Initial Study and Mitigated Negative Declaration (IS/MND)
Green Day Village Development

ENV No. 22-2
TM No. 22-4
DP No. 22-3

Prepared for:

CITY OF DESERT HOT SPRINGS

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June 2023
Project Number 7129

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PROJECT INFORMATION SHEET

1. Project Title	**Green Day Village**
2. CEQA Lead Agency	**City of Desert Hot Springs** **Planning** Patricia Villagomez, Principal Planner 11999 Palm Drive Desert Hot Springs, California, 92240 T: (760) 329-6411 x243 pvillagomez@cityofdhs.org
3. Project Applicant	LA World Construction Attn: Avraham Farzan CEO 2029 Century Park East Ste. 400 Century City, CA 90067 213-305-2815 AvrahamFarzan@gmail.com
4. Project Location	West side of Palm Drive between 18th Avenue and 20th Avenue within the City of Desert Hot Springs
5. Assessor's Parcel Numbers	APN 6572-80-003
6. Project Site General Plan Designation(s)	Mixed Use Corridor (MU-C) for the east half of the site Residential High (RH) for the west half of the site
7. Project Site Zoning Designation(s)	Mixed Use Corridor (MU-C) for the east half of the site Residential High (RH) for the west half of the site
8. Surrounding Land Uses and Setting	Land uses surrounding the project site include vacant land to the north, west, and south, and by the Desert Dunes Golf Club across Palm Drive to the across Palm Drive to the east. The site and surrounding vacant land are vegetated, mainly with creosote bush – white bursage scrub.

9. Description of Project	The project is the proposed mixed-use residential and commercial development on an undeveloped 37.29-acre site on the west side of Palm Drive between 18th Avenue and 20th Avenue. The project would include residential, commercial, and community/recreational uses. The project would include 608 residential units including 552 units in 92 two-story, six—unit buildings (consisting of 92 two-story, two-bedroom units; 368 two-story, one-bedroom units; and 92 studio units) and 56 studio loft apartments in one two-story building. The project proposes commercial uses in the eastern part of the project site, including two restaurant/food service buildings; seven retail uses; a two-story medical office building; and two recycling centers. The project would include five pool houses, a two-story community center, and a farm equipment building. Six farming areas would be provided. One farming area would be for aquaponics/aquaculture. Four vegetable stands would be placed near the middle of the project site.
10. Selected Agencies whose Approval is Required	City of Desert Hot Springs Planning; City of Desert Hot Springs Building and Safety Division Riverside County Fire Department

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1? If so, has consultation begun?	Letters were sent by the City, which is the lead agency, to local Native American tribes asking if they wished to participate in AB 52 and SB 18 consultation concerning the Green Day Village within the City of Desert Hot Springs. The letters were sent on July 6, 2022 from Patricia Villagomez, Associate Planner, with the City of Desert Hot Springs by certified mail. The AB 52 notice period for the Tribes is 30 days and the SB 18 notice period for the Tribes is 90 days in which they have an opportunity to respond to notification of this proposed project. For the proposed project, those tribe(s) that requested consultation were contacted by the City per Public Resources Code § 21074. The consultation process was concluded in December 2022.
12. Other Public Agencies	Mission Springs Water District Southern California Gas Company Southern California Edison Company

ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Term
AB	Assembly Bill
AB 939	California Integrated Waste Management Act
AMSL	above mean sea level
APE	area of potential effect
ARB	Air Resources Board
ATP	Active Transportation Plan
BAU	business as usual
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CH4	methane
CHRIS	California Historic Resources Inventory System
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO2	carbon dioxide
CO2e	carbon dioxide equivalent
CRC	California Residential Code
CTE	career technology education
CUP	conditional use permit
CVAG	Coachella Valley Council of Governments
CVGWB	Coachella Valley Groundwater Basin
CVMSHCP	Coachella Valley Multiple Species Habitat Conservation Plan
CVWD	Coachella Valley Water District
dB	decibel
dBA	A-weighted decibel scale
DHS	[City of] Desert Hot Springs
DHSPD	Desert Hot Springs Police Department
DIF	Development Impact Fee
DMA	Drainage Management Areas
DOC	California Department of Conservation
DOSH	California Division of Safety and Health
EIR	Environmental Impact Report

Acronym/Abbreviation	Term
EMS	Emergency Medical Service
EO	Executive Order
EPA	Environmental Protection Agency
FAR	floor area ratio
FMMP	Farmland Mapping and Monitoring Program
FPD	Fontana Police Department
FRAP	CalFire Fire Resource and Assessment Program
FTA	Federal Transit Administration
GHG	greenhouse gas
GPCD	gallons per capita per day
GPEIR	General Plan EIR
GWP	global warming potential
HCP	Habitat Conservation Plan
HFCs	hydrofluorocarbons
HUD	Department of Housing and Urban Development
Hz	hertz
IFC	International Fire Code
IPCC	Intergovernmental Panel on Climate Change
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
L_{90}	noise level that is exceeded 90% of the time....
L_{eq}	equivalent noise level
LID	Low Impact Development
L_{max}	root mean square maximum noise level
LOS	Level of Service
LRA	local responsibility area
LRTS	Long Range Transportation Study
LSTs	Localized Significance Thresholds
Map Act	California Subdivision Map Act
MBTA	Migratory Bird Treaty Act
Mgd	Million gallons per day
MLD	Most Likely Descendant
MM	mitigation measure
MMTCO2e	million metric tons of CO2e
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
MSHCP	Multiple Species Habitat Conservation Program
MSWD	Mission Springs Water District
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
RWQCB	Regional Water Quality Control Board

Acronym/Abbreviation	Term
CRWQCB	Colorado River Basin Regional Water Quality Control Board
SCGC	Southern California Gas Company
SF6	sulfur hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SoCalGas	Southern California Gas Company
SRA	state responsibility area
SRAs	source receptor areas
SSAB	Salton Sea Air Basin
USDA	United States Department of Agricultura
USGS	United States Geological Survey
USEPA	United States Environmental Protection Agency

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1.0 INTRODUCTION

1.1 Proposed Project

The City of Desert Hot Springs (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the development of the Green Day Village project (hereby referred to as the "proposed project" or the "project"), which would permit a mixed-use residential and commercial development on an undeveloped 38.34-acre site on the west side of Palm Drive between 18th Avenue and 20th Avenue within the City of Desert Hot Springs (APN 657280003).

1.1.1 Project Components

The proposed project would include residential, commercial, and community/recreational uses.

Residential

The proposed project would include 608 residential units including 552 units in 92 two-story, six—unit buildings (consisting of 184 two-story, two-bedroom units; 276 two-story, one-bedroom units; and 92 two-story studio units); and 56 studio loft and studio apartments in one two-story building.

Commercial Uses

The project proposes commercial uses in the eastern part of the project site. The commercial uses are currently envisioned to total 77,971 square feet of building area include two restaurant/food service buildings; seven retail uses; a two-story medical office building; and two recycling centers;

Community/Recreational Uses

The project would include five pool houses; a two-story community center; and a farm equipment building.

Four farming areas would be provided—two in the center of the site; one in the northwest corner of the site; and one in the southwest corner. One area for aquaponics—that is, a combination of aquaculture (fish and/or shellfish farming) with hydroponics (growing plants without soil in a solution of minerals in water) would be provided in the middle of the project site. An equipment building housing maintenance and operations supplies for the residential units management would be near the northeast corner of the residential portion of the site. Four vegetable stands would be placed near the middle of the project site.

Refer to Section 3.0, Project Description, of this document for additional details.

1.1.2 Estimated Construction Schedule

Project construction is estimated to take approximately 2.5 years from early 2024 to late 2026.

1.2 Lead Agencies – Environmental Review Implementation

The City of Desert Hot Springs is the Lead Agency for the proposed project. Pursuant to the California Environmental Quality Act (CEQA) and its implementing regulations,[1] the Lead Agency has the principal responsibility for implementing and approving a project that may have a significant effect on the environment.

1.3 CEQA Overview

1.3.1 Purpose of CEQA

All discretionary projects within California are required to undergo environmental review under CEQA. A Project is defined in CEQA Guidelines § 15378 as the whole of the action having the potential to result in a direct physical change or a reasonably foreseeable indirect change to the environment and is any of the following:

- An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements.
- An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

CEQA Guidelines § 15002 lists the basic purposes of CEQA as follows:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.3.2 Authority to Mitigate under CEQA

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. Under CEQA Guidelines § 15041 a Lead Agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the "nexus"[2] and "rough proportionality"[3] standards.

1 Public Resources Code §§ 21000 - 21177 and California Code of Regulations Title 14, Division 6, Chapter 3.
2 A nexus (i.e., connection) must be established between the mitigation measure and a legitimate governmental interest.
3 The mitigation measure must be "roughly proportional" to the impacts of the Project.

CEQA allows a Lead Agency to approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant effect. In such cases, the Lead Agency must specifically identify expected benefits and other overriding considerations from the project that outweigh the policy of reducing or avoiding significant environmental impacts of the project.

1.4 Purpose of Initial Study

The CEQA process begins with a public agency making a determination as to whether the project is subject to CEQA at all. If the project is exempt, the process does not need to proceed any farther. If the project is not exempt, the Lead Agency takes the second step and conducts an Initial Study to determine whether the project may have a significant effect on the environment.

The purposes of an Initial Study as listed in § 15063(c) of the CEQA Guidelines are to:

- Provide the Lead Agency with information necessary to decide if an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) should be prepared.
- Enable a Lead Agency to modify a project to mitigate adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND or MND.
- Assist in the preparation of an EIR, if required, by focusing the EIR on adverse effects determined to be significant, identifying the adverse effects determined not to be significant, explaining the reasons for determining that potentially significant adverse effects would not be significant, and identifying whether a program EIR, or other process, can be used to analyze adverse environmental effects of the project.
- Facilitate an environmental assessment early during project design.
- Provide documentation in the ND or MND that a project would not have a significant effect on the environment.
- Eliminate unnecessary EIRs.
- Determine if a previously prepared EIR could be used for the Project.

In cases where no potentially significant impacts are identified, the Lead Agency may issue a ND, and no mitigation measures would be needed. Where potentially significant impacts are identified, the Lead Agency may determine that mitigation measures would adequately reduce these impacts to less than significant levels. The Lead Agency would then prepare a MND for the proposed project. If the Lead Agency determines that individual or cumulative effects of the proposed project would cause a significant adverse environmental effect that cannot be mitigated to less than significant levels, then the Lead Agency would require an EIR to further analyze these impacts.

1.5 Review and Comment by Other Agencies

Other public agencies are provided the opportunity to review and comment on the IS/MND. Each of these agencies is described briefly below.

- A Responsible Agency (14 CCR § 15381) is a public agency, other than the Lead Agency, that has discretionary approval power over the Project, such as permit issuance or plan approval authority.

- A Trustee Agency[4] (14 CCR § 15386) is a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California.
- Agencies with Jurisdiction by Law (14 CCR § 15366) are any public agencies who have authority (1) to grant a permit or other entitlement for use; (2) to provide funding for the project in question; or (3) to exercise authority over resources which may be affected by the project. Furthermore, a city or county will have jurisdiction by law with respect to a project when the city or county having primary jurisdiction over the area involved is: (1) the site of the project; (2) the area in which the major environmental effects will occur; and/or (3) the area in which reside those citizens most directly concerned by any such environmental effects.

1.6 Impact Terminology

The following terminology is used to describe the level of significance of potential impacts:

- A finding of ***no impact*** is appropriate if the analysis concludes that the project would not affect the particular environmental threshold in any way.
- An impact is considered ***less than significant*** if the analysis concludes that the project would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered ***less than significant with mitigation incorporated*** if the analysis concludes that the project would cause no substantial adverse change to the environment with the inclusion of environmental commitments, or other enforceable measures, that would be adopted by the lead agency.
- An impact is considered potentially significant if the analysis concludes that the project could have a substantial adverse effect on the environment.

An EIR is required if an impact is identified as ***potentially significant***.

1.7 Organization of Initial Study

This IS/MND is organized to satisfy CEQA Guidelines § 15063(d), and includes the following sections:

- **Section 1.0 - Introduction**, which identifies the purpose and scope of the IS/MND.
- **Section 2.0 - Environmental Setting**, which describes location, existing site conditions, land uses, zoning designations, topography, and vegetation associated with the project site and surrounding area.
- **Section 3.0 - Project Description**, which provides an overview of the project, a description of the proposed development, project phasing during construction, and discretionary actions for the approval of the project.
- **Section 4.0 - Environmental Checklist**, which presents checklist responses for each resource topic to identify and assess impacts associated with the proposed project, and proposes mitigation measures, where needed, to render potential environmental impacts less than significant, where feasible.
- **Section 5.0 - References**, which includes a list of documents cited in the IS/MND.

4 The four Trustee Agencies in California listed in CEQA Guidelines § 15386 are California Department of Fish and Wildlife, State Lands Commission, State Department of Parks and Recreation, and University of California.

- **Section 6.0 - List of Preparers**, which identifies the primary authors and technical experts that prepared the Initial Study.

