Final

RIOS Project

Initial Study/Mitigated Negative Declaration

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Lead Agency:

City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Prepared by:

The Altum Group
44-600 Village Court, Suite 100
Palm Desert, CA 92260

October 2022

Table of Contents

List of Tables

List of Exhibits

Appendix

Acronyms

AB	Assembly Bill
AMSL	Above Mean Sea Level
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
BAU	Business as Usual
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CA EPA	California Environmental Protection Agency
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFG	California Fish and Game
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CO_2	Carbon Dioxide
COP	Citizens on Patrol
CVAG	Coachella Valley Association of Governments
CVMSHCP	Coachella Valley Multiple Species Habitat Conservation Plan
dB	Decibel
dBA	A-weighted decibels
DTSC	California Department of Toxic Substances Control
DVD	Desert Valley Disposal
DWA	Desert Water Agency
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FTA	Federal Transit Administration
GHG	Greenhouse Gas
IS	Initial Study

ITE	Institute of Engineers
Lbs/day	Pounds per Day
Leq	Equivalent Continuous Sound Pressure Level
LST	Localized Significance Threshold
M-1P	Planned Research and Development Park Zone
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendant
$MMTCO_2e$	Million Metric Tons of CO_2 Emitted
MWD	Metropolitan Water District of Southern California
N_2O	Nitrous Oxides
NAASQ	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NO	Nitric Oxide
NO_2	Nitrogen Dioxide
NOx	Nitrogen Oxide
NPDES	National Pollution Discharge Elimination System
NRHP	National Register of Historic Places
O_3	Ozone
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PM	Particulate Matter
PM_{10}	Particulate Matter Equal to or less than 10 Microns in Diameter
$PM_{2.5}$	Particulate Matter Equal to or less than 2.5 Microns in Diameter
PPM	Parts per Million
PPV	Peak Particle Velocities
PRC	California Public Resources Code
PSI	Pounds per square inch
PSUSD	Palm Springs Unified School District
RCALUC	Riverside County Airport Land Use Commission
RCRA	Resource Conservation and Recovery Act
RCS/SCS	Regional Transportation/Sustainable Communities Strategy
RMS	Root Mean Square
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SCAB	South Coast Air Basin
SCAG	Southern California Associations of Government
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SIP	State Implementation Plan

SO_2	Sulfur dioxide
SoCal Gas	Southern California Gas
SOI	Sphere-of-Influence
SOx	Sulfur Oxide
SP	Service Populations
Sq. ft	Square feet
SRA	Source Receptor Area
SSAB	Salton Sea Air Basin
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TTM	Tentative Tract Map
USACE	United States Army Corps of Engineers
USFWS	U.S. Fish and Wildlife
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
VdB	Vibration decibels
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WMP	Water Management Plan
WQMP	Water Quality Management Plan

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Chapter 1 Introduction

Project Title:	RIOS Project
Case No.	5.1541 – Change of Zone 38190 – Tentative Tract Map 3.4191 – Major Architectural Review 6.560 – Variance
Assessor's Parcel No.	Assessor's Parcel Number (APNs): 505-322-001 thru -004
Lead Agency Name and	City of Palm Springs
Address:	3200 E. Tahquitz Canyon Way Palm Springs, CA 92262
Project Location:	575 North Palm Canyon Drive
Project Sponsor's Name and Address:	RIOS 3101 W. Exposition Place Los Angeles, CA 90018
General Plan Designation:	Existing: Central Business District (CBD)
Zoning:	Existing: CBD and Limited Multiple-Family Residential (R-2) Proposed: Retail Business (C-1)
Project Description	The proposed Project consists of the development of 24 condominium units and a 2,214 square foot commercial space for a spa, yoga studio, and a gym.
Contact Person:	Noriko Kikuchi, Associate Planner City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, CA 92262
Phone Number:	760-323-8245
Date Prepared:	October 2022

1.1 Authority

The City of Palm Springs is the lead agency for the proposed Project. The City Council is the governing body for the approval of the Project and adoption of the Mitigated Negative Declaration. Because the Project involves a change to the existing site, the City Council's consideration of the Project and its potential environmental effects is a discretionary action that is subject to the California Environmental Quality Act (CEQA). This Subsequent Initial Study (IS) and its appendices have been prepared in accordance with CEQA (Statute), the State's Guidelines for Implementation of CEQA (Guidelines) (as amended, 2018), and the City's CEQA Guidelines for preparation of an IS. This IS, when combined with the Notice of Intent to Adopt a Mitigated Negative Declaration, serves as the environmental document for the proposed project pursuant to the provisions of CEQA (Public Resources Code 21000 et seq.) and the CEQA Guidelines (California Code of Regulations Section 15000, et seq.).

1.2 Scope of Environmental Review

The IS evaluates the proposed Project's potential environmental impacts on the following topics:

- Aesthetics
- Agricultural 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
- Tribal Cultural Resources
- Utilities/Service Systems
- Wildfire
- Mandatory Findings of Significance

1.3 Impact Assessment Terminology

The Environmental Checklist identifies potential impacts using four levels of significance as follows:

- No Impact. A finding of no impact is made when it is clear from the analysis that the proposed Project would not affect the environment.
- Less than Significant. A finding of less than significant is made when it is clear from the analysis that a proposed Project would cause no substantial adverse change in the environment and no mitigation is required.
- Less than Significant with Mitigation Incorporated. A finding of less than significant with mitigation incorporated is made when it is clear from the analysis that a proposed Project would cause no substantial adverse change in the environment when mitigation measures are successfully implemented by the project proponent.
- Potentially Significant. A finding of potentially significant is made when the analysis concludes that the proposed Project could have a substantially adverse impact on the environment related to one or more of the topics listed in the previous section, *Scope of Environmental Review*.

1.4 Organization of the Initial Study

The content and format of this IS meet the requirements of CEQA. This IS contains the following sections:

- Chapter 1 Introduction. This chapter provides a brief summary of the proposed Project, identifies the lead agency, summarizes the purpose and scope of the IS, and identifies documents incorporated by reference.
- Chapter 2 Project Description. This chapter provides a project overview including a description of the regional location and Project vicinity, including Exhibits; and provides a description of the Project elements, e.g., dimensions of the Project, and identifies other agencies that may have permitting authority over the project.
- Chapter 3 Environmental Evaluation. This chapter provides a copy of the City's Environmental Checklist and responses to each question posed in the checklist. This chapter also provides a brief description of the sources used to evaluate the proposed Project, a brief description of the existing conditions for each topic and an analysis of potential environmental impacts. Mitigation measures are also identified where necessary.
- Chapter 4 List of Preparers. This chapter identifies City staff and consultants who were responsible for the preparation of the IS and implementation of the Project.

1.5 Documents Incorporated by Reference

As allowed by CEQA Guidelines Section 15150, a Mitigated Negative Declaration may incorporate by reference all or portions of another document that is generally available to the public. The document used must be available for public review for interested parties to access during public review of the Subsequent Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration for this Project. The City of Palm Springs General Plan document is incorporated by reference.

This document is also available for review at Palm Springs City Hall at 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262. The project specific reports are attached to the Subsequent Initial Study as appendices. The General Plan is located on the City's website at:
https://www.palmspringsca.gov/government/departments/planning/general-plan.

Chapter 2 Project Description

2.1 Project Location and Setting

Project Location

The proposed Project is located within four vacant and undeveloped parcels at 575 North Palm Canyon Drive in the City of Palm Springs (City), Riverside County, California (Exhibit 1 – Regional Map, Exhibit 2 – Vicinity Map, and Exhibit 3 – Site Plan). The site encompasses Assessor's Parcel Numbers (APNs) 505-322-001, 505-322-002, 505-322-003, and 505-322-004. The approximately 2.4-acre Project site is located to the north side of West Chino Drive between North Belardo Road and North Palm Canyon Drive.

The Project site is located in the north-central portion of the City, approximately 2.5 miles west of the Palm Springs International Airport. Land to the immediate north is developed with both multi-family complexes and a restaurant; land to the immediate east is North Palm Canyon Drive and beyond is the Desert Art Center with a theatre and art museum; land to the immediate south is West Chino Drive and beyond are restaurants and commercial uses; and land immediately to the west is North Belardo Road and beyond are single-family homes.

Project Description

The proposed Project includes a Change of Zone of the Project site from Central Business District (CBD) and Limited Multiple-Family Residential (R-2) to Retail Business (C-1). Approval of the Change of Zone, Tentative Tract Map, Major Architectural Review, and a Variance would allow for the development of 24 condominiums and 2,214 s.f. of commercial space to be used as a yoga studio, spa, and gym within the Project site. The proposed project is in compliance with Senate Bill (SB) 330.

Based on information provided by the Project Applicant, the Project is expected to be constructed in five phases: site preparation, grading, building construction, paving, and architectural coating. For purposes of this analysis in this IS/MND, construction is anticipated to begin the beginning of November 2022, taking approximately 18 months to complete, with completion estimated early May 2024. The anticipated opening year for the proposed Project is May 2024.

The proposed Project will include a 24-unit condominium development consisting of a mix of 1, 2, and 3 bedroom single story units arranged in a two story development with shared amenities/services. The commercial spaces along North Palm Canyon will be built to provide facilities for athletic or health clubs, physical therapists, and spa uses to offer their services to both the residents of the property and the public.

Environmental Setting and Surrounding Land Uses

The Project site is currently vacant and sparsely vegetated with some trees and shrubs along Belardo Road and W Chino Drive. City owned street trees line the project site along N Palm Canyon Drive. The site. is surrounded by multi-family residential and commercial uses to the north, commercial uses to the east and south, and single family homes to the west.

The site is currently equipped with a curb and gutter on the east side along North Palm Canyon Drive. Electric and natural gas service would be provided to the Project site by Southern California Edison and Southern

California Gas Company, respectively. Water and sewer service would be provided to the Project site by Desert Water Agency, and waste management would be provided by Desert Valley Disposal.

Surrounding land uses include:

DIRECTION	GENERAL PLAN LAND USE DESIGNATION	ZONING DESIGNATION
North	Central Business District	Central Business District
East	Open Space – Parks/Recreation	Open Land Zone
South	Central Business District	Central Business District
West	Estate Residential	Limited Multiple-Family Residential

Project Related Approvals

The discretionary approvals required by the City include:

- Change of Zone No. 5.1541
- Tentative Tract Map No. 38190
- Major Architectural Review No. 3.4191
- Variance No. 6.560
- Adoption of RIOS Project IS/MND

Administrative approvals are required by the City related to the design and construction of stormwater drainage infrastructure, Desert Water Agency (DWA) for construction of water and sewer infrastructure and connected to the water and sewer distribution and conveyance systems, and Colorado River Basin Regional Water Quality Control Board for issuance of a National Pollutant Discharge Elimination System (NPDES) permit and approval of the Project's Water Quality Management Plan (WQMP).

1 in = 5.9 miles

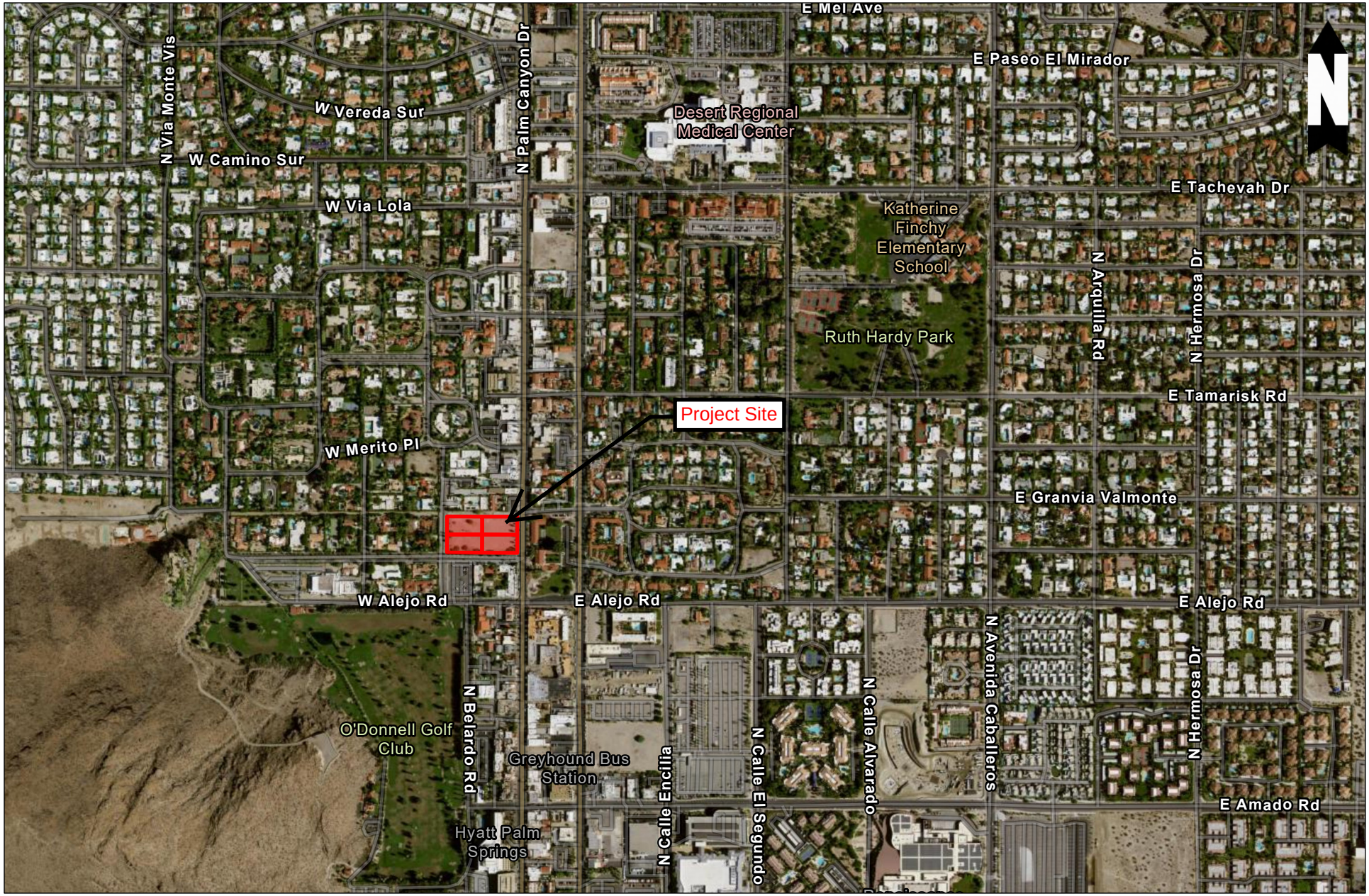
The Altum Group

Regional Map

RIOS Project

Exhibit

1



1 in = 0.2 miles

The Altum Group

Vicinity Map

RIOS Project

Exhibit

2

PARKING REQUIRED

(3)	1 BEDROOM UNITS x 1.25 STALLS PER UNIT	=	3.75 STALLS
(17)	2 BEDROOM UNITS x 1.5 STALLS PER UNIT	=	25.5 STALLS
(4)	3 BEDROOM UNITS x 2.25 STALLS PER UNIT	=	9 STALLS
TOTAL RESIDENTIAL STALLS		=	**39 STALLS**
(24) RESIDENTIAL UNITS / 4		=	**6 GUEST STALLS**
RETAIL 1/400 SF (2,214 SF) = 6			
+ 1 / EMPLOYEE (2)		=	**8 STALLS**
TOTAL		=	**53 STALLS REQUIRED**
			2 HANDICAP STALL
			1 VAN ACCESSIBLE

PARKING PROVIDED

(18)	2 CAR GARAGES	=	36 STALLS
(6)	1 CAR GARAGES	=	6 STALLS
TOTAL ASSIGNED RESIDENTIAL STALLS		=	**42 STALLS**
(13)	STANDARD GUEST/RETAIL STALLS		
(2)	HANDICAP STALLS		
(1)	VAN ACCESSIBLE	=	**16 GUEST STALLS**
		=	**58 TOTAL STALLS**

EV STALLS

PER 93.06.00(B)(12)(c) 10% OF PROVIDED PARKING SHALL BE WIRED TO SUPPORT FUTURE ELECTIC VEHICLE CHARGING.

FLOOR AREA CALCULATIONS

LOT AREA = 104,437 SF

BUILDING	SPACE	LEVEL 1	LEVEL 2
A	PARKING	5,504 SF	
	RESI		5,777 SF
	COVERED EXTERIOR	1,971 SF	743 SF
B	PARKING	5,024 SF	
	RESI	6,998 SF	9,626 SF
	COVERED EXTERIOR	2,582 SF	2,569 SF
C	RETAIL	2,214 SF	
	GATEHOUSE	870 SF	
	RESI	16,699 SF	8,640 SF
	COVERED EXTERIOR	3,662 SF	2,012 SF
MISC.	CANOPIES	1,192 SF	
TOTALS	ENCLOSED BLDG	**37,279 SF**	**24,043 SF**
	COVERED EXTERIOR	**9,407 SF**	**5,324 SF**
TOTAL:	**ENCLOSED BLDG**	**61,322 SF**	
	COVERED	**14,731 SF**	
	BUILABLE AREA	**76,053 SF**	

FAR = 0.73

OPEN SPACE CALCULATION

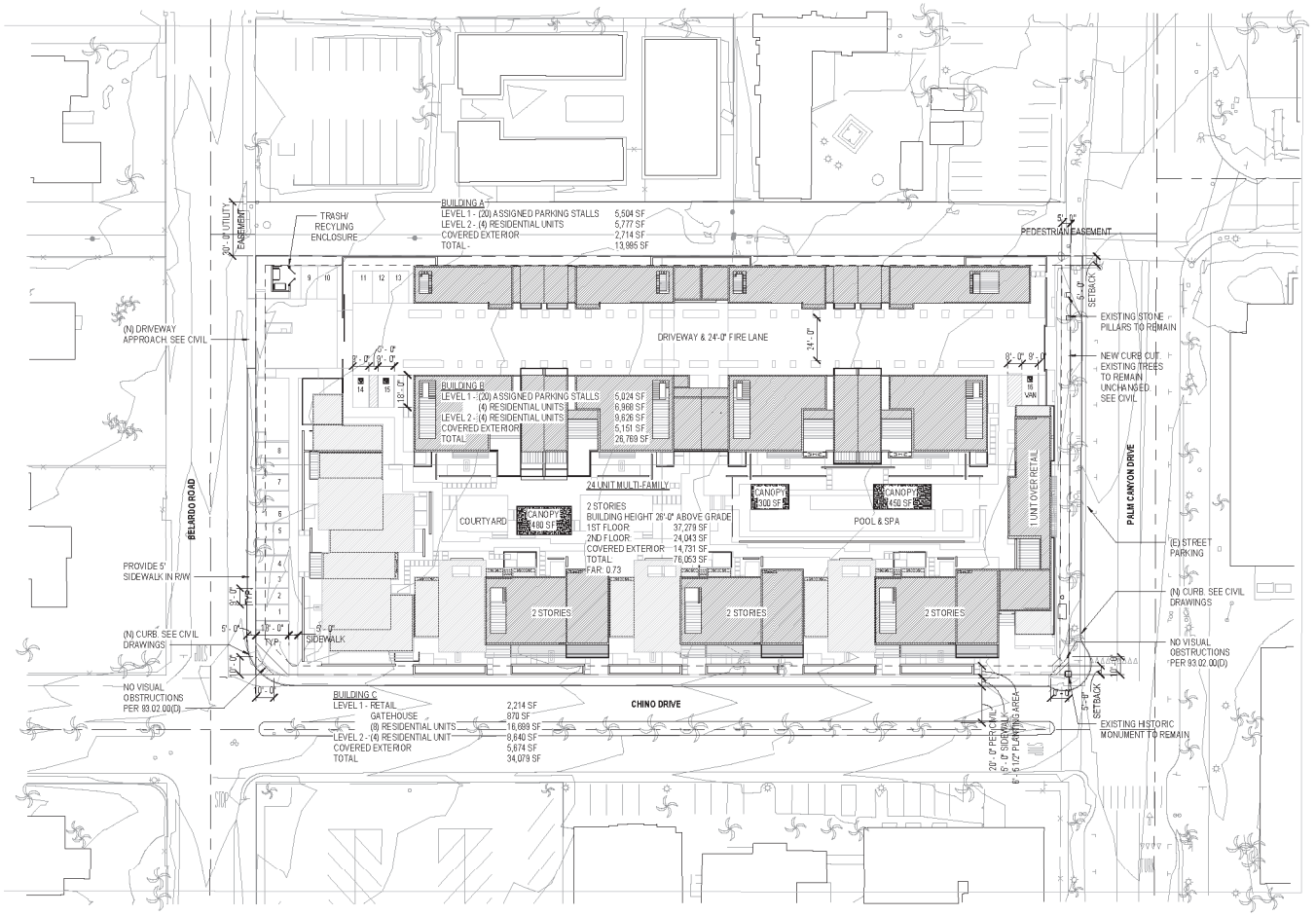
REQUIRED:
C-1: N/A

DEFINITION PER PSZC 91.00.10:
"OPEN SPACE" MEANS ANY PARCEL OR AREA OF LAND OR WATER WHICH IS SET ASIDE, DEDICATED, DESIGNATED, OR RESERVED FOR PUBLIC USE OR FOR PRIVATE USE AND ENJOYMENT OF OWNERS AND OCCUPANTS OF LAND ADJOINING OR NEIGHBORING SUCH OPEN SPACE. OPEN SPACE MAY INCLUDE NATURAL AREAS, PARKS, TRAILS, SIDEWALKS, LANDSCAPED MEDIANS, SWIMMING POOLS, RECREATIONAL FACILITIES, WATER FEATURES, DRAINAGE FACILITIES, AND SIMILAR FEATURES AND AMENITIES, BUT SHALL NOT INCLUDE STREETS, DRIVEWAYS, PARKING LOTS, OR HABITABLE BUILDINGS.

