

Memorandum

Tab 77

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 28-29, 2017

Reference No.: 2.2c.(10)
Action

Published Date: June 23, 2017

From: SUSAN BRANSEN
Executive Director

Prepared By: Jose Oseguera
Assistant Deputy Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING - FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COACHELLA VALLEY LINK MULTI-MODAL TRANSPORTATION PROJECT (RESOLUTION E-17-45)**

ISSUE:

Should the California Transportation Commission (Commission), as a Responsible Agency, accept the Final Environmental Impact Report (FEIR), the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations for the Coachella Valley Link Multi-Modal Transportation Project (Project) in Riverside County and approve the Project for future consideration of funding?

RECOMMENDATION:

Staff recommends the Commission accept the FEIR, the Mitigation Monitoring and Reporting Program, the Statement of Overriding Considerations, and approve the Project for future consideration of funding.

BACKGROUND:

The Coachella Valley Association of Governments (CVAG) is the California Environmental Quality Act (CEQA) lead agency for the Project. The Project, as identified in Alternative 1, will construct a multi-modal pathway beginning in Palm Springs and ending in the City of Coachella (FEIR, Section 2.0, Response to Comments).

On May 15, 2017, the Executive Committee of the CVAG adopted Resolution 17-003 to approve the FEIR and the Mitigation Monitoring and Reporting Program, and Resolution 17-004 to approve the Statement of Overriding Considerations for the Project as required under CEQA.

The FEIR determined that impacts related to noise and vibration during construction would be significant and unavoidable.

CVAG's Executive Committee determined that there were several benefits that outweighed the unavoidable adverse environmental effects of the Project. These benefits include overriding

economic, legal, social and technological considerations that outweigh the identified significant effects on the environment. The benefits cited by the Executive Committee of CVAG include:

- 1) Creating a regional multi-modal transportation facility that interconnects the highest intensity land use corridor in the Coachella Valley with neighborhoods, schools, retail centers, etc.;
- 2) Adding a safe and reliable mode of travel that would link the major cities of the Coachella Valley;
- 3) Limiting conflicts between motor vehicle traffic, pedestrians and bicyclists to reduce injuries and fatalities;
- 4) Securing a separate and reliable transportation path;
- 5) Reducing vehicle miles traveled by gasoline powered motor vehicles and congestion on local roadways;
- 6) Reducing air emissions and greenhouse gas emissions by complying with the Global Warming Solutions Act (AB 32) and the Sustainable Communities and Climate Protection Act (SB 375);
- 7) Improving connectivity for areas of the population who currently are limited in their travel options; and
- 8) Promoting healthy lifestyles through active transportation.

On June 20, 2017, CVAG confirmed that the FEIR remains valid and that there are no new identified impacts requiring mitigation since adoption. CVAG also confirmed that the preferred alternative set forth in the final environmental document is consistent with the Project scope of work programed by the Commission.

The Project is estimated to cost \$99,500,000 and is fully funded through construction with Active Transportation Program Funds (\$15,412,000), Coachella Council of Governments Transportation Funds (\$20,000,000), Cathedral City Bicycle Transportation Account/State Transportation Improvement Program Funds (\$2,749,000), Congestion Mitigation and Air Quality Funds (\$33,939,000), Desert Healthcare District/Community Health Improvement Infrastructure Grant Funds (\$10,000,000) and Air Quality Mitigation Grant Funds (\$17,400,000).

Construction is estimated to begin in Fiscal Year 2018/19.

Attachments:

- Resolution E-17-45
- Notice of Determination
- Mitigation Monitoring and Reporting Program
- Statement of Overriding Considerations
- Project Location Map

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 8 – Riverside County Resolution E-17-45