Technical studies and other documents, which include supporting information or analyses used to prepare the IS/MND, are included in the following appendices:

- Appendix A Project Plans
- Appendix A1 Grading Plans
- Appendix B1 Air Quality-Greenhouse Gases
- Appendix B2 GP GHG Plan Consistency
- Appendix C1 Biological Resources Evaluation
- Appendix C2 Jurisdictional Delineation
- Appendix D1 Cultural Survey Report
- Appendix E1 Topo Survey
- Appendix E2 Fault Study
- Appendix E3 Seismic Hazard
- Appendix E4 Geotechnical
- Appendix E5 Paleo Records
- Appendix F1 Phase I Environmental Site Assessment
- Appendix G1 Water Quality Management Plan
- Appendix G2 Drainage Study
- Appendix G3 Percolation Testing
- Appendix G4 Water Supply Assessment/Water Supply Verification
- Appendix G5 Flood Protection
- Appendix H Noise Analysis
- Appendix I1 VMT Analysis
- Appendix I2 Access Analysis
- Appendix J Services and Utilities Letters

1.8 Findings from the Initial Study

1.8.1 No Impact or Impacts Considered Less than Significant

The project would have no impact or a less than significant impact on the following environmental categories listed from Appendix G of the CEQA Guidelines.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services

- Recreation
- Utilities and Service Systems
- Wildfire

1.8.2 Impacts Considered Less than Significant with Mitigation Measures

Based on IS findings, the project would have a less than significant impact on the following environmental categories listed in **Appendix G** of the CEQA Guidelines when proposed mitigation measures are implemented.

- Biological Resources
- Cultural Resources
- Geology and Soils
- Transportation and Traffic
- Tribal Cultural Resources

2.0 ENVIRONMENTAL SETTING

2.1 Project Location

The project site is 38.34 acres on the west side of Palm Drive in the city of Desert Hot Springs. The city of Desert Hot Springs is near the northwest end of the Coachella Valley and is surrounded by Sand to Snow National Monument in the Little San Bernardino Mountains and San Bernardino Mountains on the northeast, north, and west; the Community of Garnet in unincorporated Riverside County on the southeast; and unincorporated Riverside County on the south.[5] The City of Palm Springs is approximately 1.5 miles to the south, and the southwest corner of Joshua Tree National Park is approximately one mile to the east. Regional access to the project site is from Interstate 10 (I-10) via Palm Drive. **Figure 2.1-1** shows the regional location of the project site.

2.1.1 Biology

2.2 Project Setting

The project site, assessor's parcel number (APN) 657280003, is surrounded by vacant land to the north, west, and south, and by the Desert Dunes Golf Club across Palm Drive to the east. The site and surrounding vacant land are vegetated, mainly with creosote bush – white bursage scrub. The nearest cross streets to Palm Drive to the project site are 18th Avenue, approximately 0.25 mile to the north and 20th Avenue, about 0.5 mile to the south, both those roadways extending west from Palm Drive are dirt roads.[6] The nearest developed land uses to the project site other than Desert Dunes Golf Club are commercial uses, a church, and a mobile home park near the intersection of Palm Drive and Dillon Road, approximately 0.75 mile to the north. Elevations onsite range from approximately 768 feet above mean sea level (amsl) in the northeast part of the site to 747 feet amsl in the southwest. **Figure 2.2-2** shows the site's local vicinity, and **Figure 2.2-3** shows photographs of the project site.

[5] Sand to Snow National Monument is co-managed by the US Forest Service and US Bureau of Land Management. Much of the Monument is in the San Bernardino National Forest.

[6] Beacon Way is approximately 0.2 mile south of the project site, and is closed with a locked gate next to the west side of Palm Drive. Therefore, it is not described here as a public roadway.

Figure 2.1-1
REGIONAL LOCATION

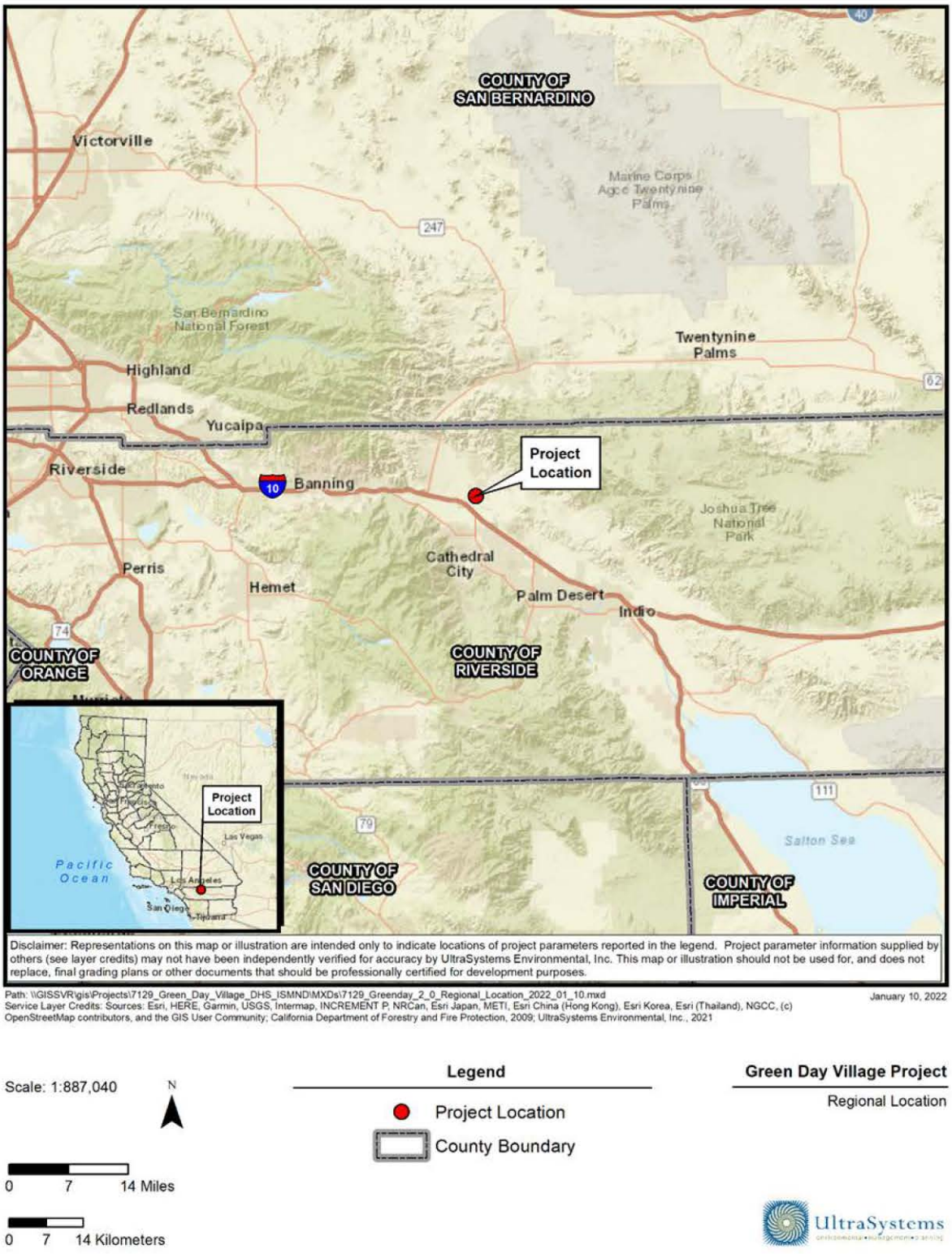


Figure 2.2-2
PROJECT LOCATION

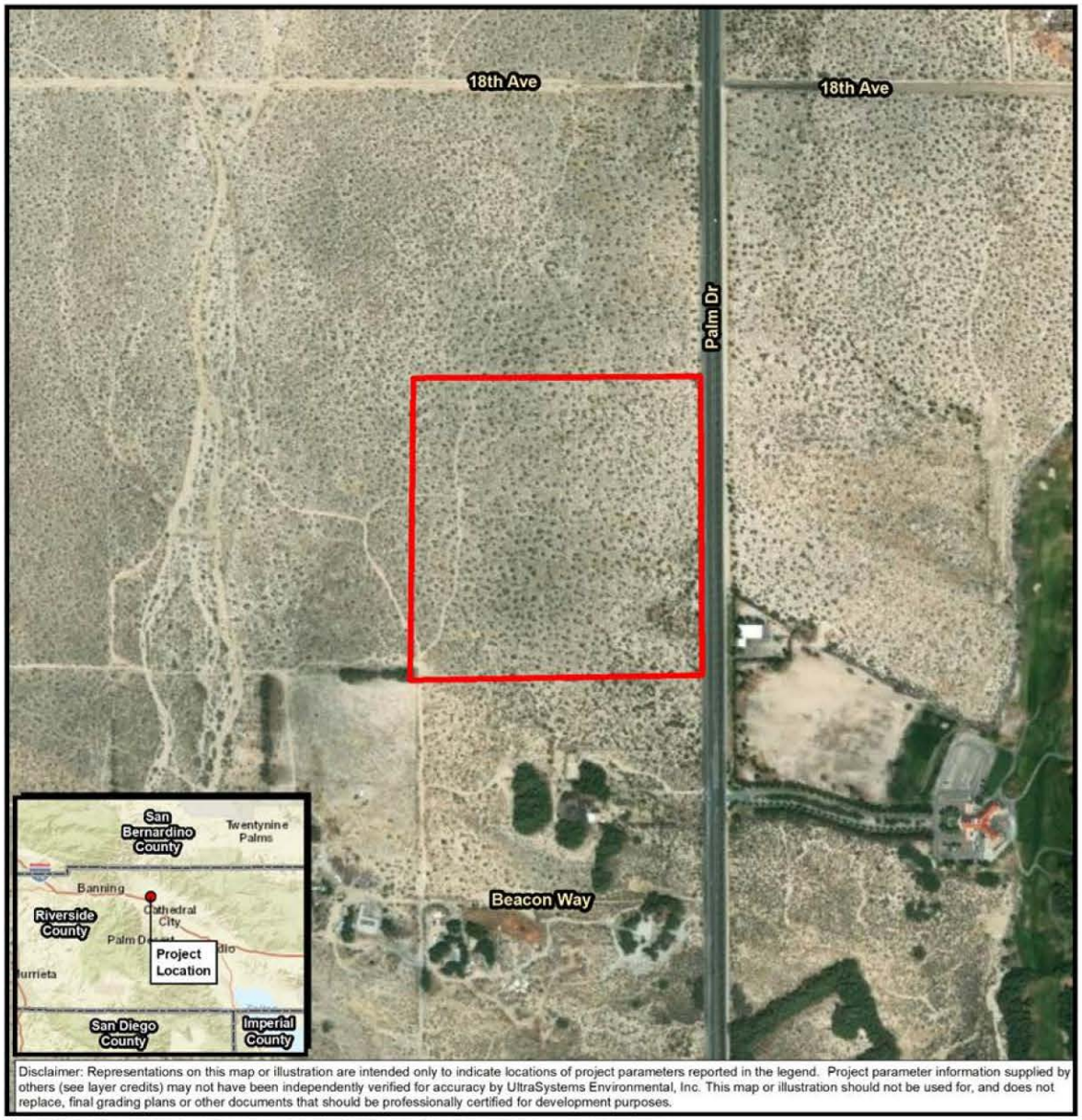


Figure 2.2-3
PROJECT SITE PHOTOGRAPHS



PHOTO 1: View looking northwest across the project site from near the southeast corner of the site.



PHOTO 2: View looking southwest across the project site from the northeast corner of the site; the San Jacinto Mountains are in the background.



PHOTO 3: View looking southeast across the project site from near the northwest corner of the site. The Santa Rosa Mountains are in the right background.



PHOTO 4: View looking northeast across the project site from near the southwest corner of the site; the Little San Bernardino Mountains are in the background.

2.2.1 Land Use and Zoning

The land use designation and zoning of the project site and surrounding areas are listed in **Table 2.2-1** and shown in **Figures 2.2-3** and **2.2-4**. The General Plan and zoning designations for the project site are Mixed Use Corridor (MU-C) for the east half of the site and Residential High (RH) for the west half of the site.

Table 2.2-1
SUMMARY OF LAND USE AND ZONING

Location	General Plan	Zoning	Existing Use
Project Site	Mixed Use Corridor (MU-C) and Residential High (RH)	Mixed Use Corridor (MU-C) and Residential High (RH)	Vacant
Surrounding Areas			
North	Mixed Use Corridor (MU-C) and Open Space (OS)	Mixed Use Corridor (MU-C) and Residential High (RH)	vacant
East	Residential Low (R-L) and Open Space (OS)	Riverside County Specific Plan: Desert Dunes #336	Desert Dunes Golf Club
West	Open Space (OS)	Open Space-Conservation (OS-C)	vacant
South	Mixed Use Corridor (MU-C) and Residential High (RH)	Mixed Use Corridor (MU-C) and Residential High (RH)	vacant

Source: UltraSystems, 2022.

