

## 4.2 LAND USE COMPATIBILITY

### 4.2.1 Introduction and Background

#### Local, Regional, State, and Federal Plans and Agencies

The planning process included initial and on-going consultation with the full range of public and quasi-public agencies with local, regional, State, and Federal jurisdiction (40 C.F.R. 1502.16(c)). These included local and regional providers of domestic water, flood control protection, and electric power, State wildlife and parks agencies, as well as Federal wildlife, parks, forest, and land management agencies.

Major plans of particular relevance include the BLM California Desert Conservation Area Plan (1980, as amended), Santa Rosa and San Jacinto Mountains National Monument Plan (2003), the Riverside County General Plan (2003), the Western Riverside County Multiple Species Habitat Conservation Plan (2003), and the San Bernardino National Forest Land and Resource Management Plan (2005). Local Native American Tribes have also been involved in and have coordinated their conservation efforts with the MSHCP planning process.

Consideration of local, State, and Federal planning efforts are based upon the following land use and resource plans.

***Western Riverside County Multiple Species Habitat Conservation Plan:***<sup>1</sup> The eastern boundary of the Western Riverside County MSHCP in the San Gorgonio Pass abuts the western-most boundary of the MSHCP Plan Area. Adopted in the spring of 2003, the Western County Plan Area encompasses approximately 1.26 million acres and provides an overall conservation strategy, including the conservation of existing and restoration of degraded habitat, the management of a conservation reserve system, and on-going monitoring in perpetuity. The Western Riverside MSHCP preserves and protects 153,000 acres of habitat for the benefit of 146 listed and unlisted wildlife and plant species. Where relevant, coordination has occurred and would continue to occur between the Western County MSHCP and the Coachella Valley Plan.

***California Desert Conservation Area (CDCA) Plan:*** The CDCA Plan is a regional land use planning document prepared by BLM. The CDCA Plan addresses over ten million acres of public land, including approximately 25% of the MSHCP Plan Area. Within the MSHCP Plan Area, the CDCA Plan addresses several wilderness areas and "Areas of Critical Environmental Concern" (ACECs). In 2002, the BLM completed and adopted a major amendment to the CDCA

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<sup>1</sup> Western Riverside County Multiple Species Habitat Conservation Plan and Final Environmental Impact Report/Statement. Prepared by the County of Riverside. Adopted 2003.

Plan, which addresses the need for multiple uses of public lands, the recovery of sensitive and State and Federal listed species, provision of recreational opportunities, mineral and energy production, and coordination and collaboration with local jurisdictions in consistent and compatible land management.<sup>2</sup> The BLM Trails Plan also constitutes an "Action Plan" implementing the BLM CDCA Plan.

***Peninsular Bighorn Sheep Recovery Plan:*** In October of 2000, the USFWS and its cooperating agencies (BLM, USFS, CDFG, Agua Caliente Band of Cahuilla Indians, and State Parks) adopted the "Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California."<sup>3</sup> The population of bighorn sheep in the U.S. portion of the Peninsular Ranges was listed as endangered in 1998, and the Recovery Plan was developed for the recovery of the species. Issues addressed in the plan include short-term improvement of adult survivorship, and the long-term conservation of habitat, effective management of sheep and habitat to minimize human disturbance, and elimination of hazards associated with sheep interactions at the urban interface.

***Santa Rosa and San Jacinto Mountains National Monument Plan:***<sup>4</sup> The Santa Rosa and San Jacinto Mountains (SRSJ) National Monument was established by Congressional action in 2000 (Public law 106-351). The Monument Plan affects only Federal lands and Federal interests within its boundaries, which would be jointly managed by the BLM and the U.S. Forest Service. The Monument Plan is designed to protect nationally significant biological, cultural, recreational, geological, educational, and scientific values in the National Monument and to make these accessible for current and future generations. The plan also provides for the management of the monument in cooperation and consultation with private interests, other Federal agencies, State and local governments, and local Native American Tribes. It is also intended that the SRSJ Mountains National Monument Plan be consistent with the proposed MSHCP, including its Conservation Goals and Objectives and the proposed BLM Trails Plan.

***San Bernardino National Forest Land and Resource Management Plan:***<sup>5</sup> This plan was last revised in 2005. The plan establishes the land use allocations in a manner similar to city General Plans, and serves as a strategic and operational plan for the Forest Service. The Forest Service has been an on-going participant in the development of the proposed MSHCP, and revisions underway would assure consistency between the San Bernardino National Forest Land and

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<sup>2</sup> "California Desert Conservation Area Plan Amendment for the Coachella Valley and Final Environmental Impact Report". Prepared by the United States Department of the Interior, Bureau of Land Management. October 2002.

