ideally, the DEIR should study a combination of the five primary logistics-type uses at the site, including providing justification and square footage assumed for each use analyzed to ensure that the unique impacts of each use (i.e., both truck and vehicular trips, air quality,

GHG emissions, public health risk and other environmental effects) are comprehensively evaluated.

If the Project will not include cold storage, then the DEIR must include California Air Resources Board (CARB) recommended design measures in the Mitigation Monitoring and Reporting Program (MMRP). CARB recommends requiring contractual language in tenant lease agreements or restrictive covenant over parcels to prohibit use of transport refrigeration units (TRUs).

ii) Assuming industry standard 24 hours a day, 7 days a week operation, the Project would undoubtably contribute to air pollution. The City must make all efforts to minimize air quality effects to the greatest extent possible. Therefore, the Air Quality analysis should be based on actual emissions data from existing similar sized warehouse projects rather than computer generated estimates. In addition, a Health Risk Assessment (HRA) must be prepared as part of the DEIR that accurately reflects any and all proposed future industrial/warehouse uses, and also accounts for other emission sources such as backup generators, and forklifts. Furthermore, estimates of the significance of air quality impacts must be consistent with current epidemiological studies regarding the effects of pollution and various kinds of environmental stress on public health. Failure to take these measures will result in a DEIR that is deficient in its informational discussion of air quality impacts as they connect to adverse human health effects.

Thank you for the opportunity to submit NOP comments. Again, CARE CA respectfully requests under CEQA full analysis of the environmental impacts, feasible mitigation, and reasonable alternatives to the Project.

We look forward to reviewing and commenting on the DEIR.

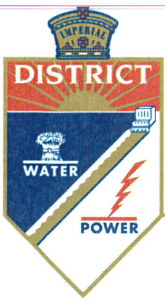
Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Modrzejewski', with a long horizontal flourish extending to the right.

Jeff Modrzejewski

Executive Director

NOP Comment Letter J
Imperial Irrigation District



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September 28, 2023

Nicole Sauviat Criste
Consulting Planner
Development Services Department
City of Coachella
1515 6th Street
Coachella, CA 92236

SUBJECT: NOP of a DEIR for the Coachella Airport Business Park in Coachella, CA

Dear Ms. Sauviat Criste:

On August 25, 2023, the City of Coachella Development Services Dept. issued a Notice of Preparation of a Draft Environmental Impact Report for the Coachella Airport Business Park project. The applicant, Haagen Co., LLC; proposes to develop a mixed-use business park which includes warehouse space, commercial cannabis-related uses, small businesses, self- and vehicle-storage, a drive-thru restaurant and service station/mini mart-related land uses, and an electric substation for IID, with a total build out area of 759,150 sq. ft. The project is located at the northwest corner of the intersection of State Route 86 and Airport Boulevard (APNs 763-330-013, -018, and -029) in Coachella, California.

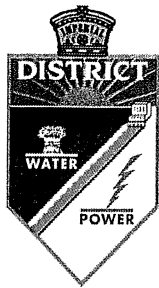
IID has reviewed the project information and in addition to the comments provided in the February 15, 2023 district letter (see attached letter), further notes that the measures required to mitigate the project's impacts to the IID electrical grid and serve the project, including but not limited to the new substation, 92kV transmission line extensions and distribution feeders, total an estimated cost of \$21 Million, which shall be borne by the applicant.