Figure 2.2-3
GENERAL PLAN LAND USE DESIGNATION

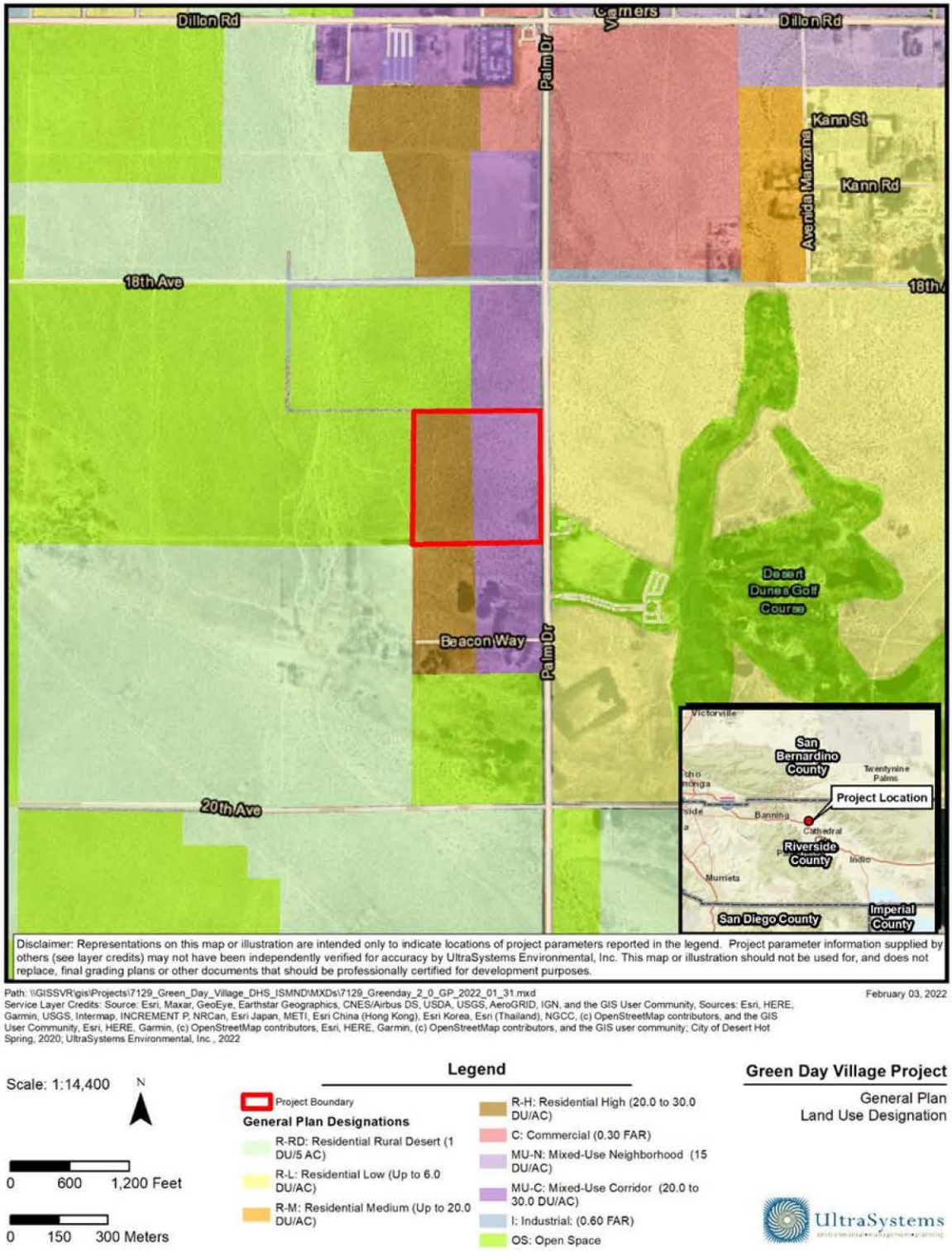
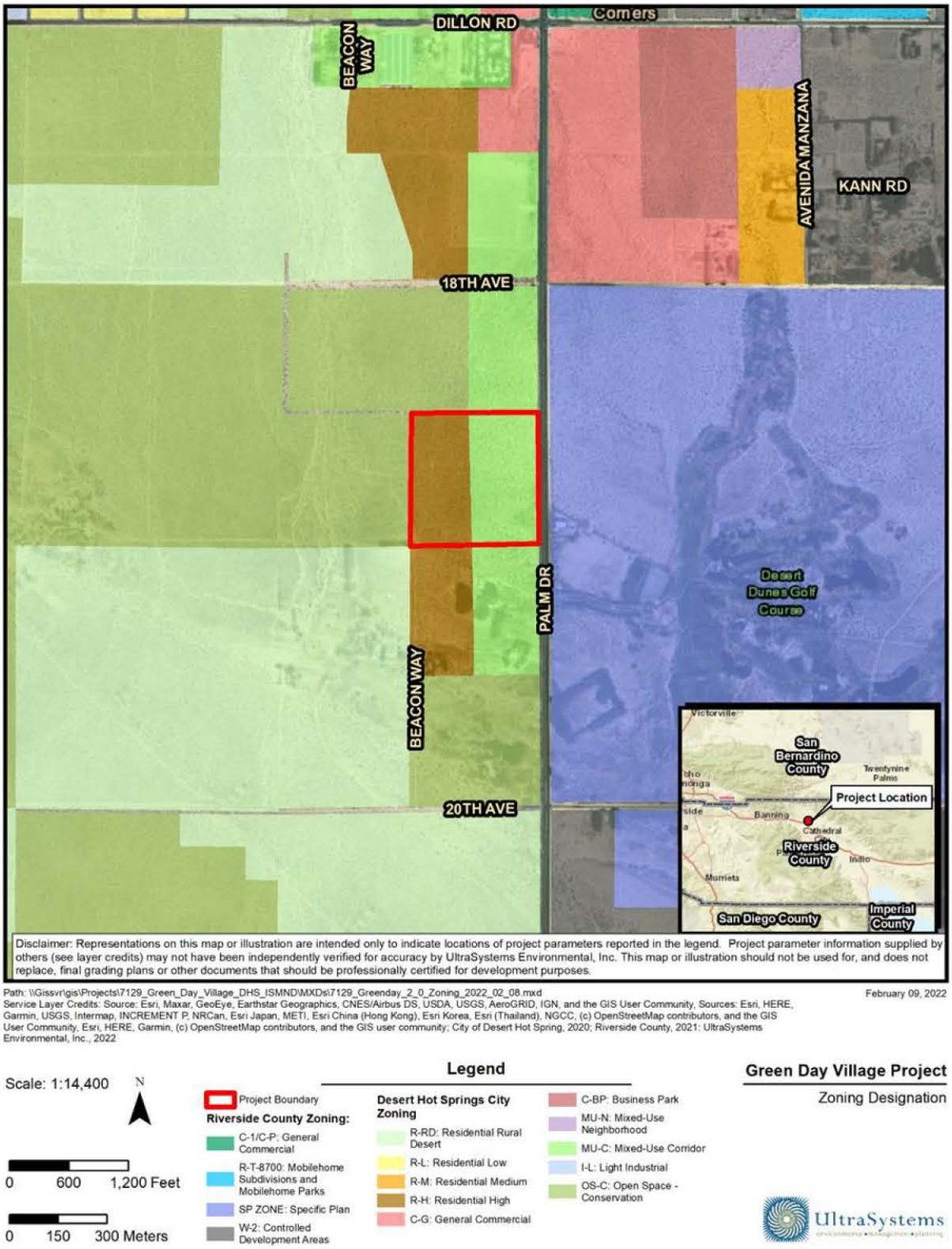


Figure 2.2-4

ZONING DESIGNATION



2.3 Existing Characteristics of the Site

2.3.1 Climate and Air Quality

The project site is located in Coachella Valley portion of the Salton Sea Air Basin (SSAB), a 6,600-square-mile area that includes the Imperial Valley and the central part of Riverside County. The Coachella Valley portion is about 2,500 square miles and is within the jurisdiction of the South Coast Air Quality Management District. The Valley is bounded by the San Jacinto Mountains to the west, and the Little San Bernardino Mountains to the east. Elevation ranges from approximately 500 feet above sea level in the northern part of the Valley to about 150 feet below sea level near the Salton Sea. The climate of the Coachella Valley is a continental, desert-type, with hot summers, mild winters, and very little annual rainfall. Precipitation is less than six inches annually and occurs mostly in the winter months from active frontal systems, and in the late summer months from thunderstorms. Temperatures exceed 100 degrees Fahrenheit, on the average, for four months each year, with daily highs near 110 degrees Fahrenheit during July and August. Summer nights are very mild with minimum temperatures in the mid-70's. During the winter season, daytime highs are quite mild, but the dry air is conducive to nocturnal radiational cooling, with early morning lows around 40 degrees. The Coachella Valley is exposed to frequent gusty winds, which contribute to air quality problems by entraining sand and other particulate matter (SCAQMD, 2009).

The Coachella Valley portion of the SSAB fails to meet national ambient air quality standards for ozone and respirable particulate matter (PM_{10}), and is classified as a "nonattainment area" for those pollutants (USEPA, 2022).

2.3.2 Geology and Soils

The project site is in the Coachella Valley within the Colorado Desert Geomorphic Province, a low-lying desert basin dominated by the Salton Sea. The project site is on a southerly slope consisting of alluvial sand and gravel of valley areas (map symbol Qa; Dibblee and Minch, 20004). The South Branch of the San Andreas Fault passes approximately 0.25 mile south of the project site (Sladden, 2021).

2.3.3 Hydrology

The project site is in the Whitewater River Watershed and is over the Mission Creek Subbasin of the Coachella Valley Groundwater Basin. The Morongo Wash passes approximately 900 feet west of the project site.

2.3.4 Biology

The dominant plant community on the vacant project site and throughout the vacant areas of the biological study area (BSA), which includes the project site and a 500-foot buffer around the project site, is creosote bush scrub. There are stands of tamarisk and California fan palm trees in the southern areas of the BSA. Fauna typical of desert scrub habitat such as birds, reptiles and small mammals are present in the undeveloped areas. There is a network of isolated ephemeral drainages, mainly in the southern section of the project site and BSA. Stormwater flowing down Palm Drive overflows the roadway margin's berm on the eastern boundary of the project site and forms the main drainage in the site's southern region. The surrounding areas are largely undeveloped; however, the four-lane Palm Drive roadway is immediately east of the project site, and part of the grounds of a golf course, including a building, is located in the southeastern section of the BSA, east of Palm Drive. In addition,

there is a network of dirt roads, as well as disturbed areas, in the western and southern areas of the BSA.

2.3.5 Public Services

The following public services serve the project site:

- **Fire:** Riverside County Fire Department
- **Police:** Desert Hot Springs Police Department
- **Schools:** Palm Springs Unified School District
- **Parks:** City of Desert Hot Springs
- **Library:** Riverside County Library System

2.3.6 Utilities

The following utilities serve the project site:

- **Water:** Mission Springs Water District
- **Sewer:** no sewers onsite; Mission Springs Water District owns and maintains sewers in parts of Desert Hot Springs
- **Wastewater Treatment:** Mission Springs Water District
- **Electricity:** no service onsite; in Southern California Edison (SCE)' service area
- **Natural Gas:** no service onsite; in Southern California Gas Company (SCGC) service area
- **Solid waste collection:** Desert Valley Disposal

3.0 PROJECT DESCRIPTION

3.1 Project Background

The City of Desert Hot Springs (City) is processing an application for the Green Day Village project that would permit a mixed-use residential and commercial development on a 37.29-acre site on the west side of Palm Drive between 18th Avenue and 20th Avenue (APN 657280003). The City is the Lead Agency for the purposes of the California Environmental Quality Act (CEQA).

The project site is currently vacant and vegetated mostly with creosote bush – white bursage scrub. The project site is across Palm Drive from Desert Dunes Golf Club to the east, and is surrounded by vacant land to the north, west, and south. Both City zoning and General Plan land use designations for approximately the east half of the site are Mixed Use Corridor (MU-C), which permits integrated residential and commercial uses including residential density of 20 to 30 units per acre. Both the zoning and General Plan designations for the west half of the site are Residential High (R-H), permitting development of multifamily residential uses with densities of 20 to 30 units per acre (Desert Hot Springs, 2020).

3.2 Project Overview

3.2.1 Discretionary Approvals

The project includes applications for several discretionary approvals: a Development Agreement; a Site Development Permit; and a Tentative Tract Map.

Initial Study/Mitigated Negative Declaration (IS/MND)

The City Planning Commission and City Council will consider adoption of the Initial Study and Mitigated Negative Declaration, Case ENV No. 22-2, for the proposed project.

Tentative Tract Map

The project tentative tract map, Case TM No. 22-4, subdivides the project site into 12 parcels; specifies the site grading and drainage improvements; and dedicates right-of-way in the site frontage along Palm Drive to the City of Desert Hot Springs.

Site Development Permit

The proposed Site Development Permit, Case DP No. 22-3, sets out the specific land uses and intensities contained in the project site plan: 608 multi-family residential units (552 in 92 six-unit buildings and 56 in one two-story building); commercial uses totaling 77,971 square feet; and community uses and recreational amenities totaling 17,574 square feet. The contents of the Site Development Permit are described in more detail in the balance of Section 3.0.

Development Agreement

The proposed Development Agreement would provide a significant public benefit in the form of project-provided extensive infrastructure serving multiple properties and the waiver of certain City development fees; and would have a term of at least 10 years.

3.2.2 Residential Uses

The proposed project would include 608 residential units, as summarized in **Table 3.21**. Most units (552 total) would be in 92 two-story, six-unit buildings, with 56 studio loft apartments in one two-story building. The total floor area of the residential units would be 414,742 square feet.

