CITY OF INDIO
Community Development Department
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Indio, CA 92201
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DRAFT ENVIRONMENTAL INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

Project Title	Maverik Fueling Station
Case No.	PLAN-PRD-24-0006; PLAN-CUP-24-0001; PLAN-TPM-24-0002 (Map No. 38916); PLAN-ER-24-0006
Lead Agency Name and Address	City of Indio Community Development Department 100 Civic Center Mall Indio, CA 92201
Property Owner/Developer	Maverik, Inc. c/o Kevin Deis 185 South State Street, Ste 800 Salt Lake City, UT 84111
Applicant:	Maverik, Inc. c/o Kevin Deis 185 South State Street, Ste 800 Salt Lake City, UT 84111
Engineer:	SD Collaborative 245 E Third Street Long Beach, CA 90802
Contact Person and Phone Number	Carl S. Morgan Interim Community Development Director Community Development Department (760) 391-4016
Project Location:	Northeast corner of Avenue 45 and Golf Center Parkway APN:611-330-025
Zoning:	Heavy Industrial (IH)
General Plan Designation	Workplace and Employment District (WEP)
Date Prepared	October 2024

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1.0 PROJECT DESCRIPTION

1.1 Project Location

Maverik ™ (Applicant) is proposing to develop a fueling station and convenience store on a portion of an 8.62-acre parcel in the City of Indio California. The City of Indio ("City") is located in central Riverside County, California, south of San Bernardino County, north of San Diego and Imperial counties, and east of Orange County. Surrounding cities include Coachella to the southeast and La Quinta to the southwest. The cities of Palm Desert and Indian Wells occur further to the southwest and west, respectively. Properties in Riverside County that are not yet incorporated into a city boundary are scattered in the area. The general area is known geographically as the Coachella Valley, a northwest-southeast trending desert valley that constitutes the western end of the Colorado Desert which is surrounded by the Santa Rosa Mountains to the southwest, the San Bernardino Mountains and the San Gorgonio pass to the northwest, the Litle San Bernardino Mountains to the north and northeast, and the San Jacinto Mountains to the west.

Access to the Project site is provided by Interstate 10 (I-10), with the nearest on- and off-ramps being at I-10/Golf Center Parkway approximately 0.2-mile to the northeast. The Bermuda Dunes Airport is located approximately four miles northwest of the site. The regional and local vicinity of the Project site are depicted on **Figure 1, Regional Location**, and **Figure 2, Project Location**.

Specifically, the Project site is located on the northeast corner of Avenue 45 and Golf Center Parkway, southwest of the Whitewater River, which is the primary stormwater conveyance channel for the City of Indio and the primary drainage course for the entire Coachella Valley from north of Palm Springs to the Salton Sea (City of Indio, General Plan Update EIR, Section 3.3.9.1, 2019b). The Project site is located on Assessor's Parcel Number (APN) 611-330-025 within Section 24 of Township 5 South, Range 7 East, San Bernardino Base Meridian. The Maverik Fueling Station and Convenience Store Project (proposed Project or Project) would be developed on 3.37-acre portion of the parcel, with the remainder of the parcel (5.26 acres) remaining undeveloped.

1.2 Land Uses, Zoning and General Plan Designation

The Project site is vacant, undeveloped and is designated as Workplace and Employment District (WEP) on the City's General Plan land use map and is zoned Heavy Industrial (IH) with a maximum permitted floor area ratio (FAR) of 1.0 [1]. The WEP land use designation is intended to provide an area for a wide variety of employment-generating activity, including but not limited to industrial, light manufacturing, research and development, office, and supportive commercial (City of Indio General Plan Update, Table 3-2: General Plan Place Types, 2019a). The Heavy

1 City of Indio Unified Development Code, Section 2.04.03 – Development Regulations.

Industrial (IH) zone is intended to accommodate manufacturing, processing, storage, and similar heavy industrial uses, including those which may create some objectionable conditions, and protect these areas from incompatible uses. This zone provides for manufacturing, processing, assembly, wholesale and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses, subject to regulations needed to protect health and safety, adjoining properties, and the surrounding area. This zone implements the Workforce and Employment District General Plan land use designation (City of Indio Unified Development Code, Article 2, Section 204 Non-Residential Zones, 2022). Fueling stations and convenience stores are allowable uses within the IH zone, upon issuance of a Conditional Use Permit (CUP). Existing land uses, Zoning and General Plan designations are provided on **Table 1**.

The Project site is generally bordered by urban development. The Whitewater River/Coachella Valley Stormwater Chanel, which is the primary stormwater conveyance channel for the City Indio and the primary drainage course for the entire Coachella Valley (City of Indio, General Plan Update EIR, Section 3.3.9.1, 2019b), is located northeast of the site and is zoned Parks and Open Space (OS). To the southeast of the site is an existing multi-tenant building housing Best Auto Body, Juan's Complete Auto & Smog, and Alba's Auto Garage. This area is zoned IH. To the south, across Avenue 45, are a series of businesses in multiple buildings including Stotz Equipment, Yuma Auto Services, McIntyre Pools & Spas, and Zamora's Smog Center; all of which are zoned IH. To the west, across Golf Center Parkway, is a 7-Eleven convenience store, and a series of businesses in multiple buildings, all of which are zoned Light Industrial (IL).

TABLE 1. EXISTING LAND USES, ZONE CLASSIFICATION AND GENERAL PLAN DESIGNATION

Direction	Existing Land Uses	Zoning	General Plan
Site	Vacant	IH	WEP
North	Commercial and Industrial	IL	WEP
South	Industrial	IH	WEP
East	Whitewater River/ Coachella Valley Stormwater Chanel	OS	WEP
West	Commercial and Industrial	IL	WEP

Notes: IH = Heavy Industrial WEP = Workplace and Employment District
IL = Light Industrial OS = Parks and Open Space

1.3 Site Characteristics

The Project site is currently vacant and has been undeveloped since at least 1904 (ESC Southwest, Geotechnical Engineering Report Proposed Maverik Gas Station and Convenience Store, 2023a; Appendix C). It is relatively flat with an on-site elevation of 28 feet below mean sea level (MSL) (ESC Southwest, Geotechnical Engineering Report Proposed Maverik Gas Station and Convenience

Store, 2023a; Appendix C) and drains to Golf Center Parkway and Avenue 45 to the west and south. The Project site contains minimal sparse shrubs and no trees. The Final Environmental Impact Report (EIR) for the City of Indio General Plan identifies the land cover at the Project site as "urban and rural disturbed" (City of Indio, General Plan Update, 2019a). No sidewalks are provided along the site borders; however, a pedestrian ramp has been installed at the intersection of Avenue 45 and Golf Center Parkway.

Aboveground utility poles are located along the south side of Avenue 45 in the vicinity of the project site. A single above ground pole is located along the north side of Avenue 45, just north of the Commerce Street intersection.

1.4 Project Description

The Project includes 10 fuel pumps (20 fueling positions) under a single canopy (totaling 7,214 square feet [SF]), a four lane diesel/ commercial vehicle fueling area with four fueling stations, and a 5,951 SF convenience store building. Additional improvements include three underground storage tanks (USTs) for fuel storage; a CAT[(2)] truck scale, trash enclosure, generator, a tire pressure air station, parking, landscaping, drainage, utility connections, and access improvements. The diesel/commercial vehicle fueling area would be located between the CAT scale and the underground storage tanks and would not be under a canopy. The fueling station would provide a combined maximum throughput of 8.5 million gallons of gasoline, diesel, and biofuel annually. The Proposed Site Plan, Floor Plan and Roof Plan are shown on **Figures 3, Figure 4** and **Figure 5**, respectively.

The discretionary actions for this project include a tentative parcel map to subdivide the Maverik Fueling Station and Convenience Store site from the balance of the parcel (**Figure 6, Proposed Tentative Map**) and a Planning Review application. A Conditional Use Permit (CUP) is also required for the proposed fueling station and convenience store.

Gas Station and Convenience Store

The proposed Project would consist of the development of 10 fuel pumps (20 fueling positions) under a single canopy (totaling 7,214 square feet [SF]), a four lane diesel fueling area with four fueling stations, and a 5,951 SF convenience store building. Fuel storage would be located between the convenience store and the truck fueling area (**Figure 3, Site Plan**). The diesel/commercial vehicle fueling area would be located between the CAT scale and the underground storage tanks and would not be under a canopy. Fuel tanks include a 40,000-gallon unleaded tank and a 40,000-gallon three-way split tank that would contain 16,000-gallons of biodiesel, 16,000-gallons of

[2] Certified Automated Truck Scale.

premium gasoline, and 8,000-gallons of DEF diesel additive. A 40,000-gallon diesel fuel tank would also be provided.

The proposed design of the convenience store is presented on **Figure 7, Building Perspectives**. The convenience store building would be 20 feet to the top of the parapet, and 29'-1" to the top of the roof (See **Figures 8 and 9, Building Elevations**). Roof top equipment would be screened by elevated and variable height parapets (**Figure 5, Roof Plan**). The front elevation of the convenience store would face the fuel dispensing canopy and contains the store's primary entrance. The architecture of the proposed building features clean lines and varied parapet heights with materials that include glass, fiber board, and cultured stone (**Figure 10, Exterior Materials Board**).

The fueling station canopy will exhibit a clearance height of 16 feet and a maximum height of 19'-3" above grade (**Figure 11, Fuel Dispensing Canopy Elevations**). Materials of the canopy are proposed to consist of textured cement, painted plaster, and finished with neutral tones and colors.

Circulation and Parking

The Project proposes to dedicate to the City as additional right-of-way (ROW) approximately two feet of property adjacent to the north side of Avenue 45. This dedication would widen the Avenue 45 ROW along the project frontage to 84 feet to facilitate the widening and improvement of Avenue 45 in compliance with City of Indio's cross section for a major arterial (City of Indio, General Plan Update Mobility Element Technical Report, 2019c). The Project includes the installation of all off site street improvements, including the east side of Golf Center Parkway.

Vehicular access would be provided via two ingress/egress drives; one along the north side of Avenue 45 aligned with Commerce Street, and one along the east side of Golf Center Parkway. The proposed access on Avenue 45 would be a 50-foot driveway that would allow for a right-turn movement by vehicles accessing the site and a right- and left-turn movement by vehicles exiting the site (**Figure 3, Site Plan**). Proposed access on Golf Center Parkway would be a 40-foot driveway, aligned with the driveway on the west side of Golf Center Parkway. This driveway would provide for a right-turn movement by vehicles accessing the site and a right- and left-turn movement for vehicles exiting the site.

Two ADA-compliant curb ramps would be installed on either side of the Avenue 45 and the Golf Center Parkway driveways. Pedestrian sidewalks, five feet in width, curbs and gutters would also be installed along the southern and western borders of the gas station parcel along Avenue 45 and Golf Center Parkway, respectively.

Parking would be provided in four parking areas for a total of 38-parking spaces, including two accessible spaces. No overnight parking would be allowed and parking within the fueling area would be limited to 30 minutes. A summary of project parking is provided on **Table 2**.

TABLE 2 PROJECT PARKING SUMMARY

Proposed Use	Parking Requirements [a]	Required Parking		Proposed Parking	
		Regular	ADA Van Accessible [b]	Regular	ADA Van Accessible [b]
Convenience Store [1]	25 spaces for first 5,000 SF	25	2	36	2
	4 spaces /1,000 SF above 5,000 SF	4			
Fueling Station [2]	1 space/employee	5			
Total		34	2	36	2

Notes:
(1) Required Parking based on "General Retail 5,000 sf to 25,000 SF."
(2) Required parking based on 15 proposed employees (Maximum of 5 employees per 8-hour shift).

Sources:
(a) City of Indio Unified Development Code, Section 3.03.05, Table 3.03.05-1.
(b) Federal 2010 ADA Standards for Accessible Design, Table 208.2, Parking Standards. Available at: https://www.ada.gov/law-and-regs/design-standards/2010-stds/#parking-spaces#section34

Landscaping, Lighting and Signage

The Project would provide landscaping, including trees, shrubs and groundcover, throughout the site as shown on **Figure 12, Preliminary Landscape Plan**, to meet the landscaping requirements outlined in Article 3, Section 3.02.09 of the City's Unified Development Code. The specific trees and shrubs proposed for the Project are listed in **Table 3** and are included on the list of drought tolerant plants identified in the *Lush and Efficient Landscape Garding in Coachella Valley Guidelines* (Coachella Valley Water Authority, Chapter 3, Success with Desert Plants, 2015).

TABLE 3 PROPOSED ORNAMENTAL LANDSCAPE SPECIES

Botanical Name	Common Name
Tree Species	
Chilopsis Linearis	Desert Willow (24" Box Standard)
Lagerstroemia Indica	Crape Myrtle "Natchez" (36" Box Multi Trunk)
Rhus Lancea	African Sumac Willow (24" Box Standard)
Shrubs	
Raphiolepsis Indica	Clara (5 Gallon)
Salvia Greggii	Red Salvia (5 Gallon)
Hesperaloe Parviflora	Red Yucca (5 Gallon)
Caesalpinia Pulcherrima	Red Bird Of Paradise (5 Gallon)

TABLE 3 PROPOSED ORNAMENTAL LANDSCAPE SPECIES

Botanical Name	Common Name
Leucophyllum Species	Texas Ranger (5 Gallon)
Vines	
Distictis Buccinatoria	Blood Red Trumpet Vine (5 Gallon)
Ground Cover	
California Gold D.G. (1/2" – 3/4" diameter – 3 " thick)	
Bio Retention Shrubs	
Juncus Patens	Common Rush (1 Galllon)
Ribes Viburnifolium	Catalina Perfume (1 Galllon)

Source: SDC, Inc., 2024.

The Project would provide lighting for security and safety throughout the site. Adequate lighting would be provided along the driveways, under the fuel canopies, and outside the convenience store. On-site lighting would be designed in compliance with the City's Unified Development Code standards for outdoor lighting (Article 3, Section 3.02.11). Light fixtures would be designed, located, installed, directed downward or toward structures, fully shielded, and maintained to prevent glare, light trespass, and light pollution away from adjoining properties and public ROWs.

Utilities and Service Providers

Water and Sanitary Sewer Servies

The Project site would be serviced by Indio Water Authority and the Valley Sanitary District, respectively. Based on information supplied by Site Design Collaborative (SDC), the proposed Project is expected to require potable water at a rate of approximately 3,280.5 gallons per day (gpd) which equates to 3.677 acre-feet per year (AFY), including 4,448 gpd for landscaping (4.99 AFY) for a total of 8.67 AFY.

Storm Drainage

The Project would install a bioretention basin in the southwest corner of the site (**Figure 13, Utility Plan**). The bioretention basin would be 3,792 SF in size, with a capacity (volume) of 23,1613 cubic feet (SDI, Inc., 2023, Appendix E). The bioretention basin will be designed to drain within 72 hours and would treat water before it is released into Coachella Valley Storm water channel. Storm drain catch basins, associated piping, and down spout connections to storm drainpipes would be installed throughout the site to route runoff to the bioretention basin.

Electrical and Natural Gas Services

Electric service would be provided to the Project site by the Imperial Irrigation District via underground electrical lines installed within Avenue 45 between the Project site and the existing utility pole the north side of Avenue 45, just north of the Commerce Street intersection (**Figure 13, Utility Plan**).

Natural gas service, if needed, would be provided by Southern California Gas Company. The Project would contract with third party utility companies for other utilities like telephone service (Frontier Communications), internet (Cable Spectrum), etc.

Solid Waste Disposal Services

As shown on the Proposed Site Plan (**Figure 3**), the Project would construct a new trash enclosure for the storage of trash and recyclable materials. The enclosure would be approximately 445 SF in size and 10'-11" in height and would be located along the southern boundary of the site, east of the convenience store (**Figure 14, Trash Enclosure Elevations**). The Project site would be served by Burrtec Waste and Recycling Services. Solid waste from the Project would be taken to the Indio/Coachella Valley Waste Transfer Station in Coachella Valley. The proposed trash enclosure will be sized to comply with Indio Unified Development Code section for enclosure standards (City of Indio Unified Development Code, Article 3, Section 3.02.08).

Construction and Grading

Construction for the Project is anticipated to last approximately six to eight months. All construction staging would occur within the bounds of the Project site. Grading and excavation would be required to create level buildings pads, as well as for installation of canopy footings, USTs, product piping, stormwater improvements, and utilities (**Figure 15, Grading Plan**). USTs would require excavation to depths of approximately 18 feet and would be installed with five to seven feet of cover.

Operations

The Maverik fueling station and convenience store would operate 24 hours a day, 365 days a year. The fueling pumps will dispense unleaded, diesel, and biofuel blends that will be available from multi-product fuel dispensers. The convenience store would be staffed with 15 staff persons across three daily shifts.

Operation of the fuel station is anticipated to require daily delivery of fuel that would typically occur outside of peak hour traffic (in the early morning, late evening, or mid-day). Fuel delivery takes approximately 30 minutes. Truck idling would be limited to less than five minutes. The delivery truck would align parallel to the USTs to avoid conflict with fuel dispensing activity and not interfere with vehicle queuing.

1.5 Potential Consultation and Permitting Requirements

In addition to the Planning Review Permit, Conditional Use Permit, and Tentative Parcel Map previously identified, the federal, state, and local permits and consultations that may be required for the proposed Project are listed on **Table 4.**

TABLE 4. POTENTIAL CONSULTATION AND PERMITTING REQUIREMENTS

Jurisdiction Level	Type of Permit/Approval	Agency	Purpose
State	Construction Stormwater General Permit (Order No. 2022-0057-DWQ NPDES No. CAS000002 as amended).	RWQCB	Discharges of storm water associated with construction activities
State	Transportation Permit - Oversize/Overweight Vehicles (California Vehicle Code, Division 15, Article 6, Section 35780)	Caltrans	Required for oversized and/or overweight truckloads on highways under its jurisdiction that exceed legal load limits
Local	Conditional Use Permit	CICDD	Required for fueling station
Local	Tentative Parcel Map	CICDD	Required to subdivide Assessor's Parcel No. 611-330-025 to create Parcel A and Parcel B
Local	Planning Review	CICDD	Required for all projects requiring Planning Commission approval (e.g. Conditional Use Permits)
Local	Building Permit	CICDD	Required for new construction on the project site.
Local	Grading Permit	CICDD/DPW	Required for excavation, earth moving, filling, clearing, brushing or grubbing on natural or existing grade

TABLE 4. POTENTIAL CONSULTATION AND PERMITTING REQUIREMENTS

Jurisdiction Level	Type of Permit/Approval	Agency	Purpose
Local	Landscape and Irrigation plan prior to issuance of building permits or planning entitlements	CICDD	Review and approval required prior to issuance of building permits or planning entitlements
Local	Encroachment Permit (Public ROW)	DPW	Required any time work is performed within the public ROW (e.g., curb drains, lane closures, and utility trenches by utility agencies).
Local	Traffic Control Plan	DPW	Traffic management for potential lane closures during construction.
Local	Moving Permit, Overweight and Overwidth Equipment Permit (City of Indio Code of Ordinances, Chapter 97, Section 97.074)	DPW	Required for oversized and/or overweight truckloads on roads and/or bridges that exceed legal load limits
Local	Fugitive Dust Control Plan	SCAQMD and City of Indio Engineer	Fugitive Dust Control Plan in compliance with SCAQMD Rule 403 and 403.1 for disturbed surface areas > 5,000 SF

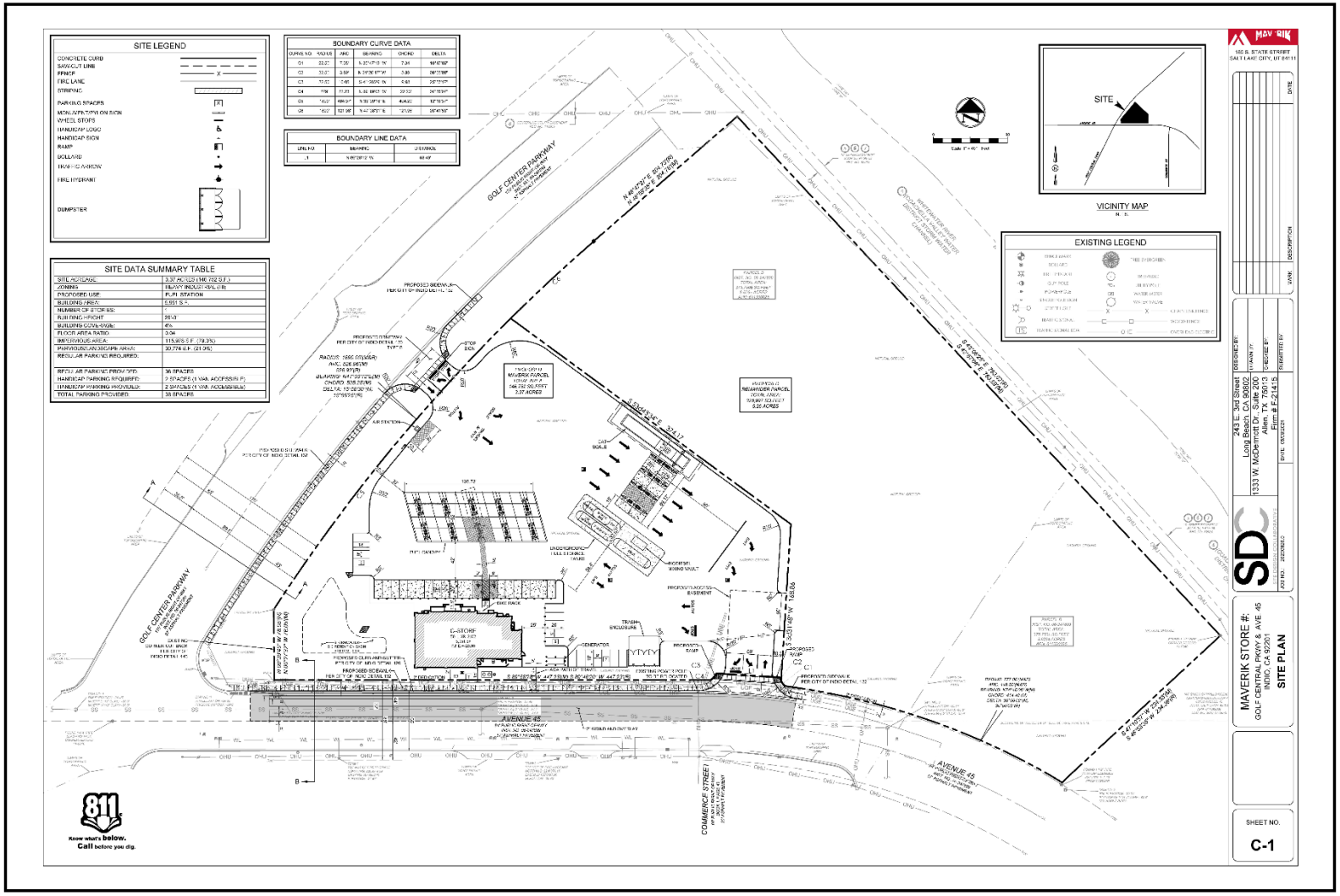
Notes:
Caltrans = California Dept. of Transportation
CICDD = City of Indio Community Development Department
DPW = City of Indio Public Works Dept.
RWQCB = Regional Water Quality Control Board, Region 7
SCAQMD = South Coast Air Quality Management District

Source: Carta Maps

Regional Location
Maverik Fueling Station — Indio
Figure 1

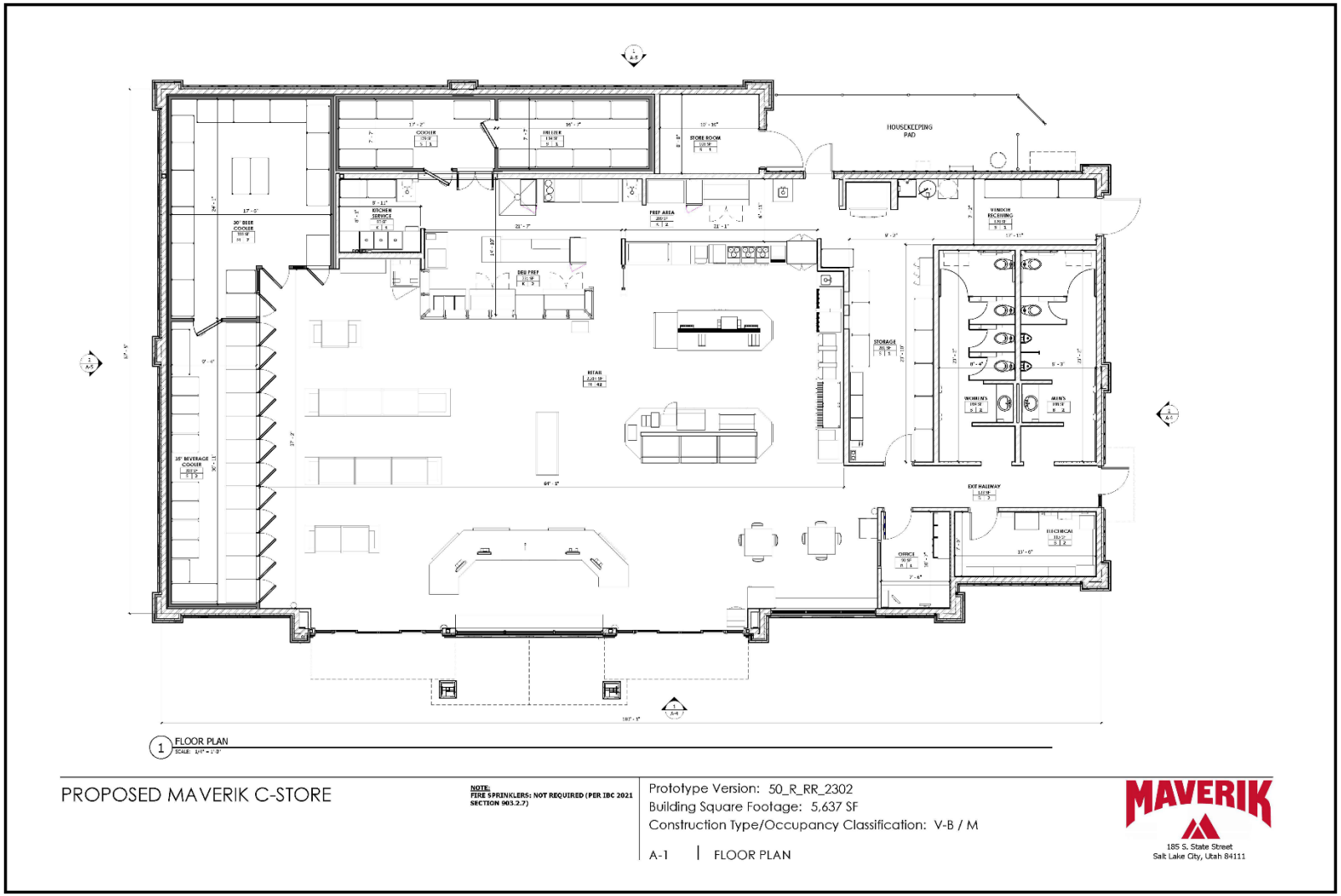
Source: Carta Maps, 2024

Project Location
Maverik Fueling Station—Indio
Figure 2



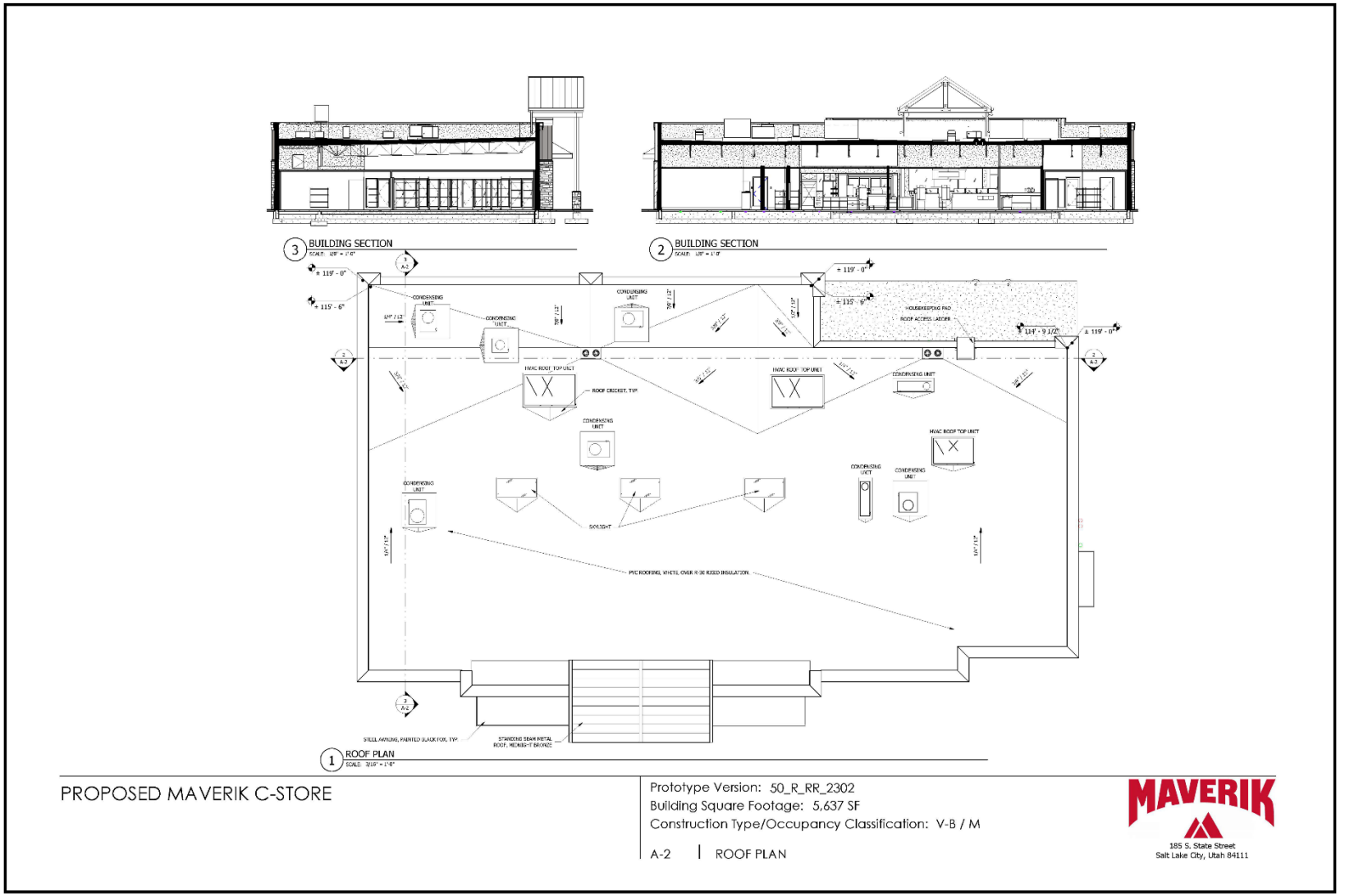
Source: SDI Collaborative, 2024.