<sup>3</sup> "Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California". Rubin, Ester, et al. US Department of the Interior, Fish and Wildlife Service. October 2000.

<sup>4</sup> "Draft Santa Rosa and San Jacinto Mountains National Monument Management Plan and Draft Environmental Impact Statement". Prepared by the U.S. Department of the Interior, Bureau of Land Management and the U.S. Department of Agriculture, Forest Service. March 2003. Release of the Final EIS and National Monument Plan is expected in the fall of 2003.

<sup>5</sup> "San Bernardino National Forest Land and Resource Management Plan and Final Environmental Impact Statement". Prepared by the U.S. Department of Agriculture, Forest Service/Pacific Southwest Region. 2005.

Resource Management Plan and the proposed MSHCP. Issues addressed in the Forest Service Plan include recreational uses designations, and management strategies to protect threatened and endangered species (and other proposed Covered Species).

***Tribal Habitat Conservation Plan for the Agua Caliente Band of Cahuilla Indians:***<sup>6</sup> The Draft of this plan was approved by the Tribal Council in November 2002, and involves an area encompassing 31,400± acres in the western Coachella Valley. The Agua Caliente Band of Cahuilla Indians Tribal HCP formalizes the Tribe's land use and resource management efforts, and serves as the basis for an application for a section 10(a) Incidental Take Permit from the USFWS. The Draft Tribal HCP addresses development and other activities within the Reservation, and provides a mechanism for the protection of sensitive species and their habitats.

The Draft Tribal HCP proposes to address 16 wildlife and 2 plant species, ten of which are listed as threatened or endangered. The Tribe has been an on-going participant in the development of the proposed Coachella Valley MSHCP and the Draft Tribal HCP states that it intends to closely coordinate the Draft Tribal HCP with the proposed Coachella Valley MSHCP.

***Riverside County General Plan:*** While the initiation of the MSHCP planning effort preceded the preparation of the most recent update of the County General Plan, the two plans have been coordinated. The County General Plan includes four Area Plans, which encompass major portions of the MSHCP Plan Area. These include the Pass Area Plan, which includes the community of Cabazon in the western-most portion of the MSHCP Plan Area; REMAP Area Plan, which encompasses the mountain areas of the San Jacinto and northern Santa Rosa Mountains; the Western Coachella Valley Plan, which extends from the eastern portion of the San Geronio Pass to Indio and La Quinta; and the Eastern Coachella Valley Plan, which extends from Indio and La Quinta area east to Chiriaco Summit and the northern portions of the Salton Sea.

***City General Plans:*** The nine CVAG member cities each have their own adopted General Plans, which includes the assignment of land use designations and regulatory statements in the form of goals, objectives, policies, and programs. Included in these plans are land use designations and regulatory statements that address the need for and/or appropriateness of open space and conservation areas, as defined by the California General Plan Guidelines.

Inter-governmental coordination is required by California law when either developing or implementing a General Plan (California Government Code (CGC) Sections 65103(e)(f), 65351, and 65352), involving more than a formal exchange of information and plans. Local planning

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<sup>6</sup> *Multiple Species Habitat Conservation Plan for the Agua Caliente Indian Reservation.* Prepared by Michael Brandman Associates for the Agua Caliente Band of Cahuilla Indians. Adopted November 12, 2002.

agencies are entitled to review such actions as proposed acquisition of real property for public works or other public purposes (CGC §65402(b)(c)). Over the course of developing the MSHCP, the General Plan goals, policies, and programs of the CVAG member jurisdictions have been considered.

### **County and Cities General Plans**

About 45% of the land within the Plan Area is privately owned, and these lands are regulated through the General Plans of Riverside County and the nine CVAG member cities. Public lands in the Plan Area include BLM (< 25% ), National Park Service (15% ±), and U.S. Forest Service (> 8% ).

The California General Plan Guidelines require that county and community General Plans include Open Space and Conservation Elements. Open Space Elements are meant to guide the comprehensive and long-range preservation and conservation of "open space lands" (Government Code Section 65563). With their breadth in scope, the statutory intent of Open Space Elements (see §65561 and 65562) overlap those of several elements, and for this reason are frequently combined with other General Plan elements.

The guidelines recognize four different categories of open space. Particularly relevant to the proposed MSHCP is open space for the preservation of natural resources encompassing an assortment of areas, which are required to maintain biological diversity, to protect significant features, and to ensure that future generations would have access to natural environments. In this context, preservation can be defined as the safeguarding and protection of natural resources to prevent their destruction and ensure their long-term survival. The public demands for trail-oriented recreational uses (California Public Resources Code §5076) must also be addressed within the context of open space and conservation considerations.