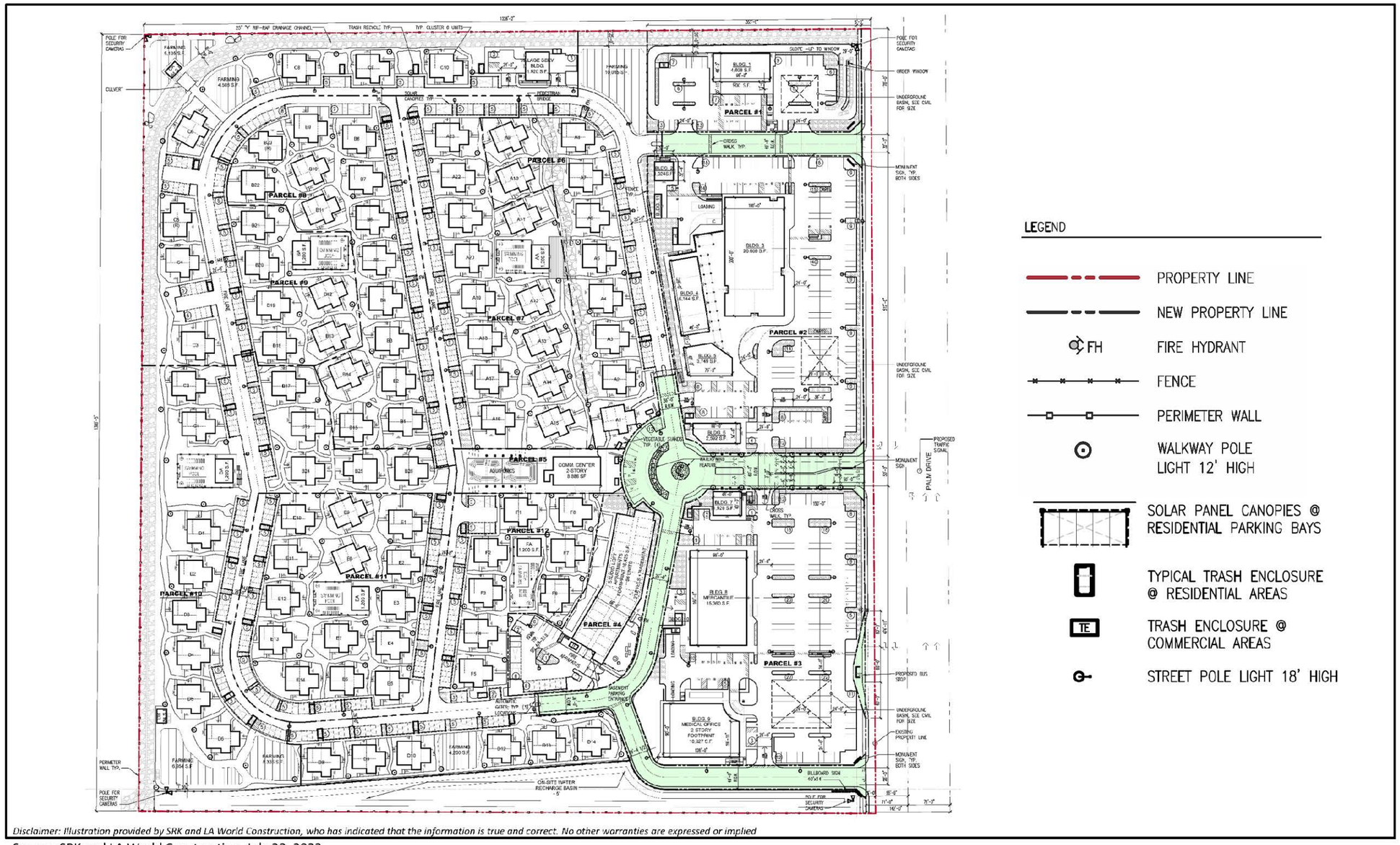
The residential uses would be in the central and western parts of the project site (see **Figure 3.2-1**).

Table 3.2-1
PROPOSED RESIDENTIAL UNITS

Land Use	Residential Units	Square Feet	
		Per unit	Total
Residential			
Two-bedroom, two-story units	92	796	73,232
One-bedroom, two-story units	368	700 to 710	259,256
Studio, two-story loft units	92	553	50,876
Studio and studio loft units	56	553 to 556	30,992
Total	**608**	Not applicable	**414,356**

Source: SKR Architects 2022

Figure 3.2-1
PROPOSED SITE PLAN



Disclaimer: Illustration provided by SRK and LA World Construction, who has indicated that the information is true and correct. No other warranties are expressed or implied

Source: SRK and LA World Construction, July 20, 2023.

UltraSystems environmental•management•planning

Green Day Village
Proposed Site Plan

The site plan divides the 92 two-story residential buildings into seven phases, with the number of residential buildings per phase ranging from 10 (phase 1) to 15 (phase 3). The sites of all seven phases would be mass graded, and utilities installed, at one time. Project plans involve sequencing development for each phase: for example, after one phase is completed and is being leased, construction on the next phase could proceed. The seven phases might not be developed in numerical order. This project description—and the environmental analysis in this Initial Study—treats these seven residential phases as one large phase.

3.2.3 Commercial Uses

The project proposes 77,971 square feet of commercial uses in the eastern part of the project site (see **Figure 3.2-1**). The commercial uses are currently envisioned to include two restaurant/food service buildings totaling 10,752 square feet, seven retail uses totaling 45,365 square feet, a two-story medical office building with 21,854 square feet in floor area, and two recycling centers totaling 720 square feet.

3.2.4 Community Uses and Recreational Amenities

The project would include five swimming pools with pool houses of 1,200 square feet each and a two-story community center with 8,886 square feet in floor area (see **Figure 3.2-1**).

Six farming areas would be provided – three near the south site boundary and three near the north site boundary—totaling approximately 36,144 square feet. One area for aquaponics – that is, a combination of aquaculture (fish and/or shellfish farming) with hydroponics (growing plants without soil in a solution of minerals in water) would be provided in the middle of the project site. A 1,920-square-foot Village Service building housing maintenance and operations supplies for the residential unit management would be near the northeast corner of the residential portion of the site. Four vegetable stands would be placed near the middle of the project site.

Table 3.2-2 summarizes commercial and other non-residential development.

Table 3.2-2
PROPOSED NON-RESIDENTIAL LAND USES

Land Use	Square Feet
Commercial	
Restaurant/food service (2 buildings)	10,752
Retail (7 spaces)	45,365
Medical Office	21,854
Recycling Centers (2)	720
Total	**77,971**
Community Uses	
Community Center (1)	8,886
Pool Houses (5)	6,000
Village Service (1)	1,920
Barns (2)	768
Total	**17,574**
Total	
Total Non-Residential	**95,545**
Total Residential (608 units) ***see Table 3.2-1***	**414,356**
Total Project	**509,901**

Source: SKR Architects 2022

3.2.5 Access, Circulation, and Parking

Site access would be via three driveways from Palm Drive. The main entrance would be in the center of the site's frontage on Palm Drive and would lead to a roundabout connecting to two driveways into the residential portion of the project. The northerly entrance would be near the northeast corner of the site and would connect to a driveway around the northern perimeter of the residential area. The southerly entrance would be near the southeast corner of the site and would connect to a driveway along the south perimeter of the residential area (see **Figure 3.2-1**). Access into the residential parts of the project site would be controlled by automatic vehicle and pedestrian gates—one of each at three locations— would be available only to residents, guests, Green Day Village employees, and first responders. All three gates would be equipped with Knox boxes. First responder vehicles are equipped with remote controls for Knox boxes.

An internal driveway would surround most of the residential buildings. Access from Palm Drive to the internal road in the residential area would be via the three driveways from Palm Drive described above, which would continue through the commercial uses in the eastern part of the site and connect to drive aisles through parking lots in the eastern part of the site. A combination drive aisle and fire lane would extend north-south through the central part of the project site (see **Figure 3.2-1**).

Parking

The project would provide a total of 1,023 parking spaces. Parking for the 92 residential buildings (481 spaces) would be located in the driveways along the perimeter of the residential area, and along the north-south drive aisle through the middle of the site. Parking for the commercial part of the site (456 spaces) would be in parking lots next to the proposed commercial buildings. Parking for the 60 loft apartments (64 spaces) would be in one semi-subterranean parking level under the apartment building (38 spaces) and surface parking next to the southwest side of the apartment building. An additional 12 spaces would be provided along the roundabout in the east-central part of the site (see **Table 3.2-3**).

Table 3.2-3
PROPOSED PARKING

Land Uses		Parking Spaces Required	Parking Spaces Provided[1]
Commercial uses (parcels 1, 2, 3)		386	466
Residential Uses	92 six-unit buildings (phases 1-7)	460	481
	60 loft apartments (parcel 4)	102	64 (38 semi-subterranean and 26 surface)
Right-of-way (roundabout in east-central part of site)		Not applicable	12
Total		**948**	**1,023**

[1] All parking would be at-grade surface parking except for the 38 semi-subterranean spaces noted.
Source: SRK Architects Inc. 2022

3.2.6 Drainage

A V-channel lined with rip-rap would extend along the northern and western site boundaries to collect and convey stormwater from offsite away from the proposed developments (see **Figure 3.2-1**). A retention pond would be built next to the north site boundary and the V-channel. A seasonal arroyo would extend north to south through part of the central portion of the site. At project completion slightly more than half the site would consist of permeable surfaces, including the drought-tolerant landscaping, approximately 8.6 acres of stabilized gravel permeable paving in the commercial part of the site, garden plots, and the retention basin in the north part of the site.

Regional drainage in a 100-year flood would pass through the project site from north to south in corridors. All building pads would be elevated above the 100-year flood elevations.

3.2.7 Landscaping

The project proposes approximately 501,500 square feet (11.5 acres) of drought-tolerant landscaping consisting of 10.1 acres in the residential area of the site and 1.4 acres in the commercial area. Six farm areas and an aquaponics area would be provided.

3.3 Project Operation

3.3.1 Sustainable Community

The project proposes several sustainable features, including farming areas and vegetable stands, stormwater infiltration through two retention basins and a constructed stream, and a mix of land uses to reduce the need for vehicle trips off-site.

3.3.2 Employment

Project operation would generate an estimated 158 jobs, as shown below in Table 3.3-1.

Table 3.3-1
ESTIMATED PROJECT EMPLOYMENT GENERATION

Land Use	Square Feet	Employment Generation	
		Square feet per employee[1]	Total employees
Commercial Uses			
Retail	44,645	585	76.3
Restaurants	10,752	585	18.4
Medical office building	21,854	466	46.9
Recycling Centers	720	500	1.4
Subtotal	**77,971**	Not applicable	**143**
Community Center	8,886	585	15.2
Total	**86,857**	Not applicable	**158.2**

[1] Note: employment density factors are for five counties in the Southern California Association of Governments region (Los Angeles, Orange, San Bernardino, Riverside, and Ventura) and are median square feet per employee (Natelson Co. 2001). The factor for community center is that for other retail/services; and the factor for recycling center is one used by many jurisdictions for many types of employment-generating land uses.
[1] **Source**: Natelson Co. 2001

3.3.2.1 Perimeter Fencing and Access Gates

The project proposes installation of a six-foot-high metal fence along the northern, western, and southern site perimeter and within the site, separating the commercial (publicly accessible) from residential (gated) portions of the project site.

The project proposes three gates separating the residential from the commercial portions of the project site: one in the driveway on the southern perimeter of the residential area; the second just north of the roundabout near the center of the site; and the third in the driveway extending into the site from the northerly entrance (see **Figure 3.2-1**). Manned gates would be installed next to the

northerly and southerly vehicle gates, and two manned gates would be installed next to the roundabout.

3.3.2.2 Utilities

Sanitary Sewer –A new sewer line would be installed extending from the project site to an existing sewer main at the intersection of Little Morongo Road and 20th Avenue, approximately two miles to the southwest.

Domestic Water - New water meters would be installed as required to meet the demands calculated by the plumbing contractor for the project and in compliance with the requirements of the city's Public Works Department. Water would be provided by the Mission Springs Water District (MSWD). A new water line would be installed extending from the project site to an existing water main at the intersection of Little Morongo Road and 20th Avenue, approximately two miles to the southwest.

Dry Utilities - It is anticipated that a new natural gas connection would be needed to serve the project. Natural gas service would be provided to the project site by the Southern California Gas Company. Southern California Edison would provide electricity to the project.

3.4 Construction Activities

Off-site improvements include underground utility work (sewer main extension).

3.4.1 Construction Schedule

Project construction is estimated to be approximately 34 months' duration, as shown below in **Table 3.4-1.** The project would be built in three major phases: Zero (site preparation, grading and utilities trenching), One (housing construction) and Two (commercial construction). The three major phases are scheduled in series. However, substantial overlap would occur between subphases within each major phase.

Table 3.4-1
ASSUMED CONSTRUCTION SCHEDULE

Phase	Construction Phase	Start Date	End Date
Phase 0	Site Preparation	January 1, 2024	February 10, 2024
	Rough Grading	February 11, 2024	May 26, 2024
	Trenching	May 27, 2024	June 27, 2024
Phase 1	Fine Grading	July 1, 2024	August 4, 2024
	Building Construction	August 5, 2024	November 22, 2025
	Paving	August 30, 2025	November 14, 2025
	Architectural Coating	August 30, 2025	December 30, 2025
Phase 2	Fine Grading	January 1, 2026	January 6, 2026
	Building Construction	January 7, 2026	October 13, 2026
	Paving	October 28, 2026	November 10, 2026
	Architectural Coating	October 14, 2026	October 27, 2026

3.4.2 Construction Equipment

The types and numbers of pieces of equipment anticipated in each phase of construction and development were estimated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0 (BREEZE Software, 2021) and UltraSystems' experience with similar projects, and are listed below in **Table 3.4-2**.

Table 3.4-2
EQUIPMENT TYPE BY CONSTRUCTION PHASE

Phase	Construction Phase	Equipment Type	No. of Pieces
Phase 0	Site Preparation	Rubber-Tired Dozers	3
		Tractors/Loaders/Backhoes	4
	Rough Grading	Excavators	2
		Graders	1
		Rubber Tired Dozers	1
		Scrapers	2
		Tractors/Loaders/Backhoes	2
	Trenching	Tractors/Loaders/Backhoes	3
		Trenchers	3
Phase 1	Fine Grading	Graders	1
		Rubber Tired Dozers	1
		Tractors/Loaders/Backhoes	2
	Building Construction	Cranes	1
		Forklifts	3
		Generator Sets	1
		Tractors/Loaders/Backhoes	3
		Welders	1
	Paving	Pavers	2
		Paving Equipment	2

Phase	Construction Phase	Equipment Type	No. of Pieces
		Rollers	2
	Architectural Coating	Air Compressors	1
Phase 2	Fine Grading	Graders	1
		Rubber Tired Dozers	1
		Tractors/Loaders/Backhoes	2
	Building Construction	Cranes	1
		Forklifts	1
		Generator Sets	1
		Tractors/Loaders/Backhoes	1
		Welders	3
	Paving	Cement and Mortar Mixers	1
		Pavers	1
		Paving Equipment	1
		Rollers	1
		Tractors/Loaders/Backhoes	1
	Architectural Coating	Air Compressors	1

3.5 Discretionary Actions

Approvals and entitlement requests associated with this development are described above in Section 3.2.1 and listed below.