Proposed Site Plan
Maverik Fueling Station — Indio
Figure 3



Source: SDI Collaborative, 2024.

Proposed Floor Plan
Maverik Fueling Station — Indio
Figure 4

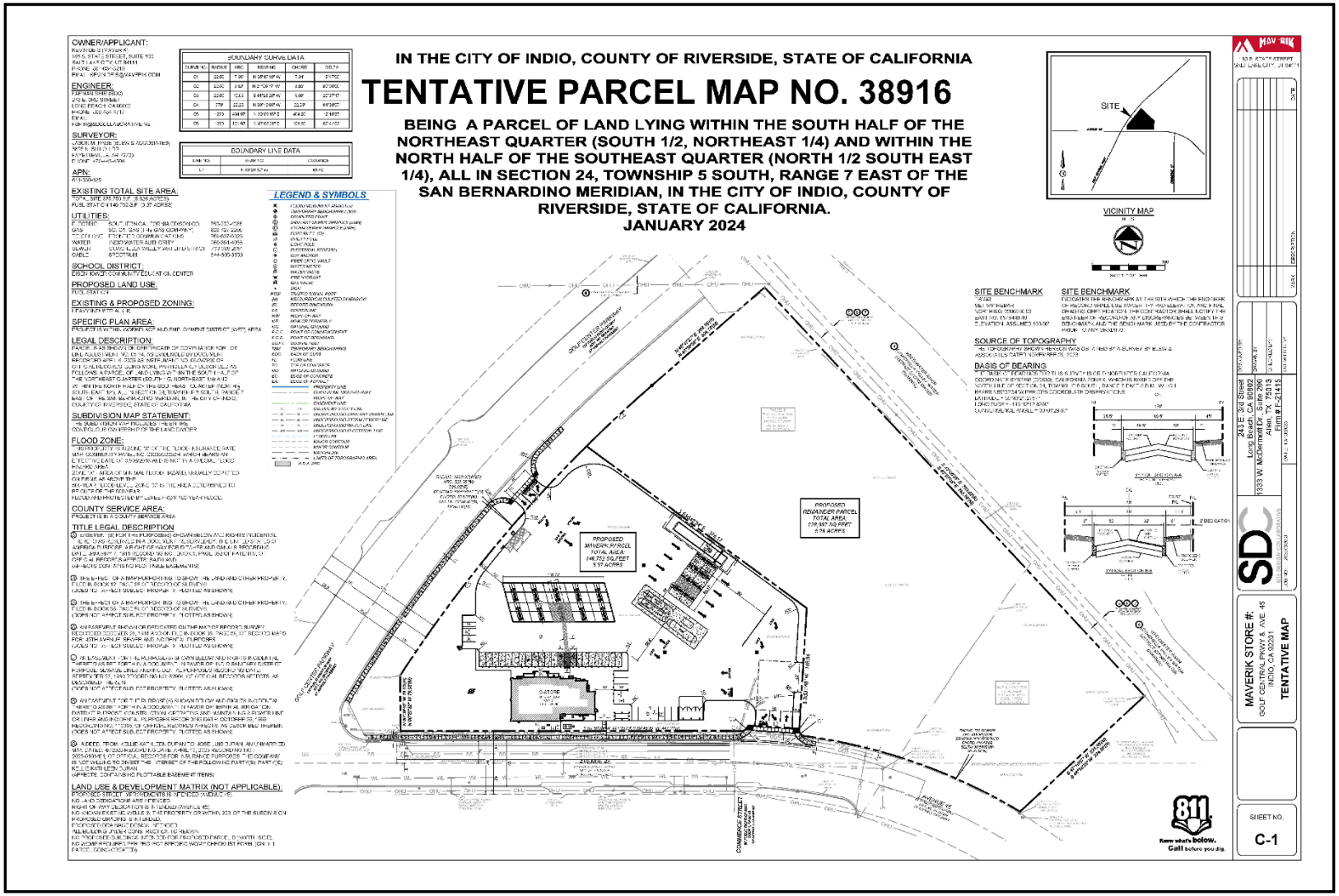


Source: SDI Collaborative, 2024.

Roof Plan

Maverik Fueling Station — Indio

Figure 5



Source: SDI Collaborative, 2024.

Proposed Tentative Map
Maverik Fueling Station — Indio
Figure 6

Source: SDI Collaborative, 2024.

Building Perspectives (Front Left and Right)
Maverik Fueling Station — Indio

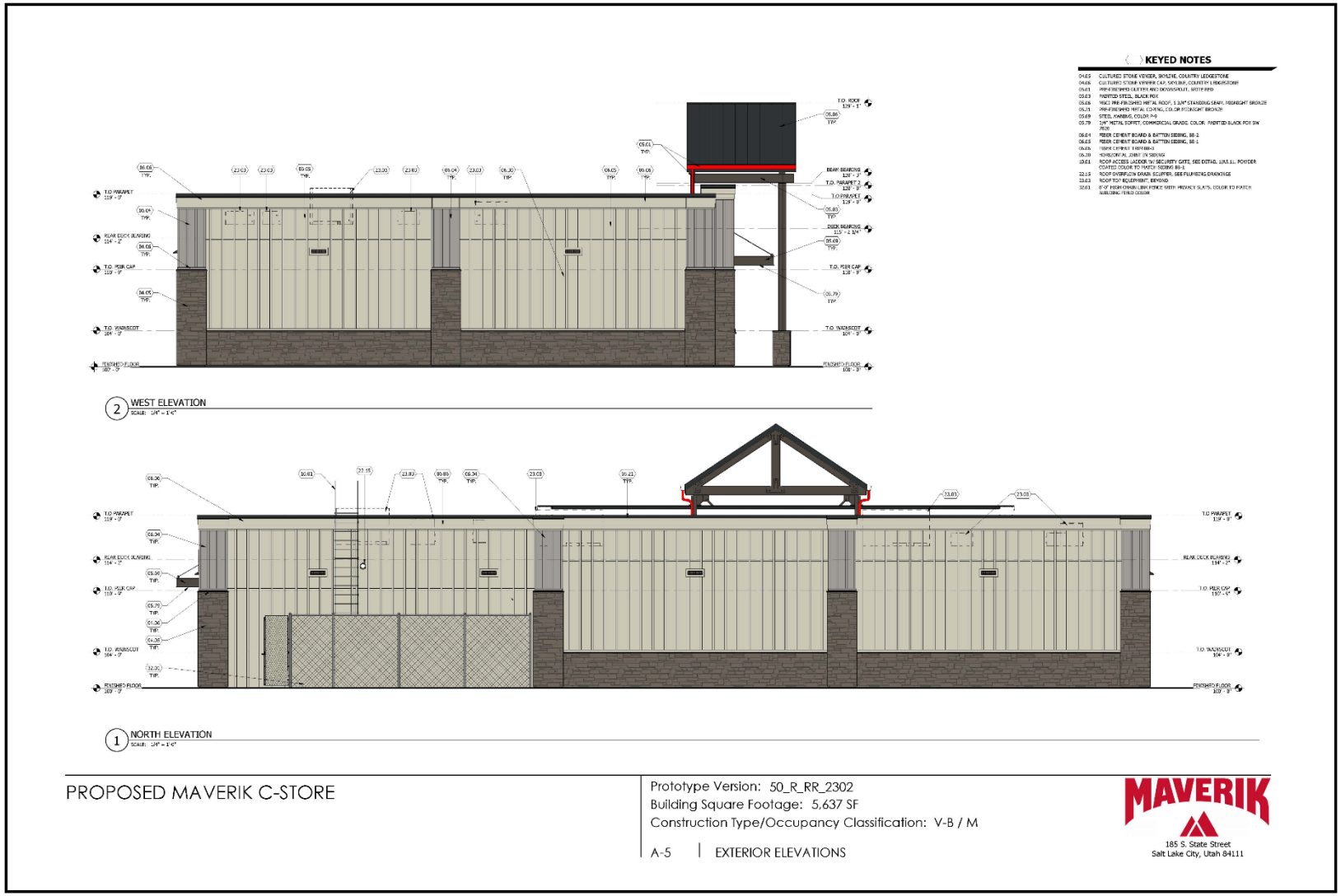
Figure 7

Source: SDI Collaborative, 2024.

Building Elevations East and South

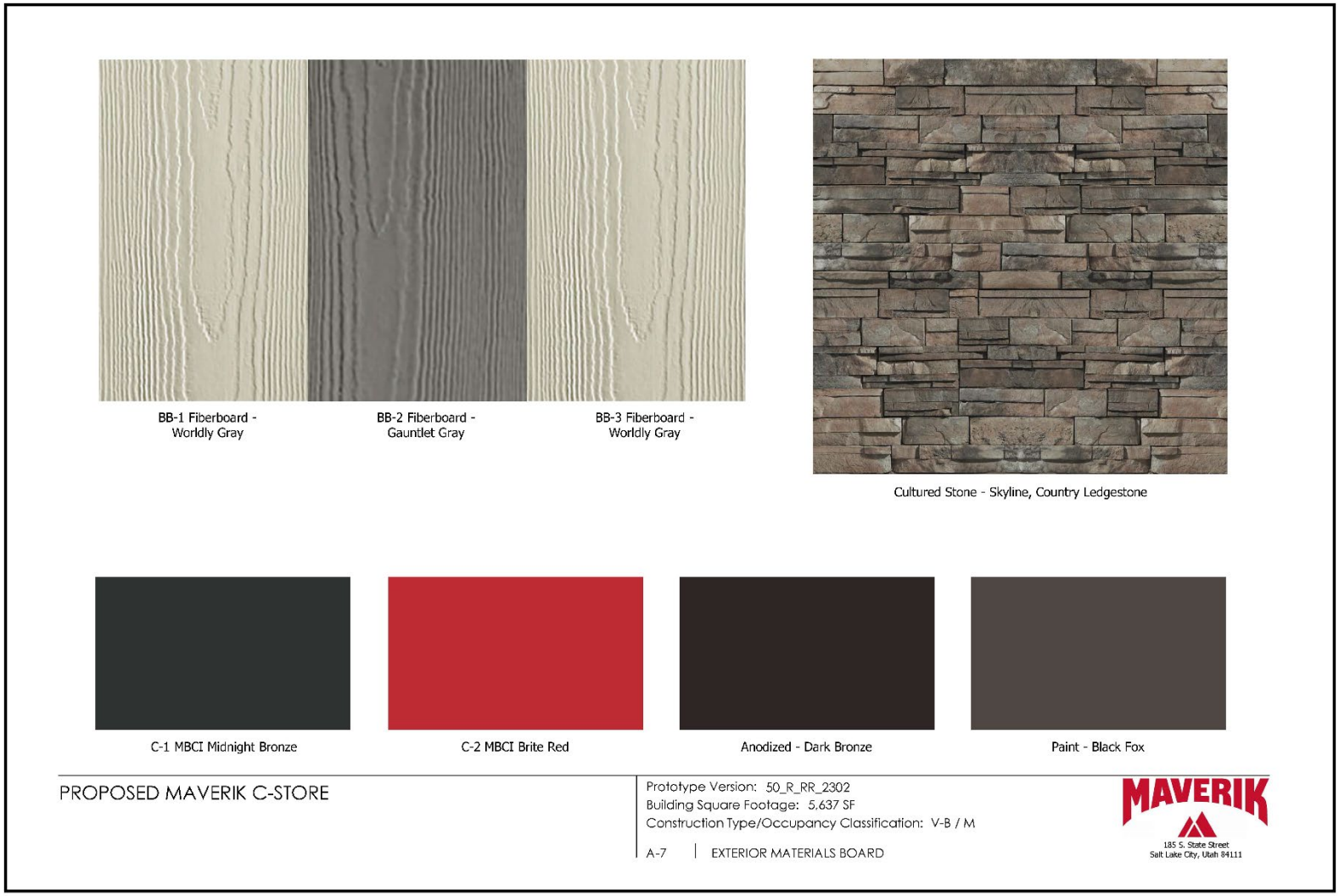
Maverik Fueling Station — Indio

Figure 8



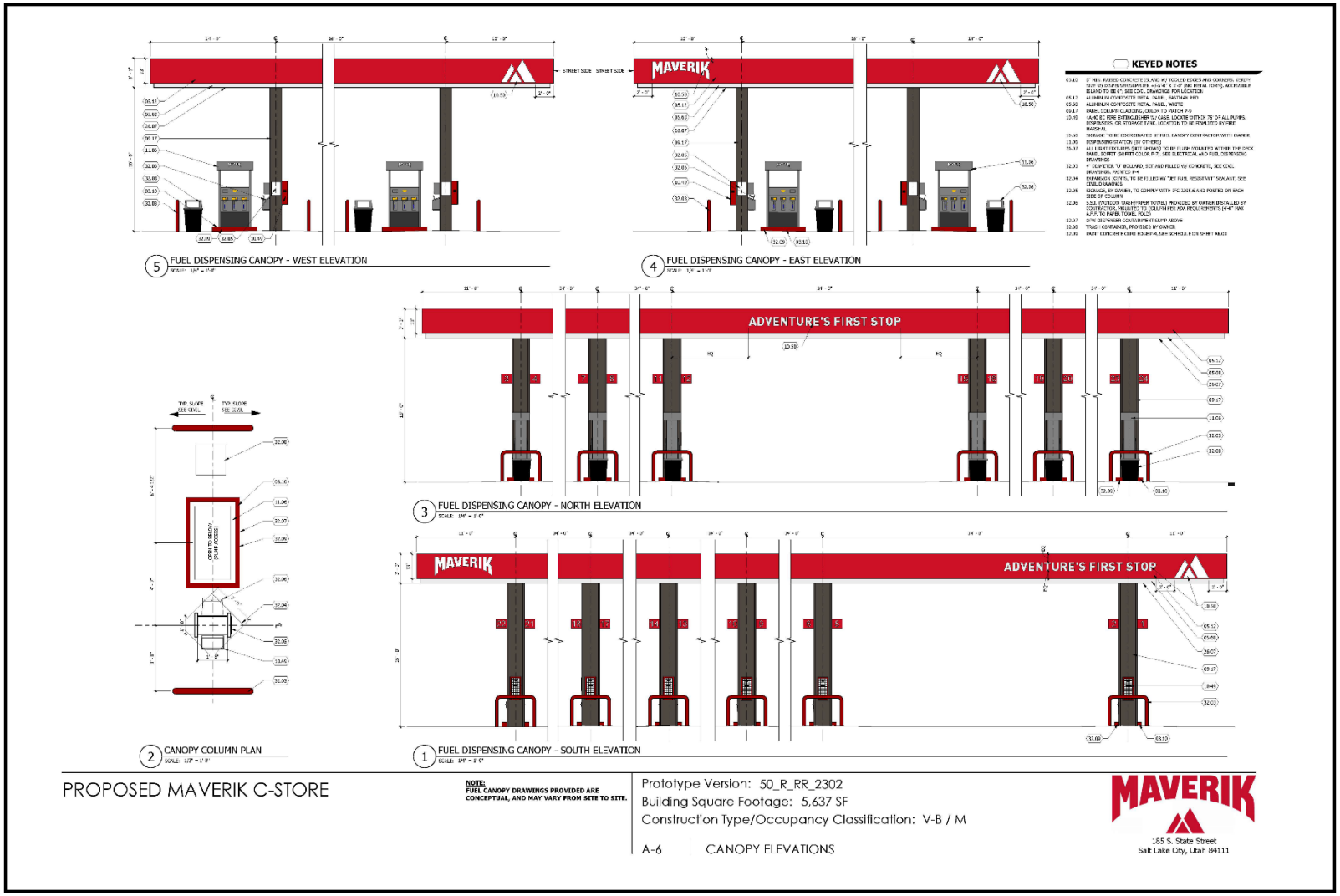
Source: SDI Collaborative, 2024.

Building Elevations North and West
Maverik Fueling Station — Indio
Figure 9



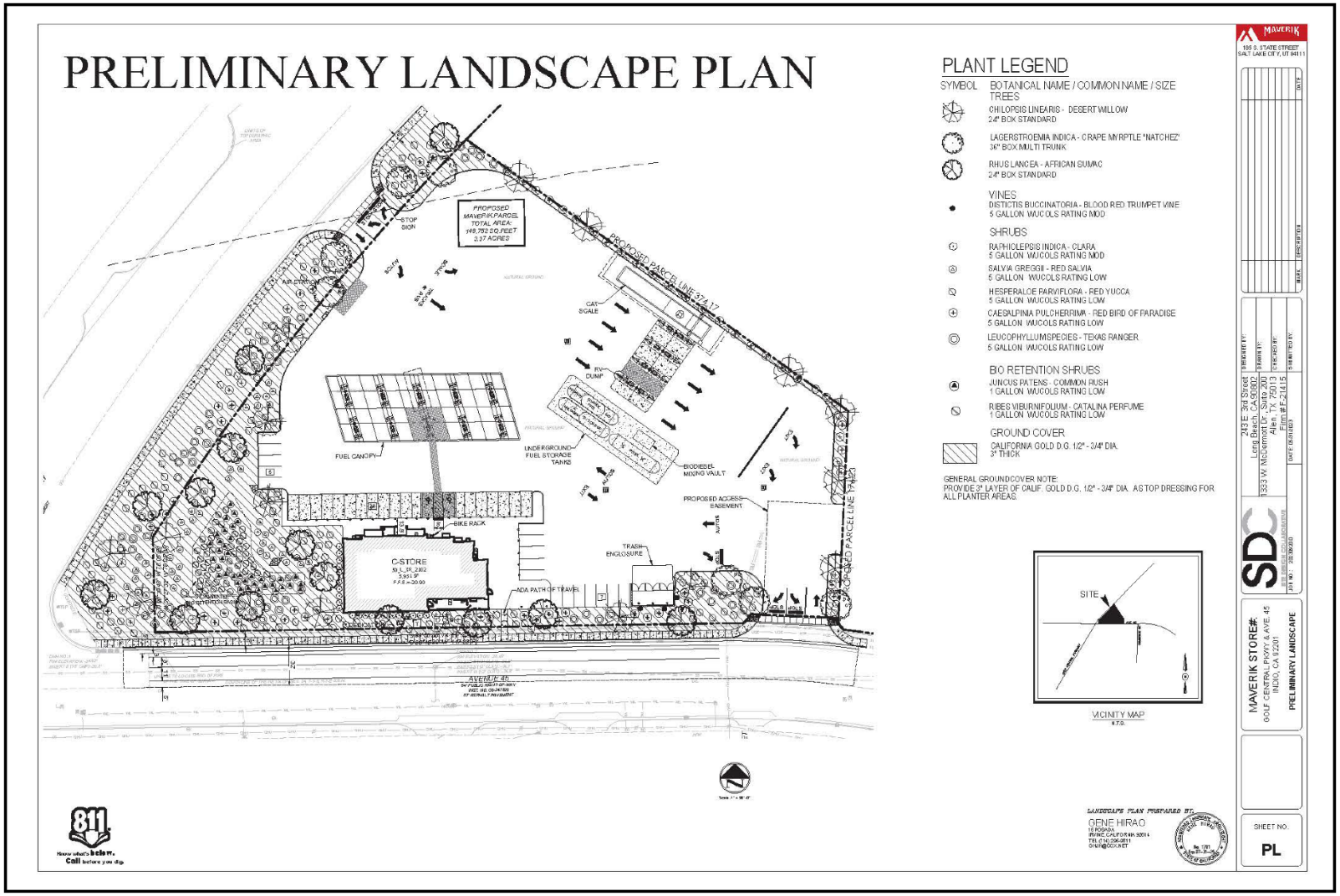
Source: SDI Collaborative, 2024.

Exterior Materials Board
Maverik Fueling Station — Indio
Figure 10



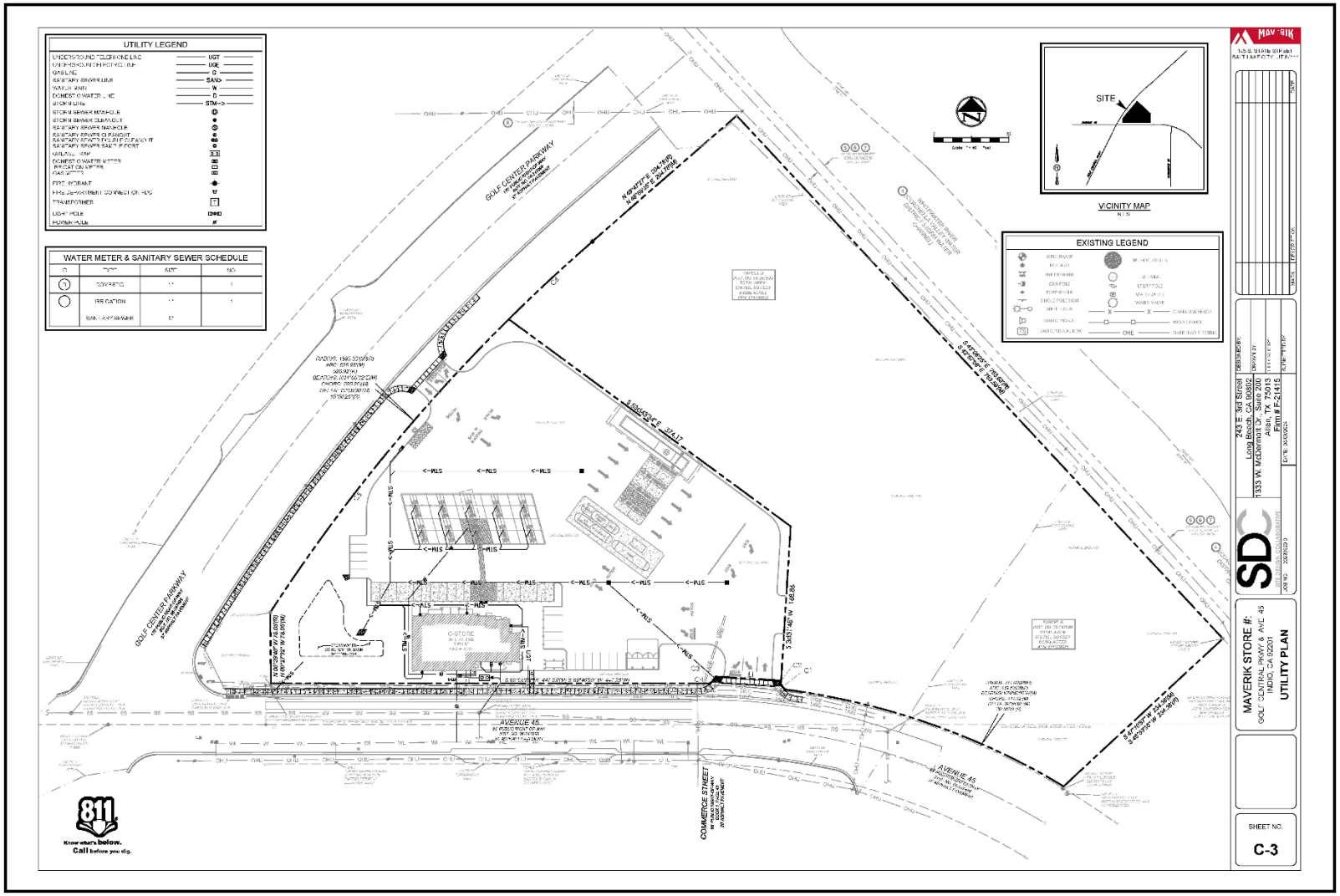
Source: SDI Collaborative, 2024.

