

5.8 HAZARDS AND HAZARDOUS MATERIALS

This section of the Draft Environmental Impact Report (Draft EIR) addresses and identifies the potential impacts of the proposed Section 31 Specific Plan Project (“Section 31 Specific Plan” or “Project”) related to hazardous materials as a result of on-site or off-site activities. More specifically, this section evaluates impacts associated with the Project that may potentially affect public health and safety or degrade the environment. Various federal, State of California (State), regional, and local programs and regulations related to use, storage and transportation of hazardous materials are also discussed in this section. Information from the following studies of the Project is incorporated into this section:

- *Phase I Environmental Site Assessment*, Regent Properties, Prepared by MSA Consulting, Inc. June 2012; and
- *Phase I Environmental Site Assessment Update*, Regent Eagle, Prepared by MSA Consulting, Inc. December 2016.

Complete copies of these studies are included in the Appendices to this Draft EIR as **Appendix G.1: Phase I Environmental Site Assessment** and **Appendix G.2: Phase I Environmental Site Assessment Update**. Please see **Section 9.0** for a glossary of terms, definitions, and acronyms used in this Draft EIR.

A. ENVIRONMENTAL SETTING

1. Definitions

Hazardous Materials

The Code of Federal Regulations (CFR Title 40, part 261) defines hazardous materials based on ignitability, reactivity, corrosivity, and/or toxic properties. The State of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive and/or corrosive, which have the capacity of causing harm or health hazard during normal exposure or an accidental release. The State also defines an extremely hazardous waste as a substance that demonstrates high acute or chronic toxicity, carcinogenic or bio accumulative properties, is persistent in the environment, or is water reactive. Individual circumstances, including the substance type and quantity used, and the nature of the activities and operations, affect the likely occurrence and severity of consequences from a hazardous situation. Federal, State and local laws regulate the use and management of hazardous or potentially hazardous materials.

Hazardous Waste

The Federal Resource Conservation and Recovery Act (RCRA) defines a hazardous waste as any solid, liquid, or contained gaseous material that is either disposed, incinerated or recycled. A hazardous material

may become hazardous waste upon its accidental release into the environment. All hazardous waste must be discharged into a Class I landfill. No Class I landfill is currently operated within Riverside County. Hazardous Waste generated within Riverside County and disposed of off-site, transported to Kern County or Santa Barbra County, where active Class I landfills are located. Some waste is also transported out of the State.

The Riverside County Waste Management Department has a Regional Household Hazardous Waste Collection Program (HHW) that provides household waste collection facilities for residents of the County to dispose of materials at no charge. This type of waste includes, but is not limited to, deodorizers, cleaners, stains, varnishes, car batteries, motor oils and pesticides. The nearest Permanent HHW collection facility is located in Palm Springs at 1100 Vella Road. The Waste Management Department also maintains antifreeze, battery, oil and latex paint (ABOP) collection sites. Adverse environmental impacts can occur when household hazardous materials are disposed of in unlined sanitary landfills, where these materials may leach through the soil and contaminate groundwater.

Development activities have the potential to encounter previously unknown hazardous materials contamination from historical use of a property. Such contamination can be mediated by existing Federal, State, and local policies and procedures implemented by the designated local enforcement agency.

Many types of businesses can be producers of hazardous waste. Small businesses such as dry cleaners, auto repair shops, medical facilities or hospitals, photo processing centers, and metal plating shops are usually generators of small quantities of hazardous wastes. Generators of large quantities of hazardous waste include chemical manufacturers, large electroplating facilities and petroleum refineries. All significant spills, releases or threatened releases of hazardous materials must be immediately reported.

The Riverside County Department of Environmental Health, Hazardous Materials Branch is the sole overseeing agency for hazardous waste generation throughout the County. The purpose of the hazardous waste program is to ensure that hazardous wastes will be properly managed and disposed of in order to protect both people and the environment. The City of Rancho Mirage participates in the Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP), which was most recently updated and adopted by the County of Riverside in 2018 and approved by FEMA that same year. The LHMP was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 and identifies the County's hazards, reviews and assesses past disaster occurrences, estimates the probability of future occurrences and sets goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The City of Rancho Mirage used the relevant mitigation strategies listed in the LHMP to outline various goals, policies and programs within the 2017 Rancho Mirage General Plan Update.

Recognized Environmental Conditions

According to the American Society for Testing and Materials, a recognized environmental condition (REC) is the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment; or under conditions that pose a material threat of a future release to the environment (American Society of Testing and Materials [ASTM] practice E1527-13).

Historical Recognized Environmental Condition

A historical recognized environmental condition is a past release of any hazardous substance or petroleum products that has occurred in connection with a property and has been addressed to the satisfaction of the applicable regulatory or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. ASTM state that a historical recognized environmental condition would have been considered a recognized environmental condition in the past but may or may not be considered a recognized environmental condition currently.

2. Existing Conditions

Regional and Project Site

The Section 31 Specific Plan Area (Project Site) is located in the City of Rancho Mirage (City) within the central portion of the broader Coachella Valley in Riverside County, California. The site lies within what is described as essentially all of Section 31, Township 4 South, Range 6 East, and a portion of the southeast quarter of Section 36, Township 4 South, Range 5 East, San Bernardino Baseline and Meridian (SBBM). The Project Site is composed of two parcels with the County of Riverside Assessor Parcel Numbers (APNs) 685-220-006 and 674-430-016.

The Project Site is surrounded by paved arterial roadways on all sides; Gerald Ford Drive to the north, Monterey Avenue to the east, Frank Sinatra Drive to the south, and Bob Hope Drive to the west. North of Gerald Ford Drive, single-family residential neighborhoods are the predominant land use, with several vacant, undeveloped properties interspersed with the neighborhood at the corners of Gerald Ford Drive and Bob Hope Drive and Gerald Ford Drive and Oasis Way, with single-family development in between. East of the Project Site across Monterey Avenue in the adjacent City of Palm Desert is the Marriott Shadow Ridge Resort, which includes a golf course and multifamily resort housing. In addition, immediately east of the Project Site at its southeastern corner lies a vacant, undeveloped parcel. South of Frank Sinatra Drive are primarily single-family residential neighborhoods, with minor areas of office development to the east near Monterey Avenue. Additionally, the Rancho Mirage Country Club borders Frank Sinatra Drive to the west near Bob Hope Drive. Several vacant, undeveloped properties are interspersed with residential neighborhoods to the south. To the west of the Project Site across Bob Hope Drive is the Sunnylands

Estate, which includes a golf course, visitor center, administrative and maintenance buildings, gardens (Sunnylands), vacant lands, and a commercial shopping center.

The Project Site is currently characterized by undeveloped, vacant desert land. Observed conditions consisted of undeveloped land with minor rises in elevation (sand hummocks) supporting scattered vegetation.