The data in *Table 4-1* are based upon the recently adopted (2003) Riverside County General Plan Land Use Element and include four focused community plans, which specifically address land use in the MSHCP Area. They include the Eastern Coachella Valley Plan, Western Coachella Valley Plan, Cabazon Community Plan, and Riverside Extended Mountain Area Plan (REMAP). The General Plan land use plans developed by the nine incorporated cities have been consolidated into a single land use plan in CVAG's 1999 General Plan Land Use Map update.

**TABLE 4-1**  
**Land Use Designations on Private Lands in Conservation Areas**

Land Use Designation	Total Acres in Conservation Areas	% of Private Non-Conservation Land in Conservation Areas
General Plan Designated as Open Space <sup>1</sup>	190,485	91.7%
General Plan Designated as Residential, allowing more than 1 unit per 10 acres <sup>2</sup>	12,612	6.1%
General Plan Designated as Commercial, Industrial, Business Park <sup>3</sup>	1,021	0.5%
General Plan Designated as Agriculture	2,954 2,715	1.4 1.3%
Other General Plan Designations <sup>4</sup>	843	0.4%
<b>TOTALS <sup>5</sup></b>	<b>207,676</b>	<b>100%</b>

- 1 General Plan designated as open space generally indicates that the maximum land use intensity on the property is 1 unit per 10 acres. In the case of the Palm Springs General Plan designation "Desert," the minimum lot size ranges from 5 acres to 20 acres. This designation is considered "open space" in this table because of the additional requirement that 90% of the lot be left in open space.
- 2 General Plan Residential designations include all densities from Very Low to High, which encompass rural to urban residential land uses. Associated golf course lands are included.
- 3 These General Plan designations include all types of commercial, business, industrial, and manufacturing land uses. Wind energy areas are also included.
- 4 Other General Plan designations include Park, Specialized Park, Utility Substation, Public Use, Public Facilities, and School.
- 5 The total acreage in this table differs with the acreage in the Plan by approximately 0.8%. Such statistically insignificant differences result from the use of different GIS coverages for deriving the statistics in this table.

The General Plans of the county and cities all include goals, policies and other statements (objectives, programs, etc.), which set forth various planning principles, standards, criteria and action plans that are directly related to the conservation and protection of sensitive environmental resources, including wildlife, plants, and their habitats. These are embodied in a variety of elements, depending upon the jurisdiction. A list of relevant goals, policies, objectives and programs from each jurisdiction's General Plans has been extracted and consolidated in Appendix H of this EIR/EIS.

### **Land Use Designations on Agua Caliente Band of Cahuilla Indians Tribal Lands**

The Draft Agua Caliente Band of Cahuilla Indians Tribal HCP provides a breakdown of land uses and land use designations for these lands.<sup>7</sup> Tribal lands are broken out by section number and geographic area, i.e. mountains and canyons, and valley floor and total approximately 49

<sup>7</sup> Final Draft Tribal Conservation Plan for the Agua Caliente Indian Reservation, Palm Springs, California." Prepared by the Agua Caliente Band of Cahuilla Indians. November 2002.

square miles. Approximately 24 square miles of Tribal lands are designated as “Open Space Conservation Areas under the Riverside County REMAP sub-area of the Riverside County Integrated General Plan.” Additional lands encompass 1.25 to 2.0 square miles are designated “Conservation” Open Space allowing very low density residential development at the rate of one dwelling unit per 5 to 20 acres. Existing Tribal conservation programs affecting mountains and canyon areas protects approximately 3,600 acres, including lands within the Indian Canyons Heritage Park and access into Tahquitz Canyon.

#### **4.2.2 Thresholds of Significance/Criteria for Determining Significance for CEQA Analysis**

The Proposed MSHCP and alternatives would have a significant effect on land use and planning if they:

- a. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Plan (including but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- b. Possibly conflict with the objectives of Federal, regional, State, local or tribal land use plans, policies, or controls.
- c. Physically divide an established community.
- d. Conflict with any applicable habitat conservation plan or natural community conservation plan (see Section 4.9 of this EIR/EIS).

#### **4.2.3 Land-Use-Related Project Impacts**

##### Proposed Action/Preferred Alternative

The Proposed Action/Preferred Alternative has been developed in coordination with the Permittees. The proposed Plan does not conflict with any plans adopted for the purpose of avoiding or mitigating an environmental effect. The design of the Conservation Areas took into account the General Plan land use designations of the Local Permittees. As shown in *Table 4-1*, approximately 91% of the land in the Conservation Areas has an Open Space designation to conserve open space resources.

The acquisition of lands would occur throughout the Plan Area. These lands are already very constrained by their location in seismically active areas, wind and blowsand corridors, steep topography, floodplains, and by isolation and a lack of infrastructure and services.