Fuel Canopy Elevations
Maverik Fueling Station — Indio
Figure 11



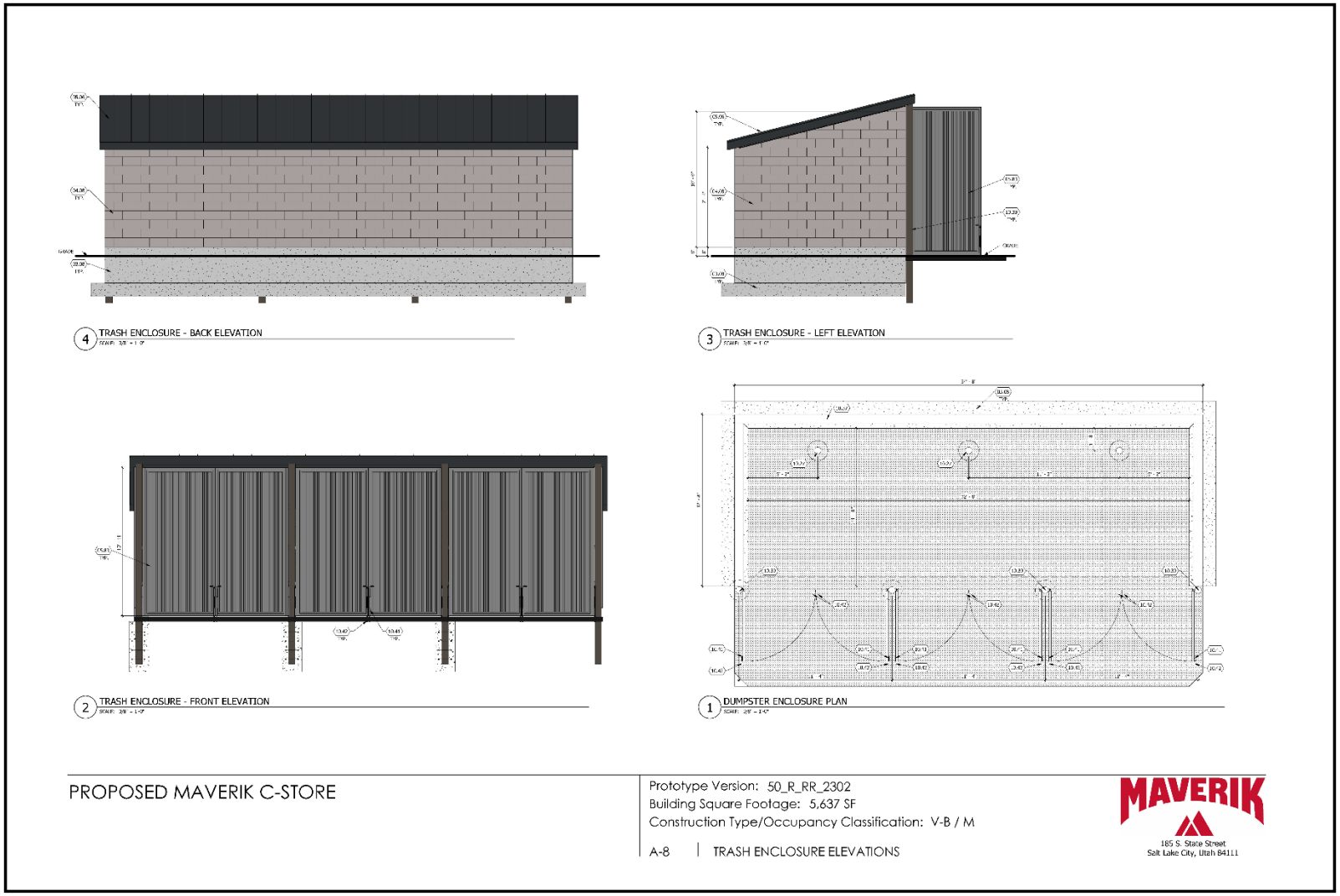
Source: SDI Collaborative, 2024.

Preliminary Landscaping Plan
Maverik Fueling Station — Indio
Figure 12



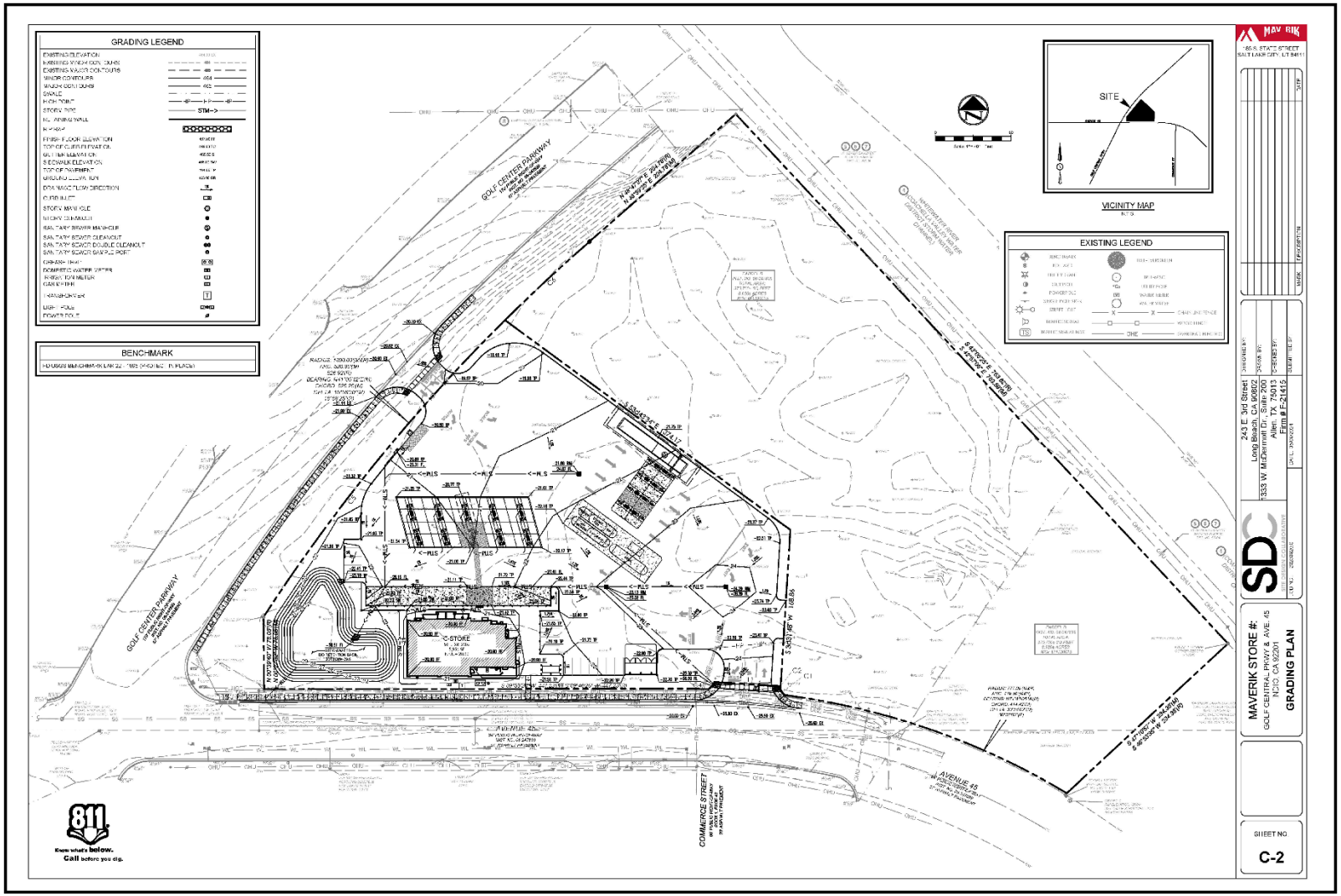
Source: SDI Collaborative, 2024.

Utility Plan
Maverik Fueling Station — Indio
Figure 13



Source: SDI Collaborative, 2024.

Trash Enclosure Elevations
Maverik Fueling Station — Indio
Figure 14



Source: SDI Collaborative, 2024.

Grading Plan
Maverik Fueling Station — Indio
Figure 15

2.0 EVALUATION OF ENVIRONMENTAL IMPACTS

2.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Energy
☒ Geology /Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☒ Transportation/Traffic	☒ Tribal Cultural Resources
☒ Utilities / Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

2.2 Determination:

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigation incorporated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Final EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier Final EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kendra Reif, Principal Planner

Date:

3.0 ENVIRONMENTAL CHECKLIST AND DISCUSSION

3.1 AESTHETICS.

Except as provided in Public Resource Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Discussion of Impacts

a) No Impact. The City of Indio General Plan Environmental Impact Report (EIR) defines scenic vistas as views of scenic resources from public locations. Scenic viewpoints are typically regarded as singular vantage points that offer an unobstructed view of expansive visible landscape components. The project site is situated in the eastern portion of the City with views of the Little San Bernardino Mountains, the San Jacinto Mountains, the Indio Hills and the Santa Rosa Mountains located approximately 17 miles to the southwest. No vantage points are provided from or through the project site due to the flat topography on site. Per the City of Indio Unified Development Code Section 2.04.03 – Development Regulations for the IH Zone, structures on the site would not exceed three stories or 65 feet. The proposed Project would allow for the construction and operation of the proposed fueling station and convenience store. At a maximum height of 29'-1" for the convenience store and 19'-3" for the fueling canopy, the Project would not exceed the height requirements set forth in the Section 2.04.03 of the City of Indio's Unified Development Code. The Project would not obstruct, interrupt, or diminish a scenic vista. No impact would occur, and no mitigation is required.

For this reason, implementation of the Project would have no impact on a scenic vista.

b) No Impact. The Project site is not located within or adjacent to a designated State scenic highway corridor and does not contain scenic resources, such as trees of scenic value, rock outcroppings or historic buildings. The nearest designated scenic highway to the Project site is State Route 74 (SR 74), located approximately 10.5 miles west of the Project site (Caltrans, 2018). Accordingly, there is no potential for the proposed Project to adversely impact the viewshed within a scenic highway corridor. No impact would occur.

c) No Impact. The United States Census Bureau defines "urbanized area" as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents and meet minimum population density requirements while also being adjacent to territory containing non- residential urban land uses. The Project site is located within the boundaries of the Census-defined Indio-Cathedral City urban area (USCB, 2012); therefore, the Project would be considered to result in a significant adverse impact under this threshold only if the Project design would conflict with applicable zoning and other regulations governing scenic quality. The Project site is designated as Workplace Employment District (WEP) on the City's General Plan land use map and is zoned Heavy Industrial (IH) with a maximum permitted floor area ratio (FAR) of 1.0. The Project and its design as shown on the Project's application materials on file with the City of Indio are General Plan-conforming and zone-conforming. The Project does not conflict with zoning or other regulations governing scenic quality and thus no impact would occur.

d) Less Than Significant Impact With Mitigation Incorporated. Under the existing conditions, the Project site contains no sources of artificial lighting. One streetlight is present along the Project's site frontage on Avenue 45, north of Commerce Street intersection. The Project Applicant proposes to develop the site with a fueling station and convenience store and would introduce additional lighting elements on the site.

The proposed Project would be required to adhere to the lighting requirements as set forth in the Indio Unified Development Code (Section 3.02.11). The Unified Development Code provides standards for outdoor lighting that applies to all new development. The submittal of a lighting plan is required as part of a development application or land use permit and the Project's lighting plan is on file with the City that shows the proposed number and locations of light fixtures, their wattage, and illumination levels in compliance with City requirements. Mandatory compliance with the Unified Development Code Section 3.02.11 would ensure that the Project would not introduce any permanent lighting features that would adversely affect day or nighttime views in the area. Nonetheless, should the Project not comply with the lighting requirements set forth in the Indio Unified Development Code (Section 3.02.11), a potentially significant impact would occur.

Additionally, the Project must adhere to the City's design guidelines for signs (Unified Development Code Section 3.05), which require internally illuminated signs to minimize glare by limiting the illumination intensity so as not to exceed 0.5 foot candles at the property line and either constructing

the sign with either an opaque background and translucent text and symbols, or with a colored (not white, off-white, light gray, or cream) background and generally lighter text. Compliance with these regulations shall be verified prior to issuance of a City of Indio Sign Permit, if required.

With regard to glare, the proposed convenience store would include primarily cultured stone and fiberboard (See **Figure 10, Exterior Material Board**). Such architectural elements are not sources of glare. Glass would be limited to windows and doors on the convenience store building, typical of small-scale commercial retail construction and no other highly reflective surfaces would be provided (See **Building Elevation Figures 7, 8 and 9**). The extent and surface area of glass on the convenience store building would not be at a scale to generate adverse glare effects.

With implementation of mitigation measures AES-1 and AES-2, light and glare impacts would not be significant.

Mitigation Measures:

AES-1 Comply with Indio Unified Development Code for Outdoor Lighting

The Project shall comply with the Indio Unified Development Code (Section 3.02.11, Outdoor Lighting) which requires the submittal of a lighting plan as part of a development application or land use permit, showing the proposed number and locations of light fixtures, their wattage, and illumination levels in compliance with City requirements. Among other requirements, all outdoor lighting shall be designed, located, installed, directed downward or toward structures, fully shielded, and maintained in order to prevent glare, light trespass, and light pollution away from adjoining properties and public rights-of-way, so that direct illumination does not infringe onto adjoining properties.

AES-2 Use Low Reflective Glass

Glass used in building designs shall be low-reflective and landscaping shall be installed to provide a buffer between any proposed reflective glass surface and the public rights-of-way in accordance with Indio Unified Development Code (Section 3.02.09, Landscaping).

Monitoring Prior to the issuance of any building permit, the City of Indio shall assure compliance with Indio Unified Development Code (Section 3.02.11, Outdoor Lighting), Indio Unified Development Code (Section 3.02.09, Landscaping), and assure that glass proposed for installation is non-reflective.

Responsible Parties: Developer/Permit Applicant, City of Indio Community Development Department.

3.2 AGRICULTURAL AND FOREST RESOURCES.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion of Impacts

a) No Impact. According to Farmland Mapping and Monitoring Program mapping information available from the California Department of Conservation, the Project site does not contain any soils mapped as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance" (CDC, 2024a). As such, implementation of the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. No impact would occur.

b) No Impact. The Project site is not subject to a land conservation (Willison Act) contract (CDC, 2024b). Additionally, the Project site is zoned IH (Heavy Industrial) which is intended to accommodate manufacturing, processing, storage, and similar heavy industrial uses. Fueling stations and convenience stores are allowable uses within the IH zone, upon issuance of a

Conditional Use Permit (CUP). Therefore, the project has no potential to conflict with existing zoning for an agricultural use. No impact would occur.

c) No Impact. The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code [PRC] Section 12220[g]), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). No forest or timber land is present in the Project site; therefore, no forest or timber land would be affected by the Project and there would be no impact. No mitigation would be required.

d) No Impact. The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. As discussed in Impact II.c., no forest land is present at the Project site, and no forest land would be affected by the Project. Therefore, Project implementation would not result in the loss of forest land or conversion of forest land to non-forest use. No impacts would occur and mitigation would not be required.

e) No Impact. As discussed under Impact II.a., the Project site contains no important farmlands, forest lands or areas designated for forest use. Thus, implementation of the Project would not result in the conversion of surrounding farmlands to non-agricultural uses and no impact would occur.

Mitigation Measures

No mitigation would be required.

3.3 AIR QUALITY.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

Birdseye Planning Group (BPG) prepared an Air Quality and Greenhouse Gas Study for the Maverik Fueling Station and Convenience Store Project, which is included as Appendix A of this Initial Study (BPG, 2024; Appendix A). The Air Quality and Greenhouse Gas Study analyzed air quality and greenhouse gas (GHG) impacts that could result from construction and operation of the Project. The analysis contained in this section is based on the findings of this technical report.

Existing Setting

The Project site is located within the South Coast Air Basin (SCAB), which is a non-attainment area for both the federal and state standards for ozone and PM2.5. The SCAB is in attainment for the state and federal standards for PM10, nitrogen dioxide, and carbon monoxide.

Climate in the SCAB is determined by its terrain and geographical location. The SCAB consists of a coastal plain with connecting broad valleys and low hills. The Pacific Ocean forms the southwestern border, and high mountains surround the rest of the SCAB. The SCAB lies in the semi-permanent high-pressure zone of the eastern Pacific. The resulting climate is mild and tempered by cool ocean breezes. This climatological pattern is rarely interrupted. However, periods of extremely hot weather, winter storms, or easterly Santa Ana wind conditions can occur. Annual average temperatures vary little throughout the SCAB, ranging from the low-to-middle 60s, measured in degrees Fahrenheit (ºF). With a more pronounced oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas. The majority of annual rainfall in the SCAB occurs between October and March. Summer rainfall is minimal and generally limited to scattered thundershowers in coastal regions and slightly heavier showers in the eastern portion of the SCAB and along the coastal side of the mountains.

Average temperatures in winter months in the project area range from a low of 34ºF to a high of 68 F. In the summer, average temperatures range from a low of 59ºF to a high of 98ºF. During an average year, the greatest amount of precipitation, 2.86 inches, occurs in February.

Sensitive Receptors

Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14; the elderly over 65; persons engaged in strenuous work or exercise; and people with cardiovascular and chronic respiratory diseases. The closest sensitive receptors are the Palo Verde Apartments located approximately 1,100 feet northwest of the site at 44720 Palo Verde Street.

Attainment Status

The SCAB, in which the project area is located, is a non-attainment area for both the federal and state standards for ozone and PM2.5. The SCAB is in attainment for the state and federal standards for PM10, nitrogen dioxide, and carbon monoxide.

Regulatory Setting

The federal and state governments have been empowered by the federal and state Clean Air Acts (CAA) to regulate emissions of airborne pollutants and have established ambient air quality standards for the protection of public health. The U.S. Environmental Protection Agency (USEPA) is the federal agency designated to administer air quality regulation, while California Air Resource Board (CARB) is the state equivalent in California. Federal and state standards have been established for six criteria pollutants, including Ozone (O_3), Carbon Monoxide (CO), Nitrogen Dioxide (NO_2), Sulfur Dioxide (SO_2), particulates less than 10 and 2.5 microns in diameter (PM_{10} and $PM_{2.5}$), and Lead (Pb). California has also set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. **Table 5** lists the current federal and state standards for each of these pollutants.

TABLE 5. FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	NAAQS	CAAQS
		Concentration	
O_3	8-hour	0.070 ppm (137 µg/m^3)	0.070 ppm (137 µg/m^3)
	1-hour	-	0.09 ppm (180 µg/m^3)
CO	8-hour	9 ppm (10 µg/m3)	9 ppm (10 µg/m3)
	1-hour	35 ppm (40 µg/m3)	20 ppm (23 µg/m3)
NO_2	Annual Average	53 ppb (100 µg/m3)	0.030 ppm (57 µg/m3)
	1-hour	100 ppb (188.68 µg/m3)	0.18 ppm (339 µg/m3)
SO_2	3-hour	0.5 ppm (1,300 µg/m3)	-
	24-hour	0.14 ppm (365 µg/m3)	0.04 ppm (105µg/m3)
	1-hour	75 ppb (196 µg/m3)	0.25 ppm (655 µg/m3)
PM_{10}	Annual Arithmetic Mean	-	20 µg/m3
	24-hour	150 µg/m3	50 µg/m3
PM2.5	Annual Arithmetic Mean	12 µg/m3	12 µg/m3
	24-hour	35 µg/m3	-
Sulfates	24-hour	-	25 µg/m3

TABLE 5. FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	NAAQS	CAAQS
		Concentration	
Pb	Rolling Three-Month Avg	0.15 µg/m3	-
	30 Day Average	-	1.5 µg/m3
H_2S	1-hour		0.03 ppm (42 µg/m3)
Vinyl Chloride	24-hour		0.010 ppm (26 µg/m3)
Visibility Reducing particles	8-hour (1000 to 1800 PST)		See Note 1

Source: BPG, 2024 (Appendix A).
Notes: ppm = parts per million, ppb = parts per billion, mg/m3 = milligrams per cubic meter, µg/m3 = micrograms per cubic meter
(1) In 1989, CARB converted both the general statewide 10-mile visibility standards and the Lake Tahoe 30-mile visibility standard to instrumental equivalents.

Thresholds

Regional Thresholds

The South Coast Air Quality Management District (SCAQMD) has developed specific quantitative thresholds that apply to projects within the SCAB. The current thresholds of significance were published by the SCAQMD in March 2023. The following significance thresholds apply to short-term construction activities:

- 75 pounds per day of VOC
- 100 pounds per day of NOx
- 550 pounds per day of CO
- 150 pounds per day of SOx
- 150 pounds per day of PM10
- 55 pounds per day of PM2.5

The following significance thresholds apply to long-term operational emissions:

- 55 pounds per day of VOC
- 55 pounds per day of NOx
- 550 pounds per day of CO
- 150 pounds per day of SOx
- 150 pounds per day of PM10
- 55 pounds per day of PM2.5

Methodology

Construction and operational emissions were estimated using the latest version of California Emissions Estimator Model (CalEEMod), version 2022.1. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operation of a variety of land use projects.

Discussion of Impacts

a) Less Than Significant Impact. The Project is located within the SCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the federal CAA, to reduce criteria pollutant emissions for which the SCAB is in non-attainment. To reduce such emissions, the SCAQMD adopted the 2016 and 2022 Air Quality Management Plans (AQMPs). The 2016 and 2022 AQMPs establish a program of rules and regulations directed at reducing air pollutant emissions and achieving California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). The AQMPs are a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the U.S. EPA. The AQMPs pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. Further, the 2022 AQMP incorporates scientific and technological information and planning assumptions from the 2016 AQMP, including the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy* (2016-2040 RTP/SCS), a planning document that supports the integration of land use and transportation to help the region meet the federal CAA requirements. The Project is subject to both the 2016 and 2022 AQMPs.

Criteria for determining consistency with the AQMP are defined in Chapter 12, Sections 12.2 and Section 12.3 of the 1993 CEQA Handbook. These indicators are discussed below.

Consistency Criterion No. 1: The proposed Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds were exceeded. As discussed herein, the Project's construction activities would not exceed any of the SCAQMD daily thresholds or Localized Significance Thresholds (LSTs). Thus, construction activities would not conflict with the 2022 AQMP. Operational emissions would not exceed daily regional thresholds during peak days of use. The average daily emissions would be below the daily regional thresholds; thus, the project would not conflict with the 2022 AQMP.

Consistency Criterion No. 2: The Project would not exceed the assumptions in the AQMP based on the years of Project build-out phase.

As stated, under state law, the SCAQMD is required to prepare an AQMP for pollutants for which the SCAB is designated non-attainment. Each iteration of the SCAQMD AQMP is an update of the previous plan and has a 20-year horizon. A project may be deemed inconsistent with the AQMP if

it would generate population, housing or employment growth exceeding forecasts used in the development of the AQMP. Like the 2016 AQMP, the 2022 AQMP, the most recent AQMP adopted by the SCAQMD, incorporates local city General Plans and the Southern California Association of Governments (SCAG) socioeconomic forecast projections of regional population, housing and employment growth.

The project site is zoned Heavy Industrial. With approval of a Conditional Use Permit for the fueling station component, all proposed uses would be allowed per the zoning code. SCAG serves as the federally designated metropolitan planning organization for the southern California region. According to data presented in the SCAG's Employment Density Summary Report, average employment densities for commercial uses in the region range from a high of 175.49 employees per acre (high-rise office) to a low of 19.71 employees per acre (regional retail). The project would not result in employment growth exceeding the assumptions used to develop the AQMP. Thus, employment growth in the City of Indio resulting from the project, and the related changes in regional emissions, are accounted for in the AQMP. The project would not conflict with or obstruct the AQMP and not cause an adverse impact under threshold (a).

b) Less Than Significant Impact.

Construction Impacts

Project construction would generate temporary air pollutant emissions. These impacts are associated with fugitive dust (PM10 and PM2.5) and exhaust emissions from heavy construction vehicles, in addition to VOC that would be released during the drying phase upon application of paint and other architectural coatings. Construction would generally consist of demolition, site preparation, grading, construction of the proposed buildings, paving, and architectural coating (i.e., paint) application.

Graded soils would be balanced on the project site; thus, no soil import or export would be required. The project would be required to comply with SCAQMD Rule 403, which identifies measures to reduce fugitive dust and is required to be implemented at all construction sites located within the South Coast Air Basin. Therefore, the following conditions, which are required to reduce fugitive dust in compliance with SCAQMD Rule 403 were included in CalEEMod for site preparation and grading phases of construction.

1. **Minimization of Disturbance.** Construction contractors should minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
2. **Soil Treatment.** Construction contractors should treat all graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways to minimize fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction as

appropriate. Watering shall be done as often as necessary, and at least twice daily, preferably in the late morning and after work is done for the day. The analysis provided herein assumes watering would occur two times daily.

3. **Soil Stabilization.** Construction contractors should monitor all graded and/or excavated inactive areas of the construction site at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
4. **No Grading During High Winds.** Construction contractors should stop all clearing, grading, earth moving, and excavation operations during periods of high winds (20 miles per hour or greater, as measured continuously over a one-hour period).
5. **Street Sweeping.** Construction contractors should sweep all on-site driveways and adjacent streets and roads at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.

Construction emissions modeling for demolition, site preparation, grading, building construction, paving, and architectural coating application is based on the overall scope of the proposed development and construction phasing which is expected to begin mid-2025 and extend through early 2026. For dust control, it was assumed the disturbed area would be watered twice daily. In addition to SCAQMD Rule 403 requirements, emissions modeling also accounts for the use of low-VOC Super-Compliant paint (100 g/L for non-flat coatings for non-residential buildings and 100 g/L for pavement coatings) as required by SCAQMD Rule 1113. **Table 6** summarizes the estimated maximum mitigated daily emissions of pollutants occurring during each year of construction. As shown in **Table 6**, construction of the proposed project would not exceed the SCAQMD regional thresholds.

TABLE 6. ESTIMATED MAXIMUM MITIGATED DAILY CONSTRUCTION EMISSIONS

Construction Phase	Maximum Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
2025 Maximum lbs/day	3.4	31.7	31.1	0.05	9.3	5.2
2026 Maximum lbs/day	5.4	9.9	13.1	0.02	0.5	0.4
SCAQMD Regional Thresholds	75	100	550	150	150	55

TABLE 6. ESTIMATED MAXIMUM MITIGATED DAILY CONSTRUCTION EMISSIONS

Construction Phase	Maximum Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Threshold Exceeded 2025	No	No	No	No	No	No
Threshold Exceeded 2026	No	No	No	No	No	No

Source: BPG 2024, Appendix A.

Operational Impacts

Regional Pollutant Emissions

An analysis of maximum daily emissions during operation was conducted to determine if emissions would exceed the daily thresholds for any pollutant of concern. The maximum daily operational emissions would occur at project buildout. Operational emissions were modeled for 2026, the projected first year of occupancy. Operational emissions include emissions from electricity consumption (energy sources), vehicle trips (mobile sources), and area sources including landscape equipment and architectural coating emissions as the structures are repainted over the life of the project.

The majority of operational emissions are associated with vehicle trips to and from the project site. Trip volumes were based on trip generation factors for a convenience store with a fueling facility for both light duty passenger vehicles and a truck stop use to calculate heavy truck trips. Multiple model runs were performed to quantify primary vehicle emissions associated with vehicles traveling to/from the site and heavy truck trips with the trip lengths and vehicle fleet mix adjusted to calculate emissions associated with the car/light truck separate from the heavy truck trips. The combined emissions reflect the total mobile emissions. Pass by trips (i.e., existing traffic) comprise the majority (approximately 25 percent of daily and 76% of peak hour) of project trips. These are not new trips generated by the project; however, they were included in the emissions calculations for passenger cars/light duty vehicles. Emissions sources addressed are summarized as follows:

Motor Vehicle Emissions. Motor vehicle emissions refer to exhaust and road dust emissions from the automobiles that would travel to and from the project site. Project trip generation rates were obtained from LLG, Inc. (June 2024). Highway commercial uses such as travel centers provide services primarily to those traveling by the site to other destinations. In this case, the trip rate was adjusted to calculate emissions from new trips. A pass-by trip accounts for vehicles already on the roadway network that stop at the project site as they pass-by. As stated, these emissions are not included in the total. With the removal of pass by trips, the project would generate approximately 6,223 new two-way trips daily.

The vehicle fleet mix is defined as the mix of motor vehicle classes active during the operation of the project. Emission factors are assigned to the expected vehicle mix as a function of vehicle class, speed, and fuel use (gasoline and diesel-powered vehicles). As stated, the fleet mix was adjusted to calculate primary trips for passenger cars and other light duty vehicles. A separate modeling run was performed to calculate emissions associated with heavy truck trips.