- Site Development Permit
- Development Agreement
- Tentative Tract Map: for dividing the site into 12 parcels:
  - Parcels 1 through 3: comprising the proposed commercial portion of the project;
  - 4: the loft apartment building;
  - 5: the community center and aquaponics area; and
  - 6 through 12: the balance of the site, largely consisting of 92 six-unit residential buildings.

3.5.1 Other Permits and Approvals

Following Lead Agency adoption of the Initial Study/Mitigated Negative Declaration, the following permits and approvals would be required prior to construction, as shown in **Table 3.5-1** below.

Table 3.5-1
PERMITS AND APPROVALS

Agency	Permit or Approval
City of Desert Hot Springs Building and Safety Division	Grading Permit Building Permits

Agency	Permit or Approval
Riverside County Fire Department	Building plan check and approval. Review for compliance with the City of Desert Hot Springs Fire and Building Codes. Plans for fire detection and alarm systems, and automatic sprinklers.
Mission Springs Water District	Letter of authorization/consent for proposed improvements to provide water supply connection to new development.
Southern California Gas Company	Letter of authorization/consent for proposed improvements to provide natural gas connection to new development.
Southern California Edison Company	Letter of authorization/consent for proposed improvements to provide electrical connection to new development.

4.0 ENVIRONMENTAL CHECKLIST

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 as a "Potentially Significant Unless Mitigation Incorporated," as indicated by the checklist on the following pages.

Note, these determinations may change before submission of final initial study

☐ Aesthetics	☐ Agricultural and Forest 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

Determination (To Be Completed by the Lead Agency)

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 described 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.

Patricia M. Villagomez — Signature

July 25th, 2023 — Date

Patricia Villagomez — Printed Name

City of Desert Hot Springs

Evaluation of Environmental Impacts

(1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

(2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

(3) Once the lead agency has determined that a particular physical impact may occur then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

(4) "Negative Declaration: Less than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to less than significant level.

(5) Earlier analyses may be use where, pursuant to the tiering, Program EIR, or other CEQA process, an affect has been adequately analyzed in an earlier EIR or negative declaration. (See Section 15063(c)(3)(D) of the CEQA Guidelines. In this case, a brief discussion should identify the following:

   (a) Earlier Analyses Used. Identify and state where the earlier analysis available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

(6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

(7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

(8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

(9) The explanation of each issue should identify:

(a) The significance criteria or threshold, if any, used to evaluate each question; and

(b) The mitigation measure identified, if any, to reduce the impact to less than significant

4.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			**X**	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				**X**
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?			**X**	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			**X**	

4.1.1 Introduction

A "visual environment" includes the built environment (development patterns, buildings, parking areas, and circulation elements) and natural environment (such as hills, vegetation, rock outcroppings, drainage pathways, and soils) features. Visual quality, viewer groups and sensitivity, duration, and visual resources characterize views.

- Visual quality refers to the general aesthetic quality of a view, such as vividness, intactness, and unity.
- Viewer groups identify who is most likely to experience the view. High-sensitivity land uses include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas.
- Duration of a view is the amount of time that a particular view can be seen by a specific viewer group.
- Visual resources refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.

4.1.2 Impact Analyses

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact

Scenic vistas generally include extensive panoramic views of natural features, unusual terrain, or unique urban or historic features, for which the field of view can be wide and extend into the distance, and focal views that focus on a particular object, scene or feature of interest.

The City of Desert Hot Springs is near the northwest corner of the Coachella Valley, which is surrounded by mountains on all sides: the San Bernardino Mountains on the northwest, and, going clockwise, the Little San Bernardino Mountains on the north and northeast; the Santa Rosa Mountains to the south, and the San Jacinto Mountains to the southwest. San Gorgonio Mountain in the San Bernardino Mountains, at 11,502 feet, is the highest point in southern California. The Coachella Valley trends northwest-southeast. The City of Desert Hot Springs is near the northwest end of the Valley, and the Valley extends southeast approximately 50 miles to the north end of the Salton Sea.

The project site is on the Coachella Valley floor and has a south slope of approximately 1.5% grade. The site is vegetated mainly with creosote bush – white bursage scrub. The vegetation consists of shrubs typically spaced a few yards apart; the soil is partially covered by grasses. The view southeast from the project site across the Coachella Valley is obscured by vegetation (numerous trees and large shrubs) on the Desert Dunes Golf Club east of the project site across Palm Drive, and by small hills near the site. A few small groves of trees are visible a short distance south of the project site. Numerous power-generating wind turbines are visible west of the city in the San Gorgonio Pass. The Interstate 10 overpass over Palm Drive is visible in the distance south of the site.

No public vantage points are present to the north, west, and south of the project site, as those areas are vacant desert land. The only public vantage points next to the project site are on Palm Drive abutting the east site boundary. The project region is surrounded by high mountains to the northwest (San Bernardino Mountains) and southwest (San Jacinto Mountains). Most of the commercial buildings in the eastern part of the project site would be single-story and would be set back approximately 150 feet or more from Palm Drive. Therefore, development of the proposed project would not substantially diminish scenic vistas from public vantage points, and impacts would be less than significant.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact

The California Department of Transportation (Caltrans) provides information regarding officially designated or eligible state scenic highways, designated as part of the California Scenic Highway Program. The nearest designated state scenic highway to the project site is State Route 62 (SR-62), as shown in **Figure 4.1-1,** approximately 5.6 miles to the west. The project site is not visible from SR-62, and project development would not damage scenic resources in SR-62. No impact would occur.

c) Would the project 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?

Less than Significant Impact

While the project site is in the City of Desert Hot Springs and in the Coachella Valley, much of which is urbanized, the project site is outside of 2010 Adjusted Urban Areas mapped on the Caltrans California Road System map (Caltrans, 2022), and is thus classified as rural. The project site is relatively flat desert landscape vegetated with creosote bush – white bursage scrub; **Figure 4.1.2** shows photographs of the site. The site is surrounded by vacant land to the north, west, and south; and by the Desert Dunes Golf Course opposite Palm Drive to the east. While project development would change the scenic character of the project site, the change would not be a substantial adverse one. Residential developments are common in and near the City of Desert Hot Springs, and the proposed residential project would not appear to be out of place. Impacts would be less than significant.

Figure 4.1-1
STATE SCENIC HIGHWAYS AND NATIONAL BYWAYS

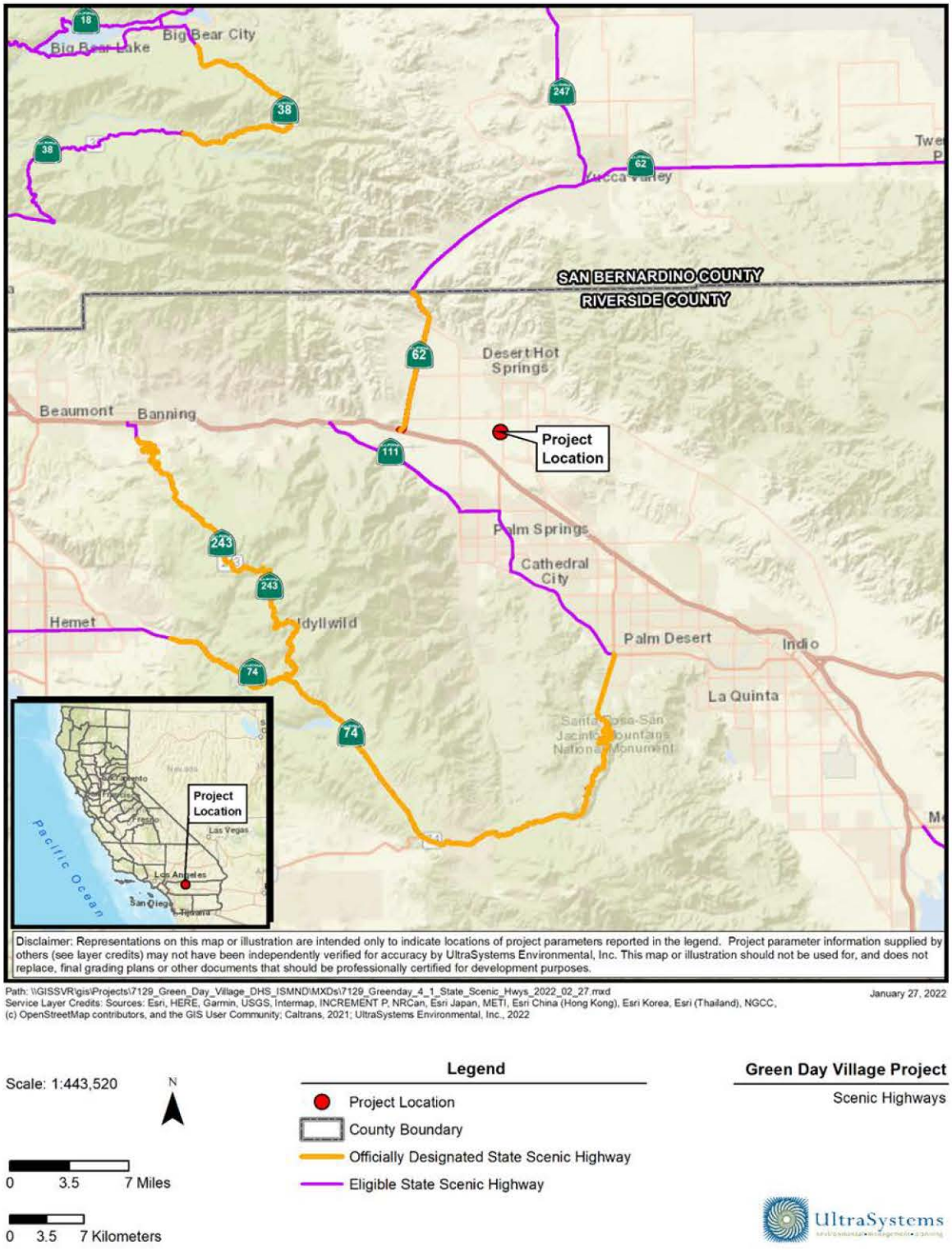


Figure 4.1-2
PROJECT SITE PHOTOGRAPHS



PHOTO 1: View looking northwest across the project site from near the southeast corner of the site.



PHOTO 2: View looking southwest across the project site from the northeast corner of the site; the San Jacinto Mountains are in the background.



PHOTO 3: View looking southeast across the project site from near the northwest corner of the site. The Santa Rosa Mountains are in the right background.



PHOTO 4: View looking northeast across the project site from near the southwest corner of the site; the Little San Bernardino Mountains are in the background.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact

The project site is vacant. No light sources are present onsite; the only lights near the project site are vehicle lights on Palm Drive. The Desert Dunes Golf Club clubhouse is screened by trees and not visible from Palm Drive and the project site. The project site is characterized by low nighttime ambient light levels. The project site is near the urbanized areas of both Desert Hot Springs and Palm Springs. Safety lights on numerous wind turbines are visible at night from the project site. Project development would add parking lot lights, exterior and interior building lights, and vehicle lights to the project site. While project lighting would be an increase in lighting on the project site, the types of lights and light levels would be typical of developed areas of Desert Hot Springs and would not adversely affect nighttime views in the area. All exterior lighting installed by the project would comply with City of Desert Hot Springs Municipal Code Section 14.70.170, which requires shielding and filtering on most outdoor lighting and prohibits certain types of outdoor lighting (QCode, 2022).

The exteriors of the proposed residential units would consist of wood, glass, and plaster. The exteriors of the proposed commercial buildings would consist of glass, plaster, and small amounts of metal. The exteriors would not generate substantial glare and thus would not adversely affect daytime or nighttime views in the area. Impacts would be less than significant.

4.2 Agriculture and Forestry Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				**X**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				**X**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?				**X**
d) Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
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?				**X**

4.2.1 Introduction

This Section addresses project impacts on mapped important farmland; forest land; zoning for agricultural use including forest and timberland uses; and Williamson Act contracts. Williamson Act contracts restrict the use of privately-owned land to agriculture and compatible open-space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value. Only land located within an agricultural preserve is eligible to participate (DLRP, 2023a).

The California Farmland Mapping and Monitoring Program uses eight categories in mapping farmland; only three of those categories, Prime Farmland, Farmland of statewide Importance, and Unique Farmland, are subject to CEQA analysis (DLRP, 2023b).