Ongoing consultation and coordination have assured that the proposed Plan is consistent and compatible with the objectives of local, State, regional, Federal agencies and tribal land use plans, policies and controls for the Plan Area, including CDFG, BLM, USFWS, NPS, and USFS. For example, BLM adopted amendments to the CDCA Plan requiring that management of their lands within the Conservation Areas should be consistent with the proposed MSHCP. USFS has a land use management plan that addresses threatened and endangered species management. NPS manages nearly all its land in the proposed Conservation Areas as Wilderness. Based upon the coordinated and integrated nature of the Proposed Action/Preferred Alternative, impacts to Federal, State, regional, local, or tribal land use plans, policies, or controls are considered to be less than significant for CEQA analysis purposes.

The Proposed Action/Preferred Alternative does not result in the physical separation of a community because the distribution of the Conservation Areas accommodates the physical integrity of the communities. Most are outside currently developed areas and do not intrude into existing or planned urban development.

One Conservation Area, the Upper Mission Creek/Big Morongo Canyon Conservation Area, does adjoin the existing urbanized portion of Desert Hot Springs and would create a separation between it and future planned development. The separation, however, ranges between 0.25 mile and 0.5 mile and follows the Morongo Wash floodplain area, which already constitutes a natural separation. The proposed Plan also provides Take Authorization for major roads that connect the two portions of the city. Additionally, a trail system is allowed in the Conservation Area and would serve as an amenity to help unite the two areas of the city.

This Proposed Action/Preferred Alternative does not conflict with any applicable habitat conservation plan or natural community conservation plan (see Section 4.8 of this EIR/EIS).

### Public Lands Alternative

This Alternative includes all lands managed for conservation under local, State, and Federal agency ownership, and Private Conservation Lands, and could require additional management prescriptions to be implemented on certain BLM and other public lands. No new areas would be acquired for Plan purposes. As with the Proposed Action and Preferred Alternative, there would be no direct impact on applicable plans because this Alternative does not propose additional conservation of lands. For the same reason, this alternative would not result in the physical division of an established community. State and Federal lands would be managed in a manner consistent with their respective management plans, and thus this Alternative would not conflict with such plans.

This Alternative does not conflict with any applicable habitat conservation plan or natural community conservation plan because the existing lands under the CVFTL HCP would remain conserved under the proposed MSHCP.

#### Core Habitat with Ecological Processes Alternative

This Alternative would have a lower level of conservation of private lands compared to the Proposed Action and Preferred Alternative, and thus would have even fewer potential conflicts with applicable land use plans. Based upon the coordinated and integrated nature of this Alternative, impacts to Federal, State, regional, local, or tribal land use plans, policies, or controls are considered to be less than significant. Nor would this Alternative physically divide an established community for the reasons described under the Proposed Action and Preferred Alternative.

This alternative does not conflict with any applicable habitat conservation plan or natural community conservation plan (see Section 4.9 of this EIR/EIS).

#### Enhanced Conservation Alternative

This Alternative would result in a substantial increase in lands in Conservation Areas compared to the other alternatives. As described below, this additional Conservation could result in significant land use compatibility conflicts and physically divide established communities. Additional lands would be added to a variety of broadly distributed Conservation Areas.

***Expanded Snow Creek and Mission Creek Areas:*** Additional Snow Creek lands are located between U.S. Interstate 10 and State Highway 111 west of the Whitewater River, including private lands currently developed for wind energy conversion. The proposed Plan identifies existing windfarm Development, including ground disturbing activities associated with the retrofit of these facilities, to be compatible, in principle, with the Plan's Conservation Goals and Objectives.

Under the Proposed Action/Preferred Alternative, impacts to energy resources would be less than significant for CEQA analysis purposes. Over the past 20 years, the most economically developable wind resources in the Plan Area have been developed. The discussion in Section 3.5 further describes these resources and their Development. Wind energy conversion systems (WECS or windfarms) can and have been developed in a manner that limits on-site impacts to wildlife and their habitat. Given the substantial windfarm development that has already occurred and the continuing retrofit of turbines on existing sites, as well as the continued relatively low impact of windfarm Development, existing and future Development of regional wind resources are not significantly in conflict with or constrained by adoption and implementation of the

proposed Plan. No large-scale solar or thermal energy resources have been developed in the Plan area at this time, nor is the Plan expected to constrain or inhibit such development, which typically occurs in conjunction with buildings and similar structures (also see Section 7.3 of the Plan).

The Plan provides Take Authorization for ground disturbance associated with windfarm Development in Conservation Areas that is consistent with applicable Conservation Goals and Objectives. Ground disturbances include roads and staging areas, foundation pads and storage areas, with further disturbance limited once constructed. The retrofitting of wind turbines is a proposed Covered Activity only with respect to impacts from ground disturbance.