In June 2012, a Phase I Environmental Site Assessment (ESA) (see **Appendix G.1**) was conducted on an approximately 635-acre property that included the Project Site. The assessment did not identify any recognized environmental condition in connection with the Project Site.

In December 2016, a Phase I ESA Update (see **Appendix G.2**), was conducted for the 618-acre Project Site. The purpose of the ESA Update was to determine if any recognized environmental conditions exist on the Project Site based on elapsed time since the prior Phase I ESA. The findings provided in the 2016 Phase I ESA Update are used in this section of the Draft EIR for Project background. Additional resources were also consulted in the analysis of potential hazards at the Project Site. Per the site inspection conducted for the ESA Update, evidence of vehicular off-road circulation was noted throughout the site in the form of dirt paths and vehicle tire marks. Minor amounts of trash were disposed at various points along these paths. The recognizable items include one abandoned vehicle tire, household trash, broken glass bottles, and miscellaneous debris. Vehicle indicators of hazardous material or petroleum product spillage were not observed.

Topographically, the Project Site is relatively flat, with a general slope from the northeast to the southwest. Surface elevations range from approximately 318.6 feet to 254.6 feet above mean sea level. According to the United States Department of Agriculture (USDA), two soil types are found on the Project Site.¹ The most prominent soil type found on site is Myoma fine sand, 0 to 5 percent slopes (MaB). This soil type is nearly level to gently sloping soils in on alluvial fans where they merge with the finer textured flood plain as basin soils. Myoma fine sand, 5 to 15 percent slopes (MaD), is the second most prominent soil type and is characterized by moderately sloping to rolling soil on dunes and alluvial fans. Both soils have very slow runoff potential.

The review of historic aerial photographs and US Geological Survey (USGS) topographic maps indicated that since at least 1953, the Project Site maintained an undeveloped condition. Aerial imagery is not provided prior to the year 1953. Based on the review of historic aerial photographs, historic topographic

1 United States Department of Agriculture (USDA), *Soil Survey of Riverside County, California, Coachella Valley Area*, September 1980, accessed May 2019, available at https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/riversideCA1980/riversideCA1980.pdf.

maps, and various publications, it appears that no industrial or other development has occurred on-site. No additional information was available indicating that past uses of the Project Site have involved the treatment, storage, disposal, or generation of hazardous substances or petroleum products, such that would constitute a potential recognized environmental condition.²

Environmental Conditions

As stated previously, a Phase I ESA and a Phase I ESA Update were prepared for the Project Site for the purpose of advising the property owners of the existence or potential existence of recognized environmental conditions, controlled recognized environmental conditions, or historical recognized conditions in connection with the site based on the investigation performed by MSA Consulting, Inc. in accordance with the scope and limitation of the ASTM Practice E-1527-13 “Standard Practice for Environmental Site Assessments.” The findings of the Phase I ESA, and the ESA Update, in addition to other potential environmental and safety hazards associated with the Project Site, are summarized below.

Storage Tanks

Based on the review of the Environmental Data Report (EDR) Radius Report, historic aerial photographs, and historic topographic maps, no above ground storage tanks (ASTs), are reported to be located on the Project Site currently, nor are ASTs reported to have been located on the site in the past. Further, no ASTs were observed on the Project Site during the site reconnaissance that took place during the Phase I ESA. No on-site development has occurred since the Phase I ESA and ESA Update was completed; therefore, it is unlikely that the storage tanks are located on the Project Site.

Adjacent and Nearby Properties

No evidence of recognized environmental conditions was observed on adjoining properties during site reconnaissance or throughout the course of this investigation. Additional properties in proximity to the Project Site were identified within the EDR, according to the Phase I ESA Update. These facilities are reflected below, in **Table 5.8-1: EDR-Listed Facilities Adjacent to the Project Site**.

Polychlorinated Biphenyls

No sources of polychlorinated biphenyls (PCBs) were noted on the Project Site. No other information related to the use, storage, or release of PCBs was identified during the Phase I ESA investigation.

² See **Appendix G.2**

Stormwater/Wastewater Discharge

Discharge from the Project Site currently appears to be limited to surface stormwater runoff. Minor natural erosion patterns are evident throughout the disturbed and undisturbed terrain. It is anticipated that most precipitation falling on the site would infiltrate in on-site soils. Stormwater which does not infiltrate on-site soils would have the propensity to flow toward the southwest corner on the site. The Project Site has a system of engineered retention basins constructed along the northern and eastern perimeter areas. These basins accept storm flows from adjoining streets and off-site areas. No sources of wastewater discharge were noted on the Project Site.

Asbestos Containing Materials

No potential asbestos containing materials were observed on the Project Site and no information was found which indicated the use, storage, or disposal of asbestos-containing materials on the site.

Lead-Based Paints

No information was found which indicated the storage or disposal of lead-based paints on the Project Site. Testing for lead-based paint is beyond the scope of the Phase I ESA and ESA Update.

Landfills

The EDR report does not list any known landfills within the search radius from the Project Site. Therefore, landfills do not appear to represent a recognized environmental condition with regards to the Project Site.

Water Supplies

No water wells were identified on the Project Site (adjacent well site is off-site). Water services to the Project Site would be provided by the Coachella Valley Water District.

Waste Generation and Storage

Minor amounts of dumped debris were observed along the two dirt roads that traverse the site.

Hazardous Materials Releases

A review of regulatory agency databases, historical maps, and a site reconnaissance indicated that there is no evidence of an occurrence of hazardous materials release at the Project Site. The Project Site has not been used for any previous purposes or uses nor is it located on a Superfund site. The previously noted earthen retention basins (engineered) do not exhibit any visible accumulation or disposal of trash, debris, petroleum products or hazardous substances, as these are subject to routine maintenance implemented by the City. The only evidence of waste dumping on the Project Site is of construction debris and wind-

blown trash. The discarded items found on the Project Site during site reconnaissance includes three vehicle tires, empty metal containers, parts of household appliances, metal parts, demolition debris (asphalt and concrete), and miscellaneous trash (broken glass, food wrappers, plastic bottles, and articles of clothing). Surrounding soil conditions, where the debris was disposed of, do not exhibit signs that fluid hazardous materials or petroleum substances have been disposed therein. None of these identified features indicate that there has been a suspected hazardous materials release on the Project Site.

Off-Site Conditions

A total of thirteen facilities within proximity to the Project Site were identified within the EDR, according to the Phase I ESA Update. These facilities are reflected in **Table 5.8-1: EDR-Listed Facilities Adjacent to the Project Site**. The EDR meets the governmental records search requirements of ASTM E1524-05. Enforcement violations or citations were not noted with any of the thirteen listed facilities.