PROVIDED:

COMMON OPEN SPACE:	36,334 SF
PRIVATE OPEN SPACE*:	17,827 SF
TOTAL OPEN SPACE:	54,161 SF
% OF LOT AREA:	**52%**

*INCLUDES SECOND FLOOR EXTERIOR SPACE AND COVERED SPACE INCLUDED IN TOTAL FLOOR AREA ABOVE



SITE PLAN 1
1" = 30'-0"

RIOS

3101 W EXPOSITION PLACE
LOS ANGELES, CA 90018
PH: 323.785.1800
FAX: 323.785.1801
rios.com

PROJECT NO: 20155

NOT FOR CONSTRUCTION

Palm Canyon Residences

575 N PALM CANYON DR.
PALM SPRINGS, CA 92262

ISSUED:
10.09.20 ENTITLEMENTS
08.04.21 ENTITLEMENTS

SITE PLAN

DATE: 8/3/2021 5:12:51 PM

SCALE: 1" = 30'-0"

DRAWING: A1.01

Chapter 3 Environmental Evaluation

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" or "Less Than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

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

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 mitigated" 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 describe on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find 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 EIR or NEGATIVE DECLARATION pursuant to applicable standards, and b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Signature Date

3.1 Aesthetics

3.1.1 Sources

- City of Palm Springs, *General Plan, Circulation Element,* 2007

3.1.2 Environmental Setting

The Project site is located in the western region of the Coachella Valley within the City of Palm Springs, at the north side of West Chino Drive, west of North Palm Canyon Drive and east North Belardo Road, Palm Springs. The Project site is surrounded by the San Bernardino (north and northwest), Little San Bernardino (northeast), San Jacinto (west and southwest), and Santa Rosa (southeast) Mountain Ranges. The San Jacinto, San Bernardino and Santa Rosa Mountains Ranges rise over the valley floor at elevations consisting of 11,489 feet (3,502 meters), 8,716 feet (2,657 meters), 10,834 feet (3,302 meters), respectively. Additionally, the foothills of the San Jacinto Mountains extend along the westerly and southerly portion of the City, approximately half a mile west of the Project site. From the Project site, the San Jacinto and Santa Rosa Mountains provide a picturesque visual backdrop primarily to the southwest and south.

3.1.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
AESTHETICS – Would the project:				
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) In non-urbanized areas, 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?	☐	☐	☒	☐

a. **Less than Significant Impact.** There are no designated scenic vistas or scenic resources on or near the Project site. The closest scenic resources are the scenic views of the San Jacinto Mountains (located approximately 0.35 miles from the Project site) that occur to the west, south, and southwest; views of the San Bernardino Mountains (located approximately 9.0 miles) that occur to the north and northwest; and, views of the Little San Bernardino Mountains (located approximately 11.0 miles) that occur at great distance to the northeast. Surrounding the Project site, views of the lower elevations of the aforementioned are partially blocked due to existing development and distance from the

mountains; however, views of the middle and upper elevations of these mountains are kept visibly intact.

The Project site is located along a designated scenic corridor on the east side of the property as identified in the City of Palm Springs General Plan Figure 9-4. However, the Project site is located in a developed urban area of the City and surrounded by commercial and residential developments. Since the proposed project would not exceed the City 's existing height restrictions, and development allowable under the proposed Project would be of similar scale to the existing residential and commercial buildings within the Project site vicinity and would therefore not impede views of, or otherwise substantively affect scenic vistas. Prior to development of the Project site, the City will review and approve the proposed architectural plans to ensure the proposed development meets the City's development standards for the Central Business District land use designation and the proposed Retail Business zone.

Based on the foregoing, the Project would not have a substantial adverse effect on a scenic vista and impacts would be less than significant. No mitigation is required.

b. **No Impact.** According to the City's General Plan, the majority of the City's roadways provide views to the San Jacinto and San Bernardino Mountains; however, no surrounding roadways are designated by the state as scenic highways. Furthermore, according to the California Scenic Highway Program, SR-111, which is located approximately 1.0 mile north of the Project site, is classified as Eligible Scenic Highway – Not Officially Designated. Due to the distance between SR-111 and the Project site, the Project site is not visible to vehicles driving along SR-111. In addition, there are no historic buildings nor any unique geologic or topographic features such as rock outcrops, bodies of water, ridges or canyons found on or within the Project site. Therefore, due to topography and intervening development, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impacts would occur and no mitigation is required.

c. **Less than Significant Impact.** As mentioned previously, the Project site is located in an urbanized area. Implementation of the Project would result in the visual conversion of the site from vacant, undeveloped land to 24 condominiums and 2,214-s.f. of commercial space. The Project would be compatible with the size, scale, and aesthetic features of other existing residential uses located to the north and west of the Project site. Furthermore, the Project would be required to comply with the applicable development standards and design guidelines in the City of Palm Springs Zoning Code Sections 92.01.01 through 92.01.04, which regulates the visual quality of new development and ensures that new development does not detract from any scenic attributes/qualities in the surrounding area. Because the Project is located in an urbanized area and because the Project would not conflict with applicable zoning and other regulations governing scenic quality, impacts would be less than significant and no mitigation is required.

d. **Less than Significant Impact.** Under existing conditions, the Project site contains no sources of artificial lighting. The Project would introduce new sources of lighting, including streetlights and security lighting. Subject to City review and approval, all Project lighting would be required to conform to regulations, guidelines, and standards established under the City's Zoning Code Section 93.21.00, *Outdoor Lighting Standards*, which ensures adequate lighting for public safety while also minimizing light pollution and glare and public nuisances. Mandatory compliance with the City's Zoning Code would ensure that the Project would not introduce any permanent design features that would

adversely affect day or nighttime views in the area. Impacts would be less than significant and no mitigation is required.

3.1.4 Mitigation

No mitigation is required.

3.1.5 Level of Significance after Mitigation

Not applicable.

3.2 Agriculture and Forestry Resources

3.2.1 Sources

- City of Palm Springs*, Sustainability Plan,* May 2016
- City of Palm Springs, *General Plan, Recreation, Open Space and Conservation Element,* 2007
- City of Palm Springs, *General Plan, Recreation, Land Use Element,* 2007

3.2.2 Environmental Setting

Historically, agriculture was once a significant part of the Coachella Valley's economy. However, changes in the local economy over time have shifted, nearly eliminating all significant agricultural production within the Coachella Valley. According to the City of Palm Springs Sustainability Plan (May 2016), though the City of Palm Springs neither grows, processes, nor distributes food, the City's policies can foster an environment that supports these activities. Moreover, according to the General Plan, Palm Springs lacks oil, gas, geothermal energy, and agricultural resources, and the forests of the Santa Rosa and San Jacinto Mountains are protected from logging. Based on the General Plan, the Project site has not been designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and/or properties with Williamson Act Contracts. Furthermore, there is no presence of forestland nor timberland.

3.2.3 Impacts

	Potentially Significant Impact	**Less than Significant with Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
AGRICULTURAL AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 or conversion of forest land to non-forest use?	☐	☐	☐	☒

a. **No Impact.** According to Map My County, the entire Project site is designated as Urban and Built-Up Land. There are no portions of the site that contain Prime Farmlands, Unique Farmlands, or Farmland of Statewide Importance ("Farmland"); therefore, no impact would occur and no mitigation is required.

b. **No Impact.** The Project site's existing and proposed zoning designation is not zoned for agricultural use. As shown on Map My County, the Project site is not a part of an agricultural preserve and is therefore not located within a Williamson Act contract area. The Project would not conflict with existing agricultural zoning or with a Williamson Act contract or land within a Riverside County agricultural preserve; therefore, no impact would occur, and no mitigation is required.

c. **No Impact.** The Project site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. According to the City of Palm Springs Zoning Map, there are no lands located within the City of Palm Springs that are zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. No impact would occur and no mitigation is required.

d. **No Impact.** The Project site does not contain a forest and is not designated as forest land; therefore, the Project would not result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur and no mitigation is required.

e. **No Impact.** "Farmland" is defined in Section II (a) of Appendix G of the State CEQA Guidelines as "Prime Farmland," "Unique Farmland" or "Farmland of Statewide Importance" ("Farmland"). As disclosed above under Section 3.2.3(a), the Project would not result in the conversion of Farmland to non-agricultural use.

As discussed under Section 3.2.3(c) and (d), the Project would not convert forest land to non-forest use. No impact would occur and no mitigation is required.

3.2.4 Mitigation

No mitigation measure is required.

3.2.5 Level of Significance after Mitigation

Not applicable.

3.3 Air Quality

3.3.1 Sources

- The SCAQMD CEQA Handbook
- RIOS Project Air Quality, Global Climate Change, and Energy Impact Analysis, Ganddini Group, Inc., March 10, 2022. (Appendix A)
- City of Palm Springs*, General Plan, Land Use Element,* 2007

3.3.2 Environmental Setting

Both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. These ambient air quality standards contain established levels of contaminants representing safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards include "criteria pollutants" based on the documented effects on human health. Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas.

CARB divides the state into air basins that share similar meteorological and topographical features. The Project site is located in the City of Palm Springs within the Coachella Valley. The Coachella Valley, including the City of Palm Springs and the Project site, is located within the Salton Sea Air Basin (SSAB), which is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). All development within the SSAB is subject to SCAQMD's *2016 Air Quality Management Plan (2016 AQMP)* and the *2003 Coachella Valley PM10 State Implementation Plan (2003 CV PM10 SIP)*. The SCAQMD operates and maintains regional air quality monitoring stations at numerous locations throughout its jurisdiction. The Project site is located within Source Receptor Area (SRA) 30, which includes monitoring stations in Palm Springs and Indio.

As shown in Table 1, *Salton Sea Air Basin Attainment Status*, below, the SSAB has been designated by the EPA as a federal non-attainment area for ozone and fine particulate matter (PM10). Currently, the Basin is in attainment with the national ambient air quality standards for carbon monoxide (CO), sulfur dioxide (SO2), nitrogen dioxide (NO2), and fine particulate matter (PM2.5). The Basin has been designated by the California Air Resources Board (CARB) as a non-attainment area for Ozone and PM10.

Table 1 Salton Sea Air Basin Attainment Status

Pollutant	State Status	National Status
Ozone	Nonattainment	Nonattainment
Carbon monoxide	Attainment	Unclassified/Attainment
Nitrogen dioxide	Attainment	Unclassified/Attainment
Sulfur dioxide	Attainment	Unclassified/Attainment
PM10	Nonattainment	Nonattainment
PM2.5	Attainment	Unclassified/Attainment

Source (Federal and State Status): California Air Resources Board & https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations (2018 & 2019).

Many air quality impacts that derive from dispersed mobile sources, which are the dominate pollution generators in the basin, often occurs hours later and miles away after photochemical processes have converted primary exhaust pollutants into secondary contaminants such as ozone. The incremental regional air quality impact of an individual project is generally very small and difficult to measure. Therefore, the SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than on actual ambient air quality because the direct air quality impact of a project is not quantifiable on a regional scale. The SCAQMD CEQA Handbook states that any project in the SSAB with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. A regional air quality impact would be considered significant if emissions exceed the SCAQMD significance thresholds identified in Table 2, *SCAQMD Air Quality Significance Thresholds for Coachella Valley*, below.

Table 2 SCAQMD Air Quality Significance Thresholds for Coachella Valley[1,2]

Mass Daily Thresholds		
Pollutant	Construction (lbs/day)	Operation (lbs/day)
NOx	100	100
VOC	75	75
PM10	150	150
PM2.5	55	55
SOx	150	150
CO	550	550
Lead	3	3
Toxic Air Contaminants, Odor and GHG Thresholds		
TACs	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
GHG	10,000 MT/yr CO2e for industrial projects	
Ambient Air Quality Standards		
Pollutant	SCAQMD Standards	
NO2 -1-hour average	0.18 ppm (338 µg/m^3)	
PM10 -24-hour average Construction Operations	10.4 µg/m^3 2.5 ug/m^3	
PM2.5 -24-hour average Construction Operations	10.4 µg/m^3 2.5 µg/m^3	

Mass Daily Thresholds	
SO2 1-hour average 24-hour average	 0.25 ppm 0.04 ppm
CO 1-hour average 8-hour average	 20 ppm (23,000 µg/m^3) 9 ppm (10,000 µg/m^3)
Lead 30-day average Rolling 3-month average Quarterly average	 1.5 µg/m^3 0.15 µg/m^3 1.5 µg/m^3

Notes:
[1] Source: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf
[2] Construction thresholds apply to both the South Coast Air Basin and Coachella Valley. For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds

Regulatory Setting

City of Palm Springs

Local jurisdictions, such as the City of Palm Springs, have the authority and responsibility to reduce air pollution through its police power and decision-making authority. The City of Palm Springs Air Quality Element of the General Plan contains the following air quality goals and policies that are applicable to the Project:

GOAL AQ 1 **Improve regional air quality to protect the health of the community.**

Policies

AQ 1.1 Work to attain ozone, nitrogen dioxide, carbon monoxide, lead, particulate matter, and sulfate standards as enforced by SCAQMD.

AQ 1.2 Identify and implement regional mechanisms that reduce air emissions and improve regional air quality as outlined in the Coachella Valley Association of Governments' Memorandum of Understanding and SCAQMD's Air Quality Management Plan.

AQ 1.3 Continue to incorporate, where appropriate, provisions of the SCAQMD Air Quality Management Plan into the City's Zoning Ordinance.

AQ 1.4 Incorporate the provisions of the SCAQMD Air Quality Management Plan into project review procedures.

AQ 1.5 Support measures for improving air quality in the South Coast and Salton Sea Air Basins, while opposing measures that may result in transferring air pollution via "credits" to the Inland Empire.

AQ 1.6 Support measures that improve air quality in the Los Angeles air basin, while opposing measures that transfer air pollution via "credits" to the Inland Empire.

AQ 1.7 Participate in meetings between the Coachella Valley Association of Governments (CVAG) and SCAQMD to discuss and implement regional actions to reduce local air emissions. A comprehensive range of options should be considered including, but not limited to, the following:

- Supplement existing public transit opportunities with additional routes and/or frequency to facilitate intercity travel.
- Provide local subsidies or other incentives to encourage the use of public transit.
- Implement a subregional transportation-demand management program.
- Restrict the development of uses that degrade the air quality.
- Work with the SCAQMD to focus on the reduction of trip length and total vehicle miles traveled rather than the jobs/housing balance ratio, which can still result in significant trip lengths.

AQ 1.8 Support and implement the provisions of the Coachella Valley Dust Control Ordinance, Handbook, and Memorandum of Understanding.

GOAL AQ 2 Control suspended particulate matter emissions from human activity or from erosion of soil by wind.

Policies

AQ 2.1 Require those projects meeting specialized criteria as identified in the Zoning Ordinance to submit a Fugitive Dust Control Plan prior to the issuance of grading or building permits.

AQ 2.2 Encourage the use of landscaping, vegetation, and other natural materials to trap particulate matter or control other pollutants. Establish windbreaks immediately downwind of large open spaces. Tree species used for windbreaks should be drought tolerant.

AQ 2.3 Reduce the transport of blowsand adjacent to paved roadways and residential areas through the use of chemically stabilizing soil surfaces or snow fence windbreaks. Chemical stabilizing measures should only be used in areas where they will not impact endangered habitats or species.

AQ 2.4 Continue to remove blowsand from City streets and relocate it downwind on a regular and post event basis as part of routine street-cleaning programs.

AQ 2.5 Prohibit the use of off-road vehicles in blowsand areas.

AQ 2.6 Prohibit the transport of earth/soil through the City when wind gusts exceed 25 miles per hour per the City's PM10 Ordinance.

AQ 2.7 Require the planting of vegetative ground covers as soon as possible on construction sites.

AQ 2.8 Consider adding provisions to the City's Municipal Code to phase out the use of gas-powered lawn mowers and replace them with electric mowers and to prohibit the use of leaf blowers.

AQ 2.9 Phase mass grading in a way that minimizes, to the greatest extent possible, the exposure of large expanses of graded areas to wind that causes blowing sand.

AQ 2.10 Encourage that landscape plans submitted with new development take into consideration drought tolerance and pollen generation through the selection of appropriate plantings.

GOAL AQ 3 **Protect people and land uses that are sensitive to air contaminants from sources of air pollution to the greatest extent possible.**

Policies

AQ 3.1 Discourage the development of land uses and the application of land use practices that contribute significantly to the degradation of air quality.

AQ 3.2 Carefully consider the placement of sensitive land uses (schools, residences, daycare, medical uses, etc.) in proximity to sources of air contaminants that pose significant health risks.

GOAL AQ 4 **Reduce vehicular emissions.**

Policies

AQ 4.1 Encourage the use of mass transit, carpooling, and other transportation options, including alternative-fuel vehicles and bicycles, to reduce vehicular trips.

AQ 4.2 Coordinate with regional service providers to improve regional transportation services.

AQ 4.3 Establish a shuttle service linking the airport, attractions, convention center, major resort activities, and the Downtown area.

AQ 4.4 Encourage walking or bicycling for short-distance trips through the creation of pedestrian-friendly sidewalks and street crossings and efficient and safe bikeways.

AQ 4.5 Integrate land use and transportation planning to the greatest extent possible.

AQ 4.6 Encourage the development of mixed-use and multi-use projects.

AQ 4.7 Study, and implement if feasible, the development of a combined shuttle program from the airport to major hotels in Palm Springs.

AQ 4.8 Consider the development of "cell phone" parking lots at the airport. These lots would provide short-term parking (less than 30 minutes) that allows passengers to call their rides when they are ready to be picked up. This approach can minimize the drive through traffic (and subsequently vehicular emissions) generated by circling the airport loop until passengers are available for pickup.

3.3.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
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	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
applicable federal or state ambient air quality standard?				
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

a. **Less than Significant Impact.** The SCAQMD has established the *AQMP* to achieve State and Federal air quality standards. On June 30, 2016, the SCAQMD released its Draft *2016 AQMP*. The Plan was approved by the California Environmental Protection Agency (CA EPA) on June 15, 2017. Therefore, the applicable air quality plan for the Project is the SCAQMD *2016 AQMP*. The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A project should be considered to be consistent with the *AQMP* if it furthers one or more policies and does not obstruct other policies. The pollutant reducing mechanisms in the *AQMP* are based, in part, on urban growth projections estimated by the SCAG. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

1. Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the *AQMP*.