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,

Donald Vargas
Compliance Administrator II

Jamie Asbury – General Manager
Mike Pacheco – Manager, Water Dept.
Matthew H Smelser – Manager, Energy Dept.
Daryl Buckley – Mgr. of Distribution Svcs. & Maint. Oprtns., Energy Dept.
Geoff Holbrook - General Counsel
Michael P. Kemp – Superintendent General, Fleet Services and Reg. & Environ. Compliance
Laura Cervantes. – Supervisor, Real Estate



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February 15, 2023

Ms. Nicole Sauviat Criste
Consulting Planner
Development Services Department
City of Coachella
1515 6th Street
Coachella, CA 92236

SUBJECT: Coachella Airport Business Park Project in Coachella, CA; EA No. 20-01, GPA No. 20-01, CZ No. 20-01, TPM No. 37921, CUP Nos. 324, 325 & 326, AR No. 20-04

Dear Ms. Sauviat Criste:

On January 23, 2023, the Imperial Irrigation District received from the City of Coachella Development Services Department, a request for agency comments on Coachella Airport Business Park project in Coachella, CA; Environmental Assessment No. 20-01, General Plan Amendment No. 20-01, Change of Zone No. 20-01, Tentative Parcel Map No. 37921, Conditional Use Permit Nos. 324, 325 & 326 and Architectural Review No. 20-04. The applicant, Christopher Fahey/Empire Airport LLC by Haagen Company, proposes the development of approximately 624,150 sq. ft. of commercial and industrial buildings on 42.69 acres, as well as a new Imperial Irrigation District substation on approximately 2 acres on the north end of the project. The proposed project includes several large and small warehouse uses, self-storage area, personal storage garages, small business condos, a fuel center, convenience mart, cannabis building and a drive thru restaurant.

IID has reviewed the project information and, in addition to the comments provided in the August 10, 2020 district letter (see attached letter), has the following observations given that the project went dormant and has gone through some change since it was originally presented for public comment in 2020:

1. A transmission-level power flow analysis was performed for this preliminary assessment with information provided by the Developer. If the project does move forward based on schedule provided, a more detailed transmission study is required to properly assess the impacts caused by this project. The cost of any additional technical assessment shall be borne by the developer.
2. However, based on the preliminary information provided to IID and its currently available capacity, to accommodate the power requirements of the project, the district will require the acquisition, design and construction of a new substation with 2-25 MVA 92/13.2 kV transformer banks. In addition, a 24.5 MVAR capacitor bank, transmission and distribution backbone line extensions, distribution getaways and distribution feeders will also be required. A larger than standard (315" by 315") substation site will be required to house the additional capacitor bank, at a strategic location to be approved by IID. Final site dimensions will be determined once evaluation is completed. Additional requirements to

- be determined include but are not limited to grading, fencing, and substation access for both ingress and egress.
3. The extension of two (2) 92 kV transmission lines with an in and out configuration is also required to serve this substation from IID's existing 92 kV transmission "K" line running on the west side of the Storm Channel. IID will require that additional rights-of-way be provided for the said transmission line corridor.
 4. The applicant shall bear the cost of the substation infrastructure to serve the project but may be eligible for reimbursement from a third party user or third party users for a portion of the costs pursuant to existing IID regulations and/or approval by the IID Board of Directors.
 5. Developer will be required to install the required conduit/vault systems following the Permanent Plan of Service from the new required substation to your project, to Airport Boulevard and to the frontage of your project.

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Jamie Asbury – Manager, Energy Dept.
Matthew H Smelser – Deputy Mgr. Energy Dept.
Constance Bergmark – Deputy Mgr. Energy Dept.
Daryl Buckley – Mgr. of Distribution Svcs. & Maint. Optrns., Energy Dept.
Geoff Holbrook – General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate



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August 10, 2020

Mr. Luis Lopez
Director
Development Services Department
City of Coachella
1515 6th Street
Coachella, CA 92236

SUBJECT: Coachella Airport Business Park Project (EA 20-01, GPA 20-01, CZ 20-01, TPM 37921, CUPs Nos. 324, 325 & 326 and AR 20-04)

Dear Mr. Lopez:

On July 21, 2020, the Imperial Irrigation District received from the City of Coachella Development Services Department, a request for agency comments on the preliminary design plans for the Coachella Airport Business Park project; Environmental Assessment no. 20-01, General Plan Amendment no. 20-01, Change of Zone no. 20-01, Tentative Parcel Map no. 37921, Conditional Use Permits nos. 324, 324 and 324; and Architectural Review no. 20-04. The applicant, Christopher Fahey/Empire Airport, LLC/Haagen Company, LLC; proposes the phased development of approximately 628,825 sq. ft. of commercial and industrial center on 42.69 acres. The proposed project includes several large and small warehouses, a self-storage area, personal storage garages, small business condos, fuel center, convenience mart, cannabis building, and a drive-thru restaurant. The site is located at northwest corner of Airport Boulevard and Expressway 86 in Coachella, California.

The IID has reviewed the project information and, in addition to the comments provided in the April 23, 2019 district letter (see attached letter), has the following remarks:

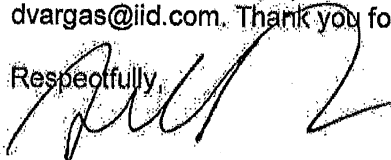
1. The applicant shall bear all costs associated with providing electrical service to the project, including but not limited to the construction of any additional facilities such as new substations, transmission line extensions, distribution feeder breakers, feeder/backbones and distribution overhead and/or underground line extensions and/or other upgrades as well as for applicable permits, zoning changes, landscaping (if required by the City) and rights-of-way and easements.
2. Only after a customer project application package is received by IID can the district perform an accurate assessment of any potential impacts to IID's electrical system and propose measures for mitigation. Conditions of service are determined as a result of this assessment.
3. However, IID has completed a preliminary study based on the information received, and it is anticipated that the additional power load requirement of the proposed project will necessitate the acquisition, design and construction of a new substation with 1-25 MVA 92/13.2kV transformer bank. In addition, 92kV transmission line extensions and

associated distribution feeders/backbones and distribution line extensions will be needed. IID will require a minimum of 315' by 315' substation site. These site dimensions do not consider catch basins or any other storm water improvements. All setbacks, rights-of-way, sidewalks, berms, public utility easements, catch basins, etc. are considered off-site improvements, and shall be included within the substation site footprint.

4. The substation construction process and procurement of the substation bank starts once the substation site is fully accepted by IID, the parcel deed is received by IID, and the district receives the customer project application and payment for the full cost of the substation bank. The applicant should be advised that per IID process, the standard time frame for the implementation of a new substation (engineering, equipment procurement and construction) takes a minimum of 24 months. As a result, the applicant should adjust the project's in-service dates accordingly.
5. The district's ability to provide service from existing infrastructure is based on currently available capacity, which may be impacted by future development in the area. Consequently, the applicant should be advised to submit a customer project application in a timely manner.
6. Underground infrastructure that includes trenching, conduits, pull boxes, switch boxes and pads should be installed following IID approved plans. Physical field installation of underground infrastructures should be verified and approved by an IID inspector prior to cable installation as per IID Developer's Guide (available at the district website <https://www.iid.com/home/showdocument?id=14229>).
7. As noted in the April 23, 2019 district letter, the aforementioned substation and transmission & distribution line extensions as well as any other improvement or upgrade needed to provide electrical service to the project should be addressed in the project's environmental documents as part of the project.

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Marilyn Del Bosque Gilbert – Manager, Energy Dept.
Sandra Blain – Deputy Manager, Energy Dept.
Charles Berry – Mgr., Energy Dept., Distr. Services & Maintenance Operations
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
Enrique De Leon – Asst. Mgr., Energy Dept., Distr. Planning, Eng. & Customer Service
Jamie Asbury – Asst. General Counsel
Vance Taylor – Asst. General Counsel
Michael P. Kamp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes – Supervisor, Real Estate



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April 23, 2019

Mr. Luis Lopez
Director
Development Services Department
City of Coachella
1515 6th Street
Coachella, CA 92236

SUBJECT: Coachella Airport Business Park Project in Coachella, CA (PAR 19-04)