- 1.1 **WHEREAS**, the Coachella Valley Association of Governments (CVAG) has completed the Final Environmental Impact Report (FEIR) pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following Project (Project):
 - Coachella Valley Link Multi-Modal Transportation Project
- 1.2 **WHEREAS**, CVAG has certified that the FEIR was completed pursuant to CEQA and the CEQA Guidelines; and
- 1.3 **WHEREAS**, the Project, as identified in Alternative 1, will construct a multi-modal pathway beginning in Palm Springs and ending in the City of Coachella (FEIR, Section 2.0, Response to Comments); and
- 1.4 **WHEREAS**, the Project is located in Coachella Valley and follows the course of Chino Wash, the Whitewater River flood plain, Tahquitz Creek, and the Whitewater River Stormwater Channel/Coachella Valley Stormwater Channel as they extend through the Valley; and
- 1.5 **WHEREAS**, the California Transportation Commission, as the Responsible Agency has considered the information contained in the Final Environmental Impact Report; and
- 1.6 **WHEREAS**, on May 15, 2017, CVAG's Executive Committee adopted Resolution 17-003 to approve the FEIR and the Mitigation Monitoring and Reporting Program, and Resolution 17-004 to approve the Statement of Overriding Considerations; and
- 1.7 **WHEREAS**, CVAG's Executive Committee determined that impacts related to noise and vibration during construction would be significant and unavoidable; and
- 1.8 **WHEREAS**, CVAG's Executive Committee adopted a Statement of Overriding Considerations for the Project finding that the Project benefits outweigh the unavoidable effects; and
- 1.9 **WHEREAS**, CVAG's Executive Committee adopted a Mitigation Monitoring and Reporting Program for the Project; and
- 1.10 **WHEREAS**, the above significant effect is acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations; and
- 1.11 **WHEREAS**, on June 20, 2017, CVAG confirmed that the FEIR remains valid and that there are no new identified impacts requiring mitigation since adoption and that the preferred alternative set forth in the final environmental document is consistent with the Project scope of the work programed by the Commission.

2.1 NOW, THEREFORE, BE IT RESOLVED that the California Transportation Commission does hereby accept the Final Environmental Impact Report and Statement of Overriding Considerations, and approves the above referenced Project to allow for future consideration of funding.

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: California Transportation Commission
Attn: Jose Oseguera
1120 N Street, MS 52
Sacramento, CA 95814
(916) 653-2094

Subject: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Coachella Valley Link Multi-Modal Transportation Project
Project Title

2013111050	Tom Kirk	(760) 346-1127
State Clearinghouse Number	Lead Agency Contact Person	Area Code/Telephone

Project Location (include county): The project is located in Coachella Valley and follows the course of Chino Wash, the Whitewater River flood plain, Tahquitz Creek, and the Whitewater River Stormwater Channel/Coachella Valley Stormwater Channel as they extend through the Valley.

Project Description: The project, as identified in Alternative 1, will construct a multi-modal pathway beginning in Palm Springs and ending in the City of Coachella (FEIR, Section 2.0, Response to Comments).

This is to advise that the California Transportation Commission has approved the above described project on June 28-29, 2017 and has made the following determinations regarding the above described project:

1. The project (will/ will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (were/ were not) made a condition of the approval of the project.
4. Mitigation reporting or monitoring plan (was / was not) adopted for this project.
5. A Statement of Overriding Considerations (was / was not) adopted for this project.
6. Findings (were/ were not) made pursuant to the provisions of CEQA.

The above identified document with comments and responses and record of project approval is available to the General Public at: 73-710 Fred Waring Drive, Suite 200, Palm Desert, CA 92260

SUSAN BRANSEN		Executive Director
<i>Signature (Public Agency)</i>	<i>Date</i>	California Transportation Commission
		<i>Title</i>

Date received for filing at OPR:

MITIGATION MONITORING & REPORTING PROGRAM

Impact Heading	Level of Impact After Mitigation	Mitigation Measures	Responsible Party/Monitoring Party	Implementation Stage
Section 4.2 Aesthetics	Less Than Significant	AES-1: Construction staging areas should be located as far away from sensitive receptors as practicable and shall be screened from public view. The screening will consist of a perimeter chainlink fence with a windscreen, which will also provide a view screen. When staging areas' use is complete, the land shall be restored to its original condition.	CVAAG, Project Contractor	Concurrent with project construction.
	Less Than Significant	AES-2: Lighting plans shall be prepared by the project design team, and shall demonstrate that lighting from all fixtures will not extend beyond the edge of the right-of-way. Any lighting fixture proposed above the path shall be fully shielded.	CVAAG, Project Manager, Project Architect	Prior to the issuance of grading and/or building permits.
Section 4.3 Air Quality	Less Than Significant	AQ-1: To reduce particulate matter and NOx emissions construction equipment shall utilize aqueous diesel fuels, diesel particulate filters and diesel oxidation catalyst with a minimum 30% reduction rating during all construction activities.	CVAAG, Project Manager, General Contractor	Approved dust control plans from all participating jurisdictions prior to site disturbance. Adherence to the confirmed during all project plan reviews.
	Less Than Significant	AQ-2: SCAQMD Rule 403 (403.1 specific to the Coachella Valley): A dust control Plan shall be prepared and implemented by all contractors during all construction activities, including ground disturbance, grubbing, grading, and materials import and export. Said plan shall include but not be limited to the following best management practices: Chemically treat soil where activity will cease for at least four consecutive days; <ul style="list-style-type: none"> • All construction grading operations and earth moving operations shall cease when winds exceed 25 miles per hour; • Water site and equipment morning and evening and during all earth-moving operations; • Operate street-sweepers on paved roads adjacent to site; • Establish and strictly enforce limits of grading for each phase of development; • Wash off trucks as they leave the project site to control fugitive dust emissions • Cover all transported loads of soils, wet materials prior to transport, provide freeboard (space from the top of the material to the top of the truck) to reduce PM₁₀ and deposition of particulate matter during 	CVAAG, Project Manager, General Contractor	Approved dust control plans from all participating jurisdictions prior to site disturbance. Adherence to the confirmed during all project plan reviews.

CV Link Draft EIR/ SCH No. 2013111050
 Coachella Valley Association of Governments
 Mitigation Monitoring and Reporting Program

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

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

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

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

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Section 4.7 Greenhouse Gases	Less Than Significant	GEO-16. Standard geotechnical practices such as excavation of the expansive soils and replacement with non-expansive compacted fill (by using additional steel reinforcing in foundations, post-tensioned slabs, presoaking, and drainage control devices) shall also be used as determined appropriate by the geotechnical and structural engineers.	CVAG, Project Geologist	During construction.
Section 4.8 Hazards and Hazardous Materials	Less Than Significant	HAZ-1: If the pad-mounted or pole-mounted transformers situated immediately adjacent to the CV Link alignment must be removed during construction activities, they will be tested for PCBs prior to their removal and disposal. If PCBs are identified, the transformers and associated fluids shall be transported offsite and disposed of in accordance with the standards and requirements of the Riverside County Department of Environmental Health, including draining of materials into approved containers, and secured transport to approved disposal facilities.	CVAG, Project Contractor	During all phases of construction
Section 4.9 Hydrology	Less Than Significant	HYD-1: Prior to finalizing design and engineering plans for all CV Link facilities that are located atop, within or adjacent to CVWD and/or RCFCWCD facilities and drainages, said plans shall be reviewed and approved by the responsible flood control agency to ensure that these improvements do not interfere with or adversely affect channel capacity or the ability of the flood control agencies to manage and maintain these facilities.	CVAG, Project Contractor	Prior to and during construction activities.
	Less Than Significant	HYD-2: Prior to the completion of 60% plans for the Cook Street and Point Happy bridges, the project designers shall ensure that bridge supports do not impact requisite stormwater channel feedback at these locations and shall secure CVWD concurrence before final design engineering is completed.	CVAG, Project Contractor	Prior to and during construction activities.
	Less Than Significant	HYD-3: The Proposed Project shall comply with the requirements of the National Pollution Discharge Elimination System (NPDES).	CVAG, Project Contractor	Prior to and during construction activities.
	Less Than Significant	HYD-4: As applicable, CV Link construction shall follow the design and development standards and guidelines promulgated by CVWD and RCFCWCD, including but not limited to the Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development (RCFCWCD, 2014) and the CVWD Development Design Manual (CVWD, 2013).	CVAG, Flood Control Agencies (CVWD, RCFCWCD), Project Contractor	Prior to finalizing engineering plans

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

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

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

- Installation of signage and development of protocols prohibiting ATV and motorcycle access and use. (See Final EIR, Master Response 3.)
- Creation of a volunteer CV Link Watch program to act as eyes on CV Link and photographically document illegal activities, including ATV/motorcycle infractions, for action by local law enforcement authorities. (See Final EIR, Master Response 3.)
- Installation of emergency notification/call boxes, particularly in areas with limited cell phone reception. (See Final EIR, Master Response 3.)