Architectural Coatings (Painting). Paints release VOC emissions during application and drying. The buildings in the project would be repainted on occasion. The project is required to comply with the ICAPCD Rule 424—Architectural Coatings. The rule required flat paints to meet a standard of 100 g/l for non-flat coatings for non-residential buildings and 100 g/l for traffic/ pavement markings.

Consumer Products. Consumer products are various solvents used in non-industrial applications, which emit VOCs during use. Consumer Products are generally defined as detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. The default emission factor developed for CalEEMod was used.

Landscape Equipment. This category assumes use of equipment including lawnmowers/trimmers, blowers and related maintenance equipment. Default emission rates developed for CalEEMod were used for modeling purposes.

Electricity. Electricity used by the project (for lighting, etc.) would result in emissions from the power plants that would generate electricity distributed on the electrical power grid. Electricity emissions estimates are only used in the GHG analysis. CalEEMod was used to estimate these emissions from the project.

Natural Gas. The project would generate emissions from the combustion of natural gas for water heaters, heat, etc. CalEEMod has two categories for natural gas consumption - Title 24 and non-Title 24. CalEEMod defaults were used.

Water and Wastewater. GHG emissions are emitted from the use of electricity to pump water to the project and to treat wastewater. CalEEMod defaults were used.

Solid Waste. GHG emissions would be generated from the decomposition of solid waste generated by the project. CalEEMod was used to estimate the GHG emissions from this source.

Table 7 summarizes summer emissions associated with operation of the proposed project. Operational emissions include emissions from electricity consumption (energy sources), vehicle trips (mobile sources), and area sources including architectural coating emissions as the structures are repainted over the life of the project. As shown in **Table**

+, the maximum summer daily emissions would not exceed the SCAQMD thresholds for any of the criteria pollutants.

TABLE 7. ESTIMATED OPERATIONAL EMISSIONS

	Estimated Emissions (lbs/day)					
	ROG	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Daily Summer Maximum	8.6	4.9	101.0	0.09	21.6	5.5
Heavy Truck Emissions	0.96	13.7	11.2	0.09	0.9	0.3
Total Daily Emissions	**9.6**	**18.6**	**112.2**	**0.18**	**22.5**	**5.8**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: See Appendix for CalEEMod version. 2022.1 computer model output for operational emissions. Summer emissions shown.
Totals may vary slightly due to rounding.
Source: BPG, 2024, Appendix A.

Accordingly, this impact would be less than significant with implementation of SCAQMD Rule 403.

c) Less Than Significant Impact. The State of California Health and Safety Code, Division 26, Part 4, Chapter 3, Section 41700, SCAQMD Rule 403, prohibits emissions from any source whatsoever in such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to the public health or damage to property. Projects required to obtain permits from SCAQMD are evaluated by staff for potential odor nuisance, and conditions may be applied (or control equipment required) where necessary to prevent occurrence of public nuisance.

SCAQMD Rule 402 (Public Nuisance) also prohibits emission of any material that causes nuisance to a considerable number of persons or endangers the comfort, health, or safety of any person. A project that involves a use that would produce objectionable odors would be deemed to have a significant odor impact if it would affect a considerable number of off-site receptors. Odor issues are very subjective by the nature of odors themselves and due to this fact, measurements are difficult to quantify. As a result, this guideline is qualitative and focuses on the existing and potential surrounding uses and location of sensitive receptors.

The Project could produce odors during proposed construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.

Accordingly, the proposed Project would not create objectionable odors affecting a substantial number of people during construction, and short-term impacts would be less than significant.

During long-term operation, the Project would include employment land uses, consisting of convenience store, which are not typically associated with objectionable odors. With respect to operation of the gas station, gas pumping activities are expected to generate odors associated with gasoline fumes. The gas pumps and underground storage tanks would include CARB-required vapor recovery systems that would control VOC vapor releases during refueling and would minimize driver and employee exposure to gasoline odors and fumes. Thus, gasoline odors are not expected to adversely affect adjacent land uses. The temporary storage of refuse associated with the proposed Project's long-term operational use could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the proposed Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance during long-term operation. As such, long-term operation of the proposed Project would not create objectionable odors affecting a substantial number of people.

d) Less Than Significant Impact.

Localized Significance Thresholds.

The SCAQMD has published a "Fact Sheet for Applying CalEEMod to Localized Significance Thresholds" (South Coast Air Quality Management District, 2011). The following describes the methods used to apply the fact sheet methods to the CalEEMod output data for comparison with the Localized Significance Thresholds (LSTs). CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily disturbance activity possible for each piece of equipment. Construction-related emissions reported by CalEEMod are compared to the LST lookup tables. The CalEEMod output in Appendix A shows the equipment assumed for this analysis.

LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities. LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), project size, distance to the sensitive receptor and related factors. However, LSTs only apply to emissions within a fixed stationary location, including idling emissions during both project construction and operation. LSTs have been developed for NOx, CO, PM10 and PM2.5. LSTs are not applicable to mobile sources such as cars on a roadway (Final Localized Significance Threshold Methodology, SCAQMD, June 2003).

LSTs have been developed for emissions within areas up to five acres in size, with air pollutant modeling recommended for activity within larger areas. The SCAQMD provides lookup tables for

project sites that measure one, two, or five acres. A total of 1.0 to 1.5 acres would be disturbed daily during the site preparation and grading phases. To provide a conservative evaluation of potential short-term LST impacts, the look up table values for two acres were used for both site preparation and grading. The project site is located in Source Receptor Area 30 (SRA-30, Coachella Valley). LSTs for construction related emissions in the SRA 30 at varying distances between the source and receiving property are shown in **Table 8**.

TABLE 8. SCAQMD LSTs FOR CONSTRUCTION

Pollutant	Allowable emissions as a function of receptor distance in meters from a two-acre site (lbs/day)				
	25	**50**	**100**	**200**	**500**
Gradual conversion of NO_x to NO_2	191	225	296	425	769
CO	1,299	1,931	3,409	7,174	26,212
PM_{10}	7	22	44	89	223
$PM_{2.5}$	5	7	12	28	112

Source: BPG, 2024 (Appendix A).

As referenced, the nearest sensitive receptors to the project site to the site are approximately 1,100 feet (335 meters) to the west. To conservatively evaluate potential LST impacts, the thresholds for 200 meters from an emission source were used to approximate the distance to the nearest commercial building to the south across Avenue 45. As shown in **Table 9**, unmitigated on-site PM10 and PM2.5 emissions during construction would not exceed the LST thresholds at 200 meters. Impacts would be less than significant.

TABLE 9. UNMITIGATED CONSTRUCTION LST EMISSIONS

Emissions Sources	NOx	CO	PM10	PM2.5
Demolition	22.2	19.9	0.92	0.84
Site Preparation	31.6	30.2	9.04	5.2
Grading	16.3	17.9	3.48	2.0
Building Construction – 2025	10.4	13.0	0.43	0.4
Building Construction – 2026	9.85	13.0	0.38	0.35
Paving - 2026	6.23	8.81	0.26	0.24

TABLE 9. UNMITIGATED CONSTRUCTION LST EMISSIONS

Emissions Sources	NOx	CO	PM10	PM2.5
Architectural Coating	0.86	1.3	0.02	0.02
LST Thresholds – 2 acres	425	7,174	89	28
Exceeds LST Thresholds?	**No**	**No**	**No**	**No**

Source: BPG, 2024 (Appendix A)
SRA-30: Coachella Valley, assumes 2 acres disturbed daily during site preparation and grading.

Operational Local Significance Thresholds.

As stated, LSTs have been developed for both construction and operational scenarios and apply only to emissions within a fixed stationary location, including idling emissions during both project construction and operation. LSTs have been developed for NOx, CO, PM10 and PM2.5. LSTs are not applicable to mobile sources such as cars on a roadway. Operational LSTs for a 2-acre site are shown below in **Table 10** to conservatively reflect standards for the entire project site under build out conditions.

TABLE 10. SCAQMD LSTs FOR OPERATION

Pollutant	Allowable emissions as a function of receptor distance in meters from a two-acre site (lbs/day)				
	25	50	100	200	500
Gradual conversion of NOx to NO_2	191	225	296	425	769
CO	1,299	1,931	3,409	7,174	26,212
PM10	2	6	16	36	97
PM2.5	2	2	3	7	27

Source: BPG, 2024 (Appendix A)

Table 11 shows area and energy source emissions estimated for project operation. As shown, none are projected to exceed the thresholds at 25 meters.

TABLE 11. OPERATIONAL LST EMISSIONS

Source	NOx	CO	PM10	PM2.5
Area	<0.005	0.26	<0.005	<0.005
Energy	0.03	0.03	<0.005	<0.005

TABLE 11. OPERATIONAL LST EMISSIONS

Source	NOx	CO	PM10	PM2.5
Total	0.035	0.29	0.01	0.01
LST Thresholds	425	7,174	36	7
Exceeds LST Thresholds?	**No**	**No**	**No**	**No**

Source: BPG, 2024 (Appendix A)
SRA-30: Coachella Valley, conservatively assumes a 2-acre site at buildout

Construction-Related Toxic Air Contaminant Impacts. The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the proposed project and truck traffic. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of "individual cancer risk". "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the short-term construction schedule, the proposed project would not result in a long-term (i.e., 70 years) substantial source of toxic air contaminant emissions and related individual cancer risk. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed project.

Operational Toxic Air Contaminant Emissions. A health risk assessment was prepared for the fueling station to determine whether sensitive properties located in proximity to the site would be at risk of adverse health effects associated with operation of the fueling station (see Appendix A). The analysis presented herein reflects a maximum annual throughput of approximately 8,500,000 gallons. Ultimate fuel throughput allowances/requirements would be established by SCAQMD during the process of evaluating the fueling station Permit to Operate. For purposes of this evaluation, cancer risk estimates have been made consistent with the methodology presented in SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1 & 212 which provide screening-level risk estimates for gasoline dispensing operations.

Sensitive receptors, as identified by SCAQMD, may include residences, schools, playgrounds, athletic facilities, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. The closest sensitive property is the Palo Verde Apartments located approximately 1,400 feet (335 meters) northwest of the proposed gasoline canopy southern edge.

Based on the SCAQMD Risk Tool version 1.103 that implements the SCAQMD Risk Assessment Procedures for Rule 1401, 1401.1, and Rule 212 and Permit Application Package "N" Version 8.12, it is estimated that the cancer risk to sensitive and commercial receptors from the proposed gasoline dispensing station would be 0.337 in one million and 0.413 in one million, respectively. As stated

in the Risk Assessment Procedures for Rules 1401, 1401.1 & 212, although gasoline vapors and its TAC constituents (for example, benzene, toluene, and xylene) have non-cancer impacts, the risks from retail gasoline dispensing facilities are dominated by cancer risk. Therefore, the chronic and acute non-cancer health risk do not need to be calculated. Health risks associated with operation of the proposed gasoline dispensing facility would be less than the 10 per 1,000,000; and thus, would be less than significant. No mitigation is required.

Mitigation Measures

Although impacts would be less than significant, a mitigation measure is provided below to assure compliance with the applicable provisions of SCAQMD Rule 403 and Rule 403.1.

MM AQ-1: Fugitive Dust Control Plan

Prior to the issuance of a grading permit and start of earth moving activities, the Developer/Permit Applicant or its grading contractor shall prepare and receive approval of a Fugitive Dust Control Plan from the SCAQMD Executive Officer in accordance with the applicable requirements of SCAQMD Rule 403 "Fugitive Dust" and Rule 403.1 "Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources." Construction contractors shall be obligated by their contracts to adhere to the approved Fugitive Dust Control Plan and permit inspection of the construction site by the City of Indio, SCAQMD, and its designees to ensure compliance.

Monitoring. Prior to the issuance of any permit to allow ground disturbance on the site, the Developer/Permit Applicant or its grading contractor shall furnish the City with a Fugitive Dust Control Plan approved by the SCAQMD Executive Officer.

Responsible Parties. Developer/Permit Applicant, SCAQMD, City of Indio Community Development Department

3.4 BIOLOGICAL RESOURCES.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

Discussion of Impacts

a) Less Than Significant with Mitigation Incorporated. The project site is vacant of development and is surrounded by busy roads and industrial development. The surface of the area was cluttered with modern trash and abandoned materials from unknown sources and homeless encampments, and the southeast corner of the lot has been used as overflow parking for the automotive repair shop next door and the construction crew at the river basin. As a result of the site disturbance and its surroundings, the project site does not provide ideal conditions that would support natural vegetation communities or habitats including the presence of plant or animal species given special status by

government agencies. However, as previously stated, the presence of soil piles and friable soils provides potential habitat for burrowing owls.

For this reason, a burrowing owl clearance survey should be undertaken no less than 14 days prior to ground disturbance and 24 hours prior to site disturbance (**MM BIO-1**). The purpose of the survey is to make sure no owls are present during site development.

The property is within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), which outlines policies for conservation of habitats and natural communities. The project site is not located within a CVMSHCP Conservation Area. Western burrowing owl is covered by the CVMSHCP, which grants Take Authorization for Covered Species for Covered Activities outside of Conservation Areas, including developments permitted or approved by the City of Indio. No significant biological resources are known to occur on the project site. Therefore, the project is not anticipated to have a substantial adverse impact on candidate, sensitive, or special status species with the implementation of the mitigation measures below.

Indirect temporary impacts may occur on breeding birds, which can be significantly affected by short-term construction-related noise through the temporary disruption of foraging, nesting, and reproductive activities. During a visit to the Project site in May 2024, it was confirmed that the project site contains no trees and no nesting bird activity was detected. However, ground nesting species, such as the Western burrowing owl, a California Species of Special Concern, occurs throughout the region and has been reported within one mile of the City of Indio's Planning Area (3) (City of Indio, General Plan Update EIR, Section 4.4 Biological Resources, 2019b).

On March 5, 2024 the California Fish and Game Commission (Commission) received a petition to list western burrowing owl (Athene cunicularia hypugaea) as a threatened or endangered species under the California Endangered Species Act (CESA). The California completed its petition evaluation and determined there is sufficient scientific information to indicate that the petitioned action may be warranted. At its meeting on October 10, 2024, the Commission accepted the petition and designated the species as a candidate species for potential listing as a protected species under the California Endangered Species Act. This decision triggered a 12-month status review by the CDFW. A decision on whether to list this species is expected by spring of 2026. During this one-year candidacy period, all take of western burrowing owl would be unlawful unless expressly authorized pursuant to CESA.

[33] The Planning Area for the City of Indio's General Plan includes the City and its Sphere of Influence.

Additionally, large trees were found within 150 feet of the Project site, across Golf Center Parkway, which could provide potential nesting habitat. Indirect temporary impacts to active migratory bird nests, if present at the time of construction are prohibited under the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code §3503 and §3513. Indirect impacts from construction-related noise may occur on breeding wildlife if construction occurs during the breeding season (i.e., February 15 through August 31 for most bird species and January 1 through August 31 for raptors). This would be considered a significant impact. Implementation of **MM BIO-2** would reduce this impact to less than significant.

b) No Impact. The property does not contain nor is adjacent to any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (USFWS). No blue-line features (i.e., drainage, creek, streams, etc.) as identified by the U.S. Geological Service (USGS) topographic quadrangle map and/or USFWS National Wetland Inventory (NWI) exists within the project property as depicted on the United States Geological Survey topographic maps or National Hydrography Dataset. Additionally, no floodplain or floodway have been mapped within the Project Site. No impact to riparian habitat or sensitive natural community is expected.

c) No Impact. As previously discussed, the project site has been disturbed for a number of years and does not contain nor is it adjacent to federally protected wetlands, marshes or other drainage features. Therefore, the project will not result in the direct removal, filing or hydrological interruption. The project will include on-site retention facilities to prevent the direct discharge and hydro-modification impacts of runoff into the local municipal separate storm sewer system and any downstream receiving waters. No impacts are expected to federally protected wetlands.

d) No Impacts. The project site and adjacent surroundings are part of an industrial area of the City and an existing commercial lighting facility. Given the project sites proximity to the existing development, the project site would not be expected to be a part of or contain migratory wildlife corridors or native wildlife nursery sites. The project site not located near any existing drainages that would support wildlife corridors nor is it located in a known wildlife corridor. Therefore, the proposed project will not interfere with movement of any native resident or migratory fish or wildlife species and no impacts are expected.

e) Less Than Significant with Mitigation Incorporated. Project implementation would not result in demolition or tree removal. The proposed site plan provides landscaping improvements along the project edges in a manner consistent with the local development standards. There are no local policies applicable the Project other than the Coachella Valley: Multiple Species Habitat Conservation Plan (CVMSHCP) discussed under Item f below.

f) Less Than Significant with Mitigation Incorporated. The project lies within the boundary of the CVMSHCP which outlines policies for conservation of habitats and natural communities and is implemented by the City of Indio. While the Project site is located within the CVMSHCP; it does

not occur within or share a common boundary with a Conservation Area of the CVMSHCP. The proposed project will comply with all required plan provisions and pay the required mitigation fee in conformance with the CVMSHCP and City Ordinance. Implementation of mitigation measure MM BIO-3, will ensure that the Project complies with the provisions of the CVMSHCP. No impacts to local, state, or regional conservation plans are expected.

Mitigation Measures

Implementation of the following mitigation measures would reduce impacts to below a level of significance.

MM BIO-1: Preconstruction Burrowing Owl Surveys

Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version). Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.

The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" Section of the 2012 Staff Report and shall implement CDFW-approved mitigation prior to initiation of Project activities. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls. If no suitable habitat is available nearby, details regarding the creation and funding of artificial burrows (numbers, location,

and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.

MM BIO-2: Pre-Construction Nesting Birds Survey

Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than three days prior to vegetation removal or ground-disturbing activities. If there are pauses in construction, nesting bird surveys should be repeated prior to Project activities. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species-specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines that the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

Reporting. Within 30 days of the completion of the monitoring efforts, the Project Applicant shall submit a Final Bird Survey Monitoring Report prepared by the project biologist to the wildlife agencies and City of Indio's Community Development. The report shall include documentation of all bird survey, monitoring activities, coordination efforts with the wildlife agencies, as-built construction drawings with an overlay of any active nests in the survey areas, photographs of habitat areas during pre-construction and post-construction conditions, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance was achieved.

MM BIO-3: CVMSHCP Compliance

Prior to construction and issuance of any grading permit, the City of Indio shall ensure compliance with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and its associated Implementing Agreement and shall ensure the collection of payment of the CVMSHCP Local Development Mitigation Fee.

3.5 CULTURAL RESOURCES.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines § 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Cogstone Resource Management prepared the *Cultural and Paleontological Resources Assessment For The Maverik Fueling Station and Convenience Store Project* (Cogstone, 2024). The Cultural and Paleontological Assessment, included as Appendix B of this Initial Study, evaluates potential effects to cultural and paleontological resources that could result from implementation of the Project. The analysis contained in this section is based on the findings of this technical report.

Existing Setting

The Project's Area of Potential Effects (APE) [4] [5] consists of all areas of ground disturbance for the Project, including off-site improvements to Avenue 45, the vertical depth of disturbance is expected be no more than five feet below the ground surface; however, the USTs will require excavation to depths of approximately 30 feet.

A records search of the California Historical Resources Information System (CHRIS) from the Eastern Information Center (EIC) located at University of California, Riverside was completed on April 30, 2024. A search of the Sacred Lands File (SLF) held by the Native American Heritage Commission (NAHC) was also requested on April 30, 2024. The search was undertaken to supplement the EIC records search to inquire as to whether resources important to local Native

[4] The "area of direct and indirect impacts" to cultural resources under CEQA is identical to the area referred to under Section 106 of the National Historic Preservation Act as the Area of Potential Effect (APE).

[5] A project's APE is "the geographic area or areas within which an undertaking may cause changes to the cultural resources, as well as in the character or use of historic properties, if any such properties exist" (36 Code of Federal Regulations [CFR] 800.2(c)).

American groups may exist within the project area. A response was received from the NAHC on May 20, 2024, which was positive for specific site information within the one-mile search radius. The NAHC provided a tribal consultation list that identified 25 Native American Tribes and tribal representatives (See Appendix B).

The record search indicated that 32 cultural resource studies have been conducted within the Project site and within 0.5 mile radius of the Project site. No cultural resources were previously recorded within the Project site; however, four cultural resources have been previously documented within 0.25 miles of the Project site. **Table 12** summarizes the cultural resources sites recorded within 0.25 miles of the Project site and their eligibility for listing on the National Register of Historic Places (NRHP), and the California Register of Historic Resources (CRHR).

TABLE 12. PREVIOUSLY RECORDED CULTURAL RESOURCES WITHIN ONE- HALF MILE RADIUS OF THE PROJECT AREA

Resource No. (Primary No.)	Resource Type	Description	Distance From Project Site (miles)	NRHP/CRHR Eligibility Status
000676	Prehistoric Archaeological Site	Ceramic scatter; Hearths/pits	0-0.25	Recommended not eligible
009498	Historic Built Environment	Other, railroad	0-0.25	NR – 5S
017259	Historic Archaeological Site	Water conveyance system; Roads/trails/railroad grades; 1-3 story commercial building; Engineering structure; Engineering structure; Canal/aqueduct; Highway/trail	0-0.25	NR – 6Z
024261	Historic Archaeological Site	Other, man-made depression	0-0.25	Unevaluated

Source: Cogstone 2024; Appendix B.
Notes: NRHP = National Register of Historic Resources.
CRHR= California Register of Historical Resources

A pedestrian field survey of the APE was conducted on June 7, 2024, using northwest-southeast running transects spaced five meters apart, to determine the presence of any previously undocumented cultural resources. All undeveloped ground surface areas within the ground disturbance portion of the Project Area were examined for artifacts (e.g., flaked stone tools, tool-

making debris, stone milling tools or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Existing ground disturbances (e.g., cutbanks, ditches, animal burrows, etc.) were visually inspected. Photographs of the Project Area, including ground surface visibility and items of interest, were taken with a digital camera. No archaeological resources were identified during the survey.

In addition to the CHRIS records search, a variety of sources were consulted in June 2024 to obtain information regarding the cultural context of the Project vicinity. Sources included the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), Built Environment Resource Directory (BERD), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI). Cogstone's Architectural Historian, Shannon Lopez, also contacted the Coachella Valley Historical Museum on May 3, 2024. A museum representative responded on May 11, 2024 via electronic mail indicating they found no evidence of historically significant buildings in this area.

Discussion of Impacts

a) Less Than Significant Impact. For purposes of §15064.5 of the California Code of Regulations, the term "historical resource" includes a resource listed in, or determined to be eligible for listing in the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources or identified as significant in a historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code; or any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (Pub. Res. Code, §5024.1, Title 14 CCR, Section 14 CCR, Section 4852)

To be considered historically significant, a resource must meet one of four criteria for listing outlined in the CRHR (CEQA Guidelines 15064.3 (a)(3)) and/or in the NRHP (36 CFR Part 60.4). In addition to meeting one of the criteria outlined the CRHR, a resource must retain enough intact and undisturbed deposits to make a meaningful data contribution to regional research issues (CCR Title 14, Chapter 1.5 Section 4852 [c]). Further, based on CEQA Guidelines Section 15064.5 (b), substantial adverse change would include physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource is materially impaired. This can occur when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR, NRHP, a local register, or historic resources.

- Demolishes or materially alters in an adverse manner those physical characteristics that account for its identification in an historical resources survey meeting the requirements of PRC §5024.1(g), unless the public agency establishes by a preponderance of the evidence that the resource is not historically or culturally significant.

The record search of the EIC did not identify any historic resources on the Project site. Additionally, the Project site does not contain any buildings or structures. Therefore, the Project would not cause a change in the significance of a historical resource. No impact would occur, and no mitigation is required.

b). Less Than Significant With Mitigation Incorporated. The *Cultural and Paleontological Resources Assessment For The Maverik Fueling Station and Convenience Store Project* (Cogstone, 2024, Appendix B) identified four cultural resources that have been previously documented within 0.25 miles of the Project site. An intensive pedestrian survey of the Project site was conducted by Cogstone on June 7, 2024. No evidence of an archaeological site was observed during the pedestrian survey and no significant cultural resources were identified. In addition, the CHRIS and SLF searches conducted for the Project indicate that no archaeological or tribal cultural resources have been previously recorded within the Project area. Based on available data sources, the Project area is considered to have a low sensitivity for Post-Contact non-Native American resources and to have moderate sensitivity for Native American origin cultural resources. However, the Cultural and Paleontological Resources Assessment noted that the Project area is located entirely within the former footprint of Lake Cahuilla.

For this reason, a significant impact to archaeological resources could occur from the various construction disturbances associated with the proposed Project. Implementation of mitigation measures **MM CUL-1** through **MM CUL-8** and conformance with applicable state regulations would address the recovery of known archaeological historical resources and the potential for encountering undiscovered cultural and/or tribal cultural resources.

With implementation of mitigation measures **MM CUL-1** through **MM CUL-8**, impacts to significant historical resources would be less than significant.

c). **Less Than Significant With Mitigation Incorporated.** While no potential human remains have been identified in the project area, subsurface activities always have some potential to impact previously unknown remains. This potential impact is considered a significant impact. **MM CUL-5** will ensure that the potential impacts to previously unknown human remains do not rise to the level of significance pursuant to CEQA. Implementation of **MM CUL-5** will reduce the potential impact associated with inadvertent discovery of human remains to a level less than significant.

Mitigation Measures

Implementation of the following mitigation measures would reduce impacts to below a level of significance.

MM CUL-1: Retain a Qualified Archaeologist:

Prior the issuance of a grading permit, the Developer/Permit Applicant shall retain and enter into a monitoring and mitigation service contract with a qualified archaeologist ("Archaeological Monitor") for mitigation monitoring services, and to implement a Cultural Resource Monitoring Program (CRMP). Principal Archaeological Monitor personnel shall meet the U.S. Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified. At least 30 days prior to issuance of grading permits, a copy of the agreement between the Developer/Permit Applicant and the Archaeological Monitor shall be submitted to the City of Indio Planning Division for verification that the agreement is in place.

MM CUL-2: Native American Monitor:

Prior to the issuance of a grading permit, the Developer/Permit Applicant shall offer to enter into agreements with tribes that consulted during the AB 52 consultation process for a Native American Monitor. One Tribe may defer to the other or the Tribes can decline if they do not wish to enter into a monitoring agreement. In conjunction with the Archaeological Monitor, a Native American Monitor shall attend a pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel involved in ground-disturbing construction activities. In addition, the Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the Project site including clearing, grubbing, grading, and trenching in Holocene Age sediments (to a depth of 20 feet). In conjunction with the Archaeological Monitor, the Native American Monitor shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. The Developer/Permit Applicant shall submit an executed copy of the monitoring agreement(s) to the City of Indio Planning Division for verification that the agreement is in place or shall submit verification that the Tribes have declined to enter into an agreement.

MM CUL-3: Prepare and Implement a Cultural Resource Mitigation and Monitoring Plan.

Prior to issuance of a grading permit, the Applicant shall retain and enter into a monitoring and mitigation service contract with a qualified archaeologist[6] to prepare and implement a Cultural Resource Mitigation and Monitoring Plan (CRMMP), which shall be submitted to and approved by the City of Indio Community Development Department. The purpose of the CRMMP is to document the actions and procedures to be followed to ensure avoidance or minimization of impacts to cultural resources consistent with CEQA Guidelines Section 15126.4(b), and to lay out a detailed program of mitigation for direct and indirect impacts on cultural resources during project implementation. The mitigation and monitoring plan shall identify procedures for monitoring and the implementation of a discovery plan in coordination with affected Tribal groups for disturbance in Holocene Age sediments (to a depth of 20 feet) and include the following at a minimum:

- List of personnel involved in the monitoring activities;
- Inclusion of involvement of the Native American community, as appropriate;
- Description of the worker awareness program that shall be implemented;
- Description of how the monitoring shall occur;
- Description of frequency of monitoring (e.g., full-time, part-time, spot checking);
- Description of resources expected to be encountered (if any);
- Description of circumstances that would result in the halting of work at the project site;
- Description of procedures for halting work on the site and notification procedures including the notification of the Applicant, the ICPDSD, and tribal representatives within 24 hours of the inadvertent discovery of archaeological resources; and
- Description of monitoring reporting procedures.