Dear Mr. Lopez:

On April 2, 2019, the Imperial Irrigation District received from the City of Coachella Development Services Department, a request for agency comments on the the project description and proposed site plan for the Coachella Airport Business Park (Pre-Application Review no. 19-04). The applicant, Christopher Fahey/Haagen Company, LLC, proposes the phased development of a mixed-use business park that will include the following areas per building type: 269,097 sq. ft. of large warehouse, 115,200 sq. ft. of small warehouse, 81,000 sq. ft. of small business building, 58,400 sq. ft. of brick yard, 145,300 sq. ft. of self-storage, 4,000 sq. ft. of service station/mini mart and 4,000 sq. ft. of drive-thru coffee shop on 42.69 acres of vacant land located at the northwest corner of Airport Boulevard and Expressway 86, Coachella, CA.

The Imperial Irrigation District has reviewed the project information and has the following comments:

1. IID will not begin any engineering or estimate costs to provide the project with electrical service until the owner submits a customer project application, detailed loading information, panel sizes, project plans (square footage of buildings) and schedule and an estimated in-service date. The application is available at the district website <http://www.iid.com/home/showdocument?id=12923>.
2. Once the applicant provides the district with the required information, IID can carry out a thorough assessment to determine the specific requirements to supply electrical service to the project including but not limited to a new circuit and backbone line extensions. Likewise, IID will determine the availability of temporary construction power from existing power lines based on construction schedules and or phasing.
3. For additional information regarding electrical service for the project, the applicant should be advised to contact the IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841 and speak with the project manager assigned to the area.
4. It is important to note that IID's policy is to extend its electrical facilities only to those developments that have obtained the approval of a city or county planning commission

and such other governmental authority or decision-making body having jurisdiction over said developments.

5. The applicant will be required to provide rights-of-way and easements for any power line extensions needed to serve the project.
6. Line extensions are made in accordance with IID Regulations:
No. 2 (<http://www.iid.com/home/showdocument?id=2540>),
No. 13 (<http://www.iid.com/home/showdocument?id=2553>),
No. 15 (<http://www.iid.com/home/showdocument?id=2555>) and
No. 20 (<http://www.iid.com/home/showdocument?id=2560>).
7. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <http://www.iid.com/departments/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
8. Relocation of existing IID facilities to accommodate the project and/or to accommodate street widening improvements imposed by the City will be deemed project-driven and all costs, as well as securing of rights of way and easements for relocated facilities, shall be borne by the applicant.
9. Public utility easements over all private and public roads and an additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of electrical infrastructure.
10. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**
11. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is

necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has established general principles on project segmentation for different project types. For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.

12. Applicant should be advised that landscaping can be dangerous if items are planted too close to IID's electrical equipment. In the event of an outage, or equipment failure, it is vital that IID personnel have immediate and safe access to its equipment to make the needed repairs. For public safety, and that of the electrical workers, it is important to adhere to standards that limit landscaping around electrical facilities. IID landscaping guidelines are available at <http://www.iid.com/energy/safety/landscape-guidelines>.

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Charles Allegranza – Interim Manager, Energy Dept.,
Jamie Asbury – Deputy Manager, Energy Dept., Operations
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes – Supervisor, Real Estate

NOP Comment Letter K

County of Riverside Transportation Department



Mark Lancaster
Director of Transportation

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Mojahed Salama, P.E.
Deputy for Transportation/Capital Projects

Russell Williams
*Deputy for Transportation/Planning and
Development*

Transportation Department

September 26, 2023
Sent via e-mail

City of Coachella
Development Services Department
Attn: Nicole Criste, Consulting Partner
53990 Enterprise Way
Coachella, CA 92236

RE: Coachella Airport Business Park Project Notice of Preparation of a Draft EIR

Dear Ms. Criste:

The County of Riverside Transportation Department (County) has reviewed the Notice of Preparation (NOP) from the City of Coachella for the Coachella Airport Business Park Project pursuant to the California Environmental Quality Act (CEQA).