Table 5.8-1
EDR-Listed Facilities Adjacent to the Project Site

Facility	Address	Relation to Site	Listing Category
CVWD Well	Frank Sinatra Drive & Vista Del Sol	100 ft South	US EPA Risk Management Program (RMP) FINDS
Armenian Apostolic Church of the Desert	38900 Vista Dunes Road	2,600 ft South	NPDES
Dr. Richard Katz MD	44350 Monterey Avenue	3.25 miles SE	HAZNET
Rancho Mirage Country Club	38500 Bob Hope Drive	323 ft South	AST HIST CORTESE RGA LUST
Geoff M. Johansen	42 Calais Circle	469 ft North	PEST LIC
Marriott Shadow Ridge Resort	9001 Shadow Ridge Road	491 ft East	HAZNET
36101 Bob Hope Drive	36101 Bob Hope Drive	518 ft Northwest	CHMIRS FERNS List
Mission Hills Cleaners Frank	36101 Bob Hope Drive	700 ft West	RCRA ECHO EDR Historic Cleaners, Drycleaners
Pavillions 218	36101 Bob Hope Drive	700 ft West	RCRA ECHO FINDS

Facility	Address	Relation to Site	Listing Category
Chevron Gasoline Station (#1478/207510)	36101 Bob Hope Drive	700 ft West	RCRA SQG FINDS ECHO HAZNET UST EDR Historic Auto Station
Lowes #2583	35900 Monterey Avenue	935 ft Northeast	AST
Palm Elementary/ Middle School	Gerald Ford Drive & Monterey Avenue	2,775 ft East	EnviroStor School Investigation
Rancho Mirage Medical Center	39000 Bob Hope Drive	3,400 ft Southeast	EnviroStor

Source: Phase I ESA Update, prepared by MSA Consulting, Inc.

3. Regulatory Setting

Key federal, State, local laws, regulations and policies that pertain to hazards and hazardous materials for the Project are summarized below. They provide the regulatory framework for addressing all aspects of hazards and hazardous materials that would be affected by construction and implementation of the Project.

Federal

Resource Conservation and Recovery Act

At the federal level, the principal agency regulating the generation, transport, and disposal of hazardous substances is the United States Environmental Protection Agency (USEPA), under the authority of the Resource Conservation and Recovery Act (RCRA). RCRA established an all-encompassing federal regulatory program for hazardous substances that is administered by USEPA. Under RCRA, USEPA regulated the generation, transportation, treatment, storage and disposal of hazardous substances.

Hazardous Materials Transport Regulations

The United States Department of Transportation (USDOT) regulates transportation of hazardous materials between states. The USDOT Federal Railroad Administration (FRA) enforces the hazardous materials regulations, which are promulgated by the Pipeline and Hazardous Materials Safety Administration for rail transportation. These regulations include requirements that railroads and other transporters of hazardous materials, as well as shippers, have and adhere to security plans and also train employees involved in offering, accepting, or transporting hazardous materials on both safety and security matters. Additionally, the Federal Hazardous Materials Transportation Law is enforced by the USDOT's Federal Highway

Administration (FHWA) with the purpose of protecting risks to life, property and the environment as a result of the transportation of hazardous materials.

Comprehensive Environmental Response, Compensation and Liability Act

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress in 1980 to protect the water, air, and soil resources from the risks created from past chemical disposal practices. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites and established a trust fund to provide for cleanup when not responsible party could be identified.

Emergency Planning and Community Right-To-Know Act

The Emergency Planning and Community Right-To-Know Act (EPCRA) is an authorized program under the Superfund Amendments and Reauthorization Act (SARA). The purpose of EPCRA is to help protect communities from chemical hazards by implementing local emergency planning and notification programs. Under EPCRA, local governments are required to prepare chemical emergency response plans as a strategy to prepare for hazardous emergencies.

Superfund Amendments and Reauthorization Act

Superfund Amendment and the Reauthorization Act amended CERCLA and made important revisions to the Superfund program. Emergency Planning and Community Right-To-Know (also known as SARA Title III) requires the creation of a plan for chemical emergencies at the State and local levels and improves public access to information regarding chemical hazards. In addition, with respect to emergency planning, the Federal Emergency Management Agency (FEMA) is responsible for ensuring the establishment and development of policies and programs for emergency management at the federal, State and local levels. This includes the development of a national capability to mitigate, prepare for, respond to, and recover from a full range of emergencies.

National Pollutant Elimination System

In 1972, the National Pollution Discharge Elimination System (NPDES) was established under Section 402 of the Clean Water Act to control the discharge of pollutants to waters of the US. It does so by establishing a variety of measures designed to reduce pollutant discharges through a permitting program. The permit that contains limits on allowable discharge, monitoring and reporting requirements, and other provisions to ensure that the discharge does not pollute water quality or cause harm relative to public health. Under the Clean Water Act, the NPDES program is managed nationally by the EPA, who authorizes the NPDES

permit program to State, tribal, and territorial governments, enabling them to perform many of the permitting, administrative, and enforcement aspects of the NPDES program.

In the State of California, the State Water Resources Control Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs) administer the regulation, protection and administration of water quality. The Project Site, and the City of Rancho Mirage, are located within the Colorado River Region (Region 7), which administers the permit program for regulating storm water from construction activities for projects greater than one acre in size in the project areas under the State's General permit approach, since urban development and construction-related activities have the potential to impact the quality and quantity of runoff to proximate receiving waters. These potential construction-related impacts are mitigated by implementing a Stormwater Pollution Prevention Plan (SWPPP), in compliance with the Construction General Permit (State Water Resources Control Board Order No. 2009-0009-DWQ, as amended by Order No. 2012-006-DWQ, NPDES No. CAS000002) under the NPDES. The SWPPP requires construction sites to develop and implement best management practices (BMPs) in order to mitigate potential runoff contamination from construction activities. Some BMPs include implementing storm drain inlet protection, concrete washout bins, secondary containment, and proper material storage at construction sites.

To address post-construction runoff impacts, projects in the Coachella Valley are regulated under the Municipal Separate Storm Sewer System (MS4) within the Whitewater River Watershed, otherwise known as the MS4 Permit (Order No. R7-2013-0011 and NPDES No. CAS617002).

State

California Environmental Protection Agency (CalEPA)

The CalEPA has broad jurisdiction over hazardous materials management in the State. Within CalEPA, the Department of Toxic Substances Control (DTSC) has primary regulatory responsibility for hazardous waste management and cleanup to protect California and Californians from exposures to hazardous wastes by regulating hazardous waste and looking for ways to reduce the hazardous waste produced in California. Enforcement of regulations has been delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials.

The DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA of 1976, and the California Health and Safety Code. The Hazardous Waste Control Law (HWCL) is the primary hazardous waste statute in the State of California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the State of California. The HWCL specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure their proper management. The

HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reused as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning, and a much broader requirement for permitting facilities that treat hazardous waste. It also regulates a number of types of waste and waste management activities that are not covered by federal law with RCRA.