The Enhanced Conservation Alternative adds lands on the alluvial plain created by Mission Creek west of State Highway 62, including all but a small portion of the approved Rancho Royale Specific Plan community located within the Desert Hot Springs City limits. This project was processed through the certification of an EIR. The Alternative would be incompatible with the adopted Specific Plan, which is recognized in the city's General Plan.

Lands in Section 29 west of the Colorado River Aqueduct would also be included in the Alternative. These lands are designated for low-density residential development and are not significantly physically constrained. In light of the Rancho Royale Specific Plan and associated infrastructure extensions, inclusion of these lands in conservation would also be incompatible with this Alternative.

***Mission Creek and Morongo Wash:*** Additional lands comprised of the alluvial plain created by Mission Creek would be added to Conservation Areas along the east and west sides of the Mission Creek Wash, and extend east to the Big Morongo Wash. Within the City of Desert Hot Springs, these lands are designated for a variety of urban uses, including General Commercial, low density residential, mobile home parks (two existing), and industrial lands. Existing development in this expanded corridor within the city limits includes approximately one-third of the largely developed Mission Lakes Country Club with existing condominiums and single-family homes. Other existing Development includes more than 50 single family homes and other subdivided lands south of Mission Lakes Boulevard, and the aforementioned two mobile home parks. This alternative would preclude or constrain future flood control activity, expose existing and planned development to extensive sheet-flow and channelized flooding, and would continue physical isolation of this area from the urban core of the City of Desert Hot Springs. Impacts to existing and planned future land uses in this area would be significant for CEQA analysis purposes.

***Willow Hole Conservation Area:*** Alternative also adds lands in several portions of this Conservation Area, including north of 20th Avenue in the western portion of the existing Desert

Dunes golf course and associated Seven Palms Valley Ranch property, and extending south along the east side of Palm Drive to I-10. A small, existing residential neighborhood located immediately south of 20th Avenue and in the vicinity of the mid-section line of Section 18 would also be included in conservation. In addition to the conflicts with the existing golf course and residential development, this alternative would impact lands within the Cathedral City Sphere of Influence (SOI) and designated for commercial development immediately east of Palm Drive down to I-10. Alternative would result in significant land use conflicts and compatibility impacts in these areas.

On and in the vicinity of Flat Top Mountain lands would be added to Conservation Areas south of the power line corridor, which serves as the southern limit of this Conservation Area east of Palm Drive, to I-10. Much of these lands are designated as Rural Desert (<0.1 du/ac) and Open Space-Water on the County General Plan. A portion of these lands is located within the Cathedral City corporate limits and its Sphere of Influence (SOI). The City has designated these lands Residential Estates (0-2 du/ac), Business Park, and Open Space-Watercourse. Along I-10 and east of Palm Drive, proposed Conservation Areas would limit Development of a significant area of Business Park lands. Overall, the proposed Conservation Areas in this portion of the Plan Area would be incompatible with and would limit Development of business park lands and would reduce the availability of residential estate-type lands.

***Whitewater Floodplain Conservation Area:*** This Alternative also involves the possible reconfiguration of the existing Whitewater River groundwater recharge basins located east of the Highway 111/I-10 interchange, and built and maintained by the Coachella Valley Water District. Alternative indicates that the entire recharge basin area would or may be converted back to floodplain in order to provide enhanced fluvial and aeolian sand transport. These recharge facilities play a critical role in the efforts of local ground water managers (DWA and CVWD) to address serious overdraft of the Whitewater Subbasin, which serves most of the urban areas of the Coachella Valley.

The groundwater recharge efforts also address the related threat of subsidence and compaction within the soil column that constitutes the water-bearing strata for the basin. Subsidence and compaction can significantly reduce the ability of the water-bearing strata to store groundwater. The location of these facilities, as discussed further in Section 4.7, are geographically significant and cannot be easily relocated. The adoption of this Alternative would have a significant adverse impact on this land use of regional importance and significance. The CVWD Whitewater Subbasin, which is recharged by the aforementioned recharge basins, is strategically located at top of the subbasin's gradient, which trends from higher to lower elevation in a northwest to southeast direction. The adoption of the Enhanced Conservation Alternative could threaten the long-term viability of these facilities and could impede the effective recharging of this, the largest groundwater storage subbing in the Plan Area.

**Additions to Willow Hole and Thousand Palms Conservation Areas:** This Alternative also adds a long but somewhat narrow strip of conservation land between I-10 and Varner Road, extending from Date Palm Drive east to the Varner Road/Rio del Sol intersection. Within the Cathedral City corporate limits, these lands are vacant and are designated on the city's General Plan for General Commercial, Industrial, and Open Space-Watercourse.