The project's grading and construction plans and specifications shall state that full-time monitoring by a qualified archaeologist shall be conducted during the initial grubbing and ground disturbance for the Project. In the event that archaeological resources are inadvertently discovered during ground-disturbing activities, work

6 Meeting the Secretary of the Interior's Professional Standards published in Appendix A of 36 CFR Part 61.

must be halted within 50 feet of the find until it can be evaluated by a qualified archaeologist. Construction activities could continue in other areas. If the discovery proves to be significant, additional work, such as data recovery excavation or fossil recovery, may be warranted and would be discussed in consultation with the appropriate regulatory agency(ies).

MM CUL-4: Cultural Resources Construction Monitor.

The Applicant shall retain qualified archaeological monitors and a traditionally and culturally affiliated (TCA) Native American Monitor for all ground-disturbing activities associated with the Project in Holocene Age sediments (to a depth of 20 feet). Native American tribes shall be given the opportunity to provide one or more certified cultural monitors for the Project during all excavation or earth-moving within the Project site in Holocene-aged deposits. The Construction Contractor shall give the tribe's Historic Preservation Officer (THPO) or other designated representative two weeks advanced notice of the monitoring opportunity and shall provide a copy of such notice to the City of Indio Community Development Department.

If a significant cultural resource site is found during ground-disturbing activities the resource will be protected in place, or data recovery will be initiated, consistent with the mitigation and monitoring plan required by **MM-CUL-3**.

MM CUL-5: Human Remains.

Procedures of conduct following the discovery of human remains on non-federal lands have been mandated by California Health and Safety Code §7050.5, California Public Resources Code §5097.98, and California Code of Regulations (CCR) §15064.5(e). Should human remains be encountered, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The County Coroner will be immediately notified. The Coroner must then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner has 24 hours to notify the NAHC, who will, in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions will be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

MM CUL-6: Disposition of Tribal Cultural Resources.

The landowner shall relinquish ownership to the TCA tribe all tribal cultural resources collected during the cultural resource mitigation monitoring conducted for the Project site for respectful and dignified treatment and disposition, including reburial, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98.

MM CUL-7: Unanticipated Discoveries Historic Properties Treatment Plan/Data Recovery Plan

Should an unanticipated discovery be made, avoidance is the preferred treatment (CEQA Guidelines, Section 15126.4(b)(3)(A)), but if the site cannot be avoided in place, then the site will be further evaluated. Immediately upon discovery of a find, a qualified archaeologist will evaluate the significance of the newly discovered site or unanticipated discovery along with attempted consultation with designated Native American representatives in order to provide proper management recommendations. If testing and evaluation of the site is recommended, the qualified archaeologist shall prepare a research design, schedule, and budget for review and approval by the City of Indio Community Development Department and the Applicant. During evaluation and testing, the appropriate Native American tribe shall be notified in advance so that a tribal monitor can be present and assist with the work being conducted. At the completion of the monitoring program, the qualified archaeologist shall prepare a monitoring report that describes the project, the personnel used, the dates of performance, and results. If cultural resources are recovered and cannot be preserved in place, they shall be cleaned, catalogued, analyzed, reburied in a nearby area, after consultation or curated at the California Historical Resources Regional Information Center.

MM CUL-8: Prepare Final Monitoring Report and/or Evaluation Report.

Prior to the release of the grading bond and no later than 90 days after monitoring has been completed, a Monitoring Report and/or Evaluation Report shall be completed. This report shall describe the results, analysis and conclusions of the cultural resource mitigation monitoring efforts such as, but not limited to, the Research Design and Data Recovery Program. It will also include a list of project personnel, a catalog of any cultural resources that were identified, any associated DPR 523 Forms and/or confidential maps, details of the location of the final disposition of cultural resources (if any), any issues or problems that occurred during monitoring, and any other pertinent information. The Monitoring Report shall be submitted by the project archaeologist, along with the notes and comments from the

TCA Native American Monitor(s), to the City of Indio Community Development Department for review and approval. Upon approval by the Lead Agency, a complete final report shall be submitted to the appropriate Information Center, and TCA Tribes, any relevant curation facility, and the landowner/applicant.

3.6 ENERGY.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Energy relates directly to environmental quality as energy use can adversely affect air quality and other natural resources. The vast majority of California's air pollution is caused by burning fossil fuels. Consumption of fossil fuels is linked to changes in global climate and depletion of stratospheric ozone. Transportation energy use is related to the fuel efficiency of cars, trucks, and public transportation; choice of different travel modes (e.g., auto, carpool, and public transit); vehicle speeds; and miles traveled by these modes. Construction and routine operation and maintenance of transportation infrastructure also consume energy. In addition, residential, commercial, and industrial land uses consume energy, typically through the usage of natural gas and electricity.

California relies on a regional power system comprised of a mix of natural gas, renewable, hydroelectric, and nuclear generation resources. Natural gas provides California with a majority of its electricity followed by renewables, large hydroelectric and nuclear (California Energy Commissions [CEC], 2018). In Indio, electricity services are provided by the Imperial Irrigation District (IID).

Electricity consumption within the IID service area for 2022 (7) is outlined in **Table 13**.

[7] 2022 is the most recent year that data is available.

TABLE 13. ELECTRICITY CONSUMPTION IN IID SERVICE AREA (2022)

Sector	Millions of kWh (GWh) (1)
Ag & Water Pump	274.04
Commercial Building	1,110.58
Commercial Other	178.15
Industry	172.03
Mining & Construction	75.37
Residential	1,762.72
Streetlight	11.48
Total	3,584.37

Note: (1) = Rounded to nearest 0.00
Source: California Energy Commission, 2024.

Natural gas is provided by SoCalGas (SoCalGas, 2024). SoCalGas gets most of its natural gas from natural gas production fields in New Mexico, west Texas, and Oklahoma, as well as in the Rocky Mountains and Canada. The remaining natural gas supply percentage is produced locally in Central and Southern California from onshore and offshore fields (SoCalGas, 2013).

According to the California Energy Commission's Website on Natural Gas Consumption by County, the Riverside County's Non-Residential sector consumed 146.9 million therms (MMBtu) of natural gas in 2022; its Residential sector consumed 284.1 MMBtu in 2022, for a total consumption of 431.05 MMBtu (California Energy Commission, 2024).

Discussion of Impacts

a) Less Than Significant Impact. The Project would involve the use of energy during construction and operation. Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, and machinery.

The long-term operation of the proposed includes electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. In addition, the increase in vehicle trips associated with the project would increase fuel consumption within the County.

Energy Use

The following tables show estimated gasoline demand for construction workers (**Table 14)** and for construction equipment by project phase and year (**Table 15**). All fuel calculations are based on the total Carbon Dioxide Equivalent (CO2e) value calculated for each construction phase and vehicle miles traveled (VMT) using the California Emission Estimator Model (CalEEMod) version 2022.1. Data are reported in annual metric tons of CO2e for the duration of each construction phase as

presented for "Workers" and "Off-Road Equipment" in the Construction Emission Details modeling of the Air Quality and Greenhouse Gas Study for the project (BPG, 2024; Appendix A CalEEMod Model Results, Sections 3.1 through 3.13). Metric tons are converted to kilogram CO2e by multiplying by 1,000 and then divided by a conversion factor used by the U.S. Environmental Protection Agency to estimate gallons of gasoline (8.87) and diesel fuel (10.18) consumed based on carbon emissions (US Environmental Protection Agency "Greenhouse Gases Equivalencies Calculator, 2024).

Table 14 shows the gasoline demand for construction workers by project phase and year. **Table 15** shows the diesel fuel demand for equipment operation. For the purpose of determining fuel demand, it was assumed that all worker vehicles would be gasoline fueled and all construction equipment would be diesel fueled.

TABLE 14. CONSTRUCTION WORKER GASOLINE DEMAND

Project Phase and Year	CO2E MT (1)	Kg CO2e	Gallons
Demolition – 2025	1.86	1,860	210
Site Preparation – 2025	0.54	540	61
Grading – 2025	0.74	740	83
Building Construction - 2025	2.66	2,660	300
Building Construction - 2026	0.07	70	8
Paving - 2026	2.19	2,190	247
Architectural Coating - 2026	0.04	40	5
TOTAL	**8.1**	**8,100**	**913**

Notes: MT = metric tons. Kg= kilograms.

Source: (1) BPG, 2024 (Appendix A, CalEEMod Model Results, Sections 3.1 through 3.13).

TABLE 15. CONSTRUCTION EQUIPMENT DIESEL DEMAND

Project Phase and Year	CO2E MT	Kg CO2e	Gallons
Demolition – 2025	31.2	31,200	3,065
Site Preparation – 2024	12.1	12,100	1,189
Grading - 2025	10.8	10,800	1,061
Building Construction - 2025	246	246,000	24,165
Building Construction - 2026	6.23	6,230	612
Paving - 2026	11.1	11,100	1,090
Architectural Coating - 2026	1.09	1,090	107
TOTAL	**318.52**	**318,520**	**31,289**

TABLE 15. CONSTRUCTION EQUIPMENT DIESEL DEMAND

Project Phase and Year	CO2E MT	Kg CO2e	Gallons

Notes: MT = metric tons. Kg= kilograms.

Source: (1) BPG, 2024 (Appendix A, CalEEMod Model Results, Sections 3.1 through 3.13).

During operation, the Project would generate demand for 347,773 kilowatt hours (kWh) of electricity and 129,417 British Thermal Units (0.129417 MMBTU) of natural gas annually (BPG, 2024; Appendix A). The annual gasoline and diesel demand consumed by passenger vehicles and trucks entering and exiting the site for refueling would be approximately 195,000 gallons.

The construction and operation of the Project would comply with all applicable federal, State, and local regulations regulating energy usage. The project will implement Title 24 Energy Efficiency Standards and California Green Building Standards Code (CalGreen) requirements for new construction that may include rooftop solar, double-pane windows, electric vehicle charging, LED lights, low-flow toilets, faucets drip irrigation, and the use of drought-tolerant landscaping to increase water conservation.

Energy-saving strategies will be implemented where possible to further reduce the project's energy consumption during the construction phase. Strategies being implemented include those recommended by the California Air Resources Board (CARB) that may reduce both the project's energy consumption, including diesel anti-idling measures, light-duty vehicle technology, usage of alternative fuels such as biodiesel blends and ethanol, and heavy-duty vehicle design measures to reduce energy consumption. As such, impacts would be less than significant and no mitigation would be required.

b) Less Than Significant Impact. The Project would be designed in a manner that is consistent with relevant energy conservation plans designed to encourage development that results in the efficient use of energy resources. The Project will be built to the *Energy Efficiency Standards for Residential and Nonresidential Buildings*, as specified in Title 24, Part 6, of the CCR (Title 24). Title 24 was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years; the 2016 standards became effective January 1, 2017. The 2019 Title 24 updates went into effect on January 1, 2020. The 2019 Energy Standards improve upon the 2016 Energy Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2019 update to the Energy Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The 2019 Energy Standards are a major step toward meeting Zero Net Energy. Buildings permitted on or after January 1, 2020, must comply with the 2019 Standards. Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments. Additionally, in January 2010, the State of California adopted the California Green Building Standards Code (CalGreen) that establishes mandatory green building

standards for all buildings in California. The code was subsequently updated in 2013. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. Furthermore, the Project would also be consistent with the County's General Plan, which strives to promote development that is sustainable in its use of land and limits impacts on natural resources, energy, air and water.

Mitigation Measures

No mitigation would be required.

3.7 GEOLOGY AND SOILS.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Code (1994), creating substantial direct or indirect risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

ECS Southwest, LLP prepared a Geotechnical Engineering Study for the Proposed Maverik Fueling Station and Convenience Store Project in July 2023 (ESC Southwest, Geotechnical Engineering Report Proposed Maverik Gas Station and Convenience Store, 2023a; Appendix C). The Geotechnical Study, included as Appendix C of this Initial Study, evaluated the subsurface soil and groundwater conditions at the Project site, and made recommendations for foundation, earthwork, pavement and seismic considerations. Additionally, to define and evaluate the subsurface soil and groundwater conditions, six bore holes were drilled at the site to depths of approximately 6.5 to 71.5 feet below the existing ground surface. An infiltration test was also performed in bore hole B-3. The location of the bore holes (B-1 through B-6) is provided on Figure 1 of Appendix F of the Geotechnical Report.

Cogstone Resource Management prepared the *Cultural and Paleontological Resources Assessment For The Maverik Fueling Station and Convenience Store Project* (Cogstone, 2024, Appendix B). The Cultural and Paleontological Assessment, included as Appendix B of this Initial Study, evaluate potential effects to cultural and paleontological resources that could result from implementation of the Project.

The analysis contained in this section is based on the findings of this technical report.

Discussion of Impacts

a.i) Less Than Significant Impact. The Project site has the potential to experience ground shaking from earthquakes along regional faults including the San Andreas fault, San Jacinto fault, and faults associated with the Eastern California shear zone. Based on the proximity of mapped strands of this known fault, the potential for ground shaking at the site resulting from seismic activity in the region is likely. The project site does not lie within a currently delineated State of California, Alquist-Priolo Earthquake Fault Zone (CGS 2018). Well-delineated fault lines cross through this region as shown

on California Geological Survey (CGS) Fault Activity Map (2010); however, no active faults are mapped in the immediate vicinity of the site. The closest active faults are traces/segments of the San Andreas fault zone, located approximately 1.5 miles northeast of the site. Therefore, active fault rupture is unlikely to occur at the project site. While fault rupture would most likely occur along previously established fault traces, future fault rupture could occur at other locations.

The geotechnical study calculated the site coefficients and adjusted the maximum considered earthquake spectral response acceleration parameters for the proposed Project (ECS 2024; p.16). The site soils are classified as Site Class D (ECS, 2024). Because of the potential for structural damage to facilities, site structures will be designed in accordance with the latest edition of the California Building Code for Seismic Zone 4 for a "Maximum Considered Earthquake," as adopted by the County and with the appropriate site coefficients.

Additionally, the Project is required to design commercial buildings and associated infrastructure to withstand substantial ground shaking in accordance with all applicable State laws and applicable codes included in the California Building Code (CBC) Title 24 for earthquake construction standards and building standards code including those relating to soil characteristics (California Building Standards Commission, 2022). Adherence to these standards would ensure that the potential for structural damage to facilities and corollary indirect impacts associated with seismic-related ground shaking would be less than significant.

In accordance with the Alquist-Priolo Special Studies Zone Act (Chapter 7.5, Division 2, Public Resources Code, State of California, effective May 4, 1975) the Office of State Geologist delineated Special Study Zones which encompass potentially and recently active traces of four major faults (San Andreas, Calaveras, Hayward and San Jacinto). The Alquist-Priolo Special Study Zone Act is enforced by the City of Indio Community Development Department to assure that homes, offices, hospitals, public buildings, and other structures for human occupancy which are built on or near active faults, or if built within special study areas, are designed and constructed in compliance with the City of Indio Codified Ordinance.

No active faults are currently mapped in the immediate project vicinity. The closest mapped Holocene-active faults are segments of the San Andreas fault located approximately 1.5 miles northeast of the project site. The site does not lie within a currently designated Alquist-Priolo Earthquake Fault zone or Riverside County designated fault zone.

The General Plan's Safety Element (SE) contains a number of policies that would minimize impacts related to seismic hazard, including Policy SE-4.1, Policy SE-4.2, Policy SE-4.3, Policy SE-4.4 and Policy SE-4.8.

Development of the proposed fueling station convenience store would adhere to all applicable policies of the General Plan and CBC for accepted structural standards and minimize the risk of loss, injury, or death. Therefore, impacts would be less than significant.

a.ii) Less Than Significant Impact. The Project site has the potential to experience ground shaking from earthquakes along regional faults including the San Andreas fault, San Jacinto fault, and faults associated with the Eastern California shear zone. Based on the proximity of mapped strands of this known fault, the potential for ground shaking at the site resulting from seismic activity in the region is likely. The project site does not lie within a currently delineated State of California, Alquist-Priolo Earthquake Fault Zone (CGS 2018). Well-delineated fault lines cross through this region as shown on California Geological Survey (CGS) Fault Activity Map (2010); however, no active faults are mapped in the immediate vicinity of the site. The closest active faults are traces/segments of the San Andreas fault zone, located approximately 1.5 miles northeast of the site. Therefore, active fault rupture is unlikely to occur at the project site. While fault rupture would most likely occur along previously established fault traces, future fault rupture could occur at other locations.

The geotechnical study calculated the site coefficients and adjusted the maximum considered earthquake spectral response acceleration parameters for the proposed Project (ECS 2024; p.16). The site soils are classified as Site Class D (ECS, 2024). Because of the potential for structural damage to facilities, site structures will be designed in accordance with the latest edition of the CBC for Seismic Zone 4 for a "Maximum Considered Earthquake," and with the appropriate site coefficients.

Additionally, the Project is required to design commercial buildings and associated infrastructure to withstand substantial ground shaking in accordance with all applicable State laws and applicable codes included in the CBC Title 24 for earthquake construction standards and building standards code including those relating to soil characteristics (California Building Standards Commission, 2022). Adherence to these standards would ensure that the potential for structural damage to facilities and corollary indirect impacts associated with seismic-related ground shaking would be less than significant.

a.iii) Less Than Significant Impact. Liquefaction is defined as the condition when saturated, loose, sandy soils lose their support capabilities because of excessive pore water pressure which develops during a seismic event.

In general, for the effects of liquefaction to be manifested at the surface, groundwater levels must be within 50 feet of the ground surface and the soils within the saturated zone must also be susceptible to liquefaction. ESC Southwest, LLC, in their project-specific Geotechnical Investigation, found groundwater at 7½ feet below the ground surface. Also, the site is within a "HIGH" liquefaction hazard zone as defined by Riverside County (Geographic Information Services, 2023) and parcel report. For this reason, the project site shall adhere to the standard design requirements stated in the most recent CBC and adhere to City policy SE-4.1 (referenced above), as well as the City's building standards in order to ensure the safety of the project against seismically induced hazards. Overall, impacts from seismically induced ground failure such as liquefaction is anticipated to be less than significant at the project site

a.iv) No Impact. The Project site is relatively flat with no significant topological features. As such, there is no potential for rock falls and landslides to impact the project in the event of a major earthquake, as the area has no dramatic elevation changes. The site's topography would not change substantially as a result of project development since the site is essentially flat in nature with no surrounding slopes, and it is not considered to be prone to landslides. No landslide deposits or features, including lateral spread deposits, are mapped on or adjacent to the Project. The site is not located within a known or mapped potential debris flow, stream flooding, or rock fall hazard area.

The Project would not expose people or structures to potential substantial adverse effects from landslides. Therefore, there would be no impact.

b) Less Than Significant Impact. During the site grading and construction phases, large areas of unvegetated soil could be exposed to erosive forces by water for extended periods of time. Unvegetated soils are much more likely to erode from precipitation than vegetated areas because plants act to disperse, infiltrate, and retain water. Construction activities involving soil disturbance, excavation, cutting/filling, stockpiling, and grading activities could result in increased erosion and sedimentation to surface waters. Construction could produce sediment-laden stormwater runoff (nonpoint source pollution), a major contributor to the degradation of water quality. If precautions are not taken to contain contaminants, construction related erosion impacts are considered a significant impact.

The Project is not expected to result in substantial soil erosion or the loss of topsoil over the long-term. Project applicant would be required to implement on-site erosion control measures in accordance with County standards, which require the preparation, review, and approval of a grading plan by the County Engineer. Given these considerations the Project's long-term impact in terms of soil erosion and loss of topsoil would be less than significant.

c) No Impact. See discussion of Impact 7.a.4 above.

d) No Impact. The Geotechnical Engineering Study prepared by CMT Engineering Laboratories for the Proposed Maverik Store (ESC, 2024; Appendix C) did not identify the presence of expansive soils on the Project site. No impact under this criterion would be expected and no mitigation would be required.

e) Less Than Significant Impact. Portable chemical toilets would be provided on-site during construction and waste pumped and transported by licensed contractors to a sanitary water treatment plant. The project will connect to the public sewer system and no septic tanks or alternative wastewater disposal systems are proposed. No impacts are anticipated.

f) Less Than Significant With Mitigation Incorporated. To evaluate the Project's potential impacts on significant paleontological resources, a paleontological records search was conducted at the San Diego Natural History Museum (SDNHM) to determine if any documented fossil collection

localities occur within the study area or immediate surrounding area. This involved examination of the SDNHM paleontological database for any records of known fossil collection localities within a 5-mile radius of the study area. Additional records from the San Bernardino County Museum, the University of California Museum of Paleontology database, the PaleoBiology Database, and pertinent print sources were searched for records of fossils from the region. No recorded paleontological localities producing vertebrate fossils were found within one mile of the Project Area (Cogstone, 2024).

A paleontological field survey of the study area was conducted on June 7, 2024. The purpose of the field survey was to confirm the published geologic mapping, to field check the results of the literature and record searches, and to determine the paleontological potential of the strata present within the study area. No archaeological or paleontological materials were identified during the survey.

The County of Riverside paleontological sensitivity mapping gives the Project a high (High A) potential for fossil resources in all sediments within the Project Area. However, the sediments to be impacted during construction are reclassified to low potential based on the following:

- A study of Lake Cahuilla beds in La Quinta produced radiometric ages of charcoal from La Quinta produced dates of between 5,890 + 60 and 1,080 + 80 years old from depths of 10.5 feet and 3.3 feet, respectively. No fossils of extinct animals were recovered from the 7,050 pounds of sediment washed from sediment up to 13 feet below the surface (Whistler et al. 1995).
- The snails and clams of the Lake Cahuilla beds are extremely common and are found throughout area that this lake previously covered. They are not considered to be scientifically significant.
- Typically, geological units less than 11,700 years old (Holocene) are given a low sensitivity as they are too young to contain the remains of extinct Pleistocene animals.
- No paleontological monitoring done by or reported to the San Bernardino County Museum in the valley areas of the northern Salton Trough from ~1980 through ~2010 produced any fossils from extinct animals. This was during a period of intense building in the area so the lack of fossils recovered indicates that the Holocene deposits are at least 10 feet deep. Based on radiometric dating by Whistler et al. (1995) in La Quinta, the Holocene sediments may extend to a depth of 20 feet.

With USTs requiring excavation to depths of approximately 30 feet, construction of the Project would result in disturbances of unknown paleontological resources. Implementation of mitigation measures **MM PAL-1, MM PAL-2** and **MM PAL-3** would ensure that the unanticipated discovery of such fossils are assessed for significance and, if significant, salvaged and curated with an

accredited repository. Thus, impacts to fossil resources would be reduced to a less-than-significant level.

Mitigation Measures

Implementation of the following mitigation measures would reduce impacts to below a level of significance.

MM PAL-1: Paleontological Construction Monitoring

A paleontological mitigation plan shall be prepared by a qualified paleontologist. The paleontological mitigation plan can be implemented before and/or during construction; however, the latter is more common on most construction projects. The paleontological mitigation plan shall include the following elements:

- A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as an individual with an MS or Ph.D. in paleontology or geology that also is familiar with paleontological procedures and techniques, is knowledgeable in the geology and paleontology of the Project area and has worked as a paleontological mitigation project supervisor in the area for at least one year.
- Ground-disturbing construction activities shall be monitored by a qualified paleontologist to assess, document, and recover unique fossils. A paleontological monitor shall be on-site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (e.g., Lake Cahuilla sediments) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor should work under the direction of a qualified paleontologist.
- A professional repository shall be contracted by the project paleontologist prior to the start of earthwork to curate and store any discovered fossils. Such an institution shall be a recognized paleontological specimen repository with a permanent curator, such as an AAM-accredited museum or university (e.g., University of California Museum of Paleontology, or San Diego Natural History Museum). The repository shall be capable of storing fossils in a facility with adequate security against theft, loss, damage, fire, pests, and adverse climate conditions.
- If paleontological resources are discovered during ground-disturbing activities, the qualified paleontologist (or paleontological monitor) shall have the authority

to divert, direct, or temporarily halt ground disturbing activities in the area of discovery to allow for preliminary evaluation of potentially significant paleontological resources and to determine if additional measures (i.e., collection and curation) are required. The significance of the discovered paleontological resources will be determined by the Project Paleontologist. For significant paleontological resources, a fossil recovery program will be initiated.

- In most cases, the assessment and salvage of fossils can be completed in a short period of time; however, some fossil specimens (such as a complete large mammal skeleton or concentrations of vertebrate fossils) may require several days to weeks to complete. In these instances, project delays can be avoided or minimized by diverting earthwork operations to other areas of the project while fossil recovery work is under way.
- A temporary construction exclusion zone of at least 50 feet, consisting at a minimum of lath and flagging tape, will be erected around the discovery. The exclusion zone acts as a buffer around the discovery and is maintained for safety. The Applicant, through its qualified paleontological monitor will report the discovery to the County within 24 hours. Construction activities can occur outside the buffer if it is safe to do so. The size of the buffer may be increased or decreased once the monitor adequately explores the discovery to determine its size and significance. If indicators of potential microvertebrate fossils (e.g., small mammal, bird, reptile, amphibian, or fish remains) are found screening of a test sample shall be carried out as outlined in the Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources developed by the Society of Vertebrate Paleontology (SVP, 2010 (SVP, 2010). This procedure will be outlined in the Plan.
- In the event fossils are discovered and salvaged, the fossils will be prepared, identified, catalogued, and stored in the designated repository, and a final paleontological mitigation report written that summarizes the results and findings of paleontological monitoring. If no fossils are salvaged over the course of monitoring, an abbreviated final paleontological mitigation report will be prepared.

MM PAL-2: Worker's Environmental Awareness Program (WEAP)

The Project Paleontologist shall develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for preserving fossil resources as well as procedures to follow in the event of a fossil discovery. This training program shall be given to the crew before ground-disturbing work commences and will include handouts to be given to new workers as needed.

At least 60 days prior to the start of ground-disturbing activities, the Applicant shall submit the WEAP presentation and associated materials to the County Department of Planning and Development Services Department for review and approval.

MM PAL-3 Prepare Final Paleontological Monitoring Report.

Prior to the release of the Grading Bond and no later than 90 days after paleontological monitoring has been complete, a Final Paleontological Monitoring Report shall be completed that documents implementation of the WEAP and resents the results of the paleontological monitoring effort. In the event that fossils are recovered, the report will include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of the recovered fossils relative to the research themes and questions. A complete inventory of salvaged, prepared, and curated fossils will be included. In the event that no fossils are recovered, an abbreviated report that summarizes the field methods used and stratigraphy exposed will be completed. The Final Paleontological Monitoring Report shall be submitted to the County Department of Planning and Development Services Department.

3.8 GREENHOUSE GAS EMISSIONS.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Birdseye Planning Group (BPG) has prepared an Air Quality and Greenhouse Gas Study for the Maverik Fueling Station and Convenience Store Project (BPG, 2024). The Air Quality and Greenhouse Gas Study, included as Appendix A of this Initial Study, analyzed potential air quality and greenhouse gas impacts associated with the proposed Maverik Fueling Station and Convenience Store Project in the City of Indio, California. The analysis contained in this section is based on the findings of this technical report.