Along with the DTSC, the Regional Water Quality Control Board (RWQCB) is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. RWQCB regulations are contained in Title 27 of the California Code of Regulations (CCR). Additional State regulations applicable to hazardous materials are contained in Title 22 of the CCR. Title 26 of the CCR is a compilation of those hazardous materials, waste, and toxic-related regulations contained in CCR Titles 3, 8, 13, 17, 19, 22, 23, 24, and 27 that are applicable to hazardous materials.

Tanner Act

Although there are numerous State policies dealing with hazardous waste materials, the most comprehensive is the Tanner Act (AB 2948) that was adopted in 1986. The Tanner Act governs the preparation of hazardous waste management plans and the siting of hazardous waste facilities in the State of California. The act also mandates that each county adopt a Hazardous Waste Management Plan. To be in compliance with the Tanner Act, local or regional hazardous waste management plans need to include provisions that define (1) the planning process for waste management, (2) the permit process for new and expanded facilities, and (3) the appeal process to State available for certain local decisions.

Hazardous Materials Management Plans

In January 1996, Cal/EPA adopted regulations implementing a Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program). The six program elements of the Unified Program are hazardous waste generators and hazardous waste on-site treatment, underground storage tanks, above-ground storage tanks, hazardous material release response plans and inventories, risk management and prevention program, and Uniform Fire Code hazardous materials management plans and inventories. The program is implemented at the local level by local agency, the Certified Unified Program Agency (CUPA). The CUPA is responsible for consolidating the administration of the six program elements within its jurisdiction.

State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored and disposed of, and, in the event that such materials are accidentally released, to prevent or to mitigate injury to health or the environment.

Hazardous Materials Disclosure Program

The Hazardous Materials Disclosure Program is found within the provisions of the California Health and Safety Code, Division 20, Chapter 6.95, Article 1. CUPAs are required to implement this Program by reporting and disclosing the storage, use, or handling of hazardous materials on a site as a strategic measure to minimize loss to life and property. In addition, Hazardous Materials Business Plans are required to be submitted by all businesses that handle more than a threshold quantity of hazardous materials.

California Accidental Release Prevention Program

The California Accidental Release Prevention Program (CalARP) is found within the provisions of the California Health and Safety Code, Division 2, Chapter 4.5. CalARP is implemented at the local level by CUPAs as a strategy to minimize the accidental releases of stationary substances that can cause harm to the general public and environment. Businesses are required to develop Risk Management Plans (RMPs) if more than a threshold quantity of regulated substances is handled.

California Hazardous Materials Release Response Plans and Inventory Law

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires hazardous materials business plans to be prepared and inventories of hazardous materials to be disclosed. A business plan includes an inventory of the hazardous materials handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee safety and emergency response training.

Government Code Section 65962.5 (Cortese List)

The provisions of Government Code Section 65962.5 are commonly referred to as the Cortese List. The Cortese List is a planning document used by the State and local agencies to provide information about hazardous materials release sites. Government Code Section 65962.5 requires Cal/EPA to develop an updated Cortese List annually, at minimum. DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List.

California Emergency Response Plan

California has developed an emergency response plan to coordinate emergency services provided by federal, State, and local governments and private agencies. Response to hazardous materials incidents is one part of this plan. The plan is managed by the California Governor's Office of Emergency Services,

which coordinates the responses of other agencies, including Cal/EPA, California Highway Patrol (CHP), RWQCB, and the Riverside County Emergency Management Department.

Cal/OSHA

The Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, protects workers from health and safety hazards on the job in almost every workplace in California through its research and standards, enforcement, and consultation programs. Cal/OSHA oversees certain demolition and construction efforts, and issues construction activity permits for:

- Construction of trenches or excavations which are five feet or deeper and into which a person is required to descend;
- Construction of any building, structure, scaffolding or falsework more than three stories high or the equivalent height (36 feet);
- Demolition of any building or structure, or dismantling of scaffolding or falsework more than three stories high or the equivalent height (36 feet); and
- Erection or dismantling of vertical shoring systems more than three stories high, or equivalent height (36 feet).

Regional and Local

Riverside County Hazardous Waste Management Plan

As incorporated in the County of Riverside Safety Element, the Riverside County Hazardous Waste Management Plan (HWMP) addresses the County's planned response to hazardous emergencies. Authorized in accordance with the Southern California Hazardous Waste Management Authority (SCHWMA), the HWMP serves as a framework for the management of the County's hazardous substances. The purpose of the HWMP is to ensure active public participation in hazardous waste and materials management decision, coordinate hazardous waste facility responsibilities, and to promote practices that give waste management a high priority to reduce hazardous waste in the County.

Riverside County Department of Environmental Health

The Riverside County Department of Environmental Health works to enhance the quality of life in Riverside County through implementation of environmental health programs that protect public health and safety as well as the environment. The Department of Environmental Health oversees and enforces numerous different programs, from food facility inspections to hazardous waste to pool and spa investigations. The Department of Environmental Health operates eight offices throughout the County in

order to provide the most efficient implementation and response possible. All County inspectors are licensed and/or certified in the field that they practice in and participate in continuing education to maintain licensure.

Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan

The Multi-Jurisdictional Local Hazard Mitigation Plan was adopted in order to identify the County of Riverside's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences and set goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The plan identifies vulnerabilities, provides recommendations for prioritized mitigation actions, evaluates resources and identifies mitigation shortcomings, provides future mitigation planning and maintenance of existing plan.

City of Rancho Mirage 2017 General Plan Update

The Safety Element in the Rancho Mirage 2017 General Plan Update addresses natural and manmade environmental hazards that may occur in the City. The Element provides goals, policies and programs to protect the general health, safety and welfare of the community from hazardous and toxic materials events. According to the 2017 General Plan Update, the City maintains a Multi-Hazard Functional Plan that address the planned response to extraordinary emergency situations associated with natural or human caused disasters, technological incidents, and nuclear defense operations.

The Hazardous and Toxic Materials section within the Safety Element identifies existing hazardous and toxic material locations in the community and describes the regulatory environment established to safely manage the materials. According to the 2017 General Plan Update, a wide variety of products, chemical and purified chemical compounds, and elements that are considered hazardous or toxic are used in households, commercial businesses, and industrial operations and processes. Some examples are home and pool related chlorine products, chemical fertilizers, herbicides and pesticides, stored fuels and waste oil, chemical solvents and lubricants, and a variety of medical materials.