Major commercial development has been planned on the commercial property at the northeast corner of Date Palm Drive and I-10 for many years and plans to extend infrastructure into this area are currently underway. Under the County General Plan, the subject lands east of Cathedral City are also vacant and designated for industrial development. With the imminent extension of water and sewer to these lands, adoption of Alternative would result in significant land use incompatibilities.

**Big Dune (Palm Springs Sand Ridge) South of I-10:** The Palm Springs Sand Ridge (referred to as the "Big Dune" in the Plan) is an artifact of the prevailing wind direction and major area of pre-development aeolian sand deposition, which formed prior to the construction of the Union Pacific Railroad lines and later I-10. Since the construction of these transportation corridors and their attendant sand-intercepting windrows, the Big Dune has been cut off from most of its upwind sand source and is now recognized as a stabilized sand dune area.

The Enhanced Conservation Alternative includes the portion of Big Dune/Palm Springs Sand Ridge that extends east from Date Palm Drive to Gerald Ford Drive (extended). The western-most portions of these lands are within the Agua Caliente Indian Reservation and are not subject to the Plan. The remaining lands are under the jurisdiction of Riverside County, and the cities of Rancho Mirage and Palm Desert.

The western-most portions of lands included in Conservation Areas proposed under this Alternative are still vacant, however, significant commercial, residential and institutional Development has occurred on the eastern portions of these lands, and include:

- Agua Caliente Casino at the southeast corner of Ramon Road and Bob Hope Drive
- Residential subdivision immediately south of Dinah Shore Drive and east of Bob Hope Drive
- Marriott Shadow Ridge Timeshare Golf Resort 1000-unit/320 acre (W1/2 of Section 32)
- Single family Development of approximately 120 acres west of Portola Avenue in the W1/2 of Section 32)
- Commercial Development (hotel and service stations) at the northwest and northeast corners of Cook Street and Gerald Ford Drive

- Palm Desert Campus of California State University under development immediately east of Cook Street between Frank Sinatra Drive and Gerald Ford Drive

General Plan land use designations on vacant portions of these lands include:

- Cathedral City: General Commercial, Low Density Residential and Industrial
- Riverside County: Commercial Retail, Commercial Tourist, and Low/Medium/High Density Residential
- Rancho Mirage: Resort Hotel, Community Commercial, Light Industrial, High Density Residential, Eagle at Rancho Mirage 640 acre destination resort, Mixed Use Commercial
- Palm Desert: Regional Commercial, including approved 70 acre WalMart Center, Commercial/Industrial, District Commercial, Municipal Golf Course (approved), Low Density Residential, Institutional (California State University & University of California-Riverside)

Proposed conservation of these lands would conflict with local, State, regional, Federal agencies, and tribal land uses and land use plans, policies and controls of these communities. The conservation of even the currently vacant portions of these lands would also remove a significant long-term source of revenue expected to support Conservation Area acquisition and management. This action would also separate and disturb important land use patterns of established communities in the area. Both existing development and General Plan land use designations within the Big Dune (Palm Springs Sand Ridge) area proposed for inclusion in this Alternative constitute significant land use conflicts.

***Thousand Palms/Indio Hills Palms/East Indio Hills:*** This Alternative adds lands to Conservation Areas located east of the north end of the Del Webb SunCity development, including the Adams Ranch Specific Plan and Granite Construction Indio Quarry lands, tying into lands proposed for inclusion in Conservation Areas under the Preferred Alternative, which occur south along the north side of the U.S. Bureau of Reclamation flood control levee. This Alternative would extend the west end of the East Indio Hills corridor through and encompass the 640± acre Adams Ranch Specific Plan project (approved/undeveloped), as well as scattered single family residential development to the south of this project.

In addition, the Alternative would encompass the Granite Construction Indio Quarry and its various operations and extensive excavation areas. This regional source of Portland aggregate and sand recently received approval from Riverside County (March 2002) for an expanded mining area, the operation of which could be constrained from operation if this Alternative were adopted.

Subdivided and partially developed lands in the eastern portion of Sky Valley north of the Indio Hills Palms Conservation Area would also be included in this Alternative. These lands are designated by Riverside County for low density residential (1 du/5 ac.), approximately 300 acres of active agricultural lands (date gardens) and sand and existing gravel operations.

The Alternative would preclude Development of the approved Adams Ranch project and would impact existing residential development as well. Impacts on important agricultural activities would also be significant. While implementation of this Alternative would not result in land use incompatibilities, significant impacts would occur to existing and approved land uses, including those of regional significance and importance.