SECTION 3: ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15093(a), the Executive Committee must balance, as applicable, the economic, legal, social, technological, or other benefits of Alternative 1, as modified, against its unavoidable environmental risks in determining whether to approve Alternative 1, as modified. If the specific benefits of Alternative 1, as modified, outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of Alternative 1, as modified, to the extent feasible by adopting the mitigation measures provided in the Mitigation Monitoring and Reporting Program (“MMRP”) previously adopted by CVAG and incorporated herein by reference, and having considered the entire administrative record on CV Link, the Executive Committee has weighed the benefits of Alternative 1, as modified, against its unavoidable adverse impacts after mitigation in regards to temporary noise and vibration during construction. While recognizing that the unavoidable adverse impacts regarding temporary noise and vibration during construction are significant under CEQA thresholds, the Executive Committee finds that the unavoidable adverse impacts that will result from adoption and implementation of Alternative 1, as modified, are acceptable and outweighed by specific social, economic and other benefits.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of Alternative 1, as modified. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Executive Committee would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The Executive Committee finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), each of the following social, economic, and environmental benefits of Alternative 1, as modified, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts.

Transportation Benefits of Alternative 1, As Modified

- Alternative 1, as modified, would create a regional multi-modal transportation facility that interconnects the highest intensity land use corridor in the Coachella Valley with neighborhoods, schools, parks, tourist destinations, retail centers, high density residential development, and employment centers, to enhance community livability and cohesiveness.
- Alternative 1, as modified, would meet the need for a safe and reliable mode of travel that would link the major cities of the Valley and deliver predictable, consistent travel opportunities sustainable over time. Alternative 1, as modified, also would provide quick, competitive travel times between Valley's cities.
- Alternative 1, as modified, limits conflicts between motor vehicle traffic, pedestrians, and bicyclists, reduces injuries and fatalities, and creates a pleasant user experience by providing a separated pathway, and grade-separated crossings (bridges and undercrossings) of major roadways to the greatest extent possible.
- Alternative 1, as modified, will provide a predominantly separate transportation path that will be less susceptible to many factors influencing reliability, such as capacity constraints, congestion, and incidents that disrupt service.
- Alternative 1, as modified, will reduce vehicle miles traveled by gasoline powered motor vehicles, which will reduce congestion on regional and local roadways.

Benefits to Regional Air Quality of Alternative 1, As Modified

- Alternative 1, as modified, will reduce air emissions and greenhouse gas emissions and would help the Coachella Valley comply with the Global Warming Solutions Act (AB 32) and the Sustainable Communities and Climate Protection Act (SB 375) by encouraging zero-emission transportation technologies, transit, and active transportation.

Land Use Planning Benefits of Alternative 1, As Modified

- In the vicinity of CV Link, Alternative 1, as modified, will support multi-modal and "safe routes to schools" efforts by providing connections to K-12 schools in three school districts and to higher education opportunities.
- Alternative 1, as modified, will offer opportunities for infill development and redevelopment of participating cities, which would reduce pressures for conversion of surrounding agricultural land to non-agricultural uses.
- Alternative 1, as modified, is expected to be a catalyst for wider implementation of multi-modal transportation routes that expand upon CV Link. Alternative 1, as modified, will also meet the need for improved multi-modal connectivity with existing local and commuter streets.

Economic Benefits of Alternative 1, As Modified

- Construction of Alternative 1, as modified, will generate approximately 169 jobs per year during the four year construction period. Operations and maintenance of Alternative 1, as modified, would directly employ about 50 people by 2040. In addition, Alternative 1, as modified, would improve the economic productivity of workers engaging in intercity travel by providing an option to avoid the delays and unpredictability associated with local streets.

Social Benefits of Alternative 1, As Modified

- Alternative 1, as modified, would provide an opportunity for connectivity for areas of the population who currently are limited in their travel options. In addition, Alternative 1, as modified, is a mode of transportation that can enhance and strengthen urban centers. In combination with appropriate local land use policies, the increased accessibility afforded the users could encourage more intensive development and may lead to higher property values around the Route.
- Alternative 1, as modified, promotes healthy lifestyles through the provision of infrastructure where people can safely travel and recreate by means of active transportation, which in turn can help to address public health problems such as childhood obesity and diabetes.