The continued safety of Rancho Mirage residents and visitors through the regulation of the manufacture, transport, use, and disposal of toxic and hazardous materials is Goal Safe 5, in the 2017 General Plan Update. Under this goal are various policies and programs that support this goal. Some policies and programs include:

- Policy Safe 5.2:** The City shall require and facilitate the safe and responsible disposal and cleanup of all hazardous and toxic waste and waste sites in Rancho Mirage and the Sphere of Influence (SOI);

Program Safe 5.2A: The City shall coordinate with the appropriate State and federal agencies to activate procedures for the cleanup of existing and future hazardous and toxic waste sites; and

Policy Safe 5.3: The City shall coordinate with the Fire and Sheriff's Department to develop a system for roadway management and for alerting emergency and medical facilities to the impending transport of hazardous and toxic materials.

City of Rancho Mirage Municipal Code

The City of Rancho Mirage Municipal Code (RMMC) Titles 2, 14, and 17 establish City personnel responsibilities, standards, and regulations that address the management of hazardous materials and wastes as well as emergency plans in the event of a hazardous disaster for the City of Rancho Mirage. In addition, the RMMC identifies the appropriate City personnel who are responsible for carrying out and seeing that these emergency plans are implemented properly.

City of Rancho Mirage Local Hazard Mitigation Plan

The City's Local Hazard Mitigation Plan (LHMP) addresses the planned response to extraordinary emergency situations associated with natural or human caused disasters, technological incidents, and nuclear defense operations. The LHMP is an extension of the State Emergency Plan that is provided through the Governor's Office of Emergency Services (Cal OES). The City identifies the I-10 and Highway 111 to be the primary evacuation routes for the area. The 2017 LHMP was incorporated into the Safety Element of the General Plan once approved by Cal OES and FEMA in August 2018.

B. ENVIRONMENTAL IMPACTS

1. Thresholds of Significance

In order to assist in determining whether a project would have a significant effect on the environment, the City finds a project may be deemed to have a significant impact from a hazard and hazardous materials perspective, if it would:

Threshold 5.8-1: Result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Threshold 5.8-2: Result in 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.

- Threshold 5.8-3:** Result in the emission of hazardous materials or handle hazardous or acutely hazardous materials, substances, or waste within one mile of an existing or proposed school.
- Threshold 5.8-4:** 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.
- Threshold 5.8-5:** Be 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.
- Threshold 5.8-6:** Result in an impaired implementation of or physically interference with an adopted emergency response plan or emergency evacuation plan.
- Threshold 5.8-7:** Result in the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

2. Methodology

In accordance with ASTM E1527-13, a Phase I ESA and Phase I ESA Update was conducted for the Project Site and surrounding areas. The ASTM standard entails the identification of recognized environmental conditions in connection with a Project Site. According to the Phase I ESA Update, the undeveloped Project Site has not undergone any material or land use changes since the prior site assessment was conducted for the initial Phase I ESA during site reconnaissance.

This reconnaissance-level assessment of the Project, in regard to hazards and hazardous waste materials, consisted of observing and documenting existing conditions of the Project Site and surrounding areas within 0.50 miles of the site. Investigation on the Project Site was carried out through the following methods:

- researching various lists maintained by governmental agencies charged with surveillance of hazardous materials;
- review of agency records dealing with tank permits and hazardous materials clean-up activities;
- interviews with individuals, governmental officials, and agencies which are familiar with the history of the Project Site and the vicinity;

- review of prior ESAs completed for the Project Site;
- review of aerial photographs of the Project Site and vicinity; and
- site reconnaissance.

Available data to determine whether there is a potential for cumulative impacts associated with hazards and hazardous materials was assessed, based upon consideration of the Project, the Project Site, and related projects. The potential for cumulative impacts associated with hazards and hazardous materials was assessed based upon the consideration of the Project and related projects, as well as projects identified in the City of Rancho Mirage General Plan 2017 Update.

3. Project Design Features

According to the Section 31 Specific Plan, the Project would enable development of a mixed-use, master-planned community including residential, commercial retail, mixed-use, recreational, and open space uses oriented around a 34-acre Grand Oasis Crystal Lagoon (“Grand Oasis lagoon”). The Project is not proposed to include land uses that commonly generate large amounts of hazardous materials or waste. All land uses would be required to comply with State and federal rules that regulate the handling and use of hazardous materials.

4. Project Impacts

Threshold 5.8-1: Would the project result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The Phase I ESA and Phase I ESA Update reports, prepared by MSA Consulting, Inc. clear the Project Site from any further investigation. Should any hazardous materials be located during construction activities, they would be required to be hauled to an approved location and/or landfill.

Project Construction

Construction of the Project is expected to involve the temporary transportation, management and use of oils, fuels and other potentially flammable substances, such as paints, solvents and cleaners. The nature and quantities of these products would be limited to what is necessary to carry out construction of the Project. Grading and construction activities would also require the transport, storage, handling, use, and disposal of hazardous materials such as fuels and greases for the fueling and servicing of construction activities. Some of these materials would be transported to the site periodically by vehicle and would be stored in designated controlled areas on a short-term basis. When handled properly by trained individuals and consistent with the manufacturer’s instructions and industry standards, the risk involved with

handling these materials is considerably reduced. The contractor would be required to identify a controlled staging area within the Project Site for storing materials and equipment and would be required to implement best management practices (BMPs) to ensure that impacts are minimized and that any minor spills are immediately and properly remediated. Any spills or leakages encountered during construction would be required to be remediated in accordance with federal, State, and local regulations for hazardous waste cleanup.

Furthermore, to prevent a threat to the environment during construction, the management of potentially hazardous materials and other potential pollutant sources would be regulated, in part, through the implementation of measures required in the SWPPP for the Project. The SWPPP requires a list of potential pollutant sources and the identification of construction areas where additional control measures are necessary to prevent pollutants from being released on-site or into the surroundings. Best management practices (BMPs) are necessary for proper material delivery and storage, material use, and spill prevention and control. These temporary measures outline the required physical improvements and procedures to prevent impacts of pollutants and hazardous materials to workers and the environment during construction. For example, all construction materials, including paints, solvents, and petroleum products, must be stored in controlled areas and according to the manufacturer's specifications. In addition, perimeter controls (fencing with wind screen), linear sediment barriers (gravel bags, fiber rolls, or silt fencing), and access restrictions (gates) would help prevent temporary impacts. With such standard measures in place, less than significant impacts are anticipated during construction.