***Coachella Canal Linkage:*** This component of this Alternative would include a mile wide corridor located along the north and south side of the Coachella Branch of the All-American Canal, which delivers Colorado River Water to farmlands in the Coachella Valley. The west end of this proposed corridor would encompass existing agriculture located east of Dillon Road and north of I-10. The remaining lands are vacant and lie adjacent to existing agricultural lands/activities to the southwest; it is uncertain to what extent Conservation Goals could be incompatible with these activities.

Land use designation in the City of Coachella portion of these lands includes commercial, low density residential, and agriculture. The County and City of Coachella General Plan land use designations include Commercial Tourist, Commercial Retail, and Medium Density Residential in association with the approved McNaughton Specific Plan, and Agriculture, Open Space-Rural and Open Space-Habitat in the southeastern portions of the corridor. Land uses planned and approved in the northwest portion of the subject corridor appear to be incompatible with the Conservation Area and objectives proposed in this Alternative.

This Alternative does not conflict with any applicable habitat conservation plan or natural community conservation plan (see Section 4.9 of this EIR/EIS).

### **No Action/No Project Alternative**

The No Action/No Project Alternative does not conflict with Federal, State, regional, local or tribal land use plans, polices or controls because no Plan would be implemented. Similarly, this Alternative does not physically divide an established community nor conflict with any applicable habitat conservation plan or natural community conservation plan (see Section 4.9 of this EIR/EIS).

Without the proposed Plan, Development would have to comply with the ESAs on a project-by-project basis. In less than twenty years, three species with extensive home ranges have received

State and Federal protection and have had significant adverse effects on land use management and Development and economic activity. In light of the highly specialized and, in some cases endemic and near-endemic nature of many of the proposed Covered Species, conflicts are likely to increase as continuing habitat loss and fragmentation drives more of these species toward listing by State and Federal agencies. As more restrictive measures are applied to prevent or slow impacts to species and habitats, areas within existing communities may not be developable. Development and economic activities may become separate and isolated even within the same community, affecting the cost-effective extension of infrastructure and removing frequently essential economic and land use synergies.

In a manner similar to the isolation of urban neighborhoods by major freeways, piecemeal habitat conservation may lead to the fragmentation of human communities and stifle efficient economic development and activities. In light of these considerations, the No Action/No Project Alternative may have a significant long-term adverse impact on land use.

The No Action/No Project Alternative also may preclude or make more difficult and less effective the future development of an integrated, and coordinated conservation plan that provides long-term protection of listed and sensitive species and their habitats. In addition to the continued piecemeal means by which land use/species protection conflicts are addressed, over time circumstances may worsen and the extent and pattern of Development may ultimately inhibit the ability to assemble a viable reserve for the long-term conservation of the proposed Covered Species.

#### **4.2.4 Land-Use-Related Mitigation Measures**

The following briefly identifies mitigation measures for each of the Plan Alternatives.

##### Proposed Action/Preferred Alternative

For the purpose of CEQA it has been determined that no significant adverse impacts have been identified in association with the implementation of this Alternative. Therefore, no mitigation measures are required.

##### Public Lands Alternative

As with the Proposed Action/Preferred Alternative, there would be no land use impacts. Therefore, no mitigation measures are required.

### Core Habitat with Ecological Processes Alternative

No significant adverse impacts have been identified in association with the implementation of this Alternative. Therefore, no mitigation measures are required.

### Enhanced Conservation Alternative

As identified in the above impacts discussion, the implementation of the Enhanced Conservation Alternative would have significant and broad adverse impacts on land use plans and existing development within several jurisdictions, including the County and Desert Hot Springs, Cathedral City, Rancho Mirage, and Palm Desert. The following mitigation measures, if feasible, could reduce the level of impacts but are not expected to reduce them to levels of insignificance. The identified impacts could only be avoided or minimized by changing the Conservation Area boundaries under this Alternative; this would, however, negate the objectives of this Alternative. These measures also have their own consequences that limit their effectiveness and practicality. The following measures are discussed on a Conservation Area basis, and are meant to reduce land use incompatibilities.

#### **Expanded Snow Creek and Mission Creek Areas:**

1. Amend the boundaries of the Conservation Area to avoid the approved Rancho Royale Specific Plan community and the low-density residential lands in Section 29 west of the Colorado River Aqueduct, and require buffers between residential development and project boundaries common to Conservation Area boundaries.
2. Require that CC&Rs and other regulatory mechanisms be established and enforced by both the City and the project HOA that prohibit free-roaming pets.
3. Preclude and prohibit direct access into adjoining Conservation Areas from within or from access to the Rancho Royale project. Future planned and controlled public access to these conservation lands may be permitted in accordance with the proposed Plan.