2. Whether the project will exceed the assumptions in the *AQMP* in 2016 or increments based on the year of project buildout and phase.

Below, Criterion 1 and Criterion 2 are discussed.

Criterion 1 - Increase in the Frequency or Severity of Violations?

Based on the air quality modeling analysis completed for the Project, short-term Project-related construction activities would not exceed applicable regional thresholds of significance established by the SCAQMD (see Table 3 below). The Project will be required to comply with SCAQMD Rules 403 and 403.1 in regards to the reduction of fugitive dust emissions. Furthermore, the Project would not exceed applicable Localized Significance Thresholds (LSTs) established by the SCAQMD (see Table 6 below). As such, Project construction-source emissions would not conflict with the SCAQMD *AQMP*. Project construction source emissions would not cause or substantially contribute to violation of the CAAQS or NAAQS.

Based on the air quality modeling analysis completed for the Project, long-term Project operations would not exceed applicable regional thresholds of significance established by the SCAQMD and would not result in a significant cumulative impact (see Table 4 below). Project operational-source emissions would not result in or cause a significant localized air quality impact. Additionally, Project-related trips

would not cause or result in CO concentrations exceeding applicable state and/or federal standards. Therefore, the Project would not exceed air pollutant concentration standards and is found to be consistent with the *AQMP* for Criterion 1.

Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the *AQMP* assumptions is determined by performing an analysis of the Project with the assumptions in the *AQMP*. The emphasis of this criterion is to ensure that the analyses conducted for the Project are based on the same forecasts as the *AQMP*. The *2016-2040 Regional Transportation/Sustainable Communities Strategy* prepared by the SCAG (SCAG 2016) includes chapters on: the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this Project, the City of Palm Springs Land Use Plan defines the assumptions that are represented in the *AQMP*.

Regional population, housing, and employment projections developed by SCAG, are based in part on the City's General Plan land use designations. These projections form the foundation for the emissions inventory of the *AQMP*. These demographic trends are incorporated into the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy* compiled by SCAG, to determine priority transportation projects and determine vehicle miles traveled within the SCAG region.

The Project is currently designated Central Business District on the City's General Plan Land Use Map. The City's General Plan Land Use Element states that the Central Business District land use allows for a mix of commercial, residential, and office uses. Residential uses are allowed in the Central Business District at a density of up to 21-30 dwelling units per acre. The Project proposes to develop the approximately 2.4-acre site with 24 multi-family residential dwelling units at approximately 10 dwelling units per acre and 2,214 s.f. of commercial space. Therefore, the Project would be consistent with the City's existing designations. Therefore, the Project is not anticipated to exceed the *AQMP* assumptions for the Project site and is found to be consistent with the *AQMP* for the second criterion.

Based on the above, the Project would not result in an inconsistency with the SCAQMD *AQMP*. Therefore, a less-than-significant impact will occur in relation to implementation of the *AQMP*. No mitigation is required.

b. **Less than Significant Impact.** The Project consists of the development of 24 multi-family homes and 2,214 s.f. of commercial space. Construction of the 24 homes and 2,214 s.f. of commercial space is anticipated to begin no sooner than the beginning of November 2022 and to be completed by 2024.

The nearest sensitive receptors to the Project site are the existing single-family residential uses located approximately 50 feet to the west, the multi-family residential uses located approximately 30 feet to the north, and the transient lodging use located approximately 170 feet to the northeast of the Project site. CalEEMod (Version 2020.4.0) software was utilized to analyze short-term construction and long-term operational related impacts of the Project. The model is considered to be an accurate and comprehensive tool for quantifying air quality and GHG emissions impacts from land use projects throughout California and is recommended by the SCAQMD.

Construction-Related Impacts

The phases of construction activities that were analyzed for the Project include site preparation, grading, building construction, paving, and the application of architectural coatings.

The Project will be required to comply with existing SCAQMD rules for the reduction of fugitive dust emissions. SCAQMD Rules 403 and 403.1 establish these procedures. Compliance with these rules is achieved through application of standard best management practices in construction and operation activities, such as application of water or chemical stabilizers to disturbed soils, managing haul road dust by application of water, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 mph, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph and establishing a permanent and stabilizing ground cover on finished sites. In addition, any operator applying for a grading permit, or a building permit for an activity with a disturbed surface area of more than 5,000 square feet, shall not initiate any earth-moving operations unless a Fugitive Dust Control Plan has been prepared pursuant to the provisions of the Coachella Valley Fugitive Dust Control Handbook and approved by the City.

Regional Impacts

As mentioned above, the phases of construction activities that were analyzed for the Project include site preparation, grading, building construction, paving, and the application of architectural coatings. The construction-related criteria pollutant emissions for each phase are shown below in Table 3, *Construction-Related Regional Pollutant Emissions*. Table 3 also shows the combined emissions from building construction, paving and architectural coating phases of construction as it is possible that these phases could occur simultaneously. Table 3 shows that none of the analyzed criteria pollutants would exceed the regional emissions thresholds. Therefore, a less-than-significant regional air quality impact would occur from construction of the Project. No mitigation is required.

Table 3 Construction-Related Regional Pollutant Emissions

Activity		Pollutant Emissions (pounds/day)					
		ROG	NOx	CO	SO2	PM10	PM2.5
Site Preparation	On-Site[1]	1.38	15.67	10.06	0.02	1.22	0.61
	Off-Site[2]	0.03	0.02	0.25	0.00	0.07	0.02
	Subtotal	1.41	15.68	10.30	0.03	1.28	0.63
Grading	On-Site[1]	1.54	16.98	9.22	0.02	3.51	2.02
	Off-Site[2]	0.06	1.22	0.56	0.01	0.25	0.08
	Subtotal	1.60	18.20	9.78	0.03	3.76	2.10
Building Construction	On-Site[1]	1.86	14.60	14.35	0.03	0.70	0.67
	Off-Site[2]	0.16	0.54	1.50	0.01	0.43	0.12
	Subtotal	2.02	15.15	15.85	0.03	1.13	0.79
Paving	On-Site[1]	0.86	8.10	11.71	0.02	0.40	0.37
	Off-Site[2]	0.04	0.03	0.40	0.00	0.13	0.03
	Subtotal	0.90	8.13	12.11	0.02	0.52	0.40

Activity		Pollutant Emissions (pounds/day) ROG	NOx	CO	SO2	PM10	PM2.5
Architectural Coating[3]	On-Site[1]	16.46	1.22	1.81	0.00	0.06	0.06
	Off-Site[2]	0.03	0.02	0.24	0.00	0.08	0.02
	Subtotal	16.49	1.23	2.05	0.00	0.14	0.08
Total for overlapping phases[4]		19.41	24.51	30.01	0.05	1.79	1.27
SCAQMD Thresholds		75	100	550	150	150	55
Exceeds Thresholds?		No	No	No	No	No	No

Notes:
Source: CalEEMod Version 2020.4.0
(1) On-site emissions from equipment operated on-site that is not operated on public roads. On-site demolition and grading PM-10 and PM-2.5 emissions show mitigated values for fugitive dust for compliance with SCAQMD Rule 403.
(2) Off-site emissions from equipment operated on public roads.
(3) Architectural coatings include compliance with SCAQMD Rule 1113 limiting architectural coatings to 50 g/L VOC for buildings and 100 g/L VOC for parking lot striping.
(3) Construction, painting and paving phases may overlap.

Operations-Related Impacts

The greatest cumulative operational impact on the air quality to the Basin would be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development. In accordance with SCAQMD methodology, projects that do not exceed SCAQMD criteria or can be mitigated to less than significant criteria levels and do not add to the overall cumulative impact.

Regional Impacts

The potential operations-related air emissions have been analyzed below for the criteria pollutants and cumulative impacts. The operations related criteria air quality impacts created by the Project have been analyzed through use of the CalEEMod model and based on the proposed 24 multi-family residential homes and 2,214 s.f. of commercial space. The CalEEMod model analyzes operational emissions from area sources, energy usage, and mobile sources. The operating emissions were based on the year 2024, which is the anticipated opening year for the Project.

Mobile Sources

Mobile sources include emissions from the additional vehicle miles generated from the Project. A traffic analysis was not completed for the Project; therefore, to be conservative, vehicle trips associated with the Project were estimated from the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition (2021). The vehicle trips associated with the Project have been analyzed by inputting the estimated Project-generated vehicular trips (trip generation rate) into the CalEEMod Model. The ITE Trip Generation Manual shows that the Project would create approximately 238 weekday vehicle trips per day and 185 weekend vehicle trips per day. The multi-family residential use generates trip generation rates of 6.74 trips per dwelling unit per day on weekdays and 4.55 trips per dwelling unit per day on weekends, while the commercial use generates 34.5 trips per thousand square foot per day on both weekdays and weekends. The program then applies the emission factors for each trip which is provided by the EMFAC2017 model to determine the vehicular traffic pollutant emissions.

Area Sources

Per the CAPCOA Appendix A Calculation Details for CalEEMod, area sources include emissions from consumer products, landscape equipment and architectural coatings. Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers, as well as air compressors, generators, and pumps. As specifics were not known about the landscaping equipment fleet, CalEEMod defaults were used to estimate emissions from landscaping equipment. No changes were made to the default area source parameters.

Energy Usage

Energy usage from daily residential and commercial uses such as (but not limited to) lighting, outdoor grills, lawn mowers and landscape maintenance tools may contribute to emissions from the generation of electricity and natural gas used on-site. No changes were made to the default energy usage parameters.

Project Impacts

The Project would result in a long-term increase in air quality emissions due to Project-generated vehicle trips and ongoing operation of the Project. The worst-case summer or winter ROG, NOx, CO, SO2, PM10, and PM2.5 daily emissions created from the Project's long-term operations have been calculated and are summarized below in Table 4, *Regional Operational Pollutant Emissions*:

Table 4 Regional Operational Pollutant Emissions

	Pollutant Emissions (pounds/day)					
Activity	ROG	NOx	CO	SO2	PM10	PM2.5
Area Sources[1]	2.41	0.38	2.14	0.00	0.04	0.04
Energy Usage[2]	0.01	0.11	0.06	0.00	0.01	0.01
Mobile Sources[3]	0.61	0.68	4.63	0.01	0.98	0.27
Total Emissions	3.03	1.17	6.83	0.01	1.03	0.32
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Notes:

Source: CalEEMod Version 2020.4.0; the higher of either summer or winter emissions.

(1) Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.

(2) Energy usage consists of emissions from generation of electricity and on-site natural gas usage.

(3) Mobile sources consist of emissions from vehicles and road dust

The data provided in Table 4 above shows that none of the analyzed criteria pollutants would exceed the regional emissions thresholds. Therefore, a less-than-significant regional air quality impact would occur from operation of the Project.

Cumulative Impacts

Cumulative projects include local development as well as general growth within the Project site. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. Accordingly, the cumulative analysis for the Project's air quality must be generic by nature. The Project area is out of attainment for ozone and particulate matter (PM10). Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the Salton Sea portion of the South Coast Air Basin. The greatest cumulative impact on the quality of regional air cell would be the incremental addition of pollutants mainly from increased traffic volumes from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality would be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the SCAQMD methodology in *White Paper on Potential Control Strategies to Address Cumulative Impacts From Air Pollution* (August 2003), projects that do not exceed the SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. With respect to long-term emissions, the Project would result in a less-than-significant cumulative impact and no mitigation is required.

c. Less than Significant Impact.

Construction-Related Local Impacts

Construction-related air emissions related to siter preparation and grading activities, building construction (including but not limited to, all paving, coatings etc.), may have the potential to exceed the State and Federal air quality standards in the Project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Salton Sea portion of the South Coast Air Basin. The proposed Project has been analyzed for the potential local air quality impacts created from: construction-related fugitive dust and diesel emissions; from toxic air contaminants; and from construction-related odor impacts. The emission thresholds were calculated based on the Coachella Valley, source receptor area (SRA) 30 and a disturbance value of two acres per day (see Table 5). According to LST Methodology, any receptor located closer than 25 meters (82 feet) shall be based on the 25-meter thresholds. The nearest sensitive receptors are the existing single-family residential uses located approximately 50 feet (~15 meters) to the west, the multi-family residential uses located approximately 30 feet (~9 meters) to the north, and the transient lodging use located approximately 170 feet (~52 meters) to the northeast; therefore, the SCAQMD Look-up Tables for 25 meters was used. As shown in Table 6, none of the analyzed criteria pollutants would exceed the calculated local emissions thresholds at the nearest sensitive receptors. Therefore, there will be a less-than-significant impact and no mitigation is required.

Table 5 Maximum Number of Acres Disturbed Per Day

Activity	Equipment	Number	Acres/8hr-day	Total Acres
Site Preparation	Crawler Tractors1	1	0.5	0.5
	Graders	1	0.5	0.5
	Scrapers	1	1	1

Activity	Equipment	Number	Acres/8hr-day	Total Acres
	Phase Total	**-**	**-**	**2**
Grading	Rubber Tired Dozers	1	0.5	0.5
	Graders	1	0.5	0.5
	Crawler Tractors[1]	2	0.5	1
	Phase Total	**-**	**-**	**2**

Notes:
Source: California Air Pollution Control Officers Association (CAPCOA), Appendix A Calculation Details for CalEEMod prepared (October 2017).
(1) Tractor/loader/backhoe is a suitable surrogate for a crawler tractor per SCAQMD staff

Table 6 Local Construction Emissions at the Nearest Receptors

	On-Site Pollutant Emissions (pounds/day)			
Activity	NOx	CO	PM10	PM2.5
Site Preparation	15.67	10.06	1.22	0.61
Grading	16.98	9.22	3.51	2.02
Building Construction	14.60	14.35	0.70	0.67
Paving	8.10	11.71	0.40	0.37
Architectural Coating	1.22	1.81	0.06	0.06
SCAQMD Thresholds[2]	191	1,299	7	5
Exceeds Threshold?	No	No	No	No

Notes:
Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 2 acres at a distance of 25 meters in SRA 30 Coachella Valley.
(1) The nearest sensitive receptors are the existing single-family residential uses located approximately 50 feet (~15 meters) to the west, the multifamily residential uses located approximately 30 feet (~9 meters) to the north, and the transient lodging use located approximately 170 feet (~52 meters) to the northeast of the project site; therefore, the 25 meter threshold was utilized.
Note: The project will disturb up to a maximum of 2 acres a day during site preparation and grading (see Table 5).

Operations-Related Local Impacts

Project-related air emissions may have the potential to exceed the State and federal air quality standards in the Project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the SSAB. The Project has been analyzed for the potential local CO emissions impacts from Project-generated vehicular trips and from the potential local air quality impacts from onsite operations. The following analyzes the vehicular CO emissions and local impacts from on-site operations.

Local CO Hotspot Impacts from Project-Generated Vehicular Trips

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing the future without and with project CO levels to the state and federal CO standards of 20 parts per million (ppm) over one hour or 9 ppm over eight hours.

Per the ITE Trip Generation Manual 11 Edition, the Project would generate a maximum of approximately 238 weekday daily vehicle trips and 185 weekend daily vehicle trips. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. Therefore, as the Project would generate a maximum of 238 daily vehicle trips, ADT volumes would fall far short of 100,000 vehicles per day, no CO "hot spot" modeling was performed and no significant long-term air quality impact is anticipated to local air quality with the on-going use of the Project.

Local Air Quality Impacts from Onsite Operations

Project-related air emissions from on-site sources such as architectural coatings, landscaping equipment, on-site usage of natural gas appliances as well as the operation of vehicles on-site may have the potential to exceed the State and Federal air quality standards in the Project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Salton Sea portion of the South Coast Air Basin. The nearest sensitive receptors include the existing single-family residential uses located approximately 50 feet (~15 meters) to the west, the multi-family residential uses located approximately 30 feet (~9 meters) to the north, and the transient lodging use located approximately 170 feet (~52 meters) to the northeast of the Project site.

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a project, if the project includes stationary sources, or attracts mobile sources (such as heavy-duty trucks) that may spend long periods queuing and idling at the site; such as industrial warehouse/transfer facilities. The proposed Project consists of the development of residential and commercial uses and does not include such uses. Therefore, due the lack of stationary source emissions, no long-term localized significance threshold analysis is warranted.

In conclusion, the Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant. No mitigation is required.

d. **Less than Significant Impact.** The SCAQMD CEQA Handbook states that an odor impact would occur if the Project creates an odor nuisance pursuant to SCAQMD Rule 402, which states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals. If the Project results in a violation of Rule 402 with regards to odor impacts, then the Project would create a significant odor impact."

Construction-Related Odor Impacts

Potential sources that may emit odors during construction activities related to siter preparation and grading activities, building construction (including but not limited to, all paving, coatings etc.), and the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are of short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor producing materials. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the Project. Diesel exhaust and VOCs would be emitted during

construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the transitory nature of construction odors, a less-than-significant odor impact would occur and no mitigation would be required.

Operational-Related Odor Impacts

Potential sources that may emit odors during the on-going operations of the Project would include odor emissions from intermittent diesel delivery truck emissions and trash storage areas. The Project consists of residential uses and would not attract a significant amount of heavy-duty truck traffic. Due to the distance of the nearest receptors from the Project site and through compliance with SCAQMD's Rule 402 no significant impact related to odors would occur during the on-going operations of the Project.

Based on the foregoing, a less-than-significant odor impact would occur from operation of the Project and no mitigation would be required.

3.3.4 Mitigation

No mitigation is required.

3.3.5 Level of Significance after Mitigation

Not applicable.

3.4 Biological Resources

3.4.1 Sources

- ELMT Consulting, *Habitat Assessment and Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHP) Consistency Analysis for the Proposed RIOS Project Located within Assessor's Parcel Number 505-322-001, -002, -003, and -004 in the City of Palm Springs, Riverside County, California*, April 18, 2022. (Appendix B)
- City of Palm Springs*, General Plan, Recreation, Open Space & Conservation Element,* 2007.
- City of Palm Springs Municipal Code. Accessed August 20, 2020, <http://www.qcode.us/codes/palmsprings/>.

3.4.2 Environmental Setting

The City offers unique natural habitats to a range of plants and wildlife due to its climate and natural topography. The City recognizes the value of the wildlands and wildlife and has carefully planned to protect, preserve, and enhance the regions valuable biological resources. The City is located within the Coachella Valley Multiple Species Conservation Plan (CVMSHP). This is a regional plan that is implemented throughout the Coachella Valley in an effort comply with federal and State endangered species laws.

A literature review and records search for the site was conducted by ELMT Consulting. The literature search identified 32 special-status plant species, 54 special-status wildlife species, and two special-status plant community were identified as having potential to occur within the Palm Springs City quadrangle.

ELMT also conducted a field survey of the site on February 25, 2022. The Project site is located at an approximate elevation of 486 to 496 feet above mean sea level (amsl) and slopes generally from west to east. The Project site supports two land cover types that would be classified as disturbed and developed. No special-status plants were observed on the Project site during the field investigation. No fish, amphibians, or hydrogeomorphic features that would provide suitable habitat for fish or amphibians would be observed on or within the vicinity of the Project site. The Project site provides limited foraging and cover habitat for support reptilian species adapted to routine human disturbance and desert environments; however, the degree and manner of routine disturbances is likely to preclude all but the hardiest species and those that would retreat to adjacent developed areas when the site was being staged and utilized for shows. No reptilian species were observed during the field investigation. The Project site and surrounding area provides suitable foraging and nesting habitat for avian species adapted to human disturbance and desert environments. The Project site provides suitable foraging and denning habitat for mammalian species adapted to human disturbance and desert environments. However, most mammal species are nocturnal and are difficult to observe during a diurnal field visit. No mammals were detected during the field investigation. Lastly, the Project site is not located within a federally designated Critical Habitat.