According to the Rancho Mirage 2017 General Plan Update, the Riverside County Environmental Health and Hazardous Materials Branch is the sole overseeing agency for hazardous waste generation throughout the County. The Department of Environmental Health, Hazardous Materials Branch ensures that hazardous waste would be properly managed and disposed of in order to protect both people and the environment. Further, the California Department of Public Health is authorized to establish standards for public swimming facilities. California has assigned the responsibility to regulate public swimming facilities to the local county or city levels. The enforcing agencies that would evaluate the plans for the Grand Oasis lagoon component of the Project Site prior to construction would be the City of Rancho Mirage Building and Safety Division and the Riverside County Department of Environmental Health. Implementation of Mitigation Measure **MM 5.8-1** would require the Project Applicant to submit an operations plan to the Riverside County Department of Environmental Health, which would identify management of surface drainage away from the Grand Oasis lagoon, provision of the required number of trained lifeguards, installation of emergency communication equipment, maintenance of water quality and clarity, and management of bathing capacity. Mitigation Measure **MM 5.8-1** would ensure that the Project would be

properly designed, constructed, and equipped to the satisfaction of the Riverside County Department of Environmental Health based on the development review process.

Additionally, the Project would be operated and constructed under the emergency response plan requirements set forth by the County of Riverside and Titles 2, 14 and 17 of the City of Rancho Mirage Municipal Code. Implementation of **MM 5.15-1**, provided in **Section 5.15: Traffic and Transportation**, would require a Construction Traffic Management Plan to reduce potential impacts in the event of emergency evacuations. Construction related hazardous impacts would be reduced to less than significant levels.

Project Operation

The Project includes residential, commercial retail, mixed-use, recreational, and open space land uses, as well as the operation of a 34-acre Grand Oasis lagoon on the approximately 618-acre vacant Project Site. The nature of these uses are not expected to involve, as a primary activity, the routine transport, use, or disposal of hazardous materials in quantities or a manner that would pose a threat to the Project Site and its surroundings, or create a significant hazard through a foreseeable accident conditions involving the release of hazardous materials into the environment. The Project Site or its surrounding property is not located on a hazardous material site and is not expected to generate any hazardous waste beyond what is commonly found within household uses. Any hazardous materials that may be present are usually associated with landscaping and building maintenance, as well as operation of the 34-acre Grand Oasis lagoon, which is discussed in more detail below in connection with Threshold 5.8-2. However, because these products are usually used in only small quantities, they would not typically pose a threat to the Project Site or surroundings. A variety of State and federal laws govern the generation, treatment, and disposal of hazardous wastes. The Riverside County Fire Department has the authority to inspect on-site uses and to enforce State and federal laws governing the storage, use, transport, and disposal of hazardous materials and wastes. The County of Riverside requires that an annual inventory of hazardous materials in use on-site, as well as a business emergency plan, be submitted for an annual review, as required by the Emergency Planning and Right-To-Know Act and the California Accidental Release Prevention Program. These requirements would be mandated according to State and federal law. Additionally, the Riverside County Department of Environmental Health would provide routine inspections and investigations during operation of the Project to ensure safety and proper sanitation. Mitigation Measure **MM 5-8.1** would require the Project Applicant to submit an operations plan to the Riverside County Department of Environmental Health, which would identify management of surface drainage away from the Grand Oasis lagoon, provision of the required number of trained lifeguards, installation of emergency communication equipment, maintenance of water quality and clarity, and management of bathing capacity.

Additionally, as stated in **Section 3.0: Project Description**, the Grand Oasis lagoon and its beaches would support passive recreational activities such as swimming, paddling, and lounging, among others, and docks would accommodate the launching and docking of watercrafts, paddle boats, kayaks, and canoes. However, the use of motorized watercraft, including boats and jet skis, would have the potential to result in a significant hazard to the public by operating at high speeds in proximity to swimmers or other users of the Grand Oasis lagoon. As such, implementation of Mitigation Measure **MM 5.8-2** would prohibit the use of motorized boats and jet skis on the Grand Oasis lagoon, with the exception of staff use for maintenance, security, and public safety purposes. With regulatory compliance and incorporation of Mitigation Measures **MM 5.8-1** and **MM 5.8-2**, potential impacts would be considered less than significant.

Threshold 5.8-2: Would the project result in 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?

Project Construction

The approximately 618-acre Project Site would include construction activities for site preparation, earthwork (e.g. vegetation removal, grading and site excavation), and building construction. Construction and vegetation debris would be disposed of in accordance with regulatory guidelines. According to the Phase I ESA and the Phase I ESA Update, the Project Site does not contain any unidentified soil contamination and disturbance. Development of the Project Site has not occurred since the ESA Update; therefore, grading and excavation activities would not result in a significant hazard to the public or environment. Construction activities within the Project Site would not occur within a hazardous site nor would construction activities expose workers to hazardous substances present in the Project Site. Impacts would be less than significant.

Project Operation

The Project includes residential, commercial retail, mixed-use, recreational, and open space land uses on the approximately 618-acre vacant Project Site. Approximately 504 acres would be allocated for residential land uses, approximately 80 acres for mixed-use development, and approximately 34 acres for the Grand Oasis lagoon near the center of the Project Site. The Grand Oasis lagoon would be 12 feet deep and designed, constructed and operated using Crystal Lagoons technology. This open space and recreational element would accommodate swimming, stand-up paddle boards, kayaks, and other small scale, non-motorized recreational watercraft. Access to the water would be limited to defined beach

locations and designed swimming areas, initially including the public beach park at the Town Center Planning Area and residents' Beach Club.

The Crystal Lagoons technology, which would power the Grand Oasis lagoon, utilizes a patented solution consisting of the application of controlled pulses of small amounts of oxidants/microbicides, such as chlorine, into the water in specific patterns and cycles to maintain water quality. The application cycles are determined by the system's algorithms according to the growth cycles of algae and bacteria as well as ambient conditions and the weather. This avoids the need for maintaining a significant residual chemical level in the water. The application of additives is coordinated remotely by sensors and injectors/nozzles strategically located throughout the Grand Oasis. The applied additives comply with NSF 60 Standards for drinking water treatment. This pulse-based disinfectants in the water to achieve consistent quality and avoid water contamination from external agents, such as swimmers.

Additionally, the Crystal Lagoons technology includes a filtration system, which is achieved by the addition of natural compounds. When the compounds are activated by ultrasonic waves directed into the water, they act as flocculants, causing contaminating particles to agglomerate into larger bodies that settle to the bottom of the Grand Oasis lagoon. Afterwards, the bottom water flow is vacuumed using a patented bottom cleaning device and sent to a filtration system, where bottom water flow is filtered and then reintroduced into the Grand Oasis. The water quality resulting from the use of Crystal Lagoons' technology complies with the bacteriological requirements for direct contact purposes (US EPA Criteria for Bathing with Full Body Contact Recreational Waters).

