

## NOTICE OF EXEMPTION

<p>TO: Office of Land Use and Climate Innovation  <input checked="" type="checkbox"/> State Clearinghouse          P. O. Box 3044, Room 113          Sacramento, CA 95812-3044</p>	<p>FROM: Name: City of Palm Springs          (Public Agency) Address: 3200 E. Tahquitz Canyon Way          Palm Springs, CA 92262          Telephone: (760) 323-8299</p>
<p><input type="checkbox"/> Riverside County Clerk          2724 Gateway Drive          Riverside, CA 92507</p>	

1. Project Title:	<b>Encroachment and License Agreement (Forever Marilyn)</b>
2. Project Applicant:	<b>City of Palm Springs, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262</b> <b>Licensee: PS Resorts, 400 E. Tahquitz Canyon Way, Palm Springs, CA 92262</b>
3. Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15’ or 7 1/2’ topographical map identified by quadrangle name):	<b>City of Palm Springs, within the Downtown Park, located at the North of Museum Way, and immediately West of Belardo Road. See attached map.</b>
4. (a) Project Location – City: Palm Springs	(b) Project Location – County: Riverside
5. Description of nature, purpose, and beneficiaries of Project:	On November 21, 2024, the City of Palm Springs entered into an Encroachment and License Agreement (Agreement) with PS Resorts (Licensee) for the relocation of the Forever Marilyn statue to the real property owned by the City of Palm Springs in the Downtown Park. The Agreement gives PS Resorts the ability to place the Licensee’s Forever Marilyn statue on the City’s real property.
6. Name of Public Agency approving project:	City of Palm Springs
7. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:	PS Resorts, 400 E. Tahquitz Canyon Way, Palm Springs, CA 92262; telephone: (760) 779-6990, email: office@ps-resorts.com
8. Exempt status: (check one)	
(a) <input type="checkbox"/> Ministerial project.	(Pub. Resources Code § 21080(b)(1); State CEQA Guidelines § 15268)
(b) <input type="checkbox"/> Not a project.	State CEQA Guidelines 15050(c)(2)-(3)

(c) <input type="checkbox"/> Declared Emergency	(Pub. Resources Code § 21080(b)(3); State CEQA Guidelines § 15269(a))
(d) <input type="checkbox"/> Emergency Project.	(Pub. Resources Code § 21080(b)(4); State CEQA Guidelines § 15269(b),(c))
(e) <input checked="" type="checkbox"/> Categorical Exemption. State type and section number:	<b>14 Cal. Code Regs. § 15301</b>
(f) <input type="checkbox"/> Statutory Exemption. State Code section number:	
(g) <input type="checkbox"/> Other. Explanation:	
9. Reason why project was exempt:	In accordance with Section 15301 of the CEQA Guidelines (title 14 of the California Code of Regulations), on November 21, 2024, the City Council approved the Encroachment and License Agreement. This agreement is not subject to CEQA pursuant to State CEQA Guidelines 15301 because this Agreement consists of the licensing and minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or form use. The location proposed by the relocation is near the originally planned location and involves negligible or no expansion of use.

10. Lead Agency Contact Person: Telephone:	Flinn Fagg, Deputy City Manager (760) 323-8269; Email: Flinn.Fagg@palmspringsca.gov
11. If filed by applicant: Attach Certificate of Determination (Form "B") before filing.	
12. Was a public hearing held by the Lead Agency to consider the exemption? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, the date of the public hearing was: November 21, 2024	

Date: February 6, 2025

  
Flinn Fagg, Deputy City Manager

Date Received for Filing:

(Clerk Stamp Here)

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

**EXHIBIT "A"**  
**MAP OF PROPERTY**  
**AND LICENSED AREA**

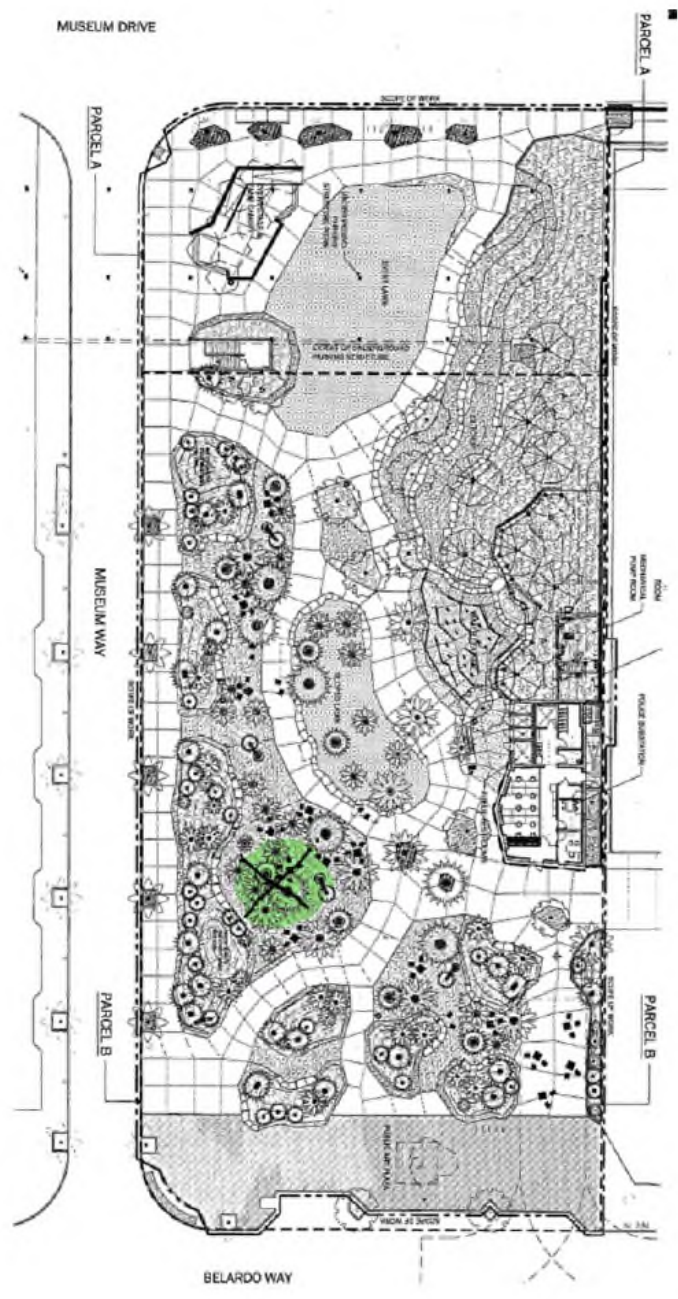


Exhibit A