3.4.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
BIOLOGICAL RESOURCES – Would the project:				
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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 Game 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?	☐	☒	☐	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

a. **Less than Significant with Mitigation Incorporated.** The Project site occurs in an area of the City of Palm Springs that has undergone a conversion from natural habitats to residential, recreational, and commercial developments. According the City's General Plan, the Project site is located within the Coachella Valley Multiply Species Habitat Conservation Plan (CVMSHCP), which aims to conserve over 240,000 acres of open space and protect 27 plant and animal species. The project site occurs in an almost entirely developed area in the northern outskirts of downtown Palm Springs. This portion of Palm Springs supported agricultural land for several decades before beginning urbanization in the latter decades of the 1900's. Historic aerials show these disturbances have been ongoing since at least 1972. At present, the site is entirely surrounded by existing development with the exception of a narrow flood control easement immediately to the north. The site itself is largely undeveloped

Special-Status Vegetation Communities & Critical Habitat Analysis

According to the field survey conducted by ELMT Consulting on February 25, 2022, the Project site supports two land cover types: disturbed and developed. Disturbed land is present throughout the site, particularly along site boundaries. Common plant species observed in the disturbed areas of the site include cheeseweed (*Malva parviflora*), pale sun cup (*Camissoniopsis pallida*), oleander (*Nerium oleander*), palo verde (*Parkinsonia* sp.), honey mesquite (*Prosopis glandulosa*), creosote (*Larrea tridentata*), London rocket (*Sisymbrium irio*), fountaingrass (*Pennisetum setaceum*), desert dandelion (*Malacothrix glabrata*), bearded cryptantha (*Cryptantha barbigera*), desert needle (*Palafoxia arida*), bermudagrass (*Cynodon dactylon*), foxtail barley (*Hordeum murinum*), and burrobush (*Ambrosia Dumosa*). Developed areas tend to be unvegetated or support minimal hardy plant species or installed trees such as fan palm (*Washingtonia* sp.). Based on observations made during the field survey, the Project would not impact any special-status vegetation community.

According to literature review, two special-status plant communities was identified as having potential to occur within the Palm Springs quadrangle: Desert Fan Palm Oasis and Southern Riparian Forest. However, based on the results of the field survey above, no special-status plant community was observed on-site; therefore, no special-status plant community would be impacted by Project implementation.

The Project site is also not located within a federally designated Critical Habitat. The nearest designated Critical Habitat to the site is located approximately 0.84-mile to the west for Peninsular bighorn sheep. Therefore, the Project would not cause loss or adverse modification of a Critical Habitat and impacts would be less than significant.

Special-Status Plant Species Analysis

According to literature review, 32 special-status plant species were identified as having potential to occur within the Palm Springs quadrangle. Species determined to have a potential to occur within the general vicinity of the site are presented in Attachment D of *Appendix B*. No special-status plants were observed on the Project site during the field survey conducted on February 25, 2022. The Project site and surrounding area have been impacted by historic agricultural activities and urban development for several decades, eliminating the natural plant communities that once occurred. Further, the project site supports heavily compacted soils that have are routinely disturbed by anthropogenic activities associated with vehicle parking, events (i.e., car shows, etc.). Surrounding development along with routine disturbance have removed seed sources for special-status plant species and the potential for special-status plant species to occur. Based on habitat requirements for specific species and the availability and quality of on-site habitats, and the vacant unused conditions at the project site it was determined that the Project site does not have potential to support any of the special-status plant species known to occur in its vicinity and all are presumed absent. Impacts to special-status plant species would be less than significant.

Special-Status Wildlife Species Analysis

According to literature review, 54 special-status wildlife species were identified as having potential to occur within the Palm Springs quadrangle. Species determined to have a potential to occur within the general vicinity of the site are presented in Attachment D of *Appendix B*. No special-status wildlife species were observed on-site during the field investigation. The Project site and surrounding area have been impacted by historic agricultural activities and urban development for several decades, eliminating the natural plant communities that once occurred. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project site has a low potential to support Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), Costa's hummingbird (*Calypte costae*), loggerhead shrike (*Lanius ludovicianus*), and black-tailed gnatcatcher (*Polioptila melanura*). It was further determined that all of the other special-status wildlife species known to occur in the vicinity of the site do not have potential to occur on-site and all are presumed absent.

None of the aforementioned special-status wildlife species are federally or state listed as threatened or endangered. The aforementioned species are only expected to forage over or pass through, the Project site as there are no suitable nesting opportunities for these special-status species onsite.. To ensure no impacts to the aforementioned species occur, a pre-construction nesting bird clearance survey shall be conducted prior to ground disturbance as described in Mitigation Measure (MM) BIO-1. With implementation of MM BIO-1, impacts to these species will be less than significant and no mitigation will be required.

No fish, amphibians, or hydrogeomorphic features that would provide suitable habitat for fish or amphibians would be observed on or within the vicinity of the Project site. The Project site provides limited foraging and cover habitat for support reptilian species adapted to routine human disturbance and desert environments; however, the degree and manner of routine disturbances is likely to preclude all but the hardiest species and those that would retreat to adjacent developed areas when the site was being staged and utilized for shows. No reptilian species were observed during the field investigation. The Project site and surrounding area provides suitable foraging and nesting habitat for avian species adapted to human disturbance and desert environments. The Project site provides suitable foraging and denning habitat for mammalian species adapted to human disturbance and

desert environments. However, most mammal species are nocturnal and are difficult to observe during a diurnal field visit. Impacts to reptiles, birds, or mammals would be less than significant.

No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted outside of the breeding season. However, since the site is vacant, has access to surrounding trees, vegetation and water (surrounding swimming pools) by birds and small mammals, the Project site has the potential to provide suitable nesting habitat for common year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that area adapted to urban environments. Such nesting behavior cannot be anticipated since nesting birds may sometimes build nests along their migration routes. However, with implementation of MM BIO-1, impacts to migrating songbirds would be less than significant. No raptors are expected to nest on-site due to lack of suitable nesting opportunities.

b/c. **No Impact.** No jurisdictional drainage and/or wetland features were observed on the Project site during the field survey. Furthermore, no blueline streams have been recorded on the Project site. The nearest mapped resources to the site are one freshwater pond that was mapped approximately 0.18 miles to the southwest of the site that corresponds to an existing pond within the nearby golf course, and one riverine resource that was mapped approximately 0.19 miles to the southwest that corresponds to swale features within the golf course. These resources occur well beyond site boundaries and are not expected to be impacted by Project activities. Furthermore, there is no evidence that the Project contained any streams, riparian habitat, marshes, protected wetlands, vernal pools or sensitive natural communities that would be protected by the California Department of Fish and Wildlife (CDFW) or by the U.S. Army Corps of Engineers (USACE). No impact would occur.

d. **Less than Significant with Mitigation Incorporated.** The Project site has not been identified as occurring in a wildlife corridor or linkage. The nearest open space to the site as mapped by the CVMSHCP is the Santa Rosa and San Jacinto Mountains Conservation Area, which occurs approximately 0.3 miles to the southwest, beyond existing developments and a golf course. In addition, there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the site to a recognized wildlife corridor or linkage. As such, implementation of the proposed Project is not expected to impact wildlife movement opportunities. Therefore, impacts to wildlife corridors or linkages are not expected to occur.

However, common avian species (i.e., house finch) adapted to high levels of anthropogenic disturbances have the potential to nest in the ornamental vegetation found on and immediately adjacent to the project site. The Project's future construction could adversely affect nesting birds if construction was to occur while they are present or adjacent to the Project site, through direct mortality or abandonment of nest. If this was to occur it would be a violation of the MBTA and CFGC 3503, and a potentially significant impact. However, implementation of MM BIO-1 would require a preconstruction nesting bird survey to mitigate any potential impacts to protect migratory nesting birds. The preconstruction survey shall be conducted by a biologist prior to any ground disturbing activities and/or removal of any vegetation. In the event that a raptor nest is observed personnel will be notified and no ground disturbing activities will occur until the avian biologist has confirmed the breeding/nesting is completed and the young have fledged the nest. Therefore, with implementation of Mitigation Measure BIO-1, impacts would be reduced to less than significant.

e. **No Impact.** The City has not adopted any ordinances regarding tree preservation. As observed during the field survey, the Project site mainly consists of small and medium size shrubs. No trees are located

on the Project site under existing conditions. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance and no impact would occur.

f. **Less than Significant with Mitigation Incorporated.** The Project site is located within the boundaries of CVMSHCP, but is not located within any conservation areas, preserves, cores, or linkages. The Project would be subject to payment of the Development Mitigation fee per Chapter 3.46, *MSHCP Local Development Mitigation Fee of the City's Municipal Code*, as described as MM BIO-2. The fee would mitigate potential impacts to covered species within the CVMSHCP. Although the site is located within the CVMSHCP boundary, as mentioned in Section 3.4.3 (a), the Project site is not located within a biological sensitive area or any conservation area. Because the Project is not located within a conservation area and would implement MM BIO-2, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Impacts would be less than significant with mitigation incorporated.

3.4.4 Mitigation

BIO-1 A pre-construction nesting bird survey shall be conducted no more than 14 days prior to initiation of ground disturbance and vegetation removal activities. The nesting pre-construction bird survey shall be conducted by a biologist familiar with identification of avian species known to occur in Riverside County. The nesting bird survey shall be conducted on foot inside the project boundary, including a 300-foot buffer for passerines (song birds) and 500-foot buffer for raptors in areas of suitable habitat. Inaccessible areas will be surveyed using binoculars to the extent practical. If nests are found, an avoidance buffer (dependent upon species, the proposed work activity, the existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. If a raptor nest is observed in a tree proposed for removal, the applicant must consult with CDFW. All construction personnel will be notified of the existence of the buffer zone and to avoid entering the buffer zone during nesting season. No ground disturbing activities shall occur within this buffer area until the avian biologist has confirmed the breeding/nesting is completed and the young have fledged. Encroachment into the buffer shall occur only at the direction of the qualified biologist.

BIO-2 The applicant shall pay the CVMSHCP Local Development Mitigation Fee prior to building permit issuance.

3.4.5 Level of Significance after Mitigation

With implementation of Mitigation Measures BIO-1 and BIO-2, impacts on biological resources would be less than significant.

3.5 Cultural Resources

3.5.1 Sources

- City of Palm Springs*, General Plan General Plan, Recreation, Open Space & Conservation Element,* 2007.
- CRM TECH, *Historical/Archaeological Resources Survey Report The RIOS Project*, May 1, 2022. (Appendix C)

3.5.2 Environmental Setting

Between January and April 2022, CRM TECH performed a cultural resources study on the Project site, which consisted of a records search, historical background research, and an intensive-level field survey. The records search for the site was provided by the Eastern Information Center (EIC) at University of California, Riverside (UCR). According to the EIC, the Project site had not been surveyed for cultural resources prior to this study, and no historical or archaeological resources had been identified on or adjacent to the property.

During the field visit conducted on March 8, 2022, CRM TECH observed one concrete pad marking the location of a former ancillary building built in the 1940s. To the east of the concrete pad, a pair of stone pillars on the west side of Palm Canyon Drive may have once marked the entrance to the compound; however, the are ias within the public right-of-way and outside the Project boundaries. No other potential historical resources were identified during the field survey. In addition, no archaeological resources were found during the field survey.

3.5.3 Impacts

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

a. **Less than Significant Impact with Mitigation Incorporated.** According to the records search provided by EIC, the Project site had not been surveyed for cultural resources prior to this study, and no historical resources had been identified on or adjacent to the property. According to historical aerial photographs and the field survey conducted by CRM TECH on March 8, 2022, one concrete foundation of a secondary building associated with a 1940s residential compound was noted on the Project site. With the removal of the principal components of the compound, however, this minor feature does not retain the ability to relate to any persons or events in the history of the property, nor have any persons or events of recognized historic significance identified in association with the property. In addition, the feature demonstrates no notable qualities in design, construction, engineering, or aesthetics and, without any associated artifact deposits, holds no promise for any important archaeological data. As such, it has no potential to qualify as a "historical resource."

No other features or artifacts of prehistoric or historical origin were encountered within the Project boundaries. Based on these findings, and in light of the criteria listed above, the present study concludes that no "historical resources" exist within the Project area. However, it should be noted that the Project location is immediately outside the western boundary of a locally designated historic district, the Las Palmas Business Historic District, with two of the contributing properties in the district located on the opposite side of Palm Canyon Drive. Consequently, the design character of the proposed

new buildings in the Project area, if incompatible to the historic buildings nearby, will have the potential for an indirect effect on the significance and integrity of the Las Palmas Business Historic District. Accordingly, the Project design should be crafted in such a way as to ensure compatibility with nearby historic buildings that contribute to the significance and integrity of the Las Palmas Business Historic District.

In addition, there is a remote possibility that buried cultural materials could be discovered during Project earth disturbing activities. Through implementation of Mitigation Measure CUL-1, if buried cultural materials are discovered during the earth-moving operations, all work in that area will be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds and if necessary develop a treatment plan in consultation with the City of Palm Springs and the Agua Caliente Band of Cahuilla Indians. Therefore, with the incorporation of Mitigation Measure CUL-1, impacts relating to significant historical resources would be reduced to less than significant.

b. **Less than Significant Impact with Mitigation Incorporated.** According to the records search provided by EIC, the Project site had not been surveyed for cultural resources prior to this study, and no archaeological resources had been identified on or adjacent to the property. During the field survey conducted by CRM TECH on March 8, 2022, no archaeological resources were found on the Project site.

Notwithstanding, during earth disturbing activities of the Project, it is possible that subsurface cultural resources could be discovered. Through implementation of Mitigation Measure CUL-1, if buried cultural materials are discovered during the earth-moving operations, all work in that area will be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds and if necessary develop a treatment plan in consultation with the City of Palm Springs and the Agua Caliente Band of Cahuilla Indians. Therefore, with the incorporation of Mitigation Measure CUL-1, impacts relating to significant archaeological resources would be reduced to less than significant.

c. **Less than Significant Impact with Mitigation Incorporated.** According to the records search and field survey, there is no evidence that the Project site is located within an area that would be likely to contain human remains. However, there is always the possibility that human remains could be uncovered during ground disturbing activities. In the unexpected event that human remains are found during construction activities, those remains would require proper treatment in accordance with all applicable laws. Through implementation of Mitigation Measure CUL-2, all construction work taking place within the vicinity of the discovered remains must cease and the necessary steps to ensure the integrity of the immediate area must be taken. The State of California Health and Safety Code 7050.5 and the California Public Resource Code (PRC) Section 5097.98, states that the County Coroner must be notified within 24 hours of the discovery of human remains. If the remains discovered are determined by the coroner to the Native American descent, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would in turn contact the Most Likely Descendant (MLD) would determine further action to be taken. The MLD would have 48 hours to access the Project site and make a recommendation regarding disposition of the remains. Therefore, with incorporation of Mitigation Measure CUL-2, impacts relating to the potential disturbance of human remains would be reduced to less than significant.

3.5.4 Mitigation

CUL-1 If buried cultural materials are discovered during the earth-moving operations, all work in that area shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds and, if necessary, develop a treatment plan in consultation with the City of Palm Springs and the appropriate Native American tribes.

CUL-2 In the unexpected event human remains are uncovered during construction activities, all construction work taking place within the vicinity of the discovered remains must cease and the necessary steps to ensure the integrity of the immediate area must be taken. The County Coroner must be notified within 24 hours of the discovery of human remains. If the remains discovered are determined by the coroner to be of Native American descent, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would in turn contact the Most Likely Descendant (MLD) who would determine further action to be taken. The MLD would have 48 hours to access the site and make a recommendation regarding disposition of the remains.

3.5.5 Level of Significance after Mitigation

With implementation of Mitigation Measures CUL-1 and CUL-2, impacts to cultural resources would be less than significant.

3.6 Energy

3.6.1 Sources

- Ganddini Group, *RIOS Project Air Quality, Global Climate Change, and Energy Impact Analysis*, March 10, 2022. (Appendix A)
- California Energy Commission, *2019 Building Energy Efficient Standards for Residential and Nonresidential Buildings*, December 2018 https://www.energy.ca.gov/sites/default/files/2021-06/CEC-400-2018-020-CMF_0.pdf
- City of Palm Springs, *Palm Springs Climate Action Plan*, May 2013 https://www.palmspringsca.gov/home/showpublisheddocument/71620/637146749779330000#:~:text=To%20achieve%20the%20AB%2032,7.9%25%2C%20or%2034%2C513%20tonnes.

3.6.2 Environmental Setting

Electricity

Electricity would be provided to the Project by Southern California Edison (SCE). SCE provides electric power to more than 15 million persons, within a service area encompassing approximately 50,000 square miles.27 SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers.

Natural Gas

Natural gas for the Project site is provided by the Southern California Gas Company (SoCalGas). Natural gas supplies are transported from Texas to the Coachella Valley through three east-west trending transmission lines, which cross the Valley near and parallel to Interstate-10 and continue west to Los Angeles. The pipelines include one 30-inch line and two 24-inch lines, with pressures of 2,000 pounds per square inch (psi).

3.6.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
ENERGY – Would the project:				
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?	☐	☐	☐	☒

a. Less than Significant Impact.

Energy Use During Construction

The Project's construction process would consume electricity and fuel. Project-related construction activities related to siter preparation and grading activities, building construction (including but not limited to, all paving, coatings etc.), would represent a "single-event" demand and would not require on-going or permanent commitment of energy resources. The amount of energy and fuel use anticipated by the Project's construction activities are typical for the type of scale of construction proposed by the Project. The total power for the on-site electricity usage during the construction of the proposed project is estimated to be approximately 24,431 kWh. Furthermore, as presented in the Air Quality, Global Climate Change and Energy Impact Analysis, prepared in 2022 (Gandini and Associates, March 10, 2022), construction equipment would be required to conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. Based on the foregoing, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Impacts during Project construction would be less than significant and no mitigation is required.

Energy Use During Operation

Residential operations associated with the Project would result in the consumption of natural gas and electricity. The Project provides 24 multi-family residences and 2,214 s.f. of commercial space, which are not inherently energy intensive, and, as presented in the Air Quality, Global Climate Change and Energy Impact Analysis, prepared in 2022 (Gandini and Associates, March 10, 2022), the Project energy demands in total would be comparable to, or less than, other multi-family homes of similar scale. Furthermore, the Project would be required to comply with Title 24 standards, which would ensure that the Project's energy demand would not be considered inefficient, wasteful, or otherwise unnecessary. Impacts during Project operation would be less than significant and no mitigation is required.

b. No Impact. The Project's proposed 24 multi-family homes and 2,214 s.f. of commercial space would be required to comply with the City's building codes (Sections 8.04.010 and 8.04.065 of the City's Municipal Code), Zoning Ordinance (Chapter 92.00 of the City's Municipal Code), and other standards, including the City's Climate Action Plan provisions, all of which will ensure that the Project is energy efficient. Therefore, the Project would have no impact on plans for energy efficiency and no mitigation is required.

3.6.4 Mitigation

No mitigation is required.

3.6.5 Level of Significance after Mitigation

Not applicable.

3.7 Geology and Soils

3.7.1 Sources

- City of Palm Springs*, General Plan, Safety Element, 2007*
- County of Riverside, *General Plan, Cultural and Paleontological Resources, 2015*
- Riverside County Planning Department, *Map My County*, 2021
- United States Department of Agriculture Natural Resources Conservation Service, *Web Soil Survey*, 2021

3.7.2 Environmental Setting

The elevation of the Project site is approximately 492 feet above mean sea level (amsl) in the Coachella Valley region, within the Colorado Desert. The average annual rainfall within the Coachella Valley region is less than 4 inches per year with average temperatures above 100 degrees Fahrenheit during the summer months. Additionally, the Project site is located in the portion of the Salton Trough physiographic province of the Coachella Valley. The Salton Trough is a geologic structural depression resulting from large scale reginal faulting. This trough is bounded by the San Andreas Fault and the Chocolate Mountains to east of the Salton Sea, and by the Peninsular Range and San Jacinto Fault Zone to the southwest. Tectonic activity that formed the trough continues at a high rate as evidence by deformed young sedimentary deposits and high levels of seismicity.

Subsurface Soils

A Web Soil Survey of the Project site was conducted on June 4, 2021, which determined that the Project site consists of soils solely containing Myoma fine sand. Furthermore, the near surface soils are non-expansive in nature.