Although local operations staff would be trained by Crystal Lagoons® in the daily maintenance needs of the Grand Oasis lagoon related to manual cleaning, bottom cleaning, and filtration system processes, the Grand Oasis lagoon would be monitored, controlled, and operated by a cloud-based telemetry system linked directly to a specialized water quality group. Specially designed measuring systems and sensors continuously report specific physicochemical properties and other testing parameters through a telemetric software platform ensuring continuous and excellent water quality. The control calculators located on site interact with the software to direct the pumping systems, application of additives and the recirculation and injection systems. This makes active on-site management of water quality unnecessary. In the event that the cloud-based telemetry system fails or loses connection with the local injector system, the Grand Oasis lagoon's local additive system would continue to run automatically as programmed. Should the local system lose electric power and not have a backup generator in place, Crystal Lagoons® would provide instructions to local maintenance staff to ensure the proper additive dosage is maintained to keep the Grand Oasis lagoon at proper water quality levels.

As mentioned previously, the California Department of Public Health is authorized to establish standards for public swimming facilities. The enforcing agency that would evaluate the plans for the Grand Oasis lagoon prior to construction would be the Riverside County Department of Environmental Health and the City of Rancho Mirage Building and Safety Division. While impacts related to the release of hazardous materials associated with the Grand Oasis lagoon are anticipated to be less than significant with adherence to federal, State, and regional regulatory standards, **MM 5-8.1** would be implemented to further reduce impacts to less than significant level. **MM 5-8.1** would require the Project Applicant to submit an operations plan to the Riverside County Department of Environmental Health, which will identify management of surface drainage away from the Grand Oasis lagoon, provision of the required number of trained lifeguards, installation of emergency communication equipment, maintenance of water quality and clarity, and management of bathing capacity. Therefore, impacts associated with the release of hazardous materials are expected to be less than significant.

The handling, application, and storage of cleaning agents, water purifying agents, building maintenance products, paints, solvents and other related substances are expected to occur within the Project Site to carry out the necessary operations in each facility or use. In regard to the Grand Oasis lagoon, the Crystal Lagoons® technology uses additives, including a patented solution consisting of the application of controlled pulses of small amounts of oxidants/microbicides, such as chlorine, into the water in specific patterns and cycles. However, these materials would not be present in sufficient quantities to pose a significant hazard to public health and safety, or the environment.

By following the appropriate federal, State, and regional regulatory standards, less than significant impacts are expected pertaining to significant hazards to the public or the environment through accident conditions involving the release of hazardous materials into the environment.

Threshold 5.8-3: Would the project result in the emission of hazardous materials or handle hazardous or acutely hazardous materials, substances, or waste within one mile of an existing or proposed school?

Project Construction

Construction vehicle activities associated with Project construction would emit vehicle exhaust, which contains nitrous oxides, particulate matter, fine suspended matter, and diesel particulates that could be hazardous to sensitive receptors (newborns, children and the elderly). The closest school to the Project Site is Palm Valley School, located at 35525 Da Vall Drive, approximately 2 miles northwest of the Project Site. Therefore, the Project Site is not located within one-quarter mile of an existing or proposed school,

and construction activities are not intended to release hazardous emissions within the radius. Impacts are anticipated to be less than significant.

Project Operation

As stated previously, the closest school to the Project Site is Palm Valley School, approximately 2 miles northwest of the site. The Project intends to develop land uses that would include the storage and handling of hazardous materials such as pesticides, water purifying agents, paints, cleaners, and landscaping products. State and local regulations for the storage and handling of these materials shall be followed, thus impacts would be less than significant.

Threshold 5.8-4: Would the project 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?

Per the Phase I ESA and Phase I ESA Update, record searches and reconnaissance of the Project Site concluded that the site is not located on a hazardous materials site. The Project Site was not identified to be located on a Superfund hazardous materials site nor would it be located on a site that contains unusual characteristics that could cause public hazards when the Project undergoes construction. None of the thirteen EDR-Listed facilities outlined within the Phase I Update were determined to have any potential hazards. Therefore, impacts during construction activities are anticipated to be less than significant, due to the absence of hazardous materials found on the Project Site, or within the Project's vicinity.

The Project proposes residential and commercial uses including up to two hotels, condos, commercial retail, open space, and a large recreational water feature on the approximately 618-acre Project Site. In order to comply with Government Code 65962.5 and its subsections, record searches on the Project Site were performed within multiple database platforms. The resources consulted included GeoTracker, EnviroStor, and the EPA Enforcement and Compliance History Online (ECHO).

GeoTracker is a database maintained by the State of California Water Resources Control Board that provides online access to environmental data. It serves as the management system for tracking regulatory data on sites that can potentially impact groundwater, particularly those requiring groundwater cleanup and permitted facilities, such as operating underground storage tanks and land disposal sites.

EnviroStor is a database maintained by the State of California Department of Toxic Substances Control (DTSC). The EnviroStor database identifies sites with known contamination or sites for which there may be reasons to investigate further. It includes the identification of formerly contaminated properties that have been released for reuse; properties where environmental deed restrictions have been recorded to

prevent inappropriate land uses; and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.

Moreover, the ECHO database focuses on inspection, violation, and enforcement data for the Clean Air Act (CAA), Clean Water Act (CWA), and Resource Conservation and Recovery Act (RCRA) and also includes Safe Drinking Water Act (SDWA) and Toxics Release Inventory (TRI) data.

A search was performed on all three database platforms. The GeoTracker, EnviroStor, and ECHO database results did not identify any Leaking Underground Storage Tank (LUST) Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks on or in connection with the Project Site.

The ECHO database identified four facilities within a 0.50-mile radius of the Project Site, the closest being Lowes of Palm Desert #2583 at 35900 Monterey Avenue, northeast of the Project Site at the Monterey Avenue and Gerald Ford Drive intersection. This site is registered in the RCRA as a small quantity generator (SQG) (ID CAR000279455). The second site is Mission Hills Cleaners, located at 36101 Bob Hope Drive, approximately 0.20 miles west of the Project Site. This facility is also listed in the RCRA as an active SQG (ID CAR000006429), as well as operating under the CAA (ID 3153711). Desert Island Country Club (currently the S at Rancho Mirage) at 71777 Frank Sinatra Drive, approximately 0.50 miles southwest, is the third listed facility in the database. This facility is listed as an active transporter under the RCRA (ID CAL000361868). The ECHO database registers Eisenhower Medical Center as operating under the CAA (ID 10111611 and 2297711), the RCRA as an active large quantity generator (LQG) (IDCAD078140845), and inactive "other" under the RCRA (ID CAC002969984). The four listed facilities listed within the ECHO database currently hold the status of "No Violation," therefore, they are not anticipated to impact the Project Site.

The GeoTracker and Envirostor databases list one facility within a 0.50-mile radius of the Project Site. This facility is Eisenhower Medical Center, located approximately 0.50 miles south of the Project's southern boundary line, at 39000 Bob Hope Drive. The facility information within each database is as follows:

- The Eisenhower Medical Center was registered in GeoTracker as a Leaking Underground Storage Tank (LUST) Cleanup Site but does not indicate impacts outside of the affected site, such that would reach the Project Site. Currently, the Eisenhower Medical Center holds a status of "Completed-Case Closed" since 1992.
- EnviroStor database registers the Medical Center as having a tiered permit, which refers to the on-site treatment of hazardous waste, and is generally a subset of Hazardous Waste Generation. The site

is currently listed as “Inactive – needs evaluation,” however, it is not expected to impact the Project Site due to its distance from the site.