The County, in coordination with the City of Coachella, is proposing the Airport Boulevard Bridge Replacement Project, adjacent to the Coachella Airport Business Park Project. The Airport Boulevard Bridge Replacement Project is proposing to replace the existing two-lane bridge with a new wider two-lane bridge. The replacement bridge will be constructed at a width of 71 feet and includes 6-foot-wide sidewalks on both sides of the bridge, 8-foot-wide shoulders, a 14-foot-wide eastbound and westbound lane, and a 12-foot-wide striped median/turn lane.

The County previously provided comments regarding the Coachella Airport Business Park on May 22, 2023 (see attachment). These comments pertained to the proposed new sewer line/connection, waterline, emergency access, coordination between the projects, traffic and vehicle miles traveled (VMT) impacts, and requested copies of all environmental technical documentation and traffic study.

Please find the County's comments on the NOP for the Coachella Airport Business Park Project below; and enclosed are the previous County comments.

COMMENT #1 – Parking and Circulation

The NOP states *“Primary project access will be provided along Airport Boulevard, along the site's southwestern frontage. A secondary and emergency access would be provided at the southeastern corner of the site, from Airport Boulevard.*

Please provide additional information regarding the access points, necessary improvements, and lane configurations on Airport Boulevard for the Coachella Airport Business Park Project within the forthcoming EIR.

COMMENT #2 - Noise

Within the Noise section of the forthcoming EIR, please include an evaluation of the potential “generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies” as the closest sensitive receivers are approximately 50 feet south of the Coachella Airport Business Park Project, and the increase of daily trips to the site should be evaluated in the EIR’s noise section.

COMMENT #3 - Transportation

Within the Transportation section of the forthcoming EIR, please include additional details on the roadway segment capacity necessary for the Coachella Airport Business Park Project and additional improvements required along Airport Boulevard to accommodate the Coachella Airport Business Park Project. Based on projected traffic volumes for the Airport Boulevard Bridge Replacement Project, a two-lane bridge was determined to be sufficient for the future scenarios. The County does not have any programmed projects to widen Airport Boulevard to four or six lanes in the future and no environmental documentation to widen the Airport Boulevard Bridge to four or six lanes has been prepared or approved. The right-of-way associated with Airport Boulevard is split between the City of Coachella and the County of Riverside, however the County of Riverside is unaware of any future plans to widen the Airport Boulevard Bridge to four or six lanes.

Additionally, please provide information regarding the necessary improvements and geometrics of the proposed intersection signalization and proposed main access point on Airport Boulevard for the Coachella Airport Business Park Project in the EIR’s Transportation section.

Furthermore, additional details regarding the Coachella Airport Business Park Project VMT analysis in the EIR’s Transportation section are necessary. Preliminary VMT analysis for the Airport Boulevard Bridge Replacement Project determined VMT impacts would occur with widening the bridge to four lanes; therefore, the County anticipates replacing the existing bridge with a new, wider, two-lane facility. Any required widening of the bridge from two lanes to four lanes in relation to VMT has not been approved with the County’s environmental document for the Airport Boulevard Bridge Replacement Project. Supplemental VMT analysis including both the Coachella Airport Business Park Project and widening of Airport Boulevard may be required.

COMMENT #4 – Tribal Cultural Resources

Within the Tribal Cultural Resources section of the forthcoming EIR, please disclose all consultation efforts conducted under AB52 with the Torres-Martinez Desert Cahuilla Indians. As commented previously on the Coachella Airport Business Park Project IS/MND, upon review of the Cultural Resource Investigation in support of the Coachella Airport Business Park Project, the document states that “the Torres-Martinez Desert Cahuilla Indians responded indicating that a review of the Tribe’s records indicates the area is sensitive for cultural resources as at least three village sites are in the vicinity of the Project area. The Tribe

stated they will provide additional information regarding the sensitivity of the area during the official AB 52 consultation process.”