#### **Mission Creek and Morongo Wash:**

1. Limit the addition of lands to Conservation Areas to those lands located between Mission Creek and Morongo Wash, and allow for the construction of diversion levees and other flood-proofing to protect existing development from flooding from these major drainages.
2. Construct wildlife underpasses/culverts under existing Mission Lakes Boulevard, Pierson Boulevard and Dillon Road, and under future 8th Street, Hacienda Boulevard, Two Bunch Palms Drive, 18th Avenue and other planned but unbuilt east/west streets that pass through this area.

**Willow Hole Conservation Area:**

1. Amend the boundaries of the Conservation Area to locations west of Palm Drive and south of 20th Avenue.
2. Relocate the conservation area boundary east and west of Palm Drive a minimum of 400 feet and north of I-10 a minimum of 2,000 to allow designated land uses to be developed at these locations.
3. Relocate the Conservation Area boundaries north of US I-10 and east of Palm Drive a minimum distance of 660 feet to allow some of designated planned commercial and business park lands to be developed.

**Whitewater Floodplain Conservation Area:**

1. Amend the Conservation Area boundaries in the vicinity of the CVWD groundwater recharge basins and require that periodically removed deposition in the basins be deposited downwind along the east end of the existing basins to enhance wind transport.

**Big Dune (Palm Springs Sand Ridge) South of I-10:**

1. In order to restore the blowsand regime in this area, the Permittees, State, and Federal agencies shall coordinate with Caltrans and the Union Pacific Railroad for the removal of the existing tamarisk windrows along these transportation corridors.
2. State and Federal agencies, as well as Plan Applicants, shall coordinate with the Agua Caliente Tribe.
3. A sand impoundment area shall be constructed north of Ramon Road and west of Bob Hope Drive extended, and sand shall be conveyed by truck or other means to the east side of the Agua Caliente Casino development in a manner to optimizes further wind transport.

**Thousand Palms/Indio Hills Palms/East Indio Hills:**

1. Relocate the Conservation Area boundary north of the SunCity development boundary and the north end of the Adams Ranch Specific Plan area. Also relocate boundary to the north of the existing Indio Quarry operation and co-terminus with the north boundary of SMP No. 176 (revised No.1).
2. Maintain the corridor north of the BOR flood control levee and continue the corridor northward along the east boundary of the Adams Ranch Specific Plan and the west boundary of the SMP No. 176 plan area, following the section line and providing a width of 200 feet on either side of said section line.

**Coachella Canal Linkage:**

1. Relocate the boundaries of the Conservation Area to avoid the approved McNaughton Specific Plan lands, as well as existing agriculture and associated activity areas.

**No Action/No Project Alternative**

There would be no direct impacts to land use under this Alternative; thus, no mitigation measures are required.

**4.2.5 Levels of Significance after Mitigation for the CEQA Analysis**

**Proposed Action/Preferred Alternative**

No significant adverse impacts to land use would occur with the implementation of this Alternative. No conflicts with local, county, State or Federal land use plans, policies or controls have been identified. The Alternative would not have a significant impact on nor would it physically divide an established community. Nor would this Alternative conflict with local or regional habitat conservation plans or natural community conservation plans.

**Public Lands Alternative**

There would be no direct impact on land use plans of the county or cities. State and Federal lands would be managed in a manner consistent with their respective management plans. Under this Alternative, no conflicts with local, county, State or Federal land use plans, policies or controls have been identified. The Alternative would not have a significant impact on nor would it physically divide an established community. Nor would this Alternative conflict with local or regional habitat conservation plans or natural community conservation plans.

**Core Habitat with Ecological Processes Alternative**

Impacts to existing land uses, as well as Federal, State, regional, local or tribal land use plans, policies, or controls are considered to be less than significant. No conflicts with local, county, State or Federal land use plans, policies or controls have been identified. The Alternative would not have a significant impact on nor would it physically divide an established community. Nor would this Alternative conflict with local or regional habitat conservation plans or natural community conservation plans.

### Enhanced Conservation Alternative

Significant residual land use and compatibility impacts would remain for this Alternative. Significant conflicts with local, county, State or Federal land use plans, policies or controls would remain, and the alternative would have the residual effect of physically dividing established communities, including Desert Hot Springs, Cathedral City, Rancho Mirage, and Palm Desert.

### No Action/No Project Alternative

The No Action/No Project Alternative would not have direct land use impacts. However, basic issues the Plan is meant to address and resolve would remain. Assuming the continuation of project-by-project permitting, potentially more extensive adverse impacts may occur. These impacts would not only increase the difficulty in mitigating impacts to listed species, but may also increase the risk that other sensitive species could eventually be listed by the Wildlife Agencies. Current land use plan and policy conflicts would remain and may increase over time, and the future need for mitigation measures could conceivably result in the physical isolation of parts of individual communities.