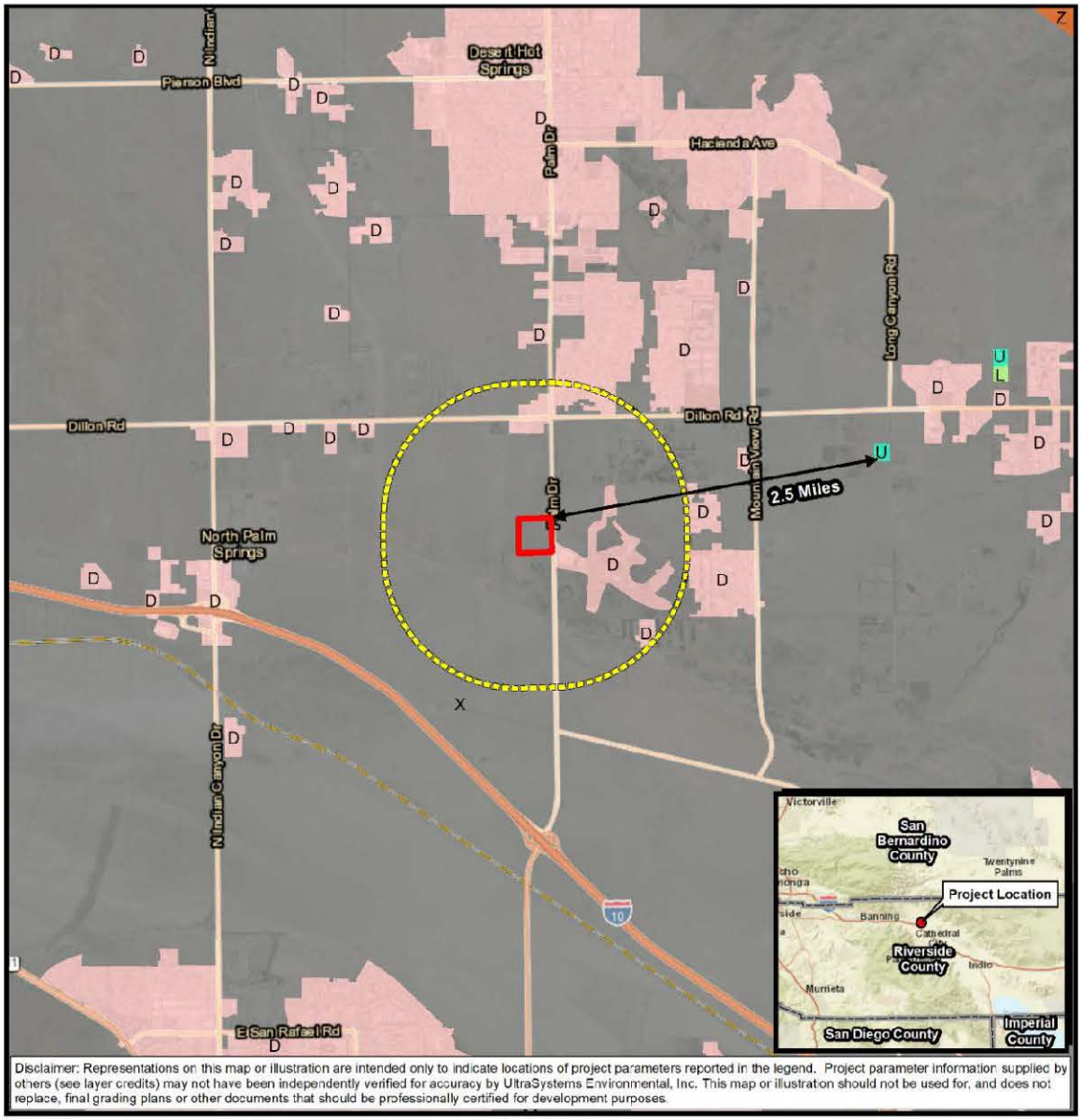
4.2.2 Impact Analyses

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact

The California Department of Conservation (DOC) established the Farmland Mapping and Monitoring Program (FMMP) in 1982 to identify critical agricultural lands and track the conversion of these lands to other uses. The FMMP is a non-regulatory program and provides a consistent and impartial analysis of agricultural land use and land use changes throughout California. The project site is not mapped as farmland on the California Important Farmland Finder maintained by the Division of Land Resource Protection (DLRP, 2022). The site is mapped as Other Land, which includes low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing (DLRP, 2022; see **Figure 4.2-1**). Project development would not convert mapped important farmland to non-agricultural use, and no impact would occur.

Figure 4.2-1
IMPORTANT FARMLAND CATEGORIES



b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact

The project site is zoned Mixed Use Corridor (MU-C) and Residential High (RH) by the City of Desert Hot Springs (Desert Hot Springs, 2020). The MU-C zone does not permit agricultural uses (City of Desert Hot Springs Municipal Code Section 7.14.020; QCode, 2022). The RH zone does not permit commercial agricultural uses, which is the subject of CEQA analysis of impacts on farmland; the only agricultural use permitted is private gardens (City of Desert Hot Springs Municipal Code Section 17.08.020; QCode 2022). While the project proposes six "farm" areas totaling approximately 0.8 acre (36,144 square feet), the farm areas would be intended for community use by residents. CEQA analysis of impacts to farmland focuses on intensive commercial agriculture.

Williamson Act contracts restrict the use of privately-owned land to agriculture and compatible open-space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value. Only land located within an agricultural preserve is eligible to participate. The project site is not in an agricultural preserve; the nearest such preserve is near the city of Indio approximately 16 miles to the southeast, as shown on **Figure 4.2-2**. Therefore, the project would not conflict with existing zoning for agriculture uses or any Williamson Act contracts and no impacts would occur.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?

No Impact

The project site is zoned Mixed Use Corridor (MU-C) and Residential High (RH) and is not zoned for forest land, timberland, or timberland production. No impact respecting such zoning would occur.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact

The project site is vegetated with desert scrub. The site does not support forest vegetation and is not cultivated for forest resources. Project development would not convert forest land to non-forest use, and no impact would occur.

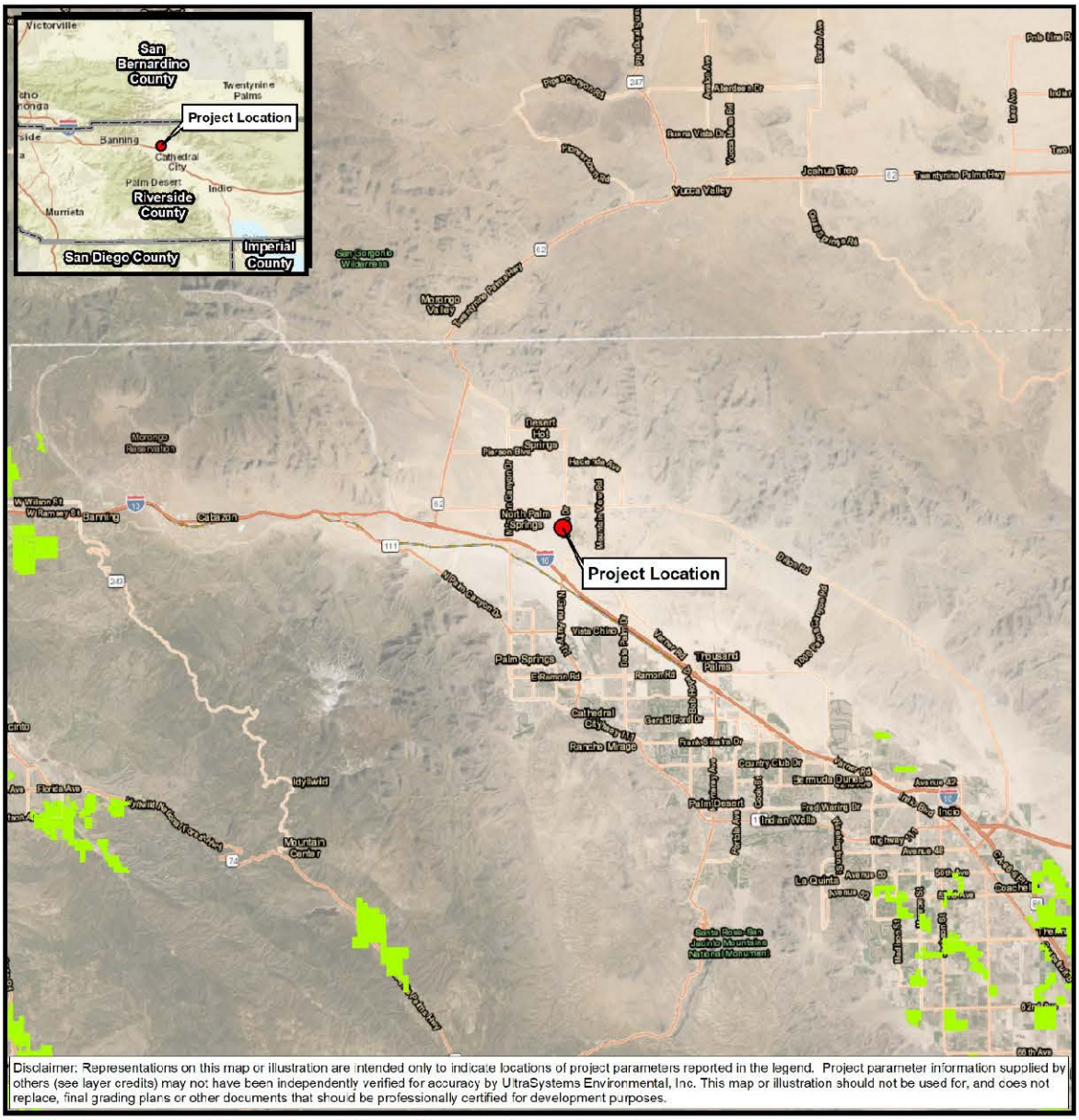
e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact

No mapped important farmland, and no forest land, are present on or near the project site. Therefore, project development would not cause changes to the environment, due to their location or nature,

which could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use, and no impacts would occur.

Figure 4.2-2
AGRICULTURAL PRESERVES



Path: \\GISSVR\gis\Projects\7129_Green_Day_Village_DHS_ISMND\MXDs\7129_Greenday_4_2_WilliamsonAct_2022_02_01.mxd
Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community; Riverside county, 2020; UltraSystems Environmental, Inc., 2022

February 01, 2022

Scale: 1:380,160

N

0 6 Miles

0 6 Kilometers

Legend

- Project Location
- Agricultural Preserve

Green Day Village Project
Williamson Act Lands

UltraSystems
environmental • management • planning

4.3 Air Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			**X**	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?			**X**	
c) Expose sensitive receptors to substantial pollutant concentrations?			**X**	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			**X**	
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.				

4.3.1 Introduction

Pollutants of Concern

Criteria pollutants are air pollutants for which acceptable levels of exposure can be determined and an ambient air quality standard has been established by the U.S. Environmental Protection Agency (EPA) and/or the California Air Resources Board (ARB). The criteria air pollutants of concern are nitrogen dioxide (NO_2), carbon monoxide (CO), particulate matter (PM_{10} and $PM_{2.5}$), sulfur dioxide (SO_2), lead (Pb), and ozone (O_3), and their precursors. Since the proposed project would not generate appreciable SO_2 or Pb emissions,[7] it is not necessary for the analysis to include those two pollutants. The project site is located in the Coachella Valley portion of the Salton Sea Air Basin (SSAB), which includes the Imperial Valley and the central part of Riverside County. The Coachella Valley portion is about 2,500 square miles and is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). **Table 4.3-1** shows the area designation status of the SSAB for each criteria pollutant for both the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). Presented below is a description of the air pollutants of concern and their known health effects.

7 Sulfur dioxide emissions will be below 0.12 pound per day during construction and 0.37 pound per day during operations.

Table 4.3-1
FEDERAL AND STATE ATTAINMENT STATUS

Pollutants	Federal Classification	State Classification
Ozone (O_3)	Non-Attainment (Severe-15)	Non-Attainment
Particulate Matter (PM_{10})	Non-Attainment (Serious)	Non-Attainment
Fine Particulate Matter ($PM_{2.5}$)	Non-Attainment (Serious)	Attainment
Carbon Monoxide (CO)	Unclassified/Attainment	Attainment
Nitrogen Dioxide (NO_2)	Unclassified/Attainment	Attainment
Sulfur Dioxide (SO_2)	Unclassified/Attainment	Attainment
Sulfates	N/A	Attainment
Lead (Pb)	Unclassified/Attainment	Attainment
Hydrogen Sulfide (H_2S)	N/A	Unclassified
Visibility Reducing Particles	N/A	

Source: ARB, 2020, USEPA,2022a, USEPA,2022b, USEPA,2022c

Nitrogen oxides (NO_x) serve as integral participants in the process of photochemical smog production, and are precursors for certain particulate compounds that are formed in the atmosphere. The two major forms of NO_x are nitric oxide (NO) and nitrogen dioxide (NO_2). NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO_2 is a reddish-brown pungent gas formed by the combination of NO and oxygen. NO_2 acts as an acute respiratory irritant and eye irritant, and increases susceptibility to respiratory pathogens. A third form of NO_x, nitrous oxide (N_2O), is a greenhouse gas (GHG).

Carbon monoxide (CO) is a colorless, odorless non-reactive pollutant produced by incomplete combustion of carbon substances (e.g., gasoline or diesel fuel). The primary adverse health effect associated with CO is its binding with hemoglobin in red blood cells, which decreases the ability of these cells to transport oxygen throughout the body. Prolonged exposure can cause headaches, drowsiness, or loss of equilibrium; high concentrations are lethal.

Particulate matter (PM) consists of finely divided solids or liquids, such as soot, dust, aerosols, fumes and mists. Two forms of fine particulate matter are now regulated. Respirable particles, or PM_{10}, include that portion of the particulate matter with an aerodynamic diameter of 10 micrometers (i.e., 10 one-millionths of a meter or 0.0004 inch) or less. Fine particles, or $PM_{2.5}$, have an aerodynamic diameter of 2.5 micrometers (i.e., 2.5 one-millionths of a meter or 0.0001 inch) or less. Particulate discharge into the atmosphere results primarily from industrial, agricultural, construction, and transportation activities. However, wind action on the arid landscape also contributes substantially to the local particulate loading. Fossil fuel combustion accounts for a significant portion of $PM_{2.5}$. In addition, particulate matter forms in the atmosphere through reactions of NO_x and other compounds (such as ammonia) to form inorganic nitrates and sulfates. Both PM_{10} and $PM_{2.5}$ may adversely affect

the human respiratory system, especially in those people who are naturally sensitive or susceptible to breathing problems.