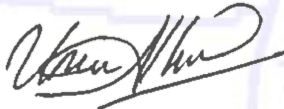
COMMENT #5 - Mandatory Findings of Significance

Within the Mandatory Findings of Significance section of the forthcoming EIR, please include an evaluation of the potential cumulatively considerable impacts in connection with the effects of past projects, current projects, and probable future projects. Please provide an evaluation of the cumulatively considerable impacts associated with the Coachella Airport Business Park Project in relation to the County’s Airport Boulevard Bridge Replacement Project, the Coachella Valley Water District’s Stormwater Channel Improvement Project, and other known future projects in the vicinity. An evaluation should also be included of the transportation improvements identified as being required by the Coachella Airport Business Park Project in the Buildout (2035) Scenario.

Conclusion

The County appreciates the opportunity to provide comment on the Coachella Airport Business Park Project’s NOP. Continued coordination between the County of Riverside Transportation Department, City of Coachella, Haagen Co., LLC, and Terra Nova Planning & Research, Inc. is requested to ensure these Projects are not in conflict.

Thank you very much,



Umer Ahmed
Engineering Project Manager

Attachments:

- May 22, 2023 Comments



Mark Lancaster
Director of Transportation

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Mojahed Salama, P.E.
*Deputy for Transportation/Capital
Projects*

Russell Williams
*Deputy for Transportation/Planning and
Development*

Transportation Department

May 22, 2023
Sent via e-mail

Nicole Criste
Consulting Partner
Terra Nova Planning & Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211

RE: Coachella Airport Business Park Project IS/MND (SCH# 2023040106)

Dear Ms. Criste:

The County of Riverside Transportation Department (County) has reviewed the Initial Study with Proposed Mitigated Negative Declaration (IS/MND) from the City of Coachella for the Coachella Airport Business Park Project pursuant to the California Environmental Quality Act (CEQA). It is acknowledged that Haagen Co., LLC is the applicant of the development and Terra Nova Planning & Research, Inc. is the consulting planners for the IS/MND.

The County, in coordination with the City of Coachella, are proposing the Airport Boulevard Bridge Replacement Project, adjacent to the Coachella Airport Business Park Project. The Airport Boulevard Bridge Replacement Project is proposing to replace the existing two-lane bridge with a new wider two-lane bridge. The replacement bridge will be constructed at a width of 71 feet and includes 6-foot-wide sidewalks on both sides of the bridge, 8-foot-wide shoulders, a 14-foot-wide eastbound and westbound lane, and a 12-foot-wide striped median/turn lane.

The County previously provided comments regarding the development to the City of Coachella on April 22, 2022. These comments pertained to the proposed new sewer line/connection, waterline, emergency access, coordination between the projects, traffic and VMT impacts, and requested copies of all environmental technical documentation and traffic study.

Please find the County's comments on the IS/MND for the Coachella Airport Business Park Project below. Thank you for the opportunity to provide comment regarding the Coachella Airport Business Park Project.

COMMENT #1 - SECTION 2.1 - CONCEPTUAL CIRCULATION

The IS/MND states "Primary project access will be provided along the southwestern frontage along Airport Boulevard. The proposed second access point will be provided further east at the southeastern frontage along Airport Boulevard and will be used as emergency access only."

Please provide additional information regarding the access points and necessary improvements on Airport

Boulevard for the Coachella Airport Business Park Project in Section 2.1 - Conceptual Circulation.