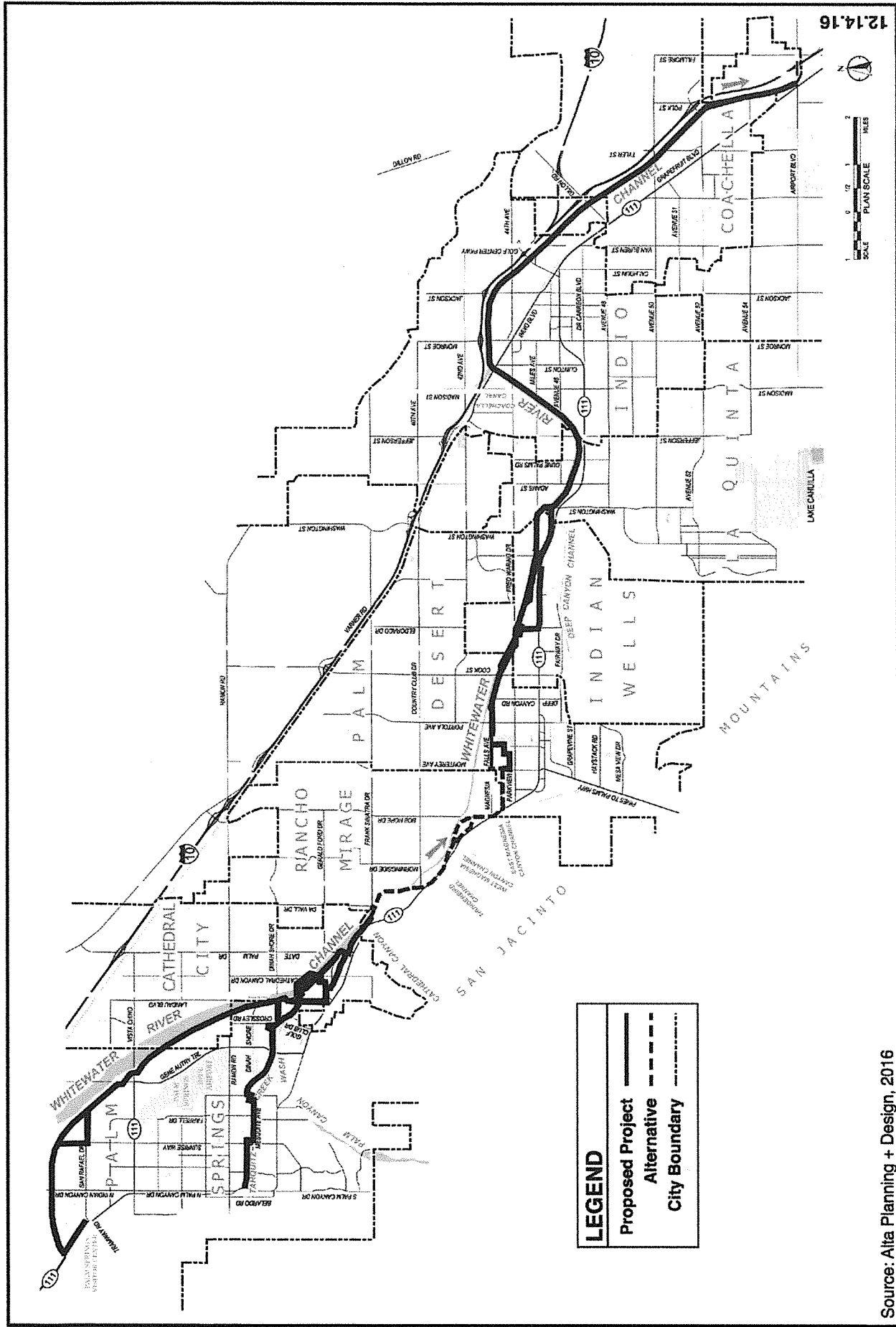
Overall, the Executive Committee hereby declares that the foregoing benefits provided to the public through the approval and implementation of Alternative 1, as modified, outweigh the identified significant adverse environmental impacts that cannot be mitigated. The Executive Committee finds that each of Alternative 1's, as modified, benefits separately and individually outweigh all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

SECTION 4: MITIGATION MONITORING AND REPORTING PROGRAM

Approval of Alternative 1, as modified, is made subject to the Mitigation Measures included in the Mitigation Monitoring and Reporting Program previously adopted by CVAG and incorporated herein by reference.

SECTION 5: CUSTODIAN OF RECORDS

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



Source: Alta Planning + Design, 2016

Exhibit

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CV/LINK
CONNECTING THE COACHELLA VALLEY

**CV Link Project
CV Link Overview Map
Coachella Valley Association of Governments**



PLANNING & RESEARCH, INC.