Reactive organic gases (ROG) are compounds comprised primarily of atoms of hydrogen and carbon that have high photochemical reactivity. The major source of ROG is the incomplete combustion of fossil fuels in internal combustion engines. Other sources of ROG include the evaporative emissions associated with the use of paints and solvents, the application of asphalt paving and the use of household consumer products. Some ROG species are listed toxic air contaminants, which have been shown to cause adverse health effects; however, most adverse effects on human health are not caused directly by ROG, but rather by reactions of ROG to form other criteria pollutants such as ozone. ROG are also transformed into organic aerosols in the atmosphere, contributing to higher levels of fine particulate matter and lower visibility. The term "ROG" is used by the CARB for air quality analysis and is defined the same as the federal term "volatile organic compound" (VOC).

Ozone (O_3) is a secondary pollutant produced through a series of photochemical reactions involving ROG and NO_x. O_3 creation requires ROG and NO_x to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, O_3 is considered a regional, rather than a local, pollutant. The health effects of O_3 include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. O_3 is also damaging to vegetation and untreated rubber.

Climate/Meteorology

The project site is located in Coachella Valley portion of the Salton Sea Air Basin (SSAB), that includes the Imperial Valley and the central part of Riverside County. The Coachella Valley portion is about 2,500 square miles and is within the jurisdiction of the South Coast Air Quality Management District. The Valley is bounded by the San Jacinto Mountains to the west, and the Little San Bernardino Mountains to the east. Elevation ranges from approximately 500 feet above sea level in the northern part of the Valley to about 150 feet below sea level near the Salton Sea. The climate of the Coachella Valley is a continental, desert-type, with hot summers, mild winters, and very little annual rainfall.

The mean annual high and low temperatures in the project area—as determined from the nearest weather station is the Palm Springs (04663), which has a period of record from 1906 to 2016—are 88.6 degrees Fahrenheit (°F) and 57.2°F (WRCC, 2022). Temperature exceeds 100 degrees Fahrenheit, on the average, for four months each year, with daily highs near 110 degrees Fahrenheit during July and August. Summer nights are very mild with minimum temperatures in the mid-70's. During the winter season, daytime highs are quite mild, but the dry air is conducive to nocturnal radiational cooling, with early morning lows around 40 degrees.

The total average annual precipitation is 5.49 inches and occurs mostly in the winter months from active frontal systems, and in the late summer months from thunderstorms. The Coachella Valley is exposed to frequent gusty winds, which contribute to air quality problems by entraining sand and other particulate matter (SCAQMD, 2009)

Local Air Quality

The nearest air monitoring station to the project site is Palm Springs - Fire Station, located at 590 East Racquet Club Avenue, Palm Springs, which is approximately 4.5 miles south of the project site.

Criteria pollutants monitored at the Palm Springs - Fire Station include ozone, PM_{10}, $PM_{2.5}$, and NO_2. The ambient air quality data in the proposed project vicinity as recorded at the Palm Springs - Fire Station from 2019 through 2021 and the applicable state standards are shown in **Table 4.3-2**.

Table 4.3-2
AMBIENT AIR QUALITY MONITORING DATA

Air Pollutant	Standard/Exceedance	2019	2020	2021
Ozone (O_3)	Max. 1-hour Concentration (ppm)	0.100	0.119	0.110
	Max. 8-hour Concentration (ppm)	0.085	0.094	0.093
	# Days > Federal 8-hour Std. of 0.070 ppm	34	49	35
	# Days > California 1-hour Std. of 0.070 ppm	5	9	10
	# Days > California 8-hour Std. of 0.070 ppm	39	53	38
Nitrogen Dioxide (NO_2)	Max. 1-hour Concentration (ppm)	0.035	0.034	0.033
	Annual Average (ppm)	0.007	0.006	0.006
	# Days > California 1-hour Std. of 0.070 ppm	0	0	0
Respirable Particulate Matter (PM_{10})	Max. 24-hour Concentration (µg/m³)	75.6	129.8	35.2
	Est. # Days > Fed. 24-hour Std. of 150 µg/m³	0	ND	0
	State Annual Average (µg/m³)	19.9	ND	18
Fine Particulate Matter ($PM_{2.5}$)	Max. 24-hour Concentration (µg/m³)	15.5	23.9	13.5
	#Days > Fed. 24-hour Std. of 35 µg/m³	0	0	0
	State Annual Average (µg/m³)	6	6.4	6.2

Source: California Air Resources Board (ARB). Accessed online at https://www.arb.ca.gov/adam. Accessed on October 18, 2022.
ND - There was insufficient (or no) data available to determine the value.

Air Quality Management Plan (AQMP)

The SCAQMD is required to produce plans to show how air quality will be improved in the region. The California Clean Air Act (CCAA) requires that these plans be updated triennially to incorporate the most recent available technical information. A multi-level partnership of governmental agencies at the federal, state, regional, and local levels implement the programs contained in these plans. Agencies involved include the USEPA, ARB, local governments, SCAG, and SCAQMD. The SCAQMD updates its Air Quality Management Plan (AQMP) every three years.

The 2016 AQMP was adopted by the SCAQMD Board on March 3, 2017, and on March 10, 2017 was submitted to the ARB as part of the California State Implementation Plan (SIP). It focuses largely on reducing NO_x emissions as a means of attaining the 1979 1-hour ozone standard by 2022, the 1997 8-hour ozone standard by 2023, and the 2008 8-hour standard by 2031. The AQMP prescribes a variety of current and proposed new control measures, including a request to the USEPA for increased regulation of mobile source emissions.

Sensitive Receptors

Some people, such as individuals with respiratory illnesses or impaired lung function because of other illnesses, persons over 65 years of age, and children under 14, are particularly sensitive to certain pollutants. Facilities and structures where these sensitive people live or spend considerable amounts of time are known as sensitive receptors. For the purposes of a CEQA analysis, the SCAQMD

considers a sensitive receptor to be a receptor such as a residence, hospital, or convalescent facility where it is possible that an individual could remain for 24 hours. Commercial and industrial facilities are not included in the definition of sensitive receptor, because employees typically are present for shorter periods of time, such as eight hours. Therefore, applying a 24-hour standard for PM_{10} is appropriate not only because the averaging period for the state standard is 24 hours, but because the sensitive receptor would be present at the location for the full 24 hours.

The City's zoning and General Plan land use designations for approximately the east half of the site are Mixed Use Corridor (MU-C), which permits integrated residential and commercial uses including residential density of 20 to 30 units per acre. The zoning and General Plan designations for the west half of the site are Residential High (R-H) permitting development of multifamily residential uses with densities of 20 to 30 units per acre (Desert Hot Springs, 2020). The project site is currently vacant and vegetated mostly with creosote bush – white bursage scrub. It is surrounded by the Desert Dunes Golf Club opposite Palm Drive to the east and by vacant land to the north, west, and south.

The nearest sensitive receptors to the proposed project site, with the highest potential to be affected by the proposed project, are residents of a single-family house to the south and a mobile home park to the north.

4.3.2 Impact Analyses

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact

The SCAQMD has developed criteria in the form of emissions thresholds for determining whether emissions from a project are regionally significant (SCAQMD, 2019). They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project is in conformity with plans to achieve attainment SCAQMD's significance thresholds for criteria pollutant emissions during construction activities and project operation are summarized in **Table 4.3-3**. A project is considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.

Table 4.3-3
SCAQMD THRESHOLDS OF SIGNIFICANCE

Pollutant	Construction Thresholds (lbs/day)	Operational Thresholds (lbs/day)
Nitrogen Oxides (NOx)	100	100
Volatile Organic Compounds (VOC)	75	75
Respirable Particulate Matter (PM10)	150	150
Fine Particulate Matter (PM2.5)	55	55
Sulfur Oxides (SOX)	150	150
Carbon Monoxide (CO)	550	550

Source: SCAQMD, 2019.

Air Quality Methodology

Estimated criteria pollutant emissions from the project's onsite and offsite project activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod (CAPCOA, 2021) is a planning tool for estimating emissions related to land use projects. Model-predicted project emissions are compared with applicable thresholds to assess regional air quality impacts. As some construction plans have not been finalized, CalEEMod defaults were used for construction offroad equipment and on-road construction trips and vehicle miles traveled. It was also assumed that the construction contractor would comply with all pertinent provisions of SCAQMD Rule 403.[8] Because compliance is mandatory for all development projects, these emission-reducing requirements do not constitute mitigation under CEQA.

It is estimated that construction for the proposed project is divided in three phases: zero (site preparation, grading and utilities trenching), one (housing construction) and two (commercial construction). The foregoing activities are not all consecutive and often overlap. It is anticipated that the time from site preparation to occupancy-ready would be approximately 34 months.

Phase 0 would begin in January 2024 and end in late June 2024. Construction would involve:

- Site Preparation
- Rough Grading
- Trenching

Phase 1 would begin in July 2024 and end in December 2025. Construction would involve:

- Fine Grading
- Building Construction
- Paving
- Architectural Coating

Phase 2 would begin in January 2026 and end in late October 2026. Construction would involve:

- Grading
- Building Construction
- Architectural Coating
- Paving

There would be no overlap of construction activities among any of the phases. **Table 4.3-4** shows the project schedule used for the air quality, GHG emissions (**Section 4.8**) and noise (**Section 4.13**) analyses.

[8] Rule 403 applies to fugitive dust emissions. All projects in the SCAQMD are required to implement dust control measures such as regularly wetting disturbed soils.

Table 4.3-4
ASSUMED CONSTRUCTION SCHEDULE

Phase	Construction Phase	Start Date	End Date
Phase 0	Site Preparation	January 1, 2024	February 10, 2024
	Rough Grading	February 11, 2024	May 26, 2024
	Trenching	May 27, 2024	June 27, 2024
Phase 1	Fine Grading	July 1, 2024	August 4, 2024
	Building Construction	August 5, 2024	November 22, 2025
	Paving	August 30, 2025	November 14, 2025
	Architectural Coating	August 30, 2025	December 30, 2025
Phase 2	Fine Grading	January 1, 2026	January 6, 2026
	Building Construction	January 7, 2026	October 13, 2026
	Paving	October 28, 2026	November 10, 2026
	Architectural Coating	October 14, 2026	October 27, 2026

These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO_x emissions. The application of architectural coatings would primarily result in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

Regional Short-Term Air Quality Effects

Project construction activities would generate short-term air quality impacts. Construction emissions can be distinguished as either onsite or offsite. Onsite air pollutant emissions consist principally of exhaust emissions from offroad heavy-duty construction equipment, as well as fugitive particulate matter from earth working and material handling operations. Offsite emissions result from workers commuting to and from the job site, as well as from trucks hauling materials to the site and construction debris for disposal.

As shown in **Table 4.3-5**, construction emissions would not exceed SCAQMD regional thresholds. Therefore, the project's short-term regional air quality impacts would be less than significant.

Table 4.3-5
MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS

Construction Activity	Maximum Emissions (lbs/day)				
	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Maximum Emissions, Phase 0	2.7	13.8	34.8	9.3	4.9
Maximum Emissions, Phase 1	9.7	11.7	56.3	6.7	2.0
Maximum Emissions, Phase 2	9.5	11.2	55.0	6.6	2.0
SCAQMD Significance Thresholds	***75***	***100***	***550***	***150***	***55***
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by OB-1 Air Analyses with CalEEMod (Version 2020.4.0).

Regional Long-Term Air Quality Effects

The primary source of operational emissions would be vehicle exhaust emissions generated from project-induced vehicle trips, known as "mobile source emissions." Other emissions, identified as "energy source emissions," would be generated from energy consumption for water, space heating, and cooking equipment, while "area source emissions," would be generated from structural maintenance and landscaping activities, and use of consumer products.

As seen in **Table 4.3-6**, for each criteria pollutant, operational emissions would be below the pollutant's SCAQMD significance threshold. Therefore, operational criteria pollutant emissions would be less than significant.

Table 4.3-6
MAXIMUM DAILY PROJECT OPERATIONAL EMISSIONS

Emission Source	Pollutant (lbs/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Area Sources	11.6	0.58	50.5	03	03
Energy	0.4	3.2	1.7	0.3	0.3
Mobile Sources	31.8	26.3	183.1	34.0	9.3
Total Operational Emissions	43.7	30.1	235.4	34.6	9.8
SCAQMD Significance Thresholds	***55***	***55***	***550***	***150***	***55***
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0).

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact

Since the SSAB is currently in nonattainment for ozone and PM_{10}, related projects may exceed an air quality standard or contribute to an existing or projected air quality exceedance. The SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the District recommends that a project's potential contribution to cumulative impacts be assessed utilizing the same significance criteria as those for project-specific impacts. Furthermore, the SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As discussed above, the mass daily construction and operational emissions generated by the project would not exceed any of the SCAQMD's significance thresholds. Also, as discussed, localized emissions generated by the project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the project would not contribute a cumulatively considerable increase in emissions for the pollutants which the Basin is in nonattainment. Thus, cumulative air quality impacts associated with the project would be less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact

Localized Short-Term Air Quality Effects from Construction Activity

Construction of the proposed project would generate short-term and intermittent emissions. Following SCAQMD guidance (Chico and Koizumi, 2008), only onsite construction emissions were considered in the localized significance analysis. The closest sensitive receptor nearest the construction activities is 334 feet (102 meters) south of the southern project boundary. For site preparation and grading, the disturbed area was calculated per guidance from the SCAQMD (SCAQMD, 2022). For other construction phases, the area was assumed to be five acres. **Table 4.3-7** shows the results of the localized significance analysis for each construction phase of the proposed project. Emissions would be less than significant.