COMMENT #2 - SECTION 3.13.3 - NOISE

The IS/MND states under Response a. that *“The nearest sensitive receptors to the project are the mobile park homes located approximately 50 feet south of the project site. However, the proposed service station/mini mart, drive-thru restaurant, small businesses, and self- and auto-storage area would be developed in between the proposed warehouses and mobile homes and act as a buffer to minimize noise from stationary warehouse equipment as well as idling trucks. In addition, pursuant to California Air Resources Board (CARB), all project trucks would only be allowed to be idle for up to 5 minutes, which would minimize noise from project trucks. Based on the foregoing, long-term operational noise impacts would be less than significant.”*

It does not appear the IS/MND evaluated the potential noise increase associated with the 4,786 daily trips during the Phase 2 operation of the Coachella Airport Business Park Project. As the closest sensitive receivers are approximately 50 feet south of the Coachella Airport Business Park Project, the increase of 4,786 daily trips to the site should be evaluated for the potential “generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies” required to be evaluated in response a.

COMMENT #3 - SECTION 3.17.3 - TRANSPORTATION/TRAFFIC

The IS/MND states under Response a. Buildout (2035) Scenario *“For the purpose of roadway segment capacity analysis, the buildout classification of 6-lane urban arterial for Airport Boulevard was assumed; consistent with the City of Coachella General Plan.”*

Based on projected traffic volumes, a two-lane bridge was determined to be sufficient for the future scenarios. Further, the County of Riverside Transportation Department does not have any programmed projects to widen Airport Boulevard to four or six lanes in the future, and no environmental documentation to widen the Airport Boulevard Bridge to four or six lanes has been prepared or approved. While the right-of-way associated with Airport Boulevard is split between the City of Coachella and the County of Riverside, the County of Riverside is unaware of any future plans to widen the Airport Boulevard Bridge to four or six lanes. Please provide additional details on the roadway segment capacity necessary for the Coachella Airport Business Park Project and additional improvements required along Airport Boulevard to accommodate the Coachella Airport Business Park Project in Section 3.17.3 - Transportation/Traffic.

COMMENT #4 - SECTION 3.17.3 - TRANSPORTATION/TRAFFIC

The IS/MND states under Response a. the following improvements will be required *“Airport Boulevard and Project Driveway – Signalize the intersection.”*

Please provide additional information regarding the necessary improvements and geometrics of the proposed intersection signalization on Airport Boulevard for the Coachella Airport Business Park Project in Section 3.17.3 - Transportation/Traffic.

COMMENT #5 - SECTION 3.17.3 - TRANSPORTATION/TRAFFIC

The IS/MND under Response a. states *“The project will be conditioned to fully construct and signalize the*

main access point to the development at the intersection of Airport Boulevard and Project Driveway.”

Please provide additional information regarding the necessary improvements and geometrics of the proposed main access point on Airport Boulevard for the Coachella Airport Business Park Project in Section 3.17.3 - Transportation/Traffic.

COMMENT #6 - SECTION 3.18.3 – TRIBAL CULTURAL RESOURCES

The IS/MND under Response a.ii states *“Only one Tribe, the Agua Caliente Band of Cahuilla Indians (ACBCI) requested consultation.”*

Upon review of the Cultural Resource Investigation in Support of the Coachella Airport Business Park Project, the document states that “the Torres-Martinez Desert Cahuilla Indians responded indicating that a review of the Tribe's records indicates the area is sensitive for cultural resources as at least three village sites are in the vicinity of the Project area. The Tribe stated they will provide additional information regarding the sensitivity of the area during the official AB 52 consultation process.”

The document should be revised to disclose all consultation efforts conducted under AB52 with the Torres-Martinez Desert Cahuilla Indians in in Section 3.18.3 – Tribal Cultural Resources.