3.7.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on	☐	☐	☒	☐

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

a-i. **Less than Significant Impact.** According to Map My County, the Project site is not located within an Alquist-Priolo Earthquake Fault Zone. The nearest fault zone to the Project site is the Riverside County fault, which is located approximately 4.0 miles north of the Project site.

Impacts associated with the rupture of a known fault would be minimized due to compliance with existing building regulations. Design and construction of the new homes and outdoor yoga plaza would comply with all seismic safety development requirements, including the Title 24 standards of the current California Building Code. Therefore, implementation of the proposed Project would result in a less-than-significant impact associated with rupture of a known earthquake fault and no mitigation is required.

a-ii. **Less than Significant Impact.** The Project site is considered likely to be subject to moderate to strong ground motion from earthquakes in the region. These ground motions are dependent primarily on the earthquake magnitude and distance to the rupture zone. As discussed in Section 3.7.3(a-i) above, the Project site is located approximately 4.0 miles north of the Riverside County fault zone. Impacts associated with strong seismic ground shaking would be minimized due to compliance with existing building regulations. Design and construction of the new homes and outdoor yoga plaza would comply with all seismic-safety development requirements, including the Title 24 standards of the current

California Building Code. Therefore, implementation of the proposed Project would result in a less-than-significant impact associated with strong seismic ground shaking.

a-iii. **Less than Significant Impact.** According to Map My County, the Project site is located in a moderate susceptibility zone for liquefaction and according to Figure 6-1, *Seismic Hazards*, of the City's General Plan, the Project site is located in a low susceptibility zone for liquefaction due to the approximate depth of groundwater being greater than 50 feet. Therefore, Project impacts relating to seismic-related ground failure, including liquefaction would be less than significant and no mitigation is required.

a-iv. **No Impact.** The Project is located on an area of the City that has been developed and is relatively flat and not located immediately adjacent to any sloped hillsides. In addition, according to the Figure 6-2, *Land Susceptibility,* of the City's General Plan, the Project site is not located within an area that is considered to be of high susceptibility for landslides, moderate susceptibility landslides, or in hillside and mountainous areas. Therefore, the development of the Project would result in no impact relating to landslide hazards and no mitigation is required.

b. **Less than Significant Impact.** The Project would be required to comply with the preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must comply with the requirements of the State Water Resources Board Construction General Permit. The SWPPP would be submitted to and approved by the City prior to construction. The SWPPP would identify best management practices (BMPs) to reduce soil erosion during construction (see Section 3.10, *Hydrology and Water Quality*). Therefore, impacts related to substantial soil erosion or the loss of topsoil would be less than significant and no mitigation is required.

c. **Less than Significant Impact.** As previously discussed in Section 3.7.3 (a)(i through iv) the Project is not located within an active or potentially active fault zone, or in an area at risk of landslide or liquefaction; therefore, the Project site has unlikely potential for liquefaction or landslides. Additionally, the near surface soils of the Project site consist of Myoma fine sands. Furthermore, design and construction of the Project would comply with all seismic safety development requirements, including the Title 24 standards of the current California Building Code. Therefore, the Project would result in less-than-significant impacts associated with landslide, lateral spreading, subsidence, liquefaction, or collapse, and no mitigation is required.

d. **Less than Significant Impact.** As mentioned above, the Project site consists of Myoma sands. Due to the low clay content in underlying soils, these near surface soils are non-expansive. The Project site is not located in an area known for expansive soil (as defined in Table 18-1-B of the Uniform Building Code (1994)), and the potential for the Project to create substantial risks to life or property, relating to expansive soils, is very low. Therefore, Project impacts would be less than significant, and no mitigation is required.

e. **No Impact.** The Project would not involve the use of septic tanks or any other alternative wastewater disposal systems. The Project would be served through the Desert Water Agency (DWA). Therefore, there would be no impacts associated with septic tanks or alternative wastewater systems, and no mitigation is required.

f. **No Impact.** According to Map My County, the Project site is located in a low potential zone regarding paleontological sensitivity. Per the City's Recreation, Open Space, and Conservation Element of the

General Plan, the Project site is not located in area likely containing prehistoric resources. Accordingly, the Project's construction activities would have no reasonable potential to unearth significant paleontological resources and would therefore have no potential to destroy a unique paleontological resource or site or unique geologic feature either directly or indirectly. No impact would occur, and no mitigation is required.

3.7.4 Mitigation

No mitigation is required.

3.7.5 Level of Significance after Mitigation

Not applicable.

3.8 Greenhouse Gas Emissions

3.8.1 Sources

- Ganddini Group*, RIOS Project Air Quality, Global Climate Change, and Energy Impact Analysis*, March 10, 2022. (Appendix A)
- City of Palm Springs, *Palm Springs Climate Action Plan*, May 2013 https://www.palmspringsca.gov/home/showpublisheddocument/71620/637146749779330000#:~:text=To%20achieve%20the%20AB%2032,7.9%25%2C%20or%2034%2C513%20tonnes.

3.8.2 Environmental Setting

The Project is within the Salton Sea portion of the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

SCAQMD Regulation XXVII currently includes three rules:

- The purpose of Rule 2700 is to define terms and post global warming potentials.
- The purpose of Rule 2701, SoCal Climate Solutions Exchange, is to establish a voluntary program to encourage, quantify, and certify voluntary, high quality certified GHG emission reductions in the SCAQMD.
- Rule 2702, Greenhouse Gas Reduction Program, was adopted on February 6, 2009. The purpose of this rule is to create a Greenhouse Gas Reduction Program for GHG emission reductions in the SCAQMD. The SCAQMD will fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

SCAQMD Threshold Development

On December 5, 2008, the SCAQMD Governing Board adopted an interim greenhouse gas significance threshold for stationary sources, rules, and plans where the SCAQMD is lead agency (SCAQMD permit threshold). The SCAQMD permit threshold consists of five tiers. However, the SCAQMD is not the lead agency for this project. Therefore, the five permit threshold tiers do not apply to the proposed Project.

The SCAQMD is in the process of preparing recommended significance thresholds for greenhouse gases for local lead agency consideration ("SCAQMD draft local agency threshold"); however, the SCAQMD Board has

not approved the thresholds as of the date of the Notice of Preparation. The current draft thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption pursuant to the CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to a project's operational emissions. If a project's emissions are under one of the following screening thresholds, then the project is less than significant:
    - All land use types: 3,000 MTCO2e per year
    - Based on land use type: residential: 3,500 MTCO2e per year; commercial: 1,400 MTCO2e per year; or mixed use: 3,000 MTCO2e per year.
    - Based on land type: Industrial (where SCAQMD is the lead agency), 10,000 MTCO2e per year.
- Tier 4 has the following options:
    - Option 1: Reduce emissions from business as usual (BAU) by a certain percentage; this percentage is currently undefined.
    - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
    - Option 3 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO2e/SP/year for projects and 6.6 MTCO2e/SP/year for plans.
    - Option 3, 2035 target: 3.0 MTCO2e/SP/year for projects and 4.1 MTCO2e/SP/year for plans.
- Tier 5 involves mitigation offsets to achieve target significance threshold.

The SCAQMD's draft threshold uses the Executive Order S-3-05 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap carbon dioxide concentrations at 450 ppm, thus stabilizing global climate. Specifically, the Tier 3 screening level for stationary sources is based on an emission capture rate of 90 percent for all new or modified projects. A 90 percent emission capture rate means that 90 percent of total emissions from all new or modified stationary source projects would be subject to a CEQA analysis, including a negative declaration, a mitigated negative declaration, or an environmental impact report, which includes analyzing feasible alternatives and imposing feasible mitigation measures. A GHG significance threshold based on a 90 percent emission capture rate may be more appropriate to address the long-term adverse impacts associated with global climate change because most projects will be required to implement GHG reduction measures. Further, a 90 percent emission capture rate sets the emission threshold low enough to capture a substantial fraction of future stationary source projects that will be constructed to accommodate future statewide population and economic growth, while setting the emission threshold high enough to exclude small projects that will in aggregate contribute a relatively small fraction of the cumulative statewide GHG emissions. This assertion is based on the fact that staff estimates that these GHG emissions would account for slightly less than one percent of future 2050 statewide GHG emissions target (85 MMTCO2eq/year). In addition, these small projects may be subject to future applicable GHG control regulations that would further reduce their overall future contribution to the statewide GHG inventory. Finally, these small sources are already subject to BACT for criteria pollutants and are more likely to be single-permit facilities, so they are more likely to have few opportunities readily available to reduce GHG emissions from other parts of their facility.

SCAQMD Working Group

Since neither the CARB nor the Office of Planning and Research (OPR) has developed GHG emissions threshold, the SCAQMD formed a Working Group to develop significance thresholds related to GHG emissions. At the September 28, 2010 Working Group meeting, the SCAQMD released its most current version of the draft GHG emissions thresholds, which recommends a tiered approach that provides a quantitative annual thresholds of 3,000 MTCO2e for all land uses.

3.8.3 Impacts

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

a. **Less than Significant Impact**. The Project allows for the development of 24 multi-family residential dwelling units and 2,214 s.f. of commercial space. The Project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste, water, and construction equipment. The CalEEMod Version 2020.4.0 was utilized by Ganddini Group, Inc., to calculate the GHG emissions from the Project. As shown in Table 7, the Project would result in approximately 247.58 MTCO2e per year and would not exceed the SCAQMD screening threshold of 3,000 MTCO2e per year. Therefore, Project GHG emissions impacts would be less than significant, and no mitigation is required.

Table 7 Project-Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO_2	CO_2	CH_4	N_2O	CO_2e
Area Sources[1]	0.00	17.31	17.31	0.00	0.00	17.41
Energy Usage[2]	0.00	45.08	45.08	0.00	0.00	45.33
Mobile Sources[3]	0.00	146.23	146.23	0.01	0.01	148.85
Waste[4]	4.80	0.00	4.80	0.28	0.00	11.89
Water[5]	0.54	6.01	6.55	0.06	0.00	8.35
Construction[6]	0.00	15.63	15.63	0.00	0.00	15.75
Total Emissions	5.34	230.25	235.59	0.35	0.01	247.58
SCAQMD Draft Screening Threshold for all land uses						3,000
Exceeds Threshold?						No

Notes:

Source: CalEEMod Version 2020.4.0 for Opening Year 2024.

(1) Area sources consist of GHG emissions from landscape equipment.

(2) Energy usage consist of GHG emissions from electricity and natural gas usage.

(3) Mobile sources consist of GHG emissions from vehicles.
(4) Solid waste includes the CO2 and CH4 emissions created from the solid waste placed in landfills.
(5) Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
(6) Construction GHG emissions CO2e based on a 30 year amortization rate

b. **Less than Significant Impact.** The Project would not have the potential to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. The applicable plan for the Project is the City of Palm Springs CAP; however, as the CAP only provides emissions targets up to the year 2020 and the Project will not be operational until 2024, the Project has also been compared to the applicable measures of the CARB Scoping Plan.

Consistency with City of Palm Springs CAP

The City's CAP was adopted to guide the City in decisions that lead to the largest and most cost-effective emissions reductions. This plan sets forth goals to reduce emissions to achieve the targets of AB 32. In order to achieve these targets, the CAP presents a number of GHG emissions-reducing programs and policies that are to be implemented by the City. As specified in the CAP, these measures are to be implemented over a course of eight years beginning in 2013. The Project would be expected to comply with all applicable emissions-reducing measures identified within the CAP. Project compliance with the CAP measures is detailed in Table 8.

Table 8 City of Palm Springs CAP Applicable Measures Project Comparison

Sector	CAP Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
Sphere - "Where We Live"		
Solid Waste	Solid Waste Diversion: Increase solid waste diversion rate by 5% to 80.1% by 2015 potentially through awareness programs, recognition and other financial instruments.	No Conflict. The project will be required to comply with AB 341, which includes recycling programs that reduces waste to landfills by a minimum 75% by 2020.
Solid Waste	Solid Waste Diversion: Increase solid waste diversion rate by an additional 10% to 90.1% by 2020 potentially through awareness programs, recognition and other financial instruments.	No Conflict. The project will be required to comply with AB 341, which includes recycling programs that reduces waste to landfills by a minimum of 75% by 2020.
Water	Gray-Water Ready Ordinance: Require all new residential development to be constructed for easy implementation of gray water systems that redirect water from wash basins, showers, and tubs.	No Conflict. The project includes residential land uses and will be required to be constructed for easy implementation of gray water systems that redirect water from wash basins, showers, and tubs.
Sphere - "Where We Work"		
Commercial Buildings	Peak Demand Reduction: Collaborate with SCE and encourage 100 businesses to enroll in Energy Efficiency and Demand Response	No Conflict. This is a city-based measure. If the project is mandated by the City to be one of the 100 businesses that are to enroll in an Energy

Sector	CAP Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
	programs such as the Summer Discount Program.	Efficiency and Demand Response program then the project will comply as needed.
Commercial Buildings	Energy-Efficient, Commercial-Sector Lighting: Promote and leverage existing incentives for efficient lighting and educate and locally incent building owners to eliminate any remaining T-12 lamps in commercial buildings.	No Conflict. The project will comply with current Title 24 requirements for installation of energy-efficient lighting.
Commercial Buildings	"The Temperature Club": Promote community partnership through policies to adjust indoor temperatures to save/degree by way of the "Green Business Partnership."	No Conflict. This is a city-based measure. If the project is mandated by the City to be one of the 100 businesses in the "Temperature Club," the project will comply as needed.
Commercial Buildings	Integrated Lighting Systems: Promote SCE's Energy Management Solutions' energy- efficient lighting linked to building controls and occupancy sensors in minimum of 1 million square feet of commercial space.	No Conflict. This is a city-based measure. If the project is mandated by the City to be part of the 1 million square feet of commercial space that is to have energy-efficient lighting linked to building controls and occupancy sensors, then the project will comply as needed.
Sphere - " How We Build"		
Commercial Buildings	Sustainable Parking Lots: Program to reduce the heat island effect through the promotion of parking lot coverings and coatings and semi permeable surfaces for new construction to achieve 20% of existing parking lots, and 80% of new parking lots.	No Conflict. The project includes only 16 guest parking spaces. Furthermore, the project would include the planting of trees that would provide shade and reduce the heat island effect and semi-permeable paving will be used as required by the City.
Commercial Buildings	"Cool Roofs": Promote the installation of reflective roofing on commercial properties in the community with recognition for first ten early adopters.	No Conflict. The project involves the construction of 24 multi-family residential dwelling units and 2,214 square feet of retail space. For the retail portion of the project, the project would use light-colored roofing materials to reflect heat and reduce cooling requirements of buildings as required by the City.
Residential Buildings	Green Building Program: Promote the voluntary Green Building Program to prepare for enhanced Title 24 requirements and green building standards.	No Conflict. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that became mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material

Sector	CAP Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
		conservation, and internal air contaminants. The project will be subject to these mandatory standards.
Residential Buildings	Shade Trees: Promote properly sited and selected shade trees in 100% of new construction to reduce heat island and provide shade to offset air conditioning.	No Conflict. The project involves the construction of 24 multi-family residential dwelling units and 2,214 square feet of retail space. The proposed project would be subject to and comply with applicable City of Palm Springs Municipal Code regulations regarding the number of trees to be planted for residential and commercial uses. In addition, the proposed project's landscape plans include approximately 245 new trees to be planted on the site.
Water	Storm water Capture: Promote storm water capture and retention for exterior landscape use (cisterns, rain barrels) to demonstrate 10 new systems by 2020.	No Conflict. The project would be required to comply with City of Palm Springs Municipal Code (i.e., Section 8.70.100 etc.) regulations regarding stormwater retention for multi-family residential and commercial uses.

Notes:
Source: City of Palm Springs Climate Acton Plan (2013)

Consistency with AB-32 and SB-32

As stated previously, the SCAQMD's tier 3 thresholds used Executive Order S-3-05 goal as the basis for deriving the screening level. The California Governor issued Executive Order S-3-05, which sets targets for GHG emission reductions, in June 2005, established the following reduction targets:

- 2010: Reduce greenhouse gas emissions to 2000 levels
- 2020: Reduce greenhouse gas emissions to 1990 levels
- 2050: Reduce greenhouse gas emissions to 80 percent below 1990 levels.

In 2006, the California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires CARB, to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable statewide emission cap which was phased in starting in 2012.

Therefore, as the Project's emissions meet the threshold for compliance with Executive Order S-3-05, the Project's emissions also comply with the goals of AB 32 and the City's CAP. Additionally, as the Project meets the current interim emissions targets/thresholds established by SCAQMD, the Project would also be on track to meet the reduction target of 40 percent below 1990 levels by 2030 mandated by SB-32. Furthermore, the majority of the post 2020 reductions in GHG emissions are addressed via regulatory requirements at the State level and the Project will be required to comply with these regulations as they come into effect.

At a level of 247.58 MTCO2e per year, the Project's GHG emissions do not exceed the SCAQMD draft threshold of 3,000 MTCO2e per year and is in compliance with the reduction goals of the City's CAP, the CARB Scoping Plan, AB-32, and SB-32. Furthermore, the Project will comply with applicable Green Building Standards and City policies regarding sustainability (as dictated by the City's General Plan and CAP). Project impacts would be less than significant, and no mitigation is required.

3.8.4 Mitigation

No mitigation is required.

3.8.5 Level of Significance

Not applicable.

3.9 Hazards and Hazardous Materials

3.9.1 Sources

- City of Palm Springs, *General Plan, Safety Element,* 2007
- Department of Toxic Control Substances. Accessed June 8, 2021, <https://dtsc.ca.gov/>
- State Water Resources Control Board, *GeoTracker.* Accessed June 8, 2021, <https://www.waterboards.ca.gov/>
- Center for Disease Control. Accessed June 8, 2021,

< https://www.cdc.gov/infectioncontrol/guidelines/environmental/background/medical-waste.html>.

- Occupational Safety and Health Administration. Accessed June 8, 2021 <https://www.osha.gov/SLTC/healthcarefacilities/index.html>
- California Department of Public Health. Accessed June 8, 2021

<https://www.cdph.ca.gov/Programs/CEH/DRSEM/Pages/EMB/MedicalWaste/MedicalWaste.aspx#>

3.9.2 Environmental Setting

The Project site is located on four undeveloped parcels in an urban area of Palm Springs. During the site visit there were no observations made of any signs of hazardous materials on-site or signs of any underground storage tanks. The site was mainly occupied by sparse vegetation and small amounts of refuse. Surrounding uses include commercial to the north, south, and east, and residential west of the Project site.

Local Schools

The nearest school is Creative Beginnings Montessori Preschool, which is located approximately 0.13-mile southwest of the Project site at 332 Alejo Road.

3.9.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

a. **Less than Significant Impact.** Proposed construction activities for the development of the Project may involve the use and transport of hazardous materials, which include but not limited to fuels, gasoline, hydraulic fluid, lubricants, and other liquids associated with the operation of heavy equipment utilized for construction. Additionally, materials that are consistent with building construction would also be present onsite and these materials may include paints, solvents, concrete, adhesives, roofing materials, and others. Additionally, transportation, storage, use and disposal of hazardous materials during construction activities would be required to comply with all applicable federal, State, and local statues and regulations. This includes the preparation of a SWPPP that would outline specific BMPs that would be administered during the construction of the Project in order to prevent the discharge of construction-related pollutants that could contaminate nearby water sources. The Resource Conservation and Recovery Act (RCRA; 42 USC 6901 et seq.) would require businesses with substantial quantities of hazardous materials to adhere to strict requirements in regards to handlings, transportation, and storing of supplies. Furthermore, the Hazardous Materials Transportation Act, 49 U.S.C. § 5101 et seq. protects against the risk to life, property, and the environment that are associated in the transportation of hazardous materials in intrastate, interstate, and foreign commerce. Upon completion of the proposed construction, all hazardous materials would be removed from the Project site. Therefore, with all applicable regulations in place, impacts associated with accidental release of

hazardous substances during construction activities would be less than significant and no mitigation is required.