Regulatory Setting

Significant legislative and regulatory activities directly and indirectly affect climate change and GHGs in California. The primary climate change legislation in California is Assembly Bill (AB) 32,

the California Global Warming Solutions Act of 2006. AB 32 focuses on reducing greenhouse gas emissions in California, and AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. In addition to AB 32, Executive Order B-30-15 was issued on April 29, 2015 that aims to reduce California's GHG emissions 40 percent below 1990 levels by 2030. In September 2016, AB 197 and Senate Bill (SB) 32 codified into statute the GHG emission reduction targets provided in Executive Order B-30-15.

The California Air Resources Board (CARB) is the state agency charged with monitoring and regulating sources of emissions of GHGs in California that contribute to global warming in order to reduce emissions of GHGs. The CARB Governing Board approved the 1990 GHG emissions level of 427 million tons of CO_2 equivalent ($MtCO_2e$) on December 6, 2007. Therefore, in 2020, annual emissions in California are required to be at or below 427 $MtCO_2e$. The CARB Board approved the Climate Change Scoping Plan (Scoping Plan) in December 2008, the First Update to the Scoping Plan in May 2014, and California's 2017 Climate Change Scoping Plan in November 2017. The Scoping Plans define a range of programs and activities that will be implemented primarily by state agencies but also include actions by local government agencies. Primary strategies addressed in the Scoping Plans include new industrial and emission control technologies; alternative energy generation technologies; advanced energy conservation in lighting, heating, cooling, and ventilation; reduced-carbon fuels; hybrid and electric vehicles; and other methods of improving vehicle mileage. Local government will have a part in implementing some of these strategies. The Scoping Plans also call for reductions in vehicle-associated GHG emissions through smart growth that will result in reductions in vehicle miles traveled (CARB 2008, 2014, 2017).

South Coast Air Quality Management District. The SCAQMD only has authority over GHG emissions from development projects that include air quality permits. If the project requires a stationary permit, it would be subject to the applicable SCAQMD regulations.

SCAQMD Regulation XXVII, adopted in 2009 includes the following rules:

- Rule 2700 defines terms and post global warming potentials.
- Rule 2701, SoCal Climate Solutions Exchange, establishes a voluntary program to encourage, quantify, and certify voluntary, high quality certified GHG emission reductions in the SCAQMD.
- Rule 2702, GHG Reduction Program created a program to produce GHG emission reductions within the SCAQMD. The SCAQMD would fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

City of Indio. Adopted in September 2019, the City of Indio Climate Action Plan (CAP) is a tool to identify the sources of emissions in the community and the steps necessary to reduce emissions. The CAP describes the community and municipal GHG emissions for baseline year 2010 and creates a path to decrease communitywide emissions through strategies and implementation actions. The

City of Indio will use these strategies to minimize emissions across households, businesses, and government operations and facilities. This Plan also establishes citywide GHG reduction targets for 2020, 2030, and 2040, which represent the City's contribution to the State's effort to reduce GHG emissions.

This CAP evaluates the forecasted growth from the City's General Plan and the effects of the GHG reduction measures included in the General Plan. This CAP serves as a qualified CAP for the City of Indio which identifies and mitigates significant greenhouse emissions at a programmatic level, allowing future projects meeting specific requirements to refer to this CAP for general environmental analysis. GHG emissions associated with projects that are consistent with the General Plan are assumed to have been quantified as part of the baseline emission forecasts prepared for the CAP.

Discussion of Impacts

a) Less Than Significant Impact. For the Project, the combined annual unmitigated emissions would total approximately 1,746 metric tons per year in CO_2E (**Table 16**). The proposed project is evaluated based on the threshold of 3,000 MT CO_2E annually. Project-related annual GHG emissions would not exceed the 3,000 metric ton screening threshold; thus, the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Construction and operational project impacts from GHG emissions would be less than significant and no mitigation would be required.

TABLE 16. COMBINED ANNUAL GREENHOUSE GAS EMISSIONS

Emission Source	Annual Emissions (CO_2E)
Construction	11 metric tons
Operational ▪ Energy ▪ Solid Waste ▪ Water ▪ Area Sources & Refrigerants	 79 metric tons 2 metric tons 1 metric tons 1 metric ton 205 metric tons
Mobile	1,731 metric tons
TOTAL	**2.029 metric tons**

Source: BPG, 2024.

b) Less Than Significant Impact. The Applicant would be required to implement California Energy Code Title 24 requirements that would address energy and water use reduction, promotion of green building measures, waste reduction and reduction in vehicle miles traveled. The proposed

project would be required to implement all mandatory green building measures for new commercial/retail development under the CALGreen Code. This would require the project be designed to minimize water consumption, increase building system efficiencies, divert construction waste from landfills and maintain buildings systems. Implementation of these building and appliance standards would result in the efficient use of water and energy and reduce the volume of landfilled solid waste during both construction and operation.

There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, the California Global Warming Solutions Act of 2006. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020. SB 32 would require further reductions of 40 percent below 1990 levels by 2030. Because the Project's operational year is post-2020, the Project is being designed to reach the quantitative goals set by SB 32. Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the Low Carbon Fuel Standard, and regulations requiring an increasing fraction of electricity to be generated from renewable sources, are being implemented at the statewide level; as such, compliance at the Project level is not addressed. The proposed project would not conflict with statewide plans and regulations.

The project would not conflict with plans to integrate the transportation network and related strategies with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. The project does not involve any improvements to the regional transportation system. The project would be consistent with or would not conflict with any of the goals identified in Connect SoCal.

Impacts related to consistency with the 2022 Scoping Plan would be less than significant. The Project would not conflict with the applicable plans and regulatory programs that are discussed above; and therefore, with respect to this particular threshold, the Project does not have a significant impact.

As discussed, the project would not exceed 3,000 MT of annual CO2e emissions and it would be consistent with Connect SoCal RTP/SCS and the 2017 CARB scoping plan and the 2022 Scoping Plan goals intended to reduce overall regional GHG emissions. The project will not impede or delay local or statewide initiatives to reduce GHG emissions. Impacts would be less than significant.

As stated, the project would not generate enough GHG emissions to cumulatively contribute to global climate change. Measures implemented by the project to reduce overall GHG emissions would also contribute to GHG reduction goals mandated by AB 32 and further address in EO S-3-05 and SB 32. Thus, the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and impacts would be less than significant and no mitigation would be required.

Mitigation Measures

No mitigation would be required.

3.9 HAZARDS AND HAZARDOUS MATERIALS.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
response plan or emergency evacuation plan?				
h) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

ECS Southwest, LLP prepared a Phase I Environmental Site Assessment (ESA) for the Maverik Fueling Station and Convenience Store Project in May 2023 (ECS, 2023b, Appendix D). The Phase I ESA, included as Appendix D of this Initial Study/MND, was prepared to identify Records of Environmental Consideration (RECs) and certain potential environmental conditions associated with the proposed Maverik Fueling Station and Convenience Store Project in the City of Indio California. No RECs were found.

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined by the California Health and Safety Code, § 25501 as follows:

“Hazardous material” means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

A hazardous material is defined in Title 22, § 662601.10, of the California Code of Regulations (CCR) as follows:

> A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.
>
> The release of hazardous materials into the environment could potentially contaminate soils, surface water, and groundwater supplies.

Under Government Code § 65962.5, both the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. A search of the DTSC (2024) list and SWRCB (2024) lists identified no open cases of hazardous waste violations on, or within one-half mile of the Project site.

The United States Environmental Protection Agency (USEPA) maintains the Enforcement and Compliance History Online (ECHO) program. The ECHO website provides environmental regulatory compliance and enforcement information for approximately 800,000 regulated facilities nationwide. The ECHO website includes environmental permit, inspection, violation, enforcement action, and penalty information about USEPA-regulated facilities. Facilities included on the site are CAA stationary sources; Clean Water Act facilities with direct discharge permits under the National Pollutant Discharge Elimination System (NPDES); generators and handlers of hazardous waste regulated under the Resource Conservation and Recovery Act; and public drinking water systems regulated under the Safe Drinking Water Act. ECHO also includes information about USEPA cases under other environmental statutes. When available, information is provided on surrounding demographics, and ECHO includes other USEPA environmental data sets to provide additional context for analyses, such as Toxics Release Inventory data. According to the ECHO program, the Project site is not listed as having a hazardous materials violation (ECS, 2024b, Appendix D).

Discussion of Impacts

a) Less Than Significant Impact.

Construction

Project construction-related activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction-related activities. As such, these materials could expose human health or the environment to undue risks associated with their use and no significant impacts will occur during construction activities.

Transportation, storage, use, and disposal of hazardous materials during construction activities will be required to comply with applicable federal, State, and local statutes and regulations. Transportation of hazardous materials is regulated by the U.S. Department of Transportation and the California Department of Transportation (Caltrans). Any hazardous waste or debris that is generated during the construction of the proposed Project would be collected and transported away from the site and disposed of at an approved offsite landfill or another such facility. In addition, sanitary waste generated during construction would be managed through the use of portable toilets, which would be located at reasonably accessible onsite locations.

Operations

Operation of the proposed Project would involve the routine use and storage of hazardous materials, which includes storage of gasoline in the project's underground fuel storage tanks (UST), as well as delivery of gasoline and subsequent refilling of the tanks. Gasoline is considered a hazardous waste, and therefore, the installation and operation of underground fuel storage tanks are regulated by a variety of State and local agencies.

Development of the Project facilities would include the installation of three USTs for fuel storage. The installation and operation of USTs would be in compliance with local and State regulations related to UST and hazardous materials. Therefore, the construction of the Project facilities would not create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

The California Environmental Protection Agency (CalEPA) oversees the statewide implementation of the Hazardous Materials Business Plan (HMBP), which aims to prevent or minimize harm to public health and safety, and the environment from the release or threatened release of hazardous material. The minimum reporting quantities for hazardous materials is 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compress gas.

If a business handles hazardous materials at or in excess of the minimum thresholds, a HMBP is required to be prepared and approved by the State and local jurisdictions. The project developer/operator will be required to submit information to the California Environmental Reporting System (CERS) and Riverside County Department of Environmental Health Hazardous Materials Branch regarding the handling, generation, treatment, use and storage of hazardous materials. The Project facilities would be subject to the HMBP requirements if they handle hazardous materials in excess of minimum reporting quantities. Based on the analysis above, project construction and operation are not anticipated to result in significant impacts as a result of the transportation, use, or disposal of hazardous materials. Therefore, impacts would be less than significant.

b) Less Than Significant Impact. The proposed Project would not result in the routine transport, use, disposal, handling, or emission of any hazardous materials that would create a significant hazard to the public or the environment. Potential construction-related hazards could be created during the course of Project construction at the site, given that construction activities involve the use of heavy equipment, which uses small and incidental amounts of oils and fuels and other potentially flammable substances. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials used during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would

be observed such that any materials released are appropriately contained and remediated as required by local, state, and federal law.

All hazardous materials on the Project site would be handled in accordance with city and state regulations. Long-term impacts associated with handling, storing, and disposing of hazardous materials from project operation would be less than significant because any hazardous materials used for operations would be in small quantities.

c) No Impact. The nearest public school to the Project site is Amistad Continuation High School, approximately 0.9 mile from the Project site. The Project would have no impact in this area.

d) No Impact. Under Government Code § 65962.5, both the DTSC and the SWRCB are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. A search of the DTSC and SWRCB lists verified that the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

The Phase I ESA prepared for the Project did not identify any RECs and a subsequent Limited Phase II ESA to evaluate the potential presence of banned pesticides above regulatory cleanup levels showed that a de minimis condition currently exists.

In summation, because the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and the Phase I and Phase II ESAs did not identify any RECs, the Project would not create a significant hazard to the public or environment. No impacts would occur under this criterion and no mitigation would be required.

e) No Impact. The Bermuda Dunes Airport, which is a privately-owned public airport and the nearest public airport, is approximately four miles northwest of the Project site. The Project site is not located within the Airport Land Use Compatibility Plan for the Bermuda Dunes Airport (County of Riverside Airport Land Use Compatibility Plan, 2004) or within two miles of a public airport or public use airport. Furthermore, the Project does not propose any new structures which may impede aircraft operations. Thus, no impact would occur.

f) No Impact. The Project site is not in the vicinity of a private airstrip. As noted above, the nearest public airport is located approximately four miles northwest of the Project site.

g) No Impact. Standard evacuation routes have not been designated in the City of Indio. However, the City of Indio Fire Department provides emergency response throughout the City. The national standard adopted by the National Fire Protection Association requires an initial response within six minutes and 20 seconds (City of Indio, General Plan Update EIR, Section 4.8.6.1, 2019). In addition, the City has created an Emergency Public Information Resources Guide for Indio residents, visitors, and businesses to use in emergency situations.

The City has developed an Emergency Operations Plan (EOP) to guide the City's response to emergency situations (City of Indio, City of Indio Emergency Operations Plan, 2007). The plan includes checklists related to considerations for specific types of disasters or emergencies such as wildfire/structural fire, hazardous materials release, earthquake, flood, and terrorism/bioterrorism. The plan also includes the California Master Mutual Aid Agreement. The Operations Section of the EOP is responsible for coordination of all emergency response elements for an emergency event and is organized into four branches: Fire and Rescue, Law Enforcement, Community Services, Public Works/Utilities. These branches coordinate on steps outlined in the plan for emergency evacuations with public safety, medical and health services, and delivery of essential provisions and other necessary resources as priorities (City of Indio General Plan Update EIR, Section, 2019).

The Project does not include any actions that would impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. No construction activities would impede the use of surrounding roadways in an emergency evacuation. Similarly, operation of a fueling station and convenience store would not interfere with any emergency response or evacuation plans. Implementation of the Project would result in no impact in this area.

h) No Impact. The Project site is not in an area designated by California Department of Forestry and Fire Protection (CAL FIRE, Fire Hazard Severity Zones, 2024) as a Fire Hazard Severity Zone. Furthermore, no Very High Fire Hazard Severity Zones are located nearby. Finally, the location of the Project site makes it readily accessible by emergency personnel and vehicles in the event of a wildland fire. For these reasons, there would be no impact.

Mitigation Measures

No mitigation would be required.

3.10 HYDROLOGY AND WATER QUALITY.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would:				
1) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff; or	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SDC, Inc. prepared a *Preliminary Hydrology and Hydraulics Study* for the Maverik Fueling Station and Convenience Store Project in December 2023 (SDC, 2023, Appendix F). The Preliminary Hydrology and Hydraulics Study, included as Appendix F of this Initial Study/MND, presented on-site drainage conditions and provided recommendations for drainage and grading concepts for the Project. The analysis contained in this section is based on the findings of this technical report.

Summary of Regulatory Framework Relevant to Hydrology and Water Quality:

Hydrology refers to the occurrence, distribution, and movement of surface water, including water found in rivers and stormwater drainage systems. Stormwater particularly refers to the surface runoff and drainage resulting from rain events. Stormwater runoff and surface drainage patterns are determined by the soil conditions, topography, and associated gradients of the land. Surface water

quality refers to selected physical, chemical, or biological characteristics found in stormwater in relation to existing standards. Groundwater is the water found underground in the voids in soil, sand, and rock. It is stored in and moves slowly through aquifers. Groundwater supplies are naturally replenished, or recharged, by precipitation that seeps into the land's surface and by replenishment efforts made by local water agencies.

The Clean Water Act (CWA) of 1972 was enacted to restore and maintain the chemical, physical, and biological integrity of the nation's waters by regulating the discharge of pollutants to waters of the U.S. from point sources. The National Pollutant Discharge Elimination System (NPDES) was enacted as a program under the CWA to regulate non-point source discharges from urban land runoff and other diffused sources that were also found to contribute to runoff pollution. Under CWA, the Environmental Protection Agency (EPA) delegated the NPDES program responsibility to various state, tribal, and territorial governments, enabling them to perform many of the permitting, administrative, and enforcement aspects of the program. California is a delegated NPDES state and has authority to administer the NPDES program within its limits.

The Porter-Cologne Water Quality Control Act (California Water Code section 13000 et seq.) is the principal law governing water quality regulation for surface waters in California, thus effectuating the delegated provisions of the federal CWA and its NPDES program. It has set forth a comprehensive program to protect water quality and the beneficial uses applicable to surface waters, wetlands, and ground water and to point and nonpoint sources of pollution. The Porter-Cologne Water Quality Control Act establishes that, as a matter of policy, all the waters of the State shall be protected; all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and that the state must be prepared to exercise its full power and jurisdiction to protect the quality of water in the state from degradation. The Porter-Cologne Act established the State Water Resources Control Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs), including Region 7, known as the Colorado River Basin Regional Water Quality Control Board, which has jurisdiction in the City of Indio and project site.

Under this framework, the Colorado River Basin Water Quality Control Plan (Basin Plan) serves as the guiding document prepared, adopted, and maintained to identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. It is worth noting that as defined in Section 13374 of the California Water Code (CWC), the term "Waste Discharge Requirements" (WDRs) is equivalent of the term "permits" and is therefore attained through a regulatory compliance process. Compliance with WDRs is achieved through the appropriate permit registration process under the applicable NPDES programs described in this section.

At the regional level, the project is located within the Whitewater River Watershed, which is an arid desert region encompassing approximately 1,645 square miles. Within this watershed, an area of approximately 367 square miles (22 percent) encompassing most of the existing development in the

Coachella Valley region, is regulated under the established Whitewater River Region Municipal Separate Storm Sewer System (MS4) Permit. The Riverside County Flood Control and Water Conservation District (RCFC & WCD), Mission Springs Water District, and the incorporated Coachella Valley cities, including Indio have joint permittee responsibility for coordinating the regional MS4 Permit compliance programs and other activities aimed at reducing potential pollutants in urban runoff from land development construction, municipal, commercial, and industrial areas to the maximum extent possible. These public entities are generally in charge of stormwater management within their jurisdiction.

At the City level, hydrology, water quality, and stormwater standards applicable to land development and facility operations are principally covered in Chapter 55 of the City's Code of Ordinances (City of Indio Storm Water Management and Discharge Control). The purpose of this chapter is in part to ensure the regulation of non-storm water discharges to the municipal storm drain; controlling the discharge to municipal storm drains from spills dumping or disposal of materials other than storm water; and reducing pollutants in storm water discharged to the maximum extent practicable. This chapter also aims to protect and enhance the quality of city watercourses, water bodies, ground water and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act.

Moreover, Section 162.140 of the Indio Code of Ordinances requires that properties of one acre or greater in size shall be designed to retain the 100-year, 24-hour, duration storm on site. Such properties shall retain this duration storm on site or provide a drainage system to convey the drainage to an acceptable retention site as determined by the Director of Public Works. The City's stormwater regulations are designed to align with the MS4, NPDES, and CWA programs respectively. The City's engineering review process ensures that improvement plans are formally checked for compliance with the City's requirements pertaining to grading, hydrology, and stormwater management prior to issuance of grading permits.

Discussion of Impacts

a) Less than Significant Impact. The project site involves approximately 3.37 acres of undeveloped land. The project site will accommodate new development involving a fueling station and convenience store.

During construction and life of the project (operation) the Project will be required to comply with CWA, NPDES, state, and local regulations designed to prevent violations or impacts to surface water quality standards and waste discharge requirements pertinent to surface or ground water quality. As discussed below, this is achieved through the preparation of applicable compliance plans and permit registration documents that must obtain agency approval prior to issuance of a grading permit, ground disturbance, and operation. The project scope does not seek any permitting concessions that would vary from the established requirements for new development.

During the period of construction, the project proponent must comply with the State's most current NPDES Construction General Permit (CGP), Order 2022-0057-DWQ. Compliance with the CGP requires the preparation of a Notice of Intent (NOI) and a project-specific Storm Water Pollution Prevention Plan (SWPPP), designed to prevent potential adverse impacts to surface water quality, including erosion and siltation, during the period of construction. The NOI and SWPPP must be submitted to the State Water Resources Control Board (SWRCB) for approval and permit coverage. The SWPPP is a site-specific compliance plan required to identify a strategy of storm water Best Management Practices (BMPs). Storm water BMPs refer to a schedule of activities, prohibitions, practices, maintenance procedures, and other management practices to avoid, eliminate, or reduce the pollution of the receiving waters, primarily focused on preventing erosion, siltation, illicit discharge, and contamination. The SWPPP will include such measures as erosion control, sediment control, storm drain inlet protection, proper waste management and pollution prevention. The SWPPP must be prepared concurrently with final engineering design and undergo City review in addition to the State permit process. The City's review process ensures that all responsible parties and compliance plan elements are properly demonstrated. Compliance of this plan during construction will be regulated and enforced as part of the local agency site inspection protocols.

During the life of the project (operation), the project proponent is required to implement an approved Water Quality Management Plan (WQMP) to comply with the most current standards of the *Whitewater River Region Water Quality Management Plan for Urban Runoff* and the *Whitewater River Watershed MS4 Permit*. A Preliminary WQMP has been prepared for this project in order to meet the City's engineering approval requirements and is included as Appendix E. The WQMP takes into account the existing and proposed drainage conditions based on the project specific hydrology report and improvement plans (precise grading).

The proposed development is comprised of a single drainage area ("X-1") for hydrology and stormwater management purposes. Drainage Area "X-1" covers the 3.34 acre Project site. The Project involves a private storm drain system and bioretention basin, sufficiently sized to receive the stormwater runoff volume for controlling 100-year storm event and the WQMP MS4 requirements. The preliminary hydrology report and WQMP demonstrate that the bioretention system is adequately sized to accept the on-site tributary runoff, therefore meeting the City's local retention requirements and the regionally based MS4 requirements.

As a result, project runoff will be completely contained within the proposed bioretention basin and will not result in discharge capable of resulting in downstream hydrologic modifications or a contribution of urban runoff pollutants that would affect surface water quality. As a requirement, all elements of the WQMP implementation, including maintenance, must be documented during the life of the project. The project's engineering plans, hydrology report, and WQMP will be subject to City review and approval to validate MS4 compliance.

In summary, during construction and operation, project implementation will require plan-based compliance with CWA, NPDES, and local regulations to prevent impacts to water quality standards and the beneficial uses assigned to local receiving waters. The proposed storm drain system and retention facilities will ensure that the stormwater capture and management strategy for project runoff will not result in waste discharge violations. Less than significant impacts are expected, and no mitigation would be required.

b) Less than Significant Impact. The project site and entire City of Indio are located within the domestic water service area of Indio Water Authority (IWA), which covers approximately 38 square miles, consisting of 20 groundwater wells, seven storage reservoirs, one large main pressure zone, and two smaller development-based zones. The Coachella Valley Groundwater Basin is the primary groundwater source for the project region's domestic water purveyors, including IWA. Based on the California Department of Water Resources (DWR), the Coachella Valley Groundwater Basin has an approximate storage capacity of 39.2 million acre-feet (AF) of water within the upper 1,000 feet and is divided into four subbasins: Indio, Mission Creek, Desert Hot Springs, and San Gorgonio. The project site is specifically underlain by the Indio Subbasin, which is also known as the Whitewater River Subbasin. DWR has estimated that the Indio Subbasin contains approximately 29.8 million AF of water in the first 1,000 feet below the ground surface, representing approximately 76 percent of the total groundwater in the Coachella Valley Groundwater Basin.

The *2002 Coachella Valley Groundwater Management Plan* was prepared in collaboration with other local stakeholders with a focus on reducing overdraft, preventing groundwater level decline, protecting groundwater quality, and preventing land subsidence. In 2010, the *2010 Coachella Valley Groundwater Management Plan Update* was prepared to document the accomplishments in reducing overdraft and address changed conditions since 2002. In 2014, the California Legislature signed a three-bill legislative package into law, collectively known as the Sustainable Groundwater Management Act (SGMA), allowing local agencies to manage groundwater resources in a sustainable manner. SGMA required that a Groundwater Sustainability Plan (GSP) or Alternative Plan to a GSP (Alternative Plan) be adopted for basins and subbasins designated by the DWR as medium- and high-priority basins. Basin prioritization is based on a variety of factors such as population, number of wells, and other information determined to be relevant by DWR. The Indio Subbasin was designated as a medium-priority subbasin by DWR.

IWA and other local water purveyors collectively represent the Indio Subbasin Groundwater Sustainability Agencies (GSAs). In January 2017, the GSAs submitted to DWR the 2010 Coachella Valley Water Management Plan (2010 CVWMP), accompanied by an Indio Subbasin Bridge Document, as a SGMA-compliant Alternative Plan. On July 17, 2019, DWR approved the Alternative Plan with a requirement to submit an Alternative Plan Update by January 1, 2022 and every five years thereafter. The *Indio Subbasin Water Management Plan Update* fulfills that requirement (Coachella Valley Water District, *Coachella Valley Final Water Management Plan*, Executive Summary, 2021). Based on the Indio Subbasin SGMA documentation, the combined

strategies have resulted in significant groundwater storage increases across the subbasin, thus allowing the region to comply with the framework for sustainable management.

In 2019, IWA was among the six urban water suppliers in the Coachella Valley to collaborate on the preparation of the 2020 Coachella Valley Regional Urban Water Management Plan (2020 RUWMP) with regional and individual agency content. The 2020 RUWMP describes the region's water supplies and anticipated demands through 2045, along with each agency's programs to encourage efficient water use.

In June of 2021 IWA's Water Shortage Contingency Plan (WSCP) was prepared to outline each agency's actions that could be taken during a water shortage to reduce demands. According to the WSCP, drought conditions are not expected to affect the region's Colorado River water supply due to the agency's high priority allocation. Colorado River water is not the primary source of urban water supply since it is used for groundwater replenishment and non-potable uses. If a reduction in Colorado River water supply occurred, local agencies would initially reduce deliveries to groundwater replenishment projects. Drought conditions in the Sierra Nevada would have an effect on the State Water Project (SWP) water allocation and reduce the exchange water received by local agencies. Since the SWP exchange water is used for replenishment of the groundwater basin and is not a direct source of urban water supply, water use restrictions due to drought involving the SWP water supply would likely be implemented only as a result of a prolonged drought. During dry periods when less imported water is available, groundwater production is expected to exceed the amount of recharge, and the volume in storage will be reduced. However, these reductions can be reversed in years when additional imported water is available. The Coachella Valley Groundwater Basin is deemed to be a large basin which provides a buffer during dry periods, thus allowing the agencies to develop long-term plans and programs to manage regional water supplies.

Local water purveyors collaborate with the operation and maintenance of three replenishment facilities serving the Indio Subbasin: Whitewater River Groundwater Replenishment Facility, the Thomas E. Levy Groundwater Replenishment Facility, and the Palm Desert Groundwater Replenishment Facility. Artificial replenishment, or recharge, is recognized by the water districts as one of the most effective methods available for preserving local groundwater supplies, reversing aquifer overdraft and meeting demand by domestic consumers. Local agencies are known to have percolated over 650 billion gallons of water back into the aquifer. In the central part of the Coachella Valley, groundwater recharge is provided by the recently constructed first phase of the Palm Desert Groundwater Replenishment Facility, operated by CVWD. According to the CVWD web site, this facility is expected to add up to 25,000 acre-feet of Colorado River water annually into the aquifer. Combined with water conservation and efficiency requirements, individual development projects can contribute to groundwater sustainability by implementing the required stormwater runoff retention and infiltration facilities.

The proposed development is deemed consistent with the City's General Plan land use designation. The established groundwater replenishment facilities described above for the Indio Subbasin are not located near the Project site. Therefore, from the aspect of land use and location, project implementation is not deemed to be in conflict with any existing or planned groundwater recharge facility or associated infrastructure.

The proposed facilities include a fueling station, convenience store and minimal outdoor landscaping. The nature of the proposed development will not involve the use of extensive water fixtures. Restroom facilities and associated water uses are expected to be limited to the convenience store. The proposed operation will be expected to implement water conservation measures, including the use of low-flow plumbing fixtures, drought-tolerant (native) outdoor landscaping, and water-efficient irrigation systems. As a standard condition for service connections, the project will be expected to furnish the appropriate payment to IWA based on the meter size, ongoing flow charges, agency fees, and groundwater recharge fees.