Per the records search pursuant of Government Code 65962.5, the Project Site was not registered as having any Leaking Underground Storage Tank (LUST) Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks on site. Eisenhower Medical Center was the only property within a mile radius that was registered within the databases, however, due to its distance from the Project Site, the Medical Center is not expected to affect the Project Site. Less than significant impacts are anticipated.

The location of the Project would not occur on a hazardous materials site nor would it entail any uses that would cause a significant hazard to those occupants on the site. Impacts would be less than significant.

Threshold 5.8-5: Would the project be 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?

The nearest airport to the Project Site is the Palm Springs Airport, located approximately 5.50 miles northwest of the site. The Project Site does not lie within an airport land use plan or within two miles of a public airport or public use airport. Therefore, no impacts are anticipated.

Threshold 5.8-6: Would the project result in an impaired implementation of or physically interference with an adopted emergency response plan or emergency evacuation plan?

Project Construction

The construction of the Project may require periods of partial closure on Bob Hope Drive, Monterey Avenue, Gerald Ford Drive, Frank Sinatra Drive and Vista Del Sol during various phases of the Project. The partial closure of these roads may hinder traffic and could potentially result in a significant impact. The City will require a Construction Traffic Control Plan for each construction phase to ensure that emergency access is preserved during all construction activities. **MM 5.15-1** requires preparation of a detailed Construction Traffic Management Plan, which would be submitted to the City of Rancho Mirage Building and Safety Department and/or the Planning Department for review and approval consistent with these agencies’ existing standards and emergency response plans. The plan would provide notification to the Riverside County Fire Department’s Emergency Command Center (ECC), which is a local area coordinator for the Governor’s OES, to minimize and prevent physical interference with an emergency evacuation

plan. The ECC is responsible for serving as a command and control center for the handling of emergency situations within the County of Riverside.

Additionally, the City of Rancho Mirage's MHFP acknowledges two main evacuation routes, which include the Interstate 10 Freeway and Highway 111, while primary and minor arterial streets serve as secondary routes. The closest primary, or the major arterial streets to the Project Site include Bob Hope Drive and Monterey Avenue, located respectively west and east of the site. The closest minor arterial roadways to the Project Site are Gerald Ford Drive and Frank Sinatra Drive, bordering the northern and southern boundaries of the site, respectively.

Construction of the Project would require partial closure of portions of Monterey Avenue, Frank Sinatra Drive, Bob Hope Drive, Gerald Ford Drive and/or Vista Del Sol for short periods of time. Any partial closure of these roads would be temporary, would not occur simultaneously, and would be conducted in accordance with a construction management plan and under the supervision of construction personnel. The Project's construction activities would not interfere with the access to these routes or interfere with the operations of the Multi-Hazard Functional Plan or EOC during an emergency. With implementation of **MM 5.15-1**, emergency access and potential traffic access impacts would be reduced to a less than significant level.

Project Operation

The City's Multi-Hazard Functional Plan implements emergency responses for incidents including floods, high winds, earthquakes, hazardous material accidents, wildfires, and other natural and manmade events. The OES is responsible for organizing and maintaining effective emergency management, mitigation, preparedness, and response and recovery within the county. The OES allocates resources and ensures that the general population would be protected at any time during an emergency. The Project shall comply with the Riverside County Fire Department's recommended standards for emergency accessibility and circulation. Thus, the Project's operational impacts to the City's adopted emergency response and evacuation plan are considered to be less than significant.

Threshold 5.8-7: Would the project result in the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Based on the Rancho Mirage 2017 General Plan Update Fire Threat Map (Exhibit 27), the Project Site is identified as having no fuel for a wildland fire, thus no hazard. In addition to the Fire Threat Map, Cal Fire's Very High Fire Hazard Severity Zone (VHFHSZ) in Locally Responsible Areas (LRAs) Map recognizes that the

Project Site lies within a non-VHFHSZ in the City. Therefore, impacts of exposing people or structure to a significant risk involving wildland fires are expected to be less than significant.

5. Cumulative Impacts

The Project's impacts are unlikely to have the potential to combine with those of other projects because of the required safety, cleanup, and disposal methods that would be implemented to reduce impacts to a level that would not combine with those from other projects. Therefore, implementation of the Project would not have the potential to make a cumulatively considerable contribution in combination with impacts from past, present, or reasonably foreseeable projects and would be considered less than significant.

Related projects may be located near the site included on a list of hazardous material site compiled pursuant to Government Code Section 65962.5. Development of the Project would be required to comply with applicable laws and regulations pertaining to hazardous wastes, and the risk with identified hazardous material sites would be eliminated or reduced through proper handling, disposal practice, and/or clean up procedures. Accordingly, cumulative impacts to the public or the environment associated with development on or near listed contaminated sites would be less than significant.

The Project would be required to comply with all applicable code and ordinance requirements of the Riverside County Fire Department for access, water mains, fire flows, fire sprinkler systems, and fire hydrants. Cumulative impacts would be less than significant.

C. MITIGATION MEASURES

Implementation of **MM 5.15-1**, provided in **Section 5.15: Traffic and Transportation** of this Draft EIR, would require a construction traffic management plan to reduce potential impacts in the event of emergency evacuations. To be approved, the plan must comply with existing City and County standards and criteria. In addition to compliance with federal, State, and regional standards that regulate the handling and use of hazardous materials, the following mitigation measures have been identified to reduce hazards and hazardous materials impacts:

MM 5.8-1: The Project Applicant shall submit an operations manual to the Riverside County Department of Environmental Health for review and approval to ensure safety of the Grand Oasis lagoon. Components and procedures for the handling of the Grand Oasis lagoon shall include management of surface drainage away from the Grand Oasis lagoon, provision of the required number of trained lifeguards, installation of emergency communication equipment, maintenance of water quality and clarity, and management of bathing capacity.

MM 5.8-2: The use of motorized watercraft, including, but not limited to, boats and jet skis, shall be prohibited on the Grand Oasis lagoon. The use of motorized watercraft shall only be permitted by staff for maintenance, security, and public safety purposes.

D. LEVEL OF SIGNIFICANCE AFTER MITIGATION

Implementation of existing regulations and standards identified above, along with the Project's Design Features and adherence to Mitigation Measures **MM 5.15-1**, **MM 5.8-1**, and **MM 5.8-2**, the Project's potential impacts associated with hazards and hazardous materials would be reduced to a level that would be less than significant.