Long-term operations of the Project would involve limited use of substances typically associated with individual households and gyms. Typical materials would include paints, cleaning solvents, fertilizers, and motor oil. The Project would be required to comply with Federal, State, and local regulations to ensure proper use, storage, use, emission, and disposal of hazardous substances. With mandatory regulatory compliance, the Project is not expected to pose a significant hazard to the public or the environment through the routine, transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Impacts would be less than significant and no mitigation is required.

b. **Less than Significant Impact.** Accidents involving hazardous materials that could pose a significant hazard to the public or the environment would be highly unlikely during the construction and long-term operation of the Project and are not reasonably foreseeable. As discussed above under Section 3.9.3(a), the transport, use, and handling of hazardous materials on the Project site during construction is a standard risk on all construction sites, and there would be no greater risk for upset and accidents than would occur on any other similar construction site. Upon buildout, the Project site would operate as a residential and commercial use. Based on the operational characteristics of residential and commercial uses, there is limited use of hazardous substances; however, as discussed above under Section 3.9.3(a), the Project Applicant would be required to comply with all applicable local, State, and federal regulations related to the transport, handling, and usage of hazardous material. Accordingly, impacts associated with the accidental release of hazardous materials would be less than significant during both construction and long-term operation of the Project and no mitigation would be required.

c. **No Impact.** The nearest school is Creative Beginnings Montessori Preschool, which is located at 332 Alejo Road. The school is within 0.25-mile to the southwest of the proposed Project site. Due to the nature of the proposed use of the Project as a residential and commercial development, there would be limited use of hazardous substances. In addition, as previously mentioned under Section 3.9.3 (a), the Project would be required to comply with federal, State, and local regulations to ensure proper use, storage, use, emission, and disposal of hazardous substances. Therefore, the proposed Project would have a less-than-significant impact on schools within a quarter mile of the site and no mitigation is required.

d. **Less than Significant Impact.** According to the Department of Toxic Substances Control (DTSC), there are no Federal Superfund sites within the vicinity of the Project site. All environmental cleanups and any permitted hazardous material facilities are listed in the Envirostor database, including Comprehensive Environmental Response, Compensation, and Lability Act (CERLA) sites as well. Additionally, according to the California State Water Resources Control Board's GeoTracker, the Project site is not located within any cleanup sites. The nearest active cleanup site is located approximately 1.0 mile to the south, which is the Ramon Cleaners and has a potential contaminant of concern (tetrachloroethylene or PCE). The clean-up status on this site is open and is undergoing site assessment as of July 2019. However, the Project is not located on a site that is listed as a hazardous materials site pursuant to Government Code Section 65962.5. Thus, the Project would not create a significant hazard to the public or the environment. Therefore, the Project would have a less-than-significant impact and no mitigation is required.

e. **No Impact.** The Project site is located approximately 2.5 miles from the Palm Springs International Airport. According to the General Plan's Safety Element Figure 6-8, *Airport Compatibility Plan*, the Project site is not located in a Compatibility Zone. The Riverside County Airport Land Use Compatibility Plan provides Basic Compatibility Criteria, which includes such considerations such as the prohibition of tall structures, hazardous materials storage, siting of high-occupancy buildings and facilities, and criteria infrastructure within compatibility zones, as well as limits on dwelling units per acre. The Project would not result in safety hazards for people residing or working in the Project area. Therefore, the Project would have no impact and no mitigation is required.

f. **No Impact.** The City has developed the Emergency Operations Plan (EOP), a multi-hazard document that addresses the City's planned response and short-term recovery to extraordinary emergency situation that are associated with natural disasters, technological incidents, and national security emergencies. The Project would adhere to any applicable mitigation strategies listed within the EOP to assure that the Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the Project would have no impact and no mitigation is required.

g. **No Impact.** No wildlands are located in the vicinity of the Project site and the Project site is not located within a fire hazard severity zone. The Project site is located in an urban area of the City, which is surrounded by residential and commercial uses. The nearest wildland to the Project site is the San Jacinto Mountains, which is approximately 2.1 miles to the west of the Project site. Based on the urban location of the Project site and lack of wildland in the Project vicinity, the development of the Project would not expose people or structures to wildland fires. Therefore, no impact would occur and no mitigation is required.

3.9.4 Mitigation

No mitigation is required.

3.9.5 Level of Significance after Mitigation

Not applicable.

3.10 Hydrology and Water Quality

3.10.1 Sources

- MSA Consulting, Inc., *Preliminary Hydrology Report 575 North Palm Canyon Drive*, August 3, 2021 (Appendix E)
- MSA Consulting, Inc., *Project Specific Preliminary Water Quality Management Plan for: Palm Canyon Multi-Family 575 North Palm Canyon Drive in the City of Palm Springs, California*, August 3, 2021 (Appendix F)
- City of Palm Springs, *General Plan*, 2007
- Coachella Valley Regional Water Management Group, *2018 Coachella Valley Integrated Regional Water Management & Stormwater Resource Plan*, December 2018
- City of Palm Springs, *General Plan, Recreation, Open Space, and Conservation Element,* 2007
- Coachella Valley Water District, *2020 Urban Water Management Plan*, 2020

3.10.2 Environmental Setting

The Project site is covered by Flood Insurance Rate Map (FIRM) Panel Number 06065C1558G, which designates Zone X, indicating areas determined to be outside the 0.2% annual chance floodplain. The Project site is vacant desert with some vegetation. The Project site generally slopes toward the east-southeast with storm runoff typically occurring as sheet flow. The Project site is bounded by Belardo Road to the west, Chino Drive to the south, North Palm Canyon Drive to the east, and vacant land to the north. The existing curb along North Palm Canyon Drive prevents flows from entering from the east. An existing catch basin on Belardo Road just north of the Project intercepts flows before they reach the site, leaving minimal flow to enter the site from the Belardo Road half-street along the Project frontage. Chino Drive runs along the low side of the Project, so no flows enter from the south. An existing wall along the northern property line of the vacant land to the north prevents flows from entering the site from that direction, so only runoff from the vacant land enters the site.

3.10.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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:				
c.i.) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
c.ii.) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
c.iii.) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
c.iv) Impede or redirect flood flows?	☐	☐	☒	☐
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?	☐	☐	☒	☐

a. **Less than Significant Impact.** Construction of the Project would be subject to National Pollutant Discharge Elimination System (NPDES) stormwater regulations for construction which are required when there is a soil disturbance of more than one acre. The Applicant will be required to comply with all rules, regulations and procedures of the NPDES permit for municipal, construction, and industrial activities as outlined by the California State Water Resources Control Board or any of its Regional Water Quality Control Boards (Colorado River Basin – Region 7). A Water Quality Management Plan (WQMP) (*Appendix F*) has been prepared to determine and describe the Best Management Practices (BMPs) that will be implemented on the Project site. The Project would be required to meet all applicable water quality standards or waste discharge requirements, thus avoiding any violation of such standards or requirements.

There are three groundwater subbasins: Whitewater River, Missions Creek, and Indio that serve the Palm Springs area. According to the General Plan, since the 1900's and leading through today, depletion of groundwater basins has been accelerating since the expansion of agricultural activities. Consequently, groundwater demand exceeds available recharge and in turn causing an "overdraft". To ensure water availability, Coachella Valley water agencies contract with Metropolitan Water District of Southern California (MWD) to exchange their water entitlement from the State Water Project for like amounts from the Colorado River. Water is diverted and percolates into the Whitewater Subbasin via MWD's aqueduct that crosses the Whitewater River. The mentioned agreement is intended to assure adequate water supplies through the year 2035. Furthermore, the aforementioned water agencies are required to prepare an Urban Water Management Plan (UWMP) every five years. This plan helps set forth a program to meet water demands during normal, dry, and multiple dry years. The *UWMP* helps to ensure that water supplies are being planned for and meet future growth. The *2020 UWMP* determined that adequate water supplies would be available to serve existing service areas through the year 2040. As such, since the Project site is within the City's existing service area and has been accounted for within these water projections, the proposed Project would be consistent with the *2020 UWMP* and would not substantially decrease groundwater supplies. Therefore, impacts to groundwater supplies would be less than significant and no mitigation is required.

The Project will connect to an existing sewer line beneath North Palm Canyon Drive. Wastewater will be transported to and processed at the City's Wastewater Treatment Plant. The City contracts with Veolia North America (Veolia) for operation of the wastewater treatment plant, and Veolia implements all requirements of the Regional Water Quality Control Board which pertain to water quality and wastewater discharge. Adherence to all NPDES regulations will minimize any pollutants associated with urban runoff to a less than significant level. Therefore, with implementation of all applicable NPDES regulations, impacts to water quality standards or waste discharge requirements would be less than significant. No mitigation is required.

b. **Less than Significant Impact.** The primary source of water in the Coachella Valley is groundwater extracted by deep wells and replenished with Colorado River Water. The Desert Water Agency (DWA) will provide domestic water service to the Project and is a participant in the Coachella Valley Regional Water Management Group that prepared an Integrated Regional Water Management Plan (WMP) in 2018. The *2018 Integrated Regional WMP* determined that long-term regional demand for potable water is expected to increase; however, with continued conservation measures and replenishment of groundwater, sufficient supplies will be available to meet the projected demand. As such, Project water demands have already been accounted for within the *2018 Integrated Regional WMP* and sufficient water supplies exist to serve the Project.

At Project buildout, water will be required to serve the needs of the proposed development of 24 multi-family homes and 2,214 s.f. of commercial space. The Project will connect to an existing water line beneath North Belardo Road and North Palm Canyon Drive. No new wells or additional water infrastructure are proposed. The Project will be required to comply with the DWA's and the City's water-efficiency requirements, such as including the use of drought-tolerant planting materials and limited landscaping irrigation. The Project will also be required to comply with the DWA's drought restrictions and water reduction measures as applicable. Therefore, compliance and implementation of DWA and City requirements would ensure that the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Impacts would be less than significant, and no mitigation is required.

c. i-iv. **Less than Significant Impact.** Prior to development of the Project site, the City will review and approve the proposed civil plans to ensure the proposed development is in compliance with the City's Municipal Code Section 8.70.100, which requires the Project to retain the runoff volume from a 100-year, 24-hour storm event for the entire Project site.

The Project's WQMP (*Appendix F*), which includes BMPs, will allow for the reduction in pollutants of concern and help reduce the impacts both short and long term of water quality during the construction and operation of the Project. The implementation of BMPs consistent with the Project specific WQMP as well as compliance with City requirements will ensure the design of the Project will not result in erosion or siltation on- or off-site. The Project would result in a less-than-significant impact to downstream water bodies. Therefore, impacts would be less than significant, and no mitigation is required.

d. **No Impact**. The Project site is located within Zone X (unshaded), which is an area of minimal flood hazard and not within the 100-year nor 500-year flood plain. Furthermore, the Project site is not located within the vicinity of a water body. Due to the Project site location being a significant distance from the ocean and from any lakes or dams, there is no possibility of dam failure, tsunami or seiche. Therefore, no impacts are anticipated, and no mitigation is required.

e. **Less than Significant Impact**. As described in Section 3.10.3 (b), Project water demand has already been accounted for in the *2018 Integrated Regional WMP* and sufficient water supplies exist to serve the Project. The Project will adhere to all applicable water quality standards and will implement a Project specific WQMP approved by the City and the Regional Water Quality Control Board for both construction and operational activities. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, the Project would result in a less than significant impact and no mitigation is required.

3.10.4 Mitigation Measures

No mitigation is required.

3.10.5 Level of Significance

Not applicable.

3.11 Land Use and Planning

3.11.1 Sources

- City of Palm Springs*, General Plan, Land Use Element,* 2007

3.11.2 Environmental Setting

The Project site is located in the northern region of the Coachella Valley within the City of Palm Springs, at the north side of West Chino Drive and in between North Belardo Road and North Palm Canyon Drive. As shown in Exhibit 2, *Vicinity Map*, the Project site is surrounded by residential uses to the west and commercial uses to the north, south, and east. The Project site is currently designated as "Central Business District" under the City's 2014 General Plan map and it is located within the CBD zone and Limited Multiple-Family Residential (R-2) zone, per the City's Official Zoning Map. The Applicant proposes the site to be rezoned to Retail Business (C-1). Land use designations surrounding the Project site include CBD to the north and south, Open Space – Parks/Recreation to the east, and Estate Residential to the Limited Multiple-Family Residential.

3.11.3 Impacts

	Potentially Significant Impact	**Less than Significant with Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
LAND USE AND PLANNING – Would the project:				
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?	☐	☐	☒	☐

a. **No Impact.** The Project site is located on four vacant parcels in an urbanized area of the City. The Project site is surrounded by both residential uses and commercial uses and is bounded by North Belardo Road to the west, West Chino Drive to the south, and North Palm Canyon Drive to the east. As seen in Exhibit 2 – *Vicinity Map,* the development of the Project would occur on an already developed area in the City of Palm Springs. The Project is located in the center of the City surrounded by adjacent residential development and would not physically divide any of the established surrounding communities. Therefore, no impacts would occur and no mitigation is required.

b. **Less than Significant Impact.** As previously mentioned, the Applicant has applied for a GPA and a Change of Zone. The GPA application requests that the minimum density requirement for CBD land use would be lowered to 10 dwelling units per acre, The Change of Zone application requests to amend the Zoning Ordinance to change the underlying zone of the Project site from CBD and R-2 to C-1. Approval of the GPA and Change of Zone would inherently create consistency with the City's General Plan land use designation and zoning designation.

Prior to development of the Project site, the City would review and approve the proposed architectural plans to ensure the proposed development meets the City's development standards for the CBD land use and C-1 zone. Therefore, the Project would be developed in accordance with the proposed density

requirement and zoning designation and would comply with all applicable policies contained in the General Plan as well as all applicable development regulations/development standards contained in the Zoning Ordinance. Accordingly, approval of the GPA and Change of Zone would inherently create consistency with the City's General Plan and Zoning Ordinance. Therefore, implementation of the Project would not cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect. Impacts would be less than significant and no mitigation is required.

3.11.4 Mitigation

No mitigation is required.

3.11.5 Level of Significance after Mitigation

Not applicable.

3.12 Mineral Resources

3.12.1 Sources

- City of Palm Springs*, General Plan, Recreation, Open Space and Conservation Element,* 2007

3.12.2 Environmental Setting

The City's primary mineral resources are sand and gravel, collectively referred to as aggregate, which is used for asphalt, concrete, road base, stucco, plaster, and other similar construction materials. The northern portion of the City has been classified an MRZ-3 zone. Per the City's General Plan, (Figure 5-3, page 39), the Project site is located in MRZ-3, which indicates it is located in an area containing mineral deposits, with the significance of which cannot be evaluated from available data.

3.12.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
MINERAL RESOURCES – Would the project:				
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?	☐	☐	☐	☒

a. **No Impact.** The California Geological Survey classifies Mineral Resources Zones (MRZs) within a region according to the following: MRZ-1, MRZ-2, MRZ-3, and MRZ-4. Per the City's General Plan (Figure 5-3, page 39) the Project site is located in MRZ-3, which indicates it is located in an area containing mineral deposits, with the significance of which cannot be evaluated from available data. The Project site is designated as Central Business District under the City's 2014 General Plan map and is located within

the Limited Multiple-Family Residential and Central Business District Zone, per the City's Official Zoning Map. Neither the existing nor proposed land use and zoning designations allows for mineral production. No portion of the Project site is designated for mineral land uses. Furthermore, if a potential mineral extraction operation were to be located within the Project site, it would be incompatible both with the land use designation and surrounding land uses. Therefore, development of the Project would result in a less-than-significant impact relating to mineral resources and no mitigation is required.

b. **No Impact.** Refer to Section 3.12.3(a), above. Implementation of the Project would not result in the loss of a locally-important mineral resource recovery site. No impact would occur and no mitigation is required.

3.12.4 Mitigation

No mitigation is required.

3.12.5 Level of Significance after Mitigation

Not applicable.

3.13 Noise

3.13.1 Sources

- Ganddini Group, Inc., *RIOS Project Noise Impact Analysis*, March 29, 2022 (Appendix D)

3.13.2 Environmental Setting

Noise

Noise has been defined as an unwanted sound. Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear.

Vibration

According to the Federal Transit Administration (FTA) *Transit Noise Impact and Vibration Assessment Manual*, vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of ground-borne vibrations include natural or human made causes. In addition, vibration sources may be continuous, such as factory machinery, or transient, such as explosions.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings. Human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation

(VdB) is commonly used to measure RMS. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. More detailed information regarding vibration can be found in the Noise Analysis (*Appendix D*) of this document.

3.13.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne 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?	☐	☐	☒	☐

a. **Less than Significant Impact.** Project construction noise would occur due to the use of equipment that includes a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. The number and mix of construction equipment is expected to occur in stages such as site preparation, grading, building construction, paving, and architectural coating. Construction activities are anticipated to begin no sooner than the beginning of November 2022 and be completed by early May 2024.

Construction Noise Analysis

Construction noise will vary depending on the construction process, type of equipment involved, location of the construction site with respect to sensitive receptors, the schedule proposed to carry out each task (e.g., hours and days of the week) and the duration of the construction work. The existing single-family residential uses to the west, multi-family residential uses to the north, and the transient lodging use to the northeast of the Project site property lines may be affected by short-term noise impacts associated with construction noise.

Construction noise associated with the Project was calculated utilizing methodology presented in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual (2018) together with several key construction parameters including: distance to each sensitive receiver, equipment usage, percent usage factor, and baseline parameters for the Project site. Distances to receptors were based on the acoustical center of the proposed construction activity. Construction

noise levels were calculated for each phase. Anticipated noise levels during each construction phase are presented in Table 10 of *Appendix D*.

A comparison of existing noise levels and Project construction noise levels at the closest receptor locations are presented in Table 9 of *Appendix D*. Short term noise measurement (STNM1) was chosen to represent noise levels at the property lines of the multi-family residential uses located to the north and northwest of the Project site, STNM2 was chosen to represent noise levels at the property lines of the single-family residential uses to the west and southwest of the Project site, STNM3 was chosen to represent noise levels at the property line of the rehabilitation center to the south of the Project site, STNM4 was chosen to represent noise levels at the property line of the art gallery use to the east of the Project site, and STNM5 was chosen to represent noise levels at the property line of the hotel use to the northeast of the Project site.

Modeled unmitigated construction noise levels ranged between 55.3 and 76.1 dBA Leq at the nearest sensitive receptors to the Project site (see Table 10 of *Appendix D*). As discussed earlier, construction noise sources are regulated within the City of Palm Springs Municipal Code Section 8.04.220 which prohibits construction other than during the hours of 7:00 AM to 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays. In addition, construction work is not permitted on Sundays and holidays (incudes Thanksgiving Day, Christmas Day, New Year's Day, July 4th, Labor Day and Memorial Day). The Project would comply with the allowed hours of construction specified in Section 8.04.220 of the City of Palm Springs' Municipal Code. Impacts would be less than significant, and no mitigation is required

Off-Site Traffic Noise Analysis

Traffic generated by the operation of the Project will influence traffic noise levels in surrounding off-site areas. During operation, the Project is expected to generate approximately 238 average weekday daily vehicle trips with 11 trips during the AM peak-hour and 20 trips during the PM peak-hour. A Project generated traffic noise level was modeled utilizing the FHWA Traffic Noise Prediction Model - FHWA-RD-77-108. Traffic noise levels were calculated at the right of way from the centerline of the analyzed roadway. The modeling is theoretical and does not take into account any existing barriers, structures, and/or topographical features that may further reduce noise levels. Therefore, the levels are shown for comparative purposes only to show the difference in with and without Project conditions. The potential off-site noise impacts caused by an increase of traffic from operation of the proposed Project on the nearby roadways were calculated for the following scenarios.

Existing Year (without Project): This scenario refers to existing year traffic noise conditions and is demonstrated in Table 11.

Existing Year (With Project): This scenario refers to existing year plus project traffic noise conditions and is demonstrated in Table 11.

As shown in Table 12 of *Appendix D*, modeled Existing traffic noise levels range between 62-62 dBA CNEL at the right-of-way of each modeled roadway segment; and the modeled Existing Plus Project traffic noise levels range between 73-73 dBA CNEL at the right-of-way of each modeled roadway segment.