Furthermore, the site plan will continue to utilize a retention system sized to capture and infiltrate the project-related stormwater runoff up to the controlling 100-year storm event, thus contributing toward groundwater recharge instead of producing a condition of urban runoff discharge. As a function of the WQMP, operation of the development will include the required non-structural and structural pollution source control measures that work toward the protection of groundwater quality during the life of the project and under the project owner's responsibility.

Non-structural source control measures consist of site operations, activities, and/or programs to be finalized in the WQMP and implemented by the project operator to educate site managers, employees, and users to prevent potential pollutants from being produced, coming into contact with the storm drain system. Structural source control measures consist of physical facility design standards to prevent direct contact between potential pollutants and stormwater runoff.

The storm drain and retention system will be privately operated and maintained during the life of the project per a required WQMP agreement to be entered between the project proponent and the City. The proposed facilities are therefore not expected to violate or interfere with the groundwater quality. Regarding ground water quality, less than significant impacts are anticipated and no mitigation would be required.

c.1) Less than Significant Impact. The Project site is absent of any naturally occurring drainage or flood-prone patterns. Therefore, development of the site would not result in any alteration or obstruction of any river, stream, or other naturally occurring drainage pattern.

The Project site in its existing condition is a vacant, ungraded lot and drains to Golf Center Parkway and Avenue 45 to the west and south. In the proposed condition, the existing drainage pattern will be maintained and the increased flows will drain into the proposed basin in the southwest corner of the site. In flood conditions, the site will overflow through a parkway drain and into Avenue 45. The

Project site does not increase the discharge rates of the site as the flows are maintained onsite in the proposed basin.

As a standard practice, erosion and siltation conditions will be prevented during construction and operation through the required Stormwater Pollution Prevention Plan (SWPPP), which will include best management practices for proper soil stabilization and perimeter controls to prevent erosion and siltation from being generated by site clearing, grading, and construction activities. Upon completion and as a compliance requirement, all construction related soil disturbance will be properly restored to a stabilized condition consisting of permanent project improvements (buildings, hardscape, pavement, and landscaping).

During the life of the project, the ongoing maintenance and operation of facilities will ensure that all permanently improved ground surfaces are adequately maintained. As required by the City's engineering standards and practices, all project-related runoff must be adequately handled along engineered conveyances (sheet flow, swales, gutters, or pipes) to the designated retention facilities. Such storm drain system will be a function of the site plan and final engineering plans subject to City review and approval. Less than significant impacts are anticipated regarding substantial erosion or siltation, on- or off-site and no additional mitigation would be required.

c.2) Less than Significant Impact. Based on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 06065C2252H (effective 3/16/18), the entire project is located within Zone X, which is deemed an "area of minimal flood hazard". This FEMA classification is not considered a Special Flood Hazard Area (SFHA) or a designated floodway. As a standard requirement, the proposed development includes adequate improvements and site design features to handle the relevant hydrologic conditions in a way that prevents inundation to the proposed structures and facilities. The Project will introduce impervious surfaces (buildings, hardscape, asphalt, etc.) to a vacant property, but will also include the required storm drain system (catch basins, lines, outlets, and retention facilities) to intercept, convey and retain the controlling storm event stormwater volume from the site. In adhering to the City's engineering and retention requirements, the proposed development is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Less than significant impacts are anticipated and no mitigation would be required.

c.3) Less than Significant Impact. The City of Indio is a Permittee of the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4) permit area. Within the City limits, MS4 facilities include a system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) designed for collecting and conveying stormwater. Storm drain facilities can be public or private. Examples of public facilities include pipes, gutters, channels, and basins occurring within the public right-of-way and/or maintained by a public agency. Private facilities are distinguished by being maintained separately

by a private entity. As discussed previously, the project site is absent of any private or public storm drain infrastructure.

The traditional land development process generally results in the conversion of pervious ground surface (pre-development condition) into a setting with a higher impervious cover, occurring through the introduction of buildings, streets, and hardscape (post-development condition). This conversion generally leads to an increase in post-construction runoff volumes and rates compared to the pre-development condition.

As a standard requirement under Section 162.140 in the City's Code of Ordinances, the project is required to include retention facilities sized to contain stormwater volume resulting from the controlling 100-year, 24-hour duration storm event. This retention capacity is provided by the proposed bioretention basin sized to contain approximately 23,613 cubic feet, which is sufficient to meet the local engineering requirements. The project's engineering plans and retention levels will be subject to standard City review and approval. Therefore, by complying with the local retention requirements that take into account the existing facilities, the project will prevent a runoff discharge condition capable of contributing to or exceeding the MS4 capacity. Less than significant impacts are anticipated.

d) No Impact. As previously described, the project site and its surroundings are deemed to be areas of minimal flood hazards according to FEMA FIRM panel 06065C2252H (effective 3/16/18). As such, the project site is not prone to flood flows or inundation that could be impeded or redirected. Stormwater runoff generated on-site will be handled through on-site retention before any runoff is conveyed to the public storm drain system. Less than significant impacts are anticipated and no mitigation is required. The project is not located near any coastal areas or any large body of water and therefore is not prone to tsunami hazards or seiche risks. The project site is not located in a floodplain or special flood hazard area. Therefore, no impacts are anticipated.

e) Less than Significant Impact. The project proponent is required to implement a project-specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region MS4 Permit and with the City's on-site retention standards. The final form of the WQMP will be consistent with final engineering documents to incorporate the grading, hydrology, and other improvement plans to demonstrate how the site design, source controls, and operation and maintenance program will achieve compliance. The combined retention capacity for the project will meet the stormwater volume resulting from the controlling 100-year storm event. The project's storm water retention facilities will ensure that only stormwater runoff is recharged into the ground via infiltration. Therefore, project implementation is not expected to conflict with the regional groundwater management strategies or with the Indio Subbasin Sustainable Groundwater Management Plan. Less than significant impacts are expected.

Mitigation Measures

No mitigation would be required.

3.11 LAND USE AND PLANNING.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Discussion of Impacts

a) No Impact. The proposed fueling station and convenience store would not physically divide an established community, as no facilities are proposed that would prohibit travel throughout the project area. No impact would occur and mitigation would not be required.

b) Less Than Significant Impact. The General Plan Land Use designation of the Project site is Workplace and Employment District (WEP) and is zoned Heavy Industrial (IH). The IH zone is intended to accommodate manufacturing, processing, storage, and similar heavy industrial uses, including those which may create some objectionable conditions, and protect these areas from incompatible uses. This zone provides for manufacturing, processing, assembly, wholesale and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses, subject to regulations needed to protect health and safety, adjoining properties, and the surrounding area. This zone implements the Workforce and Employment District General Plan land use designation (City of Indio Unified Development Code, Article 2, Section 204 Non-Residential Zones, 2022). Fueling stations are an allowable use within the IH Zone, upon issuance of a Conditional Use Permit (CUP).

The Project as designed meets all development standards as identified in the Section 2.04.03 of the Unified Development Code, including but not limited to permitted uses, minimum lot size, setbacks, building heights, off-street parking spaces, landscaping, and signage. The proposed Project would be consistent with or otherwise would not conflict with the identified goals and policies of the General Plan. Therefore, the Project would not conflict with any land use plan, policy, or regulation adopted to mitigate an environmental effect. Impacts would be less than significant and no mitigation would be required.

Mitigation Measures

No mitigation would be required.

3.12 MINERAL RESOURCES.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion of Impacts

a) No Impact. The City's important mineral resources include sand, gravel, and crushed rock (collectively known as aggregate). These minerals are an important component of asphalt, concrete, road base, stucco and plaster, and provide materials for the local economy (Indio, 2019a. City of Indio General Plan Update, 2019a, p. 8-6). Active mines near Indio are located north of and outside of the boundaries of the City.

The majority of City lands, including the Project site, have been classified as Mineral Resource Zone (MRZ) 1 (City of Indio General Plan Update, 2019a, Figure 4.11-1). MRZ-1 zones are described as "areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources." (City of Indio, General Plan Update, 2019b, Table 4.11-1).

Construction of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No impacts would occur under this criterion and no mitigation is required.

b) No Impact. As noted in Response to Impact 4.12a above, implementation of the Project would not result in any impacts to known mineral resources and therefore would not result in the loss of availability of a locally important mineral resource recovery site delineated on the local general plan feel. No impacts would occur under this criterion and no mitigation is required.

Mitigation Measures

No mitigation would be required.

3.13 NOISE.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Birdseye Planning Group (BPG) has prepared the Maverik Fueling Station and Convenience Store Project Noise Study (BPG, 2024). The Noise Study, included as Appendix G of this Initial Study, analyzed potential noise impacts associated with the proposed Maverik Fueling Station and Convenience Store Project in the City of Indio, California. The analysis contained in this section is based on the findings of this technical report.

Overview of Sound Measurement

Noise levels are generally measured in decibels (dB) using the A-weighted sound pressure level (SPL) (dBA). The A-weighting scale is an adjustment to the actual SPLs to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz and less sensitive to low frequencies below 100 Hertz. Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of three dBA, and a sound that is ten dBA less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about ten dBA greater than the reference sound to be judged as twice as loud. In general, a three dBA change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived.

Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations. Noise levels typically attenuate at a rate of six dBA per doubling of distance from point sources (i.e., industrial machinery). Noise from

lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about three dBA per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about five dBA. A solid wall or berm reduces noise levels by five to ten dBA. The manner in which older (approximately 30 years plus) homes in California were constructed generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows. The exterior-to-interior reduction of newer residential units and office buildings constructed to California Energy Code standards is generally 30 dBA or more.

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over an extended period of time are more likely to be an annoyance. The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period. Lmax is the highest RMS (root mean squared) SPL within the measuring period, and Lmin is the lowest RMS SPL within the measuring period.

Noise that occurs at night tends to be more disturbing than that which occurs during the day. Community noise is usually measured using Day-Night Average Level (Ldn), which is the 24-hour average noise level with a 10-dBA penalty for noise occurring during nighttime (10 PM to 7 AM) hours, or Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a five dBA penalty for noise occurring from 7 AM to 10 PM and a 10 dBA penalty for noise occurring from 10 PM to 7 AM Daytime Leq levels are louder than Ldn or CNEL levels; thus, if the Leq meets noise standards, the Ldn and CNEL are also met.

Project Site Setting

The Project site is generally bordered by urban development. The Whitewater River/Coachella Valley Stormwater Chanel is located east of the site and is zoned OS (Parks and Open Space). To the southeast there is an existing multi-tenant building housing Best Auto Body, Juan's Complete Auto & Smog, and Alba's Auto Garage. This area is zoned Heavy Industrial (IH). To the south, across Avenue 45, are a series of businesses in multiple buildings including Stotz Equipment, Yuma Auto Services, McIntyre Pools & Spas, and Zamora's Smog Center; all of which are zoned IH. To the west across Golf Center Parkway, is a 7-Eleven store, and a series of businesses in multiple buildings, all of which are zoned Light Industrial (IL).

The most common and primary sources of noise in the Project site vicinity are motor vehicles (e.g., automobiles and trucks) operating on Interstate 10, Golf Center Parkway and Avenue 45. Motor vehicle noise is of concern because where a high number of individual events occur, it can create a sustained noise level.

To gather data on the general noise environment at the project site, two weekday morning 15-minute noise measurements were taken on the Project site on May 20, 2024, using an ANSI Type II integrating sound level meter. The predominant noise source was traffic. The temperature during monitoring was 73ºF with no cloud cover or perceptible wind. As shown on **Table 17**, ambient noise levels at the Project ranged from 61.9 dBA (Leq) to 62.5 dBA (Leq).

TABLE 17. AMBIENT NOISE LEVELS

Location No.	Measurement Location	Primary Noise Source	Sample Time	Leq (dBA)
Site 1	May 20, 2024	Traffic	Weekday morning	65.7

Notes: Ambient Noise Levels obtained during Field visit using ANSI Type II Integrating sound level meter.
Source: BPG, 2024 (Appendix G).

Sensitive Receptors

Urban areas contain a variety of land use and development types that are noise sensitive including residences, schools, churches, hospitals and convalescent care facilities. The nearest sensitive receptors are the Palo Verde Apartments located approximately 1,100 feet northwest of the site at 44720 Palo Verde Street. All other existing land uses adjacent to the Project site are commercial/light industrial.

Regulatory Setting

In 1976, the California Department of Health, State Office of Noise Control published a recommended noise/land use compatibility matrix which many jurisdictions have adopted as a standard in their general plan noise elements. The California State Office of Planning and Research 2017 updated the *General Plan Guidelines*, *Appendix D Noise Element Guidelines*, Figure 2, to show that exterior noise levels up to 60 dBA (CNEL or Ldn) are normally compatible in rural residential areas. Noise levels up to 70 dBA (CNEL or Ldn) are conditionally compatible.

City of Indio Noise Ordinance

Section 95C.08 (B)(3) of the Indio Code of Ordinances exempts construction activities between the hours of:

(1) Pacific Standard Time.

(a) Monday through Friday, 7:00 a.m. through 6:00 p.m.

(b) Saturday, 8:00 a.m. through 6:00 p.m.

(c) Sunday, 9:00 a.m. through 5:00 p.m.

(d) Government Holidays, 9:00 a.m. through 5:00 p.m.

(2) Pacific Daylight Time.

(a) Monday through Friday, 6:00 a.m. through 6:00 p.m.

(b) Saturday, 7:00 a.m. through 6:00 p.m.

(c) Sunday, 9:00 a.m. through 5:00 p.m.

(d) Government Holidays, 9:00 a.m. through 5:00 p.m.

No specific exterior noise standards are associated with activities occurring in Heavy Industrial zones. Per the City of Indio Proposed General Plan Update Land Use Compatibility Matrix, 50 to 65 dBA CNEL is acceptable for single- and multifamily residential, senior housing, and convalescent homes, while CNEL values up to 75 dBA are conditionally acceptable. Within industrial zones, noise level up to 70 dBA CNEL are normally compatible. Noise levels above 70 dBA CNEL are conditionally compatible.

For the purpose of this discussion, because existing conditions currently exceed 65 dBA, a noticeable change in noise levels (+3 dBA or greater) caused by the project is used to determine impact significance at adjacent properties and the closest sensitive property, the Palo Verde Apartments, located approximately 1,100 feet northwest of the site.

Vibration Standards

Vibration is a unique form of noise as the energy is transmitted through buildings, structures and the ground whereas audible noise energy is transmitted through the air. Thus, vibration is generally felt rather than heard. The ground motion caused by vibration is measured as particle velocity in inches per second (PPV) and which is also referenced as vibration decibels (VdB). The vibration velocity level threshold of perception for humans is approximately 0.006-0.019 PPV or 65 VdB. There are no federal or state regulatory standards for ground-borne vibration. Caltrans has developed vibration criteria based on potential structural damage risks and human annoyance. **Table 18** shows various PPV and VdB levels and related human reactions and effects on buildings.

TABLE 18. HUMAN REACTION AND DAMAGE TO BUILDINGS FOR CONTINUOUS OR FREQUENT INTERMITTENT VIBRATION LEVELS

Peak Particle Velocity (inches/second)	Approximate Vibration Velocity Level (VdB)	Human Reaction	Effects on Buildings
0.006–0.019	64–74	Range of threshold of perception.	Vibrations unlikely to cause damage of any type.

TABLE 18. HUMAN REACTION AND DAMAGE TO BUILDINGS FOR CONTINUOUS OR FREQUENT INTERMITTENT VIBRATION LEVELS

Peak Particle Velocity (inches/second)	Approximate Vibration Velocity Level (VdB)	Human Reaction	Effects on Buildings
0.08	87	Vibrations readily perceptible.	Recommended upper level to which ruins and ancient monuments should be subjected.
0.01	92	Level at which continuous vibrations may begin to annoy people, particularly those involved in vibration sensitive activities.	Virtually no risk of architectural damage to normal buildings.
0.2	94	Vibrations may begin to annoy people in buildings.	Threshold at which there is a risk of architectural damage to normal dwellings.
0.4–0.6	98-104	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges.	Architectural damage and possibly minor structural damage.

Source: Caltrans, April 2020.

For the protection of fragile, historic, and residential structures, Caltrans recommends a threshold of 0.2 inches per second PPV (94 VdB). This same threshold would represent the level at which vibrations would be potentially annoying to people in buildings. Construction activities such as blasting, pile driving, demolition, excavation and drilling have the potential to generate ground vibrations near structures.

No historic buildings occur on the site or are known to occur near the site; thus, 94 VdB is used to quantify potential vibration impacts to neighboring structures. Construction activities referenced above that would generate significant vibration levels are not proposed. However, to provide information for use in completing the CEQA evaluation, construction-related vibration impacts are evaluated using the above referenced criteria.

Discussion of Impacts)

a) Less Than Significant With Mitigation Incorporated.

Temporary Construction Noise

The primary source of noise during construction activities would be comprised of heavy machinery used during site preparation (i.e., clearing/grubbing), grading and clearing the site, as well as equipment used during building construction and paving. **Table 19** shows the typical noise levels associated with heavy construction equipment. As shown in **Table 19**, average noise levels associated with the use of heavy equipment at construction sites can range from 81 to 91 dBA at 25 feet from the source, depending upon the types of equipment in operation at any given time and phase of construction (FTA 2018).

TABLE 19. TYPICAL MAXIMUM CONSTRUCTION EQUIPMENT NOISE LEVELS

Equipment Onsite	Typical Maximum Level (dBA) at Distance from the Source		
	25 Feet	50 Feet	100 Feet
Air Compressor	86	80	74
Backhoe	86	80	74
Bobcat Tractor	86	80	74
Concrete Mixer	91	85	79
Loader	86	80	74
Bulldozer	91	85	79
Jack Hammer	94	88	82
Pavement Roller	91	85	79
Street Sweeper	88	82	76
Man Lift	81	75	69
Dump Truck	90	84	78
Mobile Crane	89	83	77
Excavator/Scraper	91	85	79

Source: FTA Transit Noise and Vibration Impact Assessment Manual (September 2018), Table 7-1.

The nearest sensitive receptors are the Palo Verde Apartments located approximately 1,100 feet northwest of the site at 44720 Palo Verde Street. All other existing land uses adjacent to the Project site are commercial/light industrial.

Project construction would occur over the entire project site. Construction activities will vary in distance from the nearest sensitive properties; thus, noise levels will vary over the workday. As previously stated, the closest receiver are the Palo Verde Apartments located approximately 1,100 feet northwest of the site at 44720 Palo Verde Street.

The estimated hourly Leq by phase are shown below in **Table 20**. These are the most conservative noise levels that could occur proximal to the neighboring properties.

TABLE 20. ESTIMATED MAXIMUM CONSTRUCTION NOISE LEVELS

Phase	Lmax Noise Levels 25 feet	Lmax Noise Levels 50 feet
Site Preparation (dozer, backhoe, front-end loader)	87.7	81.7
Grading (dozer, backhoe and front-loader)	87.7	81.7
Building Construction (crane, manlift, backhoe and front-end loader)	79.0	73.0
Paving (paver and roller)	88.0	82.0
Architectural Coating (air compressor)	77.7	71.7

As shown in **Table 20**, the highest hourly noise levels are projected to be 81.7 dBA Lmax at 50 feet during site preparation and grading and 82.0 dBA 20 feet during paving. Maximum building construction noise levels are conservatively estimated to be 73.0 dBA Lmax at 50 feet from the property line. The Lmax associated with the application of architectural coating would be approximately 71.7 dBA Lmax at 50 feet, respectively. Noise levels typically attenuate by six dBA per doubling of distance from the source. Thus, construction noise on the project site would be inaudible at the Palo Verde Apartments located approximately 1,100 feet northwest of the site.

On a typical workday, heavy equipment will be operating sporadically throughout the project site and more frequently away from the edges of the site as the site preparation and grading phases are completed. The Project would comply with the Code of Ordinances Section 95C.08 restrictions on construction hours. Further, construction noise levels would be relatively short term and terminate as each construction phase is completed. Potential impacts would be less than significant.

Operation-Related Noise

Operation of the Project was evaluated for potential exterior traffic-related impacts caused by increased traffic volumes associated with the project caused by peak hour traffic volumes documented in the project's Trip Generation Memorandum (LLG, June 2024).

The roadway network adjacent to the Project site was modeled using the Federal Highway Administration (FHWA) Traffic Noise Model (TNM) version 2.5 software. Traffic volumes and distribution are based on data from the Maverick Fueling Station and Convenience Store Traffic Study (See Appendix H of this IS/MND). To provide a conservative assessment of potential traffic noise, evening (PM) peak hour traffic volumes were used to calculate hourly average baseline noise levels (Leq) for the two sensitive receptor locations. The modeling results are shown in **Table 21**.

As shown on **Table 21,** baseline conditions exceed 60 dBA CNEL at both receivers. The Ldn/CNEL values associated with Project-related traffic are estimated by adding 1 dB to predicted peak hour Leq traffic noise levels for comparison with the Imperial County General Plan Noise Element criteria for exterior (65 dBA) and interior (45 dBA) noise levels generated by traffic.

TABLE 21. MODELED EXTERIOR NOISE LEVELS

Receptor	Baseline Noise Levels	Project Noise Levels	Net Change (dBA)	Significant Impact
	Existing Ldn/CNEL	With Project Ldn/CNEL		
Receiver 1	57.5	57.5	+0.5	No
Receiver 2	67.2	69.0	+1.8	No
Receiver 3	65.4	67.5	+3.1	No

Note: NA = Not Applicable
Source: BPG, 2024 (Appendix G).

Noise levels associated with the project were calculated by distributing 182 A.M. peak hour project trips generated by the Project into the baseline traffic volumes along Golf Center Parkway northwest of the site and Avenue 45 south of the site. Volumes were concentrated in these areas for the purpose of evaluating worst case noise conditions. The modeling results are shown in **Table 20.** As shown, the highest modeled increase would occur at Receiver 3. Project A.M. peak hour volumes would increase by 3.1 dBA which may be perceptible at the building exterior. However, this is a commercial building and noise levels would remain within the normally compatible range. Baseline conditions at the nearest sensitive property (Receiver 1) would not noticeably change with the project. Impacts related to exterior traffic-related noise would be less than significant.

On-Site Truck Movement. Trucks would move around the Project site entering and departing from Avenue 45 and Golf Center Parkway. Individual truck movement sound exposure level (SEL) is used to quantify noise exposure from on-site truck movements. The Noise Study estimated the number of daily heavy trucks accessing the site for fueling or deliveries would be 1,026 and assumed that the movements would be evenly distributed over a 24-hour day.

Assuming 1,026 truck trips per day, the resulting noise exposure on-site would be approximately 58.89 CNEL. Noise associated with on-site truck movement would be less than ambient noise levels and below both the residential and commercial compatibility standards.

Stationary Noise Sources

HVAC Systems. The proposed HVAC system has not been specified and noise levels vary depending on the size of the system. However, multiple HVAC systems will be installed on the roof-tops of the convenience store located along the southside of the Project site. Reference noise levels for the Project are based on noise measurements taken at similar outdoor facilities.

HVAC noise levels can be expected to be 57.7 dBA at 50 feet from the roof top equipment and ventilation openings. Assuming HVAC units are installed at the center of the roof top, noise level from each unit would attenuate to below existing background noise levels approximately 100 feet from the source and would not be inaudible at off-site properties and would not be significant.

b). Less Than Significant Impact.

Temporary Construction-Related Vibration

As referenced, the closest sensitive property to the site is 1,100 feet northwest of the site at 44720 Palo Verde Street. The Noise Study found that vibration levels could be as high as 87 VdB at 25 feet from the source assuming operation of a large bulldozer. Vibration levels at the closest sensitive properties would be imperceptible because of the distance between the source and receiver. Thus, vibrations would not occur as a result of construction activities associated with the proposed project. Impacts from ground borne vibration would be less than significant and no mitigation would be required.

Operational Vibration

The proposed fueling station and convenience store do not involve heavy industrial activities or impact sources that would generate vibration detectable off-site. No operational-related vibration impacts would occur and no mitigation would be required.

c) No Impact. The Project site is located approximately 3.6 miles northwest of the Bermuda Dunes Airport. The site is located outside the Airport Influence Area. Thus, the project site is located outside the 60 dB contour line for airport operations. Project employees would not be exposed to excessive airport noise levels. No impact would occur and no mitigation would be required.

Mitigation Measures

No mitigation would be required.

3.14 POPULATION AND HOUSING.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion of Impacts

a) Less Than Significant Impact. The State of California Department of Finance estimated the City of Indio population to be 90,680 persons as of January 2024 (California Dept. of Finance, 2024). This population is projected to increase to 119,951 persons by 2040 (City of Indio General Plan Update, 2019a).

The Project proposes to develop a gas station and convenience store within an area that has generally been developed with industrial uses. Construction of the Project would be of short duration and likely be completed by construction workers residing within or near the City or the surrounding area; it would not induce unplanned growth.

It is anticipated that the jobs created by these businesses will be filled by existing area residents and it is unlikely the jobs would attract new residents that would require increased City services. The Project would not induce substantial population growth in an area, either directly or indirectly. Impacts would be less than significant and no mitigation would be required.

b) No Impact. The Project site is currently undeveloped and contains no structures. Implementation of the Project would not require the demolition or displacement of any housing; therefore, would not necessitate the construction of replacement housing elsewhere. No impact would occur under this criterion and no mitigation would be required.

Mitigation Measures

No mitigation would be required.

3.15 PUBLIC SERVICES.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services:				
Fire protection?	☐	☒	☐	☐
Police protection?	☐	☒	☐	☐
Schools?	☐	☒	☐	☐
Parks?	☐	☒	☐	☐
Other public facilities?	☐	☒	☐	☐

Discussion of Impacts

1) Fire Protection. Less Than Significant With Mitigation Incorporated. The proposed Project would receive fire protection and emergency medical services from the Indio Fire Department, which serves the City of Indio. The nearest fire station is Fire Station #1, located at 46990 Jackson Street, approximately 1.13 miles southwest of the Project site. The station is staffed by 28 firefighters and one Battalion Chief, which staff one paramedic fire engine, one paramedic ladder truck, and one paramedic ambulance. Additional equipment assigned includes one reserve ambulance and one Rescue Squad.

The construction and operation of the Project would increase the demand for fire protection by introducing a fueling station and convenient store on the Project site. Service demand in and of itself is not an environmental impact under CEQA unless such demand causes a physical change to the environment. The introduction of the proposed uses on the Project site is not anticipated to result in an increase in demand for fire protection services high enough to trigger the need to physically construct new fire protection facilities because Fire Station #1 already exists near the Project site which provides paramedic and fire services. Additionally, the Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the Indio Fire Department. The Project would also install fire hydrants on the site and would feature a fire alarm system.

In accordance with standard City practices, the Fire Department would inspect the Project's construction documents and plans before permits are issued to ensure compliance with all applicable

fire and building code standards and to ensure that adequate fire and life safety measures are incorporated into the Project in compliance with all applicable State and City fire safety regulations. Based on the Project site's proximity to an existing fire station, the incremental increase in the demand for Indio Fire Department services would not result in or require new or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

Although the Project would not result in the need for new or expanded fire protection facilities, as a standard condition of approval, the Project Applicant would be required to pay the City's development impact fees (DIF) pursuant to City of Indio Code of Ordinances Section 33.068 (c). This fee is designed in part to share the costs of the added demand on services and facilities generate by new development. The Project's payment of DIF fees, as well as increased property tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services. Nonetheless, should the Project Developer not pay the DIF fees as set forth in the Indio Municipal Code § 33.068, significant impacts would occur.

Based on the foregoing, the proposed Project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection facilities would be less than significant with implementation of Mitigation Measure MM-PUB-1.