COMMENT #7 - SECTION 3.21.3 - MANDATORY FINDINGS OF SIGNIFICANCE

The IS/MND states under Response b. that *“The environmental evaluation of this Initial Study concluded that, with adherence to all mitigation measures the project’s cumulatively considerable impacts would be mitigated to less-than-significant levels.”*

An evaluation of the potential cumulatively considerable impacts in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects was not included in the IS/MND. Please provide an evaluation of the cumulatively considerable impacts associated with the Coachella Airport Business Park Project in relation to the County of Riverside Transportation Department’s Airport Boulevard Bridge Replacement Project, the Coachella Valley Water District’s Stormwater Channel Improvement Project, and other known future projects in the vicinity. An evaluation should also be included of the transportation improvements identified as being required by the Coachella Airport Business Park Project in the Buildout (2035) Scenario.

CONCLUSION

The County appreciates the opportunity to provide comment on the Coachella Airport Business Park Project’s IS/MND. Further coordination between the County of Riverside Transportation Department, City of Coachella, Haagen Co., LLC, and Terra Nova Planning & Research, Inc. is requested to ensure these Projects are not in conflict.

Thank you very much,



Umer Ahmed

Engineering Project Manager
County of Riverside Transportation Department
3525 14th Street, Annex
Riverside, CA 92501

NOP Comment Letter L

South Coast Air Quality Management District



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

September 28, 2023

ncriste@terranovaplanning.com

Nicole Criste, Consulting Planner

City of Coachella

53990 Enterprise Way

Coachella, CA 92236

Notice of Preparation of a Draft Environmental Impact Report for the Coachella Airport Business Park (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses (electronic versions of all emission calculation spreadsheets, air quality modeling, and health risk assessment input and output files, not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

Responsible Agency and South Coast AQMD Permits

South Coast AQMD is a Responsible Agency for the Proposed Project (CEQA Guidelines Section 15381) since implementation of the Proposed Project requires permits from South Coast AQMD. It is important to note that the assumptions in the air quality analysis in the EIR will be used as the basis for evaluating the permits under CEQA and imposing permit conditions and limits. In order to ensure that impacts from the permits are fully and adequately evaluated as required under CEQA Guidelines Section 15096(b), it is recommended that the Lead Agency initiate consultation with South Coast AQMD by contacting Barbara Radlein via email at bradlein@aqmd.gov or via phone at (909) 396-2716, Planning and Rules Manager. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁶ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁷.

The Proposed Project would include, among other things, a gasoline service station. Benzene, which is a toxic air contaminant, may be emitted from the operation. To ensure that sensitive receptors are not going to be adversely affected by the exposure to benzene, it is recommended that the Lead Agency evaluate, quantify, and perform a health risk assessment for the Proposed Project in the Draft EIR⁸.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES V), completed in August 2021, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions⁹. According to the MATES V carcinogenic risk interactive map, the area surrounding the Proposed Project has an estimated cancer risk of over 304 in one

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

⁷ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁸ South Coast AQMD. Guidance for performing a gasoline dispensing station health risk assessment can be found here: <http://www.aqmd.gov/home/permits/risk-assessment>.

⁹ South Coast AQMD. August 2021. *Multiple Air Toxics Exposure Study in the South Coast Air Basin V*. Available at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>.

million¹⁰. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook,¹¹ South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2022 Air Quality Management Plan,¹² and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.¹³

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule¹⁴ and the Heavy-Duty Low NOx Omnibus Regulation¹⁵, ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year¹⁶ that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck

¹⁰ South Coast AQMD. MATES V Data Visualization Tool. Accessed at: [MATES Data Visualization \(arcgis.com\)](https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook).

¹¹ <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

¹² South Coast AQMD's 2022 Air Quality Management Plan can be found at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan> (Chapter 4 - Control Strategy and Implementation).

¹³ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:

https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

¹⁴ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹⁵ CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

¹⁶ CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NO_x) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 329,100-square-foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast

AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation¹⁷. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage¹⁸.

Health Risk Reduction Strategies

Many strategies are available to reduce exposures, including, but are not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters¹⁹, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Draft EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Draft EIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at swang1@aqmd.gov.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW
RVC230901-09
Control Number

¹⁷ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>.

¹⁸ South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

¹⁹ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.