As stated previously, increases in ambient noise along affected roadways due to Project generated vehicle traffic is considered substantial if the Project-related traffic would increase the CNEL at any noise-sensitive receptor by an audible amount of 3 dBA and cause the noise level at the receiving land use to exceed the noise standards detailed in the Noise Element of the Palm Springs 2007 General Plan. Project-generated vehicle trips are anticipated to increase noise levels between approximately 0.06 and 0.32 dB at the nearest sensitive receptors. Therefore, a change in noise level would be considered less than significant. No mitigation is required.

On-Site Traffic Noise Analysis

The City of Palm Springs General Plan identifies exterior noise levels up to 65 dBA CNEL as normally acceptable and up to 70 dBA CNEL as conditionally acceptable for multi-family residential uses. In addition, commercial uses are considered normally acceptable with exterior noise levels up to 70 dBA CNEL and conditionally acceptable up to 77.5 dBA CNEL. Proposed land uses that fall into the "conditionally acceptable" category should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

As shown on Figures 6 of *Appendix D*, future traffic noise levels from Palm Canyon Drive are expected to range between 37 and 75 dBA CNEL at the proposed residential and retail/office units closest to North Palm Canyon Drive. As shown on Figure 7 of *Appendix D*, there will be ample space available between the proposed buildings where future noise levels are expected to be 65 dBA CNEL or less for outdoor recreational uses. In order to ensure interior noise levels do not exceed 45 dBA CNEL, the Project developer will ensure that all windows and sliding glass doors that are exposed to noise levels that exceed 65 dBA), will have STC ratings between 26 and 33.

The Project would be consistent with the City's normally acceptable exterior noise standards for multi-family residential uses and commercial uses. Impacts to the Project would be less than significant.

On-Site Operational Noise Analysis

Sensitive receptors that may be affected by Project operational noise include the proposed residential uses as well as the existing residential uses to the north, northwest, west, and southwest, rehabilitation center to the south, and transient lodging uses to the northeast.

The proposed parking area includes 42 garage residential parking spaces and 16 surface guest/retail parking lot spaces. Therefore, the majority of the parking spaces are enclosed, would reduce parking lot associated noise levels at proposed and existing residential uses. The Project would be required to comply with Section 11.74.042 of the City's Municipal Code which prohibits loading and unloading of vehicles, such as trash collectors, fork lifts, or cranes, within one thousand feet of a residence and non-emergency exterior hardscape and landscape activities, including without limitation tree trimming, re-seeding, lawn mowing, leaf blowing, dust and debris clearing, and any other landscaping or nonemergency exterior hardscape maintenance activities which would utilize any motorized saw, sander, drill, grinder, leaf-blower, lawn mower, hedge trimmer, edger, or any other similar tool or device, between the hours of 8:00 PM to 8:00 AM in residential zones and between the hours of 8:00 PM to 7:00 AM in all other zones.

Per Title 24 California Building Code the Project would be constructed in compliance with the California Building Code (CBC) noise insulation standards. The following outlines the minimum building requirements for multi-family attached residential dwelling units as it relates to noise isolation for common separating assemblies:

1. Walls, partitions, and floor/ceiling assembly designs must provide a minimum STC of 50, based on lab tests. Field tested assemblies must provide a minimum noise isolation class (NIC) of 45.
2. Floor/ceiling assembly designs must provide for a minimum impact insulation class (IIC) of 50, based on lab tests. Field tested assemblies must provide a minimum FIIC of 45.
3. Penetrations or openings in sound rated assemblies must be sealed, lined, insulated, or otherwise treated to maintain required ratings.
4. Interior noise levels due to exterior sources must not exceed a community noise equivalent level (CNEL) or a day-night level (LDN) of 45 dBA, in any habitable room.

Thus, the design of party walls and floor/ceiling assemblies for multi-family attached residential dwelling units must be based on laboratory tested assemblies which test at a sound transmission class of 50 STC, or better. On-site operational noise impacts between the proposed residential and commercial land uses would be less than significant with compliance of existing state and local building regulations. No mitigation is required.

b. **Less than Significant.** There are several types of construction equipment that can cause vibration levels high enough to cause architectural damage and/or annoyance to persons in the vicinity. For example, as shown in Table 13 of *Appendix D*, a vibratory roller could generate up to 0.21 PPV at a distance of 25 feet; and operation of a large bulldozer (0.089 PPV) at a distance of 25 feet (two of the most vibratory pieces of construction equipment).

Available guidelines from the Federal Transit Administration (FTA) are utilized to assess impacts due to ground-borne vibration. The FTA has adopted vibration standards that are used to evaluate potential building damage impacts related to construction activities. The threshold at which there is a risk to "architectural" damage to reinforced-concrete, steel or timber (no plaster) buildings is a peak particle velocity (PPV) of 0.5, at engineered concrete and masonry (no plaster) buildings a PPV of 0.3, at non-engineered timber and masonry buildings a PPV of 0.2 and at buildings extremely susceptible to vibration damage a PPV of 0.1. The FTA has also adopted standards associated with human annoyance for groundborne vibration impacts for the following three land-use categories: (1) Vibration Category 1 – High Sensitivity, (2) Vibration Category 2 – Residential, and (3) Vibration Category 3 – Institutional.

The FTA defines Category 1 as buildings where vibration would interfere with operations within the building, including vibration-sensitive research and manufacturing facilities, hospitals with vibration-sensitive equipment, and university research operations. Vibration-sensitive equipment includes, but is not limited to, electron microscopes, high-resolution lithographic equipment, and normal optical microscopes. Category 2 refers to all residential land uses and any buildings where people sleep, such as hotels and hospitals. Category 3 refers to institutional land uses such as schools, churches, other institutions, and quiet offices that do not have vibration-sensitive equipment, but still have the potential for activity interference. The vibration criteria associated with human annoyance for these three land-use categories are shown in Table 8 of *Appendix D*. Table 8 in *Appendix D* shows that 72 VdB is the threshold for annoyance from groundborne vibration at residential sensitive receptors and 75 VdB at institutional sensitive receptors.

As stated previously, for conservative purposes, this construction vibration analysis compares the estimated vibration levels generated during construction of the Project to the 0.2 in/sec PPV significance threshold for non-engineered timber and masonry buildings.

The nearest off-site structures to the Project property lines include the commercial structures located approximately 32 feet to the north, 82 feet to the south, and 95 feet to the east and the residential structures located approximately 40 feet to the north, 95 feet to the west and northwest, and 127 feet to the southwest. As shown in Table 14 of *Appendix D*, at 32 feet, the closest off-site commercial structure, use of a vibratory roller would be expected to generate a PPV of 0.145 in/sec and a bulldozer would be expected to generate a PPV of 0.061 in/sec. In addition, at 40 feet, the closest off-site residential structure, use of a vibratory roller would be expected to generate a PPV of 0.104 in/sec and a bulldozer would be expected to generate a PPV of 0.044 in/sec. Therefore, use of either a vibratory roller or a bulldozer would not cause architectural damage to the receptors to the west. Impacts from vibration generated damage would be less than significant and no mitigation is required.

As shown in Table 8 of *Appendix D*, vibration becomes strongly perceptible to sensitive receptors at a level of 72 VdB and at a level of 75 VdB at daytime institutional uses. A vibratory roller could generate up to 72 VdB at a distance of 136 feet from the source and a large bulldozer could generate 72 VdB at a distance of 80 feet from the source. In addition, a vibratory roller could generate up to 75 VdB at a distance of 108 feet from the source and a large bulldozer could generate 75 VdB at a distance of 63 feet from the source. The closest buildings to the Project site include commercial buildings located as close as 32 feet from the Project property lines.; however, commercial uses are not considered a vibration-sensitive land use, no further analysis in regard to annoyance is necessary.

The closest residential buildings to the Project site include the multi-family residential dwelling units located approximately 40 feet to the north and the single-family residential buildings located as close as approximately 95 feet to the west and northwest and 127 feet to the southwest of the Project site property lines. Furthermore, the commercial use to the south, with buildings located as close as approximately 82 feet from the Project's southern property line, is a rehabilitation center; therefore, for purposes of this analysis it was assumed to fit under Category 1 as a residential sensitive receptor. In addition, the commercial use to the east, with buildings as close as approximately 95 feet from the project's eastern property line, is an art gallery with associated classes; therefore, for purposes of this analysis, it was assumed to fit under Category 3 as an institutional sensitive receptor. As shown in Table 13 of *Appendix D*, the threshold for annoyance due to vibration (72 VdB at offsite residential sensitive uses and 75 VdB at off-site institutional sensitive uses) could theoretically be exceeded at existing sensitive receptors surrounding the Project site, and people may be temporarily annoyed.. However, the potential annoyance due to construction related vibration would only occur when a vibratory roller is used within 13 feet or when a bulldozer is within 3 feet of the northern project property line. Therefore, potential annoyance to the residential receptors to the north will be short-term and limited to daytime hours. Therefore, impacts would be less than significant no mitigation is required.

Operation of the proposed Project will involve the movement of passenger vehicles and trucks. Driving surfaces associated with the Project will be paved and will generally be smooth. Loaded trucks generally have a PPV of 0.076 at a distance of 25 feet. Groundborne vibration levels associated with passenger vehicles are much lower. The movement of vehicles on the Project site would not result in the generation of excessive groundborne vibration or groundborne noise. Impacts would be less than significant and no mitigation is required.

c. **Less than Significant Impact.** The closest airport to the Project site is the Palm Spring International Airport with runways located as close as approximately 1.7 miles to the northeast of the Project site. Per the City of Palm Springs General Plan, (Figure 6-8) *Airport Compatibility Plan*, the Project site is not located in an airport compatibility zone. Furthermore, the noise compatibility contours provided in the Riverside County Airport Land Use Compatibility Plan (RCALUCP) show that the Project site is well outside the 60 dBA CNEL noise contour for the Palm Springs International Airport. Therefore, although the Project is within two miles of a public airport, the Project would not expose people residing or working in the Project area to excessive noise levels associated with airports. Impacts would be less than significant and no mitigation is required.

3.13.4 Mitigation

No mitigation is required.

3.13.5 Level of Significance after Mitigation

Not applicable.

3.14 Population and Housing

3.14.1 Sources

- City of Palm Springs, *General Plan, Housing Element, Palm Springs,* 2007 (update 2014)
- Southern California Association of Governments Regional Council, *Profile of the City of Palm Springs*, 2019. Accessed on June 7, 2021, <https://www.scag.ca.gov/Documents/PalmSprings.pdf>
- United States Census Bureau, *QuickFacts Palm Springs*, 2021. Accessed on April 22, 2022, https://www.census.gov/quickfacts/palmspringscitycalifornia

3.14.2 Environmental Setting

Based on the United States Census Bureau, the City of Palm Springs had a population of 44,552 in 2010, and the population increased to an estimated 44,575 people in 2021. The average persons per household between 2016-2020 was 1.93 persons per household.

3.14.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
POPULATION AND HOUSING – Would the project:				
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 roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a. **Less than Significant Impact.** The Applicant proposes the development of 24 condominium units and 2,214 square feet of commercial space on 2.4 acres of undeveloped land. This . As of the 2020 US Census, the City's population was estimated at 47,427 persons. The City's General Plan projects and plans for a total population of approximately 100,729 persons by the General Plan build out year of 2040. The proposed Project would only add 24 residential units and an average of 45 to 65 people to the City's population. This additional population growth is consistent with the City's population growth projections. Furthermore, the Project is located within existing urban development located in all directions of the Project site and will be accessible via existing roads and infrastructure. No roads or infrastructure would need to be extended to serve the Project. Because the anticipated increase in population based on the proposed residences would be negligible (and within current population growth projections), and induced population growth is also expected to be negligible. Therefore, impacts would be less than significant and no mitigation is required.

b. **No Impact.** The future development of 24 condominium units and 2,214 square feet of commercial space will take place on four vacant parcels. No existing structures or housing will be eliminated as a result of the Project and is not expected to displace any current residents. Instead, the Project will accommodate housing that is needed by the growing population. Therefore, there would be no impacts, relating to the displacement of people or housing, and no mitigation is required.

3.14.4 Mitigation

No mitigation is required.

3.14.5 Level of Significance after Mitigation

Not applicable.

3.15 Public Services

3.15.1 Sources

- City of Palm Springs, *General Plan, Safety Element, 2007*
- City of Palm Springs, *General Plan, Recreation, Open Space and Conservation Element, 2007*
- Palm Springs Unified School District, *2019 CBEDS Report*, 2019. Accessed on June 7, 2021, https://www.psusd.us/site/handlers/filedownload.ashx?moduleinstanceid=6972&dataid=13860&FileName=2019%20CBEDS%20REPORT.pdf

3.15.2 Environmental Setting

Fire Protection Services

The Palm Springs Fire Department provides for fire, paramedic, and emergency services within the corporate boundaries of the City and through mutual agreements in the Sphere of Influence (SOI), protecting 96 square miles of the Palm Springs area. Firefighting resources include five fire stations located throughout the City with a goal that the response time to any resident is under five minutes. There are a total of 18 on-duty firefighter personnel during a 24-hour period.

Police Protection Services

The Palm Springs Police Department offers response service, criminal investigation, traffic enforcement, and preventive patrol for the City. The departments consist of two divisions, Operations and Services, employing 88 sworn and 59 nonsworn personnel. Operations include patrol, jail, and airport operations. Services include investigation, records, animal control, and communications. Additionally, the Citizens on Patrol (COP) Program extensively trains volunteers in areas such as traffic control, safe patrol techniques, CPR, and first aid. The Department's Community Policing Program also operates the Citizen's Police Academy and the volunteer-based horseback Mounted Enforcement Unit.

Schools

The Palm Springs Unified School District (PSUSD) provides educational services for grades K-12 in the City of Palm Springs. Currently, there are 16 elementary schools, five middle schools, four high schools, and two continuation schools in the City. PSUSD receives funding from school facilities fees, state funding, and local funding. PSUSD is authorized to collect school facilities fees as provided for in Government Code Section 53080 et. seq. and 65995 et seq. in the amount of $4.08 per square foot of residential development.

Parks

Palm Springs owns and maintains 156 acres of developed parkland and 160 acres of City-owned golf courses open to the public, as well as miles of developed greenbelts along major thoroughfares throughout the City. The City categorizes parks as the following: local parks, specialty parks, community parks, and neighborhood parks. Additionally, the City contains a total of 1,517 acres of dedicated open space.

3.15.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
PUBLIC SERVICES				
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 of the public services:				
i) Fire Protection?	☐	☐	☒	☐
ii) Police Protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

a-i. **Less than Significant Impact.** The Palm Springs Fire Department provides fire protection services to the Project site and surrounding area. The nearest Palm Springs Fire Department Fire Station (No. 1) is located at 277 N Indian Canyon Drive, approximately 0.4 mile southeast from the Project site. Based

on the Project site's proximity to the existing fire station, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Additionally, the Project would feature fire safety and fire suppression activities, including type of building construction, fire sprinklers, a fire hydrant system, and paved access. The Palm Springs Fire Department will review and approve Project plans to ensure all applicable fire standards and regulations are met. Therefore, impacts associated with fire protection services would be less than significant, and no mitigation is required.

a-ii. **Less than Significant Impact.** The Palm Springs Police Department provides police protection services to the Project site and surrounding area. The Palm Springs Police Department is located at 200 S. Civic Drive, which is located approximately 2.13 miles southeast from the Project site. Based on the Project site's proximity to the existing police station, the Project would be adequately served by police protection services, and no new or expanded unplanned facilities would be required. The Palm Springs Police Department will review and approve Project plans to ensure all applicable police standards and regulations are met. Therefore, impacts associated with police protection services would be less than significant, and no mitigation is required.

a-iii. **Less than Significant Impact**. The nearest school is Creative Beginnings Montessori Preschool, which is located approximately 0.13-mile southwest of the Project site at 332 Alejo Road. The addition of the future twenty-four condominium residences and 2,214-s.f. of commercial space would not significantly increase the number of students within nearby schools. The Project is required to pay the State mandated school impact fees, which would assist in mitigating impacts to schools. Therefore, this fee would assure that impacts would be less than significant and no mitigation is required.

a-iv. **Less than Significant Impact.** The City of Palm Springs requires new developments to dedicate land for recreational purposes or pay in-lieu fees. The Project would result in a negligible population increase and a negligible demand for park facilities. Therefore, this fee will assure that the impacts to City parks would be less than significant and no mitigation is required.

a-v. **Less than Significant Impact.** The Project would result in less-than-significant impacts to other public facilities. It is not expected that the Project would result in an increase in population that would require the provision of additional public facilities within the City of Palm Springs. Access to the Project is provided by existing roads and will connect to existing utility infrastructure. New public roads or public transportation facilities, or other public facilities, are not required. Therefore, impacts would be less than significant, and no mitigation is required.

3.15.4 Mitigation

No mitigation is required.

3.15.5 Level of Significance after Mitigation

Not applicable.

3.16 Recreation

3.16.1 Sources

- City of Palm Springs Recreation*, Open Space and Conservation Element, Palm Springs General Plan, 2007*

3.16.2 Environmental Setting

The City owns and maintains 156 acres of developed parkland, 160 acres of City-owned golf courses open to the public, as well as miles of developed greenbelts along major thoroughfares throughout the City. The City is also home to privately owned golf courses, many of which are also open to the public. These parks and recreational areas contain an array of amenities. The Whitewater Wilderness Study Area and the Murray, Andreas, and Palm Canyon recreation areas, which are operated by the Agua Caliente Band of Cahuilla Indians, are also located within City limits.

3.16.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
RECREATION				
a) Would the project 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 might have an adverse physical effect on the environment?	☐	☐	☒	☐

a-b. **Less than Significant Impact.** The Project would result in a negligible population increase and a negligible demand for park facilities. Based on the population generation factor of 2.0 persons per household from the 2007 General Plan, the future twenty-four condominium residences would result in a less-than-significant impact to the City's existing recreational facilities. There is a low potential for the Project to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur. Furthermore, the Project would contribute to the expansion of recreational facilities by constructing a 2,214-s.f. outdoor plaza that would provide a spa, gym, and yoga studio to the public. Therefore, the Project would have a less-than-significant impact on recreational facilities within the City and no mitigation is required.

3.16.4 Mitigation

No mitigation is required.

3.16.5 Level of Significance after Mitigation

Not applicable.

3.17 Transportation

3.17.1 Sources

- Urban Crossroads, Inc., *Palm Canyon Multi-Family Traffic Scoping Letter*, August 3, 2022 (Appendix G)
- City of Palm Springs, *City of Palm Springs Traffic Impact Analysis Guidelines*, July 2020
- City of Palm Springs, *2007 General Plan Circulation Element,* Accessed August 18, 2022

3.17.2 Environmental Setting

The proposed Project consists of the development of 24 condominium units and a 2,214 square foot commercial space for a spa, yoga studio, and a gym. The Project is exempt from preparing either a Traffic Impact Analysis or Vehicle Miles Traveled Screening Analysis because the Project would generate less than 100 peak hour trips and proposes less than 11 single-family housing units per the City's *Traffic Impact Analysis Guidelines*.

3.17.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
TRANSPORTATION – Would the project:				
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?	☐	☐	☐	☒

a. Less than Significant Impact.

Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

According to the Palm Springs General Plan goal CR1, the City intends to establish and maintain an efficient, interconnected circulation system that accommodates vehicular travel, walking, bicycling, public transit, and other forms of transportation. Pedestrian activity is singled out as an important part of the City's recreational lifestyle. Pedestrian facilities such as walkways, bridges, trails, crosswalks, signals, benches, and shade canopies are a critical component of the nonmotorized transportation network in Palm Springs. In areas where pedestrian facilities are present, people will be much more likely to make short trips by walking instead of by automobile. Pedestrian walkways help to link

educational facilities to City parks, and can help create a critical lifeline between the retail shops Downtown and the City's resort amenities such as the Convention Center, casino, and hotels.

As stated in General Plan Goal CR7, the City intends to create a pedestrian experience that is attractive to both residents and visitors. The Project supports this goal by integrating into the city's walkable grid, by enhancing the local pedestrian experience by integrating retail, providing in-fill development and adding visual interest, by facilitating walkability for its residents due to its proximity to other Palm Springs attractions, and by mixing uses on the site.