2) Police Protection. Less than Significant With Mitigation Incorporated. The Indio Police Department (IPD) provides police protection services to the area, inclusive of the project site. The IPD station is located at 46800 Jackson Street, approximately one mile southwest of the site. The IPD has approximately 80 staff and participates in the California Law Enforcement Mutual Aid System. The Law Enforcement Mutual Aid System is used to restore order during emergencies and provides assistance to local agencies during other unusual events.

The proposed Project would not result in substantial population growth and would not substantially increase the demand for police services in the area. The forecast employment growth and increased demand for services would not exceed projections and anticipated public service needs. Additionally, Project implementation would not require the construction of new or the alteration of existing police facilities to maintain an adequate level of service to the project area. Pursuant to the City's existing permitting process, the IPD would review and approve the final site plans to ensure that the crime prevention through design measures are incorporated. Additionally, the Project would be subject to payment of DIF which ensures that new development pays its fair share for services that are needed to meet demand. As a result, the proposed Project would not adversely impact service ratios or response times or require new or altered facilities. Therefore, the Project's impact on police protection services would be less than significant with implementation of Mitigation Measure MM-PUB-1.

3, 4, 5) Schools, Parks, Other Public Facilities. Less than Significant With Mitigation Incorporated. The Project site is located within the Desert Sands Unified School District, which serves students in grades TK-12. The City of Indio has 18 existing parks. The nearest municipal park to the Project site is Indio Terrace Park, located at 83787 Hopi Avenue, approximately 1.2-mile northeast of the Project site.

The Project proposes to develop a new fueling station and convenience store development. The Project does not result in a change in population where the need for governmental facilities including school sites, parks or other public facilities would be necessary to maintain acceptable service ratios and response times. The Project will not result in the need for the provision of new or physically altered governmental facilities.

The City of Indio requires new development projects, as a standard condition of approval, to pay Development Impact Fees (DIF fees) for park improvements; fire and police facilities; public buildings; road, bridges, and traffic signals. the Project Applicant would be required to pay the City's DIF fee pursuant to City of Indio Code of Ordinances Section 33.068. This fee is designed in part to be used for improvements and facilities to park lands for recreation and leisure activities. Accordingly, implementation of the Project would not result in environmental effects related to the construction or expansion of recreational facilities or the increased use or substantial physical deterioration of an existing neighborhood or regional park.

Additionally, all developments are required to pay School Impact Fees in compliance with Government Code Section 65995 to offset the new development impacts on school facilities. The payment of impact fees would offset any school impact related to increased enrollment associated with the Project. The Project is not expected to require the construction of new or expanded school facilities. The payment of required school development fees (MM PUB-1) would reduce the potential increase in demand to less than significant.

Mitigation Measures

Implementation of the following mitigation measures would reduce impacts to below a level of significance.

MM PUB-1: Payment of DIF Fees

Prior to issuance of a certificate of occupancy, the Project Developer/Permit Applicant shall comply with City of Indio Code of Ordinances Section 33.068 and with the Desert Sands Unified School District School (DSUSD) School Impact/Developer Fee pursuant to the Leroy F. Greene School Facilities Act of 1998 which requires the payment of development impact fees for all development projects to finance the cost of public facilities and improvements reasonably related to development projects.

The Project Developer/Permit Applicant shall provide the City of Indio a DIF payment pursuant to City of Indio Code of Ordinances Section 33.074 and shall provide the DSUSD with a school impact fee payment pursuant to the DSUSD fee schedule for commercial square footage.

3.16 RECREATION.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion of Impacts

a) Less Than Significant Impact. The Project would not increase the use of existing neighborhood and regional parks, which typically results from an increase in housing or population in an area. The Project would not result in an increase in housing or residents in the project vicinity and no increase in the use of existing neighborhood parks, regional parks, or other recreational facilities would occur. Impacts would be less than significant, and no mitigation measures would be required.

b) Less Than Significant Impact. The number of new workers required for construction and operation of the fuel station and convenience store would be relatively low (approximately 15 local workers) and would not require construction or expansion of recreational facilities that might have an adverse effect on the environment. Therefore, impacts would be less than significant, and no mitigation measures would be required.

Mitigation Measures

No mitigation would be required.

3.17 TRANSPORTATION / TRAFFIC.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☐
b) Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Linscott, Law & Greenspan prepared a Traffic Study for the Project in July 2024 (LLG, 2024). The *Maverick Fueling Station Traffic Study*, included as Appendix H of this Initial Study, addressed potential operational impacts that could result from the addition of Project traffic to the local circulation system. The Traffic Study found that the Project would be expected to add 6,223 net new daily Project trips with 182 AM peak hour trips and 161 PM peak hour trips. The analysis contained in this section is based on the findings of this technical report.

Existing Setting

Roadway Network

The principal local network of streets serving the proposed Project includes Golf Center Parkway, Avenue 45, Jackson Street, and Highway 111. The following discussion provides a brief synopsis of these key area streets. The descriptions are based on an inventory of existing roadway conditions.

Golf Center Parkway is a four-lane, divided roadway north of Avenue 45, and a two-lane undivided roadway south of Avenue 45, oriented in the general north-south direction. Golf Center Parkway borders the Project site to the west and will provide access to the project site. On-street parking is generally not permitted on either side of the roadway within the vicinity of the Project. The posted speed limit on Golf Center Parkway is 45 miles per hour (mph). A traffic signal controls the key study intersections of Golf Center Parkway at Avenue 44, Chandi's Way/Indio Springs Parkway, I-10 Westbound Ramps, I-10 Eastbound Ramps, Avenue 45, and Highway 111.

Avenue 45 is a two-lane divided roadway west of Jackson Street, a four-lane divided roadway between Jackson Street and Golf Center Parkway, a four-lane undivided roadway between Golf Center parkway and Commerce Street, and a three-lane divided roadway east of Commerce Street, oriented in the east-west direction. Avenue 45 borders the Project site to the south and will provide access to the project site. On-street parking is generally not permitted on either side of the roadway between Jackson Street and Golf Center Parkway. On-street parking is permitted along the south side of Avenue 45 in the vicinity of the Project site and on both sides of the street east of Commerce Street. The posted speed limit on Avenue 45 is 35 mph west of Jackson Street, 45 mph between Jackson Street and Golf Center Parkway, and 40 mph east of Golf Center Parkway. A traffic signal controls the key study intersections of Avenue 45 at Jackson Street and Golf Center Parkway. The intersection of Avenue 45 at Commerce Street is stop controlled.

Jackson Street is a four-lane, divided roadway, oriented in the north-south direction, located to the west of the project site. On-street parking is generally not permitted on either side of the roadway within the vicinity of the Project. The posted speed limit on Jackson Street is 40 miles per hour (mph). A traffic signal controls the key study intersection of Jackson Street at Avenue 45.

Highway 111 is a four-lane, divided roadway, oriented in the east-west direction, located to the south of the project site. On-street parking is generally not permitted on either side of the roadway within the vicinity of the Project. The posted speed limit on Highway 111 is 35 mph. A traffic signal controls the key study intersection of Highway 111 at Golf Center Parkway.

Transit Service

The SunLine Transit Agency operates within the study area. Five routes are operated in the area including Route 8, Route 10, Route 800, Route 802 and Route 803.

Regulatory Framework

Senate Bill 743 (SB 743)

Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, § 15000 et seq.) regarding the analysis of transportation impacts. Previously, environmental review of transportation impacts was focused on the delay that vehicles experience at intersections and on roadway segments. That delay was measured using a metric known as “level of service,” or LOS. Under SB 743, the focus of transportation analysis shifted from “driver delay” to a reduction of greenhouse gas emissions, creation of multimodal networks and promotion of a mix of land uses. SB 743 required the Governor’s Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to level of service for evaluating transportation impacts.

To this end, OPR has certified and adopted changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines in December 2018, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA (Pub. Resources Code, § 21099, subd. (b)(3).). The California OPR Technical Advisory developed guidance on implementing SB 743 that shifts the transportation impact measure of effectiveness from LOS to VMT. OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* states on page 8 "As noted above, lead agencies have the discretion to set or apply their own thresholds of significance".

The City of Indio currently does not have its own Vehicle Miles Traveled (VMT) guidelines and therefore utilizes County of Riverside guidelines for VMT assessments. Specifically, the County of Riverside Transportation Analysis Guidelines for Level of Service, Vehicle Miles Traveled (dated December 2020) has been utilized and provides screening criteria and methodology for VMT analysis. Under the VMT methodology, screening is used to determine if a project will be required to conduct a detailed VMT analysis.

CEQA Guidelines Section 15064.3 – Determining the Significance of Transportation Impacts

State CEQA Guidelines Section 15064.3 was adopted in December 2018 to implement SB 743. Under SB 743, the focus of transportation analysis shifted from "driver delay" to a reduction of greenhouse gas emissions, creation of multimodal networks and promotion of a mix of land uses. In addition to establishing Vehicle Miles Traveled (VMT) as the most appropriate measure of transportation impacts, and shifting away from LOS, primary elements of this section:

- Reiterate that a project's adverse effect on automobile delay, as described solely by level of service or similar measures of vehicle capacity or traffic congestion, shall not be considered a significant impact on the environment (Public Resources Code Section 21099(b)(2));
- Create a rebuttable presumption of no significant transportation impacts for (a) land use projects within 0.5-mile of either an existing major transit stop or a stop along an existing high-quality transit corridor, (b) land use projects that reduce VMT below existing conditions, and (c) transportation projects that reduce or have no impact on VMT;
- Allow a lead agency to qualitatively evaluate VMT if existing models are not available; and
- Give lead agencies discretion to select a methodology to evaluate a project's VMT but requires disclosure of that methodology in the CEQA documentation. Lead agencies are required to comply with CEQA Guideline revisions no later than July 1, 2020. To assist lead agencies in this endeavor, the State Office of Planning and Research (OPR) has also

published a Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018), which provides guidance in the calculation and application of VMT analyses within CEQA documents. Page 8 of the OPR's Technical Advisory notes that lead agencies have the discretion to set or apply their own thresholds of significance.

Methodology

Vehicle Miles Traveled (V)MT Analysis

Pursuant to CEQA Guidelines Section 15064.3(c), beginning on July 1, 2020, the provisions of SB 743 apply statewide. A VMT Analysis was prepared for the Project, and is provided as Appendix K. The City of Indio currently does not have its own Vehicle Miles Traveled (VMT) guidelines and therefore utilizes County of Riverside guidelines for VMT assessments.

LOS Analysis

With implementation of SB 743, automobile delay, as measured by level of service, is no longer considered a significant effect on the environment. Therefore, for CEQA compliance purposes, the level of service analysis, prepared by Linscott, Law & Greenspan in 2024 was conducted to determine whether the Project would conflict with the City of Indio's LOS and impact criteria, with LOS "D" being the minimum acceptable LOS required at key study intersections. This LOS analysis is only addressed in this Initial Study as it relates to the Project's consistency with applicable policies.

The study area and scenarios evaluated the following eight intersections:

STUDY AREA

Intersections	
▪ Golf Center Parkway at Avenue 44 ▪ Golf Center Parkway at Chandi's Way/Indio Springs Parkway ▪ Golf Center Parkway at I-10 WB Ramps ▪ Golf Center Parkway at I-10 EB Ramps	▪ Jackson Street at Avenue 45 ▪ Golf Center Parkway at Avenue 45 ▪ Commerce Street at Avenue 45 ▪ Golf Center Parkway/Lorraine Street at Highway 111

Existing Traffic Volumes and LOS Analysis

To assess existing traffic operations, traffic counts were taken on May 22, 2024. Intersection counts were collected from 7:00 AM to 8:00 AM and from 4:00 PM to 5:00 PM to represent the AM and PM peak travel periods, respectively. Daily traffic counts (24 hour) were collected along Golf Center Parkway, north and south of Avenue 45; and along Avenue 45, north, east and west of Golf Center Parkway on the same date.

Level of Service Approach

Level of Service (LOS) is the term used to denote the performance of roadways, intersections, and freeway entrances, under various traffic loads. LOS designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions.

The Traffic Study found that all existing study area intersections were operating at LOS C or better under existing conditions (see Table 8-1 of Appendix H), with the exception of the intersection of Golf Center Parkway/Lorraine Street at Highway 111, which operates at LOS F.

Project Traffic Generation

The Traffic Study estimated the vehicle and truck trips that would be generated by the Project as shown on **Table 22.** The Project would be expected to add 6,223 net new daily Project trips with 182 AM peak hour trips and 161 PM peak hour trips.

TABLE 22. PROJECT TRIP GENERATION

TRIP GENERATION RATES (1)						
Land Use	**ITE Code**	**Daily 2-Way Rate**	**AM Peak Hour**		**PM Peak Hour**	
			Rate	**In: Out Ratio**	**Rate**	**In: Out Ratio**
Gasoline Service Station w. Convenience Store (3)	945	345.75	31.60	0.50 : 0.50	26.90	0.50 : 0.50

TRIP GENERATION CALCULATIONS							
Land Use	**ADT**	**AM PEAK**			**PM PEAK**		
		In	**Out**	**Total**	**In**	**Out**	**Total**
Maverik Fueling Station (3)	8,298	379	379	758	323	323	646
Less Pass by (Daily: 25%; AM:75%; PM: 75) (4)	-2,075	-288	-288	-576	-242	-243	-485
Total Net Trip Generation	6,223	91	91	182	81	80	161

Notes: TE/VFP = Trip End per Vehicle Fueling Position
1. Trip and pass by rates for the project's land uses are based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition.
2. Pass-by trip rate is based on the ITE Trip Generation Manual, 11th Edition.
3 – ITE Rate for convenience stores 5,500 to 10,000 SF in size.
Source: LLG, 2024; Appendix H.

Discussion of Impacts

a) Less Than Significant with Mitigation Incorporated.

Construction Phase Trip Generation

Short-term construction traffic would be generated with construction of the proposed Project. This would include traffic from construction workers and truck traffic for material removal (i.e., grading

export and vegetation, demolition debris grading, and soil remediation export) and material delivery (i.e., building materials, water, etc.), anticipated to be spread throughout the day.

The contribution of construction trips to the surrounding street system was not modeled because anticipated trip volumes would be temporary and are not expected to generate more than 50 peak hour trips, which is the threshold for modeling. Traffic generated by construction activities would be temporary and would not result in direct impacts on key intersections in the study area. Traffic impacts related to construction activities would be less than significant, and no mitigation would be required.

Operations Phase – Trip Generation

In accordance with Objective 1.2 of the Circulation and Scenic Highway Element, Linscott, Law & Greenspan prepared the *Maverick Fueling Station Traffic Stud*y, which is included as Appendix H of this Initial Study. The Traffic Study estimated the trips that would be generated by the Project as shown on **Table 22**.

Project-related trips were then assigned and distributed to the surrounding circulation system to assess project impacts. The Traffic Study found that the addition of project-related trips to the local circulation system would cause one intersection in the study area. Golf Center Parkway/Lorraine Street at Highway 111 would operate at LOS F in both the AM and PM peak hours.

The following improvements listed below have been identified to offset the effect of ambient growth traffic and Project traffic, and improve levels of service to an acceptable range for Existing With Ambient Growth With Project traffic conditions and cumulative Projects:

- Intersection 8. Golf Center Parkway/Lorraine Street at Highway 111: Convert existing five-phase operation traffic signal to six phase operation with split-phasing on Golf Center Parkway/Lorraine Street. Modify the traffic signal and provide southbound right-turn overlap phasing.

The traffic report calculated the Project's fair share of the recommended improvement to be 25.61%.

b) Less Than Significant Impact. According to the OPR's Technical Advisory, there are several screening criteria that can be applied to effectively screen projects from VMT project level assessments. The purpose is to screen out projects that are presumed to have a non-significant transportation impact based on facts of a project and to avoid unnecessary analysis and findings that would be inconsistent with the intent of SB 743. The following lists the various screening criteria:

1. Small Projects (Projects that generate or attract fewer than 110 trips per day)
2. Transit Priority Area (TPA)
3. Project Type - Locally Serving Retail

If the project meets any of the screening criteria above, they are presumed to not have a significant impact and are screened out from completing additional VMT analysis. Upon reviewing the screening criteria, the most appropriate and applicable criteria for the project was the Local Serving Retail use less than 50,000 SF criteria. According to OPR's Technical Advisory, a project that is a Locally Serving Retail land use under 50,000 SF in size would be presumed to have a less than significant impact and can be successfully screened from further VMT analysis.

As described in Section 1.4, the Project's convenience store/gas station area would be much less than the 50,000 SF screening threshold. Because the Project's total square footage is less than 50,000 SF and the screening threshold is met, the Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b). Impacts under this criterion would be less than significant, and no mitigation would be required.

c) Less Than Significant Impact. The proposed Project has the potential to attract pedestrian traffic from the surrounding industrial developments. To ensure adequate vehicular access to the site, the Project includes two ingress/egress driveways. Other than the proposed access driveways and conditioned improvements, the proposed Project would not alter any roadway geometrics or install incompatible uses. Impacts would not be significant, and no additional mitigation is required.

d) Less Than Significant Impact. Access to the Project site would be provided via two ingress/egress drives along Avenue 45 and along Golf Center Parkway. These driveways would provide adequate emergency access to the site upon Project completion. A less than significant impact would occur.

Mitigation Measures and Conditions of Approval

Implementation of mitigation measure MM-TR-1 would reduce impacts to below a level of significance.

TR-1 Payment of Applicant’s Fair Share of Intersection Improvement.

Prior to the issuance of a Building Permit(s) for the proposed fueling station/convenience store, the Applicant shall pay 25.61% of the cost of the recommended intersection improvement.

3.18 TRIBAL CULTURAL RESOURCES.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Regulatory Framework

Assembly Bill 52 (AB-52)

California Assembly Bill 52 (AB 52) of 2014 was enacted on July 1, 2015 and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes 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" (PRC Section 21084.2). It further states that the lead agency avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3). PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources:

1) "Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe" and meets either of the following criteria: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

2) A cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the formal consultation process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

Discussion of Impacts

a) and b) Less Than Significant With Mitigation Incorporated.

As discussed in Section 3.5, Cultural Resources, the Cultural Resource Report prepared by Cogstone Resource Management did not find any significant historical resources on the Project site (Cogstone, Cultural and Paleontological Resources Assessment for The Maverik Fueling Station and Convenience Store Project, 2024; Appendix B). The Sacred Lands File search conducted by the Native American Heritage Commission at Cogstone's request did not identify any Native American cultural resources in the Project vicinity.

The City is conducting Tribal consultation, as required by AB 52. The results of consultation will be included either as mitigation prior to the adoption of the Initial Study, or as conditions of approval. However, the mitigation measure included in Section 3.5, Cultural Resources, requires the presence of a Tribal monitor during earth moving activities, to assure that impacts are reduced to less than significant levels.

As discussed under Responses to and Impact 3.5b, the Project could have potentially significant impacts to archaeological resources, which could be considered a significant resource to a California Native American tribe. With implementation of **MM CUL-1** through **MM CUL-8**, which include full-time construction monitoring by a Qualified Archaeological Monitor and a traditionally and culturally affiliated Native American Monitor during all ground-disturbing activities, potential impacts to tribal cultural resources would be less than significant.

Mitigation Measures

Implementation of **MM CUL-1** through **MM CUL-8** would reduce potentially significant impacts to Tribal Cultural Resources to below a level of significance.

3.19 UTILITIES AND SERVICE SYSTEMS.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion of Impacts

a) Less Than Significant Impact.

Water and Wastewater Treatment Services

Based on information supplied by Site Design Collaborative (SDC), the proposed Project is expected to require potable water at a rate of approximately 3,280.5 gallons per day (gpd) which equates to 3.677 acre-feet per year (AFY), including 4,448 gpd for landscaping (4.99 AFY) for a total of 8.67 AFY. The Indio Water Authority (IWA) provides water service in the City, inclusive of the project area.

The Project site would be serviced by IWA and the Valley Sanitary District, respectively. While development of the project site would incrementally increase the demand for water and wastewater treatment services, this increase would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

Stormwater

As part of the Project, the Applicant would construct a new bioretention basin. Stormwater runoff would be collected in the stormwater bioretention basin; therefore, no new or expanded municipal stormwater drainage facilities would be required for operation of the Project. With implementation of the mitigation measures incorporated in the Project for air quality, cultural resources, geology and soils (paleontological resources), and hydrology/water quality, impacts associated with construction of the proposed stormwater drainage system would be reduced to below a level of significance. No additional mitigation measures would be required.

Electrical Power/Natural Gas

Electric service would be provided to the Project site by Imperial Irrigation District (IID) via underground electrical lines installed within Avenue 45 between the Project site and the existing utility pole at the north side of Avenue 45, just north of the Commerce Street intersection (**Figure 13, Utility Plan**). Natural gas service, if needed, would be provided by Southern California Gas Company. The Project would contract with third party utility companies for other utilities like telephone service (Frontier Communications), internet (Cable Spectrum), etc. Aside from connecting to existing services, no new or expanded electric or natural gas facilities would be required for operation of the Project. Impacts would be less than significant.

b) Less Than Significant Impact. IWA anticipates the available water supply would meet projected demand during normal, dry, and multiple dry years throughout the 20-year planning period based on growth projections under the currently adopted general plan and anticipated to have sufficient water supplies to serve the Project. Impacts under this criterion would be less than significant, and no mitigation would be required.

c) Less Than Significant Impact. The proposed Project would result in an incremental increase in the demand for wastewater conveyance and treatment facilities. The Project's wastewater infrastructure would include a connection to existing sewer lines. The Project's estimated wastewater generation would not be substantial and existing wastewater treatment facilities would be able to accommodate it. Additionally, the Applicant would be required to pay development impact fees as outlined Section 33.068 of the City of Indio's Code of Ordinances, which would contribute to the necessary costs required to upgrade and maintain operation of the VSD water reclamation facility. The increase would not require the construction of new water or wastewater treatment

facilities or expansion of existing facilities. Therefore, impacts would be less than significant, and no mitigation is required.

d and e) Less Than Significant Impact. Implementation of the Project would result in the generation of solid waste on the site, which would increase the demand for solid waste disposal. These materials, which are not anticipated to contain hazardous materials, and a refuge/recycling storage area is provided onsite, as shown on **Figure 6** (**Proposed Site Plan**). Solid waste would be collected and disposed of in approved solid waste disposal sites with sufficient capacity to accept solid waste generated by the Project.

Solid Waste Disposal and Recycling

Solid waste services in the City of Indio are provided by Burrtec Waste and Recycling Services (Burrtec). Burrtec collects residential garbage and recyclables on a weekly basis. Trash is taken to the Indio/Coachella Valley Waste Transfer Station in Coachella, which has a permitted maximum tonnage of 1,100 tons per day (tpd) of solid waste and a maximum capacity of 12,685 cubic yards per day. The facility can receive agricultural, construction and demolition, green material, industrial, inert, metal, mixed municipal, and tire wastes. Once waste enters the Indio/Coachella Valley Waste Transfer Station, it enters the Riverside County waste stream, is sorted, and sent to one of the Riverside County landfills (Badlands, Blythe, Desert Center, El Sobrante, Lamb Canyon, Mecca Landfill 11, and Oasis), which have a remaining combined capacity of 181,783,284 cubic yards (City of Indio, General Plan Updated EIR, 2019b, pp. 4.16-9 and 4.16-10).

Additionally, the Project shall comply with the requirements of the State's Solid Waste Diversion Law (Assembly Bill [AB] 341); the State's Mandatory Organic Waste Recycling Law (AB 1826 or Chapter 727, Statutes of 2014); and Section 3.02.08 of the City of Indio Unified Development Code (Mandatory Organic Waste Disposal Reduction Program). These bills require commercial businesses to source separate organic waste (including landscape waste, wood waste, and food waste); recyclable materials, and garbage and to arrange for recycling services.

The Project shall also comply with CALGreen requirements and applicable law(s) related to management of construction and demolition debris (C&D), including diversion of organic waste in C&D from disposal; and all written and published county policies and/or administrative guidelines regarding the collection, recycling, diversion, tracking, and/or reporting of C&D.

In summation, the Project would comply with all applicable state and local ordinances regarding collection, diversion, and disposal of waste generated from construction and occupancy and would not impair the attainment of solid waste reduction goals. Similarly, the Project would not generate solid waste in excess of State or local standards. Therefore, the Project would have a less-than-significant impact.

Mitigation Measures

No mitigation would be required.

3.20 WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Discussion of Impacts

a) No Impact. According to CalFire Fire Hazard Severity Zone Viewer, the project site is not within a State Responsibility Area. The site is not within a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area. Project design and site access would adhere to City of Indio Fire Department regulations and design standards. Further, Project construction would not require the complete closure of any public or private streets or roadways during construction. Temporary construction activities would not impede use of the road for emergencies or access for emergency response vehicles. The Project would be reviewed and approved by the City of Indio Fire Department prior to issuance of building permits to ensure that it would not preclude or interfere with emergency access or fail to comply with fire department standards. Therefore, the Project would

not impair an adopted emergency response or emergency evacuation plan, and no impact would occur.

b) Less Than Significant Impact. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazards by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point.

Per the 2024 Fire Hazard Severity Zones in the LRA map, the Project site and surrounding area are not identified as being in a fire hazard severity zone (California Department of Forestry and Fire Protection, 2024). The site is located in an area that is predominately developed with industrial and commercial uses and is not considered a significant risk of wildlife. There are no other factors of the project or the surrounding area that would exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations.

As part of the plan check process, the Project Site plan would undergo a fire, life, and safety review by the City Fire Department to determine the specific fire requirements applicable to ensure compliance with these requirements. Therefore, impacts associated with wildland fires would be less than significant and no mitigation would be required.

c) Less Than Significant Impact. The Project includes connection of the gas station and convenience store to existing infrastructure electrical power lines and the installation of new storm drain, water and wastewater facilities, and storm drain facilities require to support the proposed uses. The development of the fueling station and convenience store would be constructed in accordance with all local, State, and federal regulations regarding power lines and other related infrastructure, as well as fire suppression requirements. Therefore, the Project would not exacerbate fire risk or result in temporary or ongoing impacts to the environment, and impacts would be less than significant. No mitigation would be required.

d) No Impact. The Project site is located within an existing developed area where it would not involve development of structures of infrastructure that would introduce new populations to the proposed Project area that could result in impacts involving wildfires. The proposed Project area is generally flat, which would minimize any risk from downslope or downstream flooding or landslides. There would be no impact, and no mitigation would be required.

Mitigation Measures

No mitigation would be required.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considera-ble" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	☐	☒	☐	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion of Impacts

a) Less Than Significant With Mitigation Incorporated. As identified in Section 3.0 of this IS/MND, the proposed Project has the potential to result in potentially significant impacts associated with California history or prehistory. Implementation of **MM-CUL-1** through **MM-CUL-8** would reduce these impacts to less than significant. Therefore, the proposed Project would result in less than significant impacts with mitigation incorporated.

b) Less Than Significant with Mitigation Incorporated. As described in the impact analyses in Sections 3.1 through 3.19 of this IS/MND, any potentially significant impacts of the proposed project would be reduced to a less-than significant level following the incorporation of the

mitigation measures. All planned projects in the vicinity of the proposed project would be subject to review in separate environmental documents and required to conform to the City of Indio's General Plan, zoning, mitigate for project-specific impacts, and provide appropriate engineering to ensure the development meets applicable federal, State and local regulations and codes. As currently designed, and in compliance with the recommended mitigation measures, the proposed project would not contribute to a cumulative impact. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less-than-cumulatively considerable.

c) Less Than Significant Impact. As noted above, all environmental impacts associated with implementation of the proposed Project can be reduce to less than significant via implementation of the mitigation measures identified herein. The proposed Project would not result in significant impacts on human beings. This impact is less than significant.

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