As stated in General Plan Goal CR6, the City intends to establish Palm Springs as the premiere provider of recreational trails and bikeways in the Coachella Valley. The Project will not conflict with this goal as it will keep roadways, medians, and sidewalks clear for their current uses.

As stated in General Plan Goal CR4, the City intends to reduce its dependence on the use of single-passenger vehicles by enhancing mass transit opportunities. The Project will support this goal based on its integration into the City's existing pedestrian-friendly street and sidewalk grid. Additionally, the project site is directly adjacent to the North Palm Canyon at Chino bus stop that is serviced by bus routes 1 and 4 which connect Palm Springs with Coachella via State Route 111.

The project is a local-serving retail type development which would contribute to the project reducing VMT impacts. Further, the project will be located within a Transit Priority Area (TPA), will not be located in a low VMT generating zone, interfere with pedestrian, bicycle, roadway, or transit facilities. The project's mixed-use design as well as its proximity to high-quality transit and other destinations within walking and biking distance will reduce vehicle miles traveled (VMT). Therefore, the Project would not conflict with the City of Palm Springs General Plan Circulation Element and impacts would be less than significant. No mitigation is required.

b. **Less than Significant Impact.** CEQA Guidelines section 15064.3 sets forth guidelines for implementing Senate Bill 743 (SB 743) for reduction of GHG emissions and development of multimodal transportation networks. SB 743 requires amendments to the CEQA Guidelines to provide for an alternative criteria to the LOS methodology for evaluating transportation impacts. Generally, "vehicle miles travelled" or VMT is considered as the most appropriate measurement of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project.

The Project's traffic was evaluated against screening criteria to determine if it could clearly be determined that the Project would not generate substantial VMT and therefore be consistent with CEQA Guidelines Section 15064.3(b), or if additional analysis was needed to determine the significance of Project-related VMT. The screening criteria used in the Project analysis are established in the City's *Traffic Impact Analysis Guidelines*.

Pursuant to the *Traffic Impact Analysis Guidelines*, small projects such as retail buildings with area less than or equal to 60,000 square feet and multi-family residential projects less than or equal to 147 dwelling units may be presumed to have a less than significant impact. The Project is proposing 24 residential dwelling units and 2,214 square feet of retail which are lower quantities than the respective residential and retail criteria.

Additionally, projects located within a Transit Priority Area (TPA) (i.e., within ½ mile of an existing "major transit stop" or an existing stop along a "high-quality transit corridor"2) may be presumed to

have a less than significant impact absent substantial evidence to the contrary. Southern California Councils of Governments (SCAG) provides TPA data through their graphical information system (GIS). This data was utilized to locate if the Project site and its proximity to a TPA. Results as shown in Attachment B of Appendix G identify the Project Site is located in a high-quality transit area. Additionally, the introduction of new local-serving retail has been determined to reduce VMT. Therefore, retail projects where no single store on-site exceeds 50,000 square feet can be presumed to cause less-than-significant impact. The retail component of the Project is 2,214 square feet which is less than 50,000 square feet.

Accordingly, implementation of the Project would not generate excessive VMT and therefore would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b). Less than significant impact would occur and no mitigation is required.

c. **Less than Significant.** The types of traffic generated from the Project (i.e., passenger cars) would be compatible with the type of traffic observed along roadways within the Project vicinity under existing conditions. In addition, prior to development of the Project site, the City will review and approve the proposed architectural plans to ensure all proposed improvements within the public right-of-way would be installed in conformance with City design standards and that no hazardous transportation design features would be introduced through implementation of the Project. In addition the Riverside County Fire Department, City Fire Services, and the City Police Department will review the proposed site plan to ensure that all safety design features and geometric design are compliant with existing standards prior to final Project approval. Accordingly, the Project would not create or substantially increase safety hazards due to a design feature or incompatible use. Impacts would be less than significant and no mitigation is required.

d. **Less than Significant Impact**. A full access (gated) entry to the Project is provided via Belardo Road. A gated access along Palm Canyon Drive will be utilized for fire and emergency access only (see Exhibit 1 in Appendix G)

Additionally, the Riverside County Fire Department, City Fire Services, and the City Police Department will review the proposed site plan to ensure that all safety design features and measures related to emergency access and geometric design are compliant with existing standards prior to final Project approval. Accordingly, the Project would not create or increase safety hazards due to inadequate emergency access. There will be no significant impact.

3.17.4 Mitigation

No mitigation is required.

3.17.5 Level of Significance after Mitigation

Not applicable.

3.18 Tribal Cultural Resources

3.18.1 Sources

- CRM TECH, *Historical/Archaeological Resources Survey Report The RIOS Project*, May 1, 2022. (Appendix C)
- AB 52 Notification Letters

3.18.2 Environmental Setting

On January 17, 2022, CRM TECH submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. CRM TECH also notified the Agua Caliente Band of Cahuilla Indians of the upcoming archaeological field survey. The NAHC reported in a letter dated March 14, 2022, that the results of the Sacred Lands File search were positive for tribal cultural resources in the Project vicinity and recommended contacting the Los Coyotes Band of Cahuilla and Cupeno Indians for further information. The Los Coyotes Band of Cahuilla and Cupeno Indians in the Warner Springs area also were contacted in writing on March 14, 2022 for additional information on potential Native American cultural resources in the Project vicinity. No response has been received to date.

As mentioned above, prior to the field survey, CRM TECH notified the Agua Caliente Band of Cahuilla Indians and invited tribal participation. Despite close coordination with Andreas Heredia, Cultural Resources Coordinator for the Agua Caliente Band, in subsequent correspondence, Mr. Heredia was ultimately unable to participate in the survey on the scheduled date. In a written reply to CRM TECH's inquiry dated April 15, 2022, Lacy Padilla, Archaeologist with the Agua Caliente Tribal Historic Preservation Office, requested copies of all cultural resource documentation for tribal review as well as tribal monitoring of ground-disturbing activities during the Project. In the letter, Ms. Padilla noted the presence of Séc-he, the famed Agua Caliente hot springs, near the Project location. On March 10, 2022, the Agua Caliente Band of Cahuilla Indians responded stating the Project site is located within the Tribe's Traditional Use Area. They requested for a copy of the records search and cultural resource report and tribal monitoring during Project construction.

Human history within the Coachella Valley, including areas of present day Palm Springs, dates back to the earliest civilization of the Cahuilla people, whose culture is present today. It was approximately 2000 years ago when the Cahuilla Indians first occupied the land that is now the Palm Springs area. Complex communities were developed in Palm, Murray, Andreas, Tahquitz, and Chino Canyons where the Cahuilla Indians managed hundreds of plant resources. Today the Agua Caliente Band of Cahuilla Indians Reservation encompasses a checkerboard of land within the City of Palm Springs.

3.18.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES – Would the project:				
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				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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.	☐	☒	☐	☐

a. **Less than Significant with Mitigation Incorporated.** As previously discussed in Section 3.5.3 (a) and (b), CRM TECH observed one concrete foundation of a secondary building associated with a 1940s residential compound was noted on the Project site. With the removal of the principal components of the compound, however, this minor feature does not retain the ability to relate to any persons or events in the history of the property, nor have any persons or events of recognized historic significance identified in association with the property. In addition, the feature demonstrates no notable qualities in design, construction, engineering, or aesthetics and, without any associated artifact deposits, holds no promise for any important archaeological data. As such, it has no potential to qualify as a "historical resource." The mitigation measures established in Section 3.5, *Cultural Resources,* will be applied to Section 3.18, *Tribal Resources,* to ensure the protection of historical and archaeological resources. Therefore, with implementation of Mitigation Measure CUL-1, impacts would be less than significant.

b. **Less than Significant Impact with Mitigation Incorporated.** According to the Sacred Lands File Search, the site was found positive for tribal cultural resources in the Project vicinity and recommended contacting the Los Coyotes Band of Cahuilla and Cupeno Indians for further information. On March 14, 2022, an email inquiry was sent to Chairperson Ray Chapparosa of the Los Coyotes Band, but no response has been received to date. Prior to the field survey, CRM TECH notified Agua Caliente Band of Cahuilla Indians and invited tribal participation. Despite close coordination with Andreas Heredia, the cultural resources coordinator for the Agua Caliente Band, in subsequent telephone contacts, Mr. Heredia was unable to participate in the survey on the scheduled date. Due to the site being located within an area where there is possibility for tribal cultural resources, incorporation of Mitigation Measure TBL-1 as conditioned by the City would reduce impacts to less than significant. Implementation of TBL-1 would ensure consultation with the Los Coyotes Band of Cahuilla and Cupeno Indians and Agua Caliente Band of Cahuilla Indians in complete and written approval is obtained from the Los Coyotes Band of Cahuilla and Cupeno Indians and Agua Caliente Band of Cahuilla Indians prior

to any ground disturbing activities. Therefore, this impact is considered less than significant with mitigation incorporated.

3.18.4 Mitigation

TBL-1 Prior to issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Los Coyotes Band of Cahuilla and Cupeno Indians and Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

The applicant shall coordinate scheduling of Agua Caliente Tribal cultural monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

3.18.5 Level of Significance after Mitigation

With implementation of Mitigation Measure TBL-1, impacts regarding Tribal Cultural Resources would remain less than significant.

3.19 Utilities and Services

3.19.1 Sources

- County of Riverside, *County of Riverside General Plan Environmental Impact Report No. 521*, *Water Resources*, 2015
- City of Palm Springs, *General Plan*, *Safety Element*, 2007
- City of Palm Springs, *General Plan, Recreation, Open Space and Conservation Element*, 2007
- Desert Water Agency, *Urban Water Management Plan*, 2020
- CalRecycle, *SWIS Facility Detail*, 2020
- Riverside County Planning Department, *Map My County*, 2021
- Waste Water Treatment Plant, City of Palm Springs website. Accessed at https://www.palmspringsca.gov/government/departments/public-works-engineering/waste-water-treatment-plant. Accessed on June 8, 2021.

3.19.2 Environmental Setting

Domestic Water

The Coachella Valley Water District (CVWD), Desert Water Agency (DWA), and Mission Springs Water District (MSWD) provide water to the City of Palm Springs. There are three (3) groundwater subbasins: 1) Whitewater River, 2) Mission Creek, and 3) Indio, which are located within the City and planning area. In recent years, groundwater demand exceeds available recharge and this has caused an “overdraft”. Additionally, Coachella Valley water agencies contract with Metropolitan Water District of Southern California (MWD) to exchange their water entitlement from the State Water Project for like amounts from the Colorado River.

Waste Water

Veolia Water North America is the waste water treatment plant currently operating in the City of Palm Springs. The Waste Water Treatment Plant is responsible for removing contaminants from sewage waste water. The plant is located at 4375 E Mesquite Avenue.

Solid Waste

The Palm Springs Disposal Services provides solid waste services to the City. Solid waste generated by the City is sent to Edom Hill Transfer Station located in the City of Cathedral City. The transfer station is an 8-acre facility operated by Waste Management Inc. and is permitted to receive 2,600 tons per day. Solid waste from the transfer station is disposed of at three landfills: Lamb Canyon Landfill, Badlands Landfill, and El Sobrante Landfill.

Flood Management

The City is susceptible to flash flooding due to the steepness of local mountains and the presence of rock types that are fairly impervious. Portions of the City are susceptible to storm-induced flooding of the Whitewater River and other drainages that extend across the City. The Project site is not found within a flood hazard zone.

3.19.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS – Would the project:				
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?	☐	☐	☒	☐

a. **Less than Significant Impact.** Water demand associated with the proposed Project would consist of interior plumbing devices in the homes and commercial space (i.e., sinks, toilets, faucets) as well as outdoor landscape irrigation. The Project's water, sewer, and storm drain lines would be connected to existing lines beneath North Belardo Road, North Palm Canyon Drive, or the northern Project site boundary; therefore, the Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage systems. Impacts would be less than significant and no mitigation is required.

b. **Less than Significant Impact.** DWA provides domestic water services to the Project site. Implementation of the Project's construction would require water at a rate of 1.01 acre-feet per year per dwelling unit for residential uses and 3.5 acre-feet per year per acre of commercial uses. As the Project would include the development of 24 dwelling units and 0.05 acre of commercial space, the Project would require approximately 24.42 acre-feet of water per year. The Project water demands amount to an increase of approximately 0.07 percent of the total water demand within the Desert Water Agency (36,228) in the year 2025. Implementation of the Project would result in a marginal increase in water demand within the Desert Water Agency service area; however, as displayed in the DWA Urban Water Management Plan, the district has sufficient water supplies serve to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

Additionally, the Project will be required to implement all water conservation measures imposed by DWA under normal as well as drought conditions over the life of the Project. These include requirements of Executive Order B-29-15, mandating reductions in water use by 36% in the Coachella Valley. DWA has, in response to the Executive Order, adopted restrictions on water use that include limiting days on which landscaping can be irrigated; a prohibition on the use of fountains or water features; a prohibition on irrigation by any means other than drip or micro-spray systems. Should additional restrictions or regulations be implemented, the Project shall be required to comply with them also. Therefore, the Project would have a less-than-significant impact and no mitigation is required.

c. **Less than Significant Impact.** Wastewater generated from the Project site would be treated at the Palm Springs Wastewater Treatment Plant. Implementation of the Project would generate wastewater generation during project construction as well as operation. While construction related wastewater usage would be minimal and temporary, operation level wastewater usage could be accounted at a rate of 230 gallons per day per dwelling unit and 1,200 gallons per day per acre of commercial use. As the Project includes the development of 24 dwelling units and 0.05 acre of commercial space, the Project would generate approximately 5,580 gallons per day of wastewater. As the Palm Springs Wastewater Treatment Plant has a treatment capacity of 10 million gallons of wastewater per day, implementation of the Project would result in an approximately 0.06 percent of the total capacity of wastewater treated at the plant. This increase is considered minimal as the plant currently treats approximately 6 million gallons of wastewater per day and would not result in a significant impact.

The Project would tie into existing sanitary sewer lines located on North Palm Canyon Drive, and wastewater would be transported to Palm Springs Wastewater Treatment Plant. Palm Springs Wastewater Treatment Plant implements all applicable requirement of the Colorado River Basin Regional Water Quality Control Board, and no violations of wastewater treatment requirements are anticipated. Therefore, the Project would have a less-than-significant impact and no mitigation is required.

d. **Less than Significant Impact**. Facility operators include PSDS, Burrtec, and Riverside County Waste Management, which are required to meet all local, regional, state, and federal standards for solid waste disposal. Solid waste generated at the Project site would be transported to the Edom Hill Transfer Station in northern Cathedral City and disposed at one of three regional landfills: 1) Lamb Canyon Landfill in Beaumont, which has a remaining capacity of 19.2 million cubic yards (2015), 2) Badlands Landfill in Moreno Valley, with a remaining capacity of 15.7 million cubic yards (2015), and 3) El Sobrante Landfill in Corona, with a remaining capacity of 143.9 million cubic yards (2018). Each landfill has available capacity to serve additional development. Facility operators, including PSDS, Burrtec, and Riverside County Waste Management, are required to meet all local, regional, state, and federal standards for solid waste disposal. Based on the foregoing analysis, the landfills that serve the Project site have sufficient capacity to serve the Project and the impact would be less than significant and no mitigation is required.

e. **Less than Significant Impact.** The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50 percent waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the Riverside County Board of Supervisors adopted the County of Riverside Countywide Integrated Waste Management Plan (CIWMP), which outlines the goals, policies, and programs the County and its cities implement to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. In order to assist the County of Riverside in achieving the mandated goals of the Integrated Waste Management Act, the Project's building tenant(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Public Resources Code § 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. Additionally, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates 4 or more cubic yards of solid waste per week. The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant and no mitigation is required.

3.19.4 Mitigation

No mitigation is required.

3.19.5 Level of Significance after Mitigation

Not applicable.

3.20 Wildfire

3.20.1 Sources

- California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in SRA*, November 7, 2007.
- City of Palm Springs*, General Plan, Safety Element*, 2007

3.20.2 Environmental Setting

The Project site is situated on the northern area of Palm Springs. The Project site is located within an urbanized area of the City that is mostly developed. According to CalFire maps, the Project site is not located within a very high fire hazard severity zone or a fire hazard severity zone in a State Responsibility Area (SRA).

3.20.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
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?	☐	☐	☐	☒

a) – d) The Project site is not located in or near SRA or lands within a very high fire hazard severity zone; therefore, the Project would not exacerbate wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires. As such, no impact would occur.

3.20.4 Mitigation

No mitigation is required.

3.20.5 Level of Significance

Not Applicable.

3.21 Mandatory Findings of Significance

3.21.1 Sources

All sources previously listed were used to support the conclusions made in this section.

3.21.2 Environmental Setting

The environmental setting for the Project site is summarized within Sections 2.1 through 2.20 of the Initial Study for each environmental issue.

3.21.3 Impacts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially 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, substantially 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 considerable" 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 projects, 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?	☐	☒	☐	☐

a. **Less than Significant with Mitigation Incorporated.** All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this Initial Study. Throughout this Initial Study, where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less than significant. Accordingly, with incorporation of the mitigation measures imposed throughout this Initial

Study, the Project would not substantially 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, substantially 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. Impacts would be reduced to less-than-significant levels with mitigation incorporated.

b. **Less than Significant with Mitigation Incorporated.** The environmental evaluation of this Initial Study concluded that, with adherence to all mitigation measures the Project's cumulatively-considerable impacts would be mitigated to less-than-significant levels.

c. **Less than Significant with Mitigation Incorporated.** The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this Initial Study. All Project environmental impacts would be less than significant or less than significant with mitigation incorporated. The Project would therefore not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

3.21.4 Mitigation

BIO-1 If unavoidable project construction activities must begin during the nesting bird season (February 1st through August 31st), a pre-construction nesting bird survey shall be conducted no more than 14 days prior to initiation of ground disturbance and vegetation removal activities. The nesting pre-construction bird survey shall be conducted by a biologist familiar with identification of avian species known to occur in Riverside County. The nesting bird survey shall be conducted on foot inside the project boundary, including a 300-foot buffer for passerines (song birds) and 500-foot buffer for raptors in areas of suitable habitat. Inaccessible areas will be surveyed using binoculars to the extent practical. If nests are found, an avoidance buffer (dependent upon species, the proposed work activity, the existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. If a raptor nest is observed in a tree proposed for removal, the applicant must consult with CDFW. All construction personnel be notified of the existence of the buffer zone and to avoid entering the buffer zone during nesting season. No ground disturbing activities shall occur within this buffer area until the avian biologist has confirmed the breeding/nesting is completed and the young have fledged. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

BIO-2 The applicant shall pay the CVMSHCP Local Development Mitigation Fee prior to building permit issuance.

CUL-1 If buried cultural materials are discovered during the earth-moving operations, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds and, if necessary, develop a treatment pan in consultation with the City of Palm Springs and the appropriate Native American tribes.

CUL-2 In the unexpected event human remains are uncovered during construction activities, all construction work taking place within the vicinity of the discovered remains must cease and the necessary steps to ensure the integrity of the immediate area must be taken. The County Coroner must be notified within 24 hours of the discovery of human remains. If the remains discovered are determined by the coroner

to be of Native American descent, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would in turn contact the Most Likely Descendant (MLD) would determine further action to be taken. The MLD would have 48 hours to access the site and make a recommendation regarding disposition of the remains.

TBL-1 The following mitigation measure has been conditioned by the City of Palm Springs regarding Tribal Cultural Resources:

- Prior to issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Los Coyotes Band of Cahuilla and Cupeno Indians and Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordination scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

3.21.5 Level of Significance after Mitigation

With incorporation of the above mentioned mitigation measures, all Project-related impacts in regard to Mandatory Findings of Significance would be reduced to less than significant.

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Final
RIOS Project
Initial Study/Mitigated Negative Declaration
Appendices

Appendices A though G are available for viewing on the City of Palm Springs website at https://www.palmspringsca.gov/government/departments/planning/ceqa-documents.