Localized Short-Term Air Quality Effects from Operations

As is the case for construction, the SCAQMD's guidance is to consider only onsite emissions for a localized significance analysis of operational emissions. As seen in **Table 4.3-6**, operational emissions of NO_x, CO, PM_{10} and $PM_{2.5}$ are predominantly from mobile sources and are smaller than the corresponding values for construction. The localized significance thresholds for NO_x and CO for operations are the same as those for construction (Chico and Koizumi, 2008, Appendix C). Therefore, it is concluded that the operational emissions of NO_x and CO would be less than significant. Although the operational localized significance thresholds for PM_{10} and $PM_{2.5}$ are lower than those for

construction, onsite emissions of those pollutants are only about 0.3 pound per day, which is about six percent of the operational thresholds. Emissions would be less than significant.

Table 4.3-7
RESULTS OF LOCALIZED SIGNIFICANCE ANALYSIS

Construction Phase	Maximum Onsite Emissions (pounds/day)			
	NO_x	CO	PM_{10}	$PM_{2.5}$
Site Preparation	7.5	20.4	9.2	4.9
SCAQMD LST for 3.5 acres @ 102 meters in SRA 30	***363***	***4,456***	***56.4***	***15.8***
Grading	6.0	32.8	4.4	1.9
SCAQMD LST for 3 acres @ 102 meters in SRA 30	***341.5***	***4,132***	***52.6***	***14.7***
Trenching	13.8	13.6	0.9	0.8
SCAQMD LST for 1.5 acres @ 102 meters in SRA 30	***269.3***	***3,059***	***39.5***	***84.5***
Other	6.3	17.3	0.3	0.3
SCAQMD LST for 5 acres @ 102 meters in SRA 30	***427.4***	***5,428***	***67.9***	***19.4***
Significant (Yes or No)	**No**	**No**	**No**	**No**

Sensitive receptors would be exposed to diesel exhaust from construction equipment, which has been associated with lung cancer (OEHHA, 1998). The duration of exposure would not be sufficient to result in a significant cancer risk. Carcinogenic health risk assessments are based upon an assumption of 70 years of continuous exposure, while the exposure in the present case would be for about 127 working days for Phase 0, 507 working days for Phase 1 and 224 working days for Phase 2. Therefore, no cancer health risk assessment was necessary. Acute non-cancer risk assessments are based upon one-hour maximum exposures, but acute reference exposure levels (RELs) for diesel exhaust and diesel particulate matter have not been established by the Office of Environmental Health Hazard Assessment (OEHHA, 2019). Therefore, the long-term cancer risk for the proposed project would be less than significant.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact

Odors can cause a variety of responses. The impact of an odor results from interacting factors such as frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception.

The SCAQMD CEQA threshold for odor impacts is that a project "creates an odor nuisance pursuant to South Coast AQMD Rule 402" (SCAQMD, 2019). Such an analysis shall determine whether the project would result in excessive nuisance odors, as defined under the California Code of Regulations

and § 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality. Rule 402 broadly defines nuisance odors; in reality, it is imposed only in cases in which (1) complaints are received by the District, and (2) an inspector personally observes the offensive odor.

Land uses typically considered associated with odors include wastewater treatment facilities, waste disposal facilities, or agricultural operations. The project proposes several farm areas, hydroponics and aquaculture, which have the potential to produce odors. However, most of the farm areas would be used for growing fruits and vegetables instead of raising or maintaining livestock and thus would not produce the same level of odors as a would a cattle ranch or feedlot. Given that odor problems are unlikely to arise and, if they do, would be resolved through the SCAQMD's police powers, no mitigation measures are necessary. The project would not generate a significant odor impact during construction or operation.

4.4 Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 Wildlife or U.S. Fish and Wildlife Service?		**X**		
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 Wildlife or US Fish and Wildlife Service?		**X**		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		**X**		
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 nursery sites?			**X**	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			**X**	
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?		**X**		

4.4.1 Introduction

This section addresses project impacts on the following:

- special status species (that is, species, designated as endangered or threatened under the federal or California endangered species acts; or designated with another specific status by the California Department of Fish and Wildlife);

- sensitive species (which includes special status species in addition to species on lists maintained by organizations such as the California Native Plant Society);
- riparian habitats (those occurring along the banks of rivers and streams);
- sensitive natural communities (natural communities that are considered rare in the region by regulatory agencies; that are known to provide habitat for sensitive animal or plant species; or are known to be important wildlife corridors);
- wetlands (including ponds and wet meadows; lakes and reservoirs; and rivers, streams, and canals);
- wildlife movement and migration corridors;
- local policies protecting biological resources; and
- habitat conservation plans and natural community conservation plans.

4.4.2 Impact Analyses

a) Would the project 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 Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant with Mitigation Incorporated

The project site is located in a primarily undeveloped area, which provides some habitat value for special status plant and wildlife species. One special-status wildlife species was observed within the BSA. There were no special-status plant species observed during the field survey. According to the literature review and reconnaissance-level survey, the project site is sparsely vegetated with mostly shrubs and non-native annual grasses. Direct and/or indirect impacts on special-status plant or wildlife species are anticipated as a result of project activities.

Several tamarisk thickets in the southwestern portion of the BSA could provide suitable nesting sites for avian species are present outside of the site. The friable soils and sparse vegetative cover of the majority of the project site provides suitable habitat for special-status species such as burrowing owl (BUOW). No nests were observed during the March 2022 biological survey. Birds that nest in shrubs may also utilize the project area for nesting. Several native bird species were observed, including but not limited to: northern rough-winged swallow (*Stelgidopteryx serripennis*), yellow-rumped warbler (*Setophaga coronata*), barn swallow (*Hirundo rustica*), white-crowned sparrow (*Zonotrichia leucophrys*), and merlin (*Falco columbarius*).

Birds are protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, which render it unlawful to take native breeding birds, and their nests, eggs, and young. Indirect impacts on breeding birds could occur from increased noise, vibration, and dust during construction, which could adversely affect the breeding behavior of some birds, and lead to the loss (take) of eggs and chicks, or nest abandonment. Project construction has the potential to impact birds addressed

by the MBTA on the project site. Therefore, without mitigation, the project would have a potentially significant impact.

Listed Plants

No listed plant species were observed within the BSA during the general field surveys (**Appendix C1**, *Plant and Wildlife Species Observed*).

Based on a literature review and query from publicly available databases (USFWS 2022a, b, CNDDB 2022a, b) for recorded observations of listed species within a ten-mile radius of the project site, there were three listed plant species identified by one of the following means: reported in the search, recognized as occurring based on previous surveys or knowledge of the area, or observed during the habitat assessment survey; hereafter, all of the special-status plant species identified by the aforementioned means will be referred to as the plant inventory. Of those three total species, one species was determined to have a low potential to occur, Triple-ribbed milkvetch (*Astragalus tricarinatus*, FE, CRPR: 1B.2, MSHCP: Covered), and another one, Coachella Valley milkvetch (*Astragalus lentiginosus* var. *coachellae*, FE, CRPR: 1B.2, MSHCP: Covered), was was determined to have a moderate potential to occur. The results of the analysis are provided in **Appendix C1**, *Special-Status Species Inventory and Potential Occurrence Determination*.

Based on an analysis of the biological, physical and environmental conditions necessary for each listed plant species identified in the plant inventory, it was determined that two listed species had no potential to occur in the BSA (Calflora, 2022; CNDDB, 2022a, b; CNPS, 2022a, b; Google Earth, 2022 Jepson Flora Project, 2022; Sawyer et al., 2009; Soil Survey Staff, 2022; USDA-NRCS, 2022a; USEPA, 2022b; USFWS, 2022a, b). In most cases, species were determined to have no potential to occur because the project site lacks suitable habitat or is outside of a particular species geographic or elevation range.

The following listed species, shown below and indicated with its respective status, was determined to have no potential to occur within the BSA. The status notations are defined as follows: 1) SE represents species state-listed as endangered under CESA. These native plant species or subspecies are in serious danger of becoming extinct throughout all, or a significant portion, of their range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease (Fish and Game Code 2062); 2) CRPR is the California Rare Plants Rank set forth by the California Native Plant Society (CNPS); and, 3) MSHCP is the Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP) administered by the Coachella Valley Council of Governments (CVAG):

- Parish's daisy (*Erigeron parishii*) SE, CRPR: 1B.2, MSHCP: Covered (a)

One listed species, Coachella Valley milkvetch (*Astragalus lentiginosus* var. *coachellae*) was determined to have a moderate potential to occur in the BSA and is described below.

Coachella Valley milkvetch

Coachella Valley milkvetch is an annual or short-lived perennial forb endemic to the Coachella Valley, Riverside County in the western portion of the Sonoran desert. It occurs in areas with sandy substrates, particularly in low elevation creosote bush scrub. This species typically occurs on aeolian (wind transported) or alluvial (water transported sands near dunes or flats and along disturbed

margins of sandy washes (USFWS, 2004). It also occurs in sandy soils along roadsides, and in areas formerly occupied by undisturbed aeolian dunes. It flowers between February and May.

Although Coachella Valley milkvetch was not observed on the project site during the general plant surveys, there is suitable habitat for this species to occupy. As mentioned above, Coachella Valley milkvetch typically occurs in creosote bush scrub, which is the dominant plant community within the project site. Furthermore, this species typically occurs in dunes and there is a prominent partially stabilized aeolian dune in the southeastern section of the project site. Development of the project would remove all existing vegetation, including any individuals of this species. Moreover, project operations would disturb all of the project site's substrate, including the seed bank within the substrate, which may contain viable seeds of this species. This species is covered by the MSHCP, and impacts to it will be mitigated for by payment of the Coachella Valley Association's and Coachella Valley Conservation Commission's (CVAG's and CVCC's) Local Development Mitigation Fee (LDMF). The LDMF provides for the acquisition of conserved lands in MSHCP Conservation Areas; these lands will create conserved areas of suitable habitat for covered species.

Sensitive Plants

No sensitive plant species were observed within the BSA during the general field surveys (**Appendix C1**, *Plant and Wildlife Species Observed*).

Based on a literature review and query from publicly available databases (USFWS 2022a, b, CNDDB 2022a) for recorded observations of sensitive plant species within a ten-mile radius of the project site, there were 20 sensitive plant species identified in the plant inventory. Of those 20 total species, 10 were determined to have low potential to occur. These species and their respective statuses are provided in **Appendix C1**, *Special-Status Species Inventory and Potential Occurrence Determination*).

Potential direct impacts to the 10 sensitive species with the potential to occur on the project site could occur from construction related mortality or injury to mature plants or to seeds within the seed bank as a result of permanent development of the project site and from the removal of onsite vegetation and the excavation, movement, and/or grading of existing soils. One of these 10 sensitive plant species, Little San Bernardino Mountains linanthus (*Linanthus maculatus* [Parish] Milliken ssp. *maculatus*) is covered by the MSHCP, and impacts to that species will be partially mitigated for by payment of the LDMF. The LDMF provides for the acquisition of conserved lands in MSHCP Conservation Areas; these lands will create conserved areas of suitable habitat for covered species. This acquisition of suitable lands will also create conserved habitat for the other five sensitive species not covered by the MSHCP. However, there would be potentially direct impacts to those five sensitive plant species due to the potential take of these species during project activities.

The following 10 sensitive plant species were determined to have no potential to occur in the BSA because the BSA lacks suitable habitat, the BSA is outside of the geographic and elevational range, or other site disturbances mentioned above preclude the establishment of these species (the status rankings are defined earlier in this section):

- desert spike-moss (*Selaginella eremophila*) CRPR: 2B.2, MSHCP: Covered
- mecca-aster (*Xylorhiza cognata*) (=Machaeranthera cognata) CRPR: 1B.2, MSHCP: Covered
- cliff spurge (*Euphorbia misera*) CRPR: 2B.2
- Orocopia sage (=lavender sage)(*Salvia greatae*) CRPR: 1B.2
- desert beardtongue (*Penstemon pseudospectabilis* ssp. *pseudospectabilis*) CRPR: 2B.2,

- San Jacinto linanthus (=San Jacinto prickly phlox) (*Linanthus jaegeri*)(=*Leptodactylon jaegeri*) CRPR: 1B.2
- Latimer's woodlands-gilia (*Saltugilia latimeri*)(=*Gilia latimeri*) CRPR: 1B.2
- Parry's spineflower (*Chorizanthe parryi* var. *parryi*) CRPR: 1B.1
- shaggy-haired alumroot(*Heuchera hirsutissima*) CRPR: 1B.3
- California satintail (*Imperata brevifolia*) CRPR: 2B.1[9]

Listed Wildlife

No listed wildlife species were observed within the BSA during the general field surveys (**Appendix C1**, *Plant and Wildlife Species Observed*).

Based on a literature review and query from publicly available databases (USFWS 2022a, b, CNDDB 2022a) for reported occurrences within a ten-mile radius of the project site, 49 species were reported, of which 15 are listed species. Species in the literature review were identified by one of the following means: reported in the search, recognized as occurring based on previous surveys or knowledge of the area, or observed during the habitat assessment survey. Of those 49 total species, 4 listed wildlife species were determined to have a low or moderate potential to occur in the BSA. All species reported in the literature review are analyzed for their potential to occur in **Appendix C1**, *Special-Status Species Inventory and Potential Occurrence Determination*.

Based on an analysis of the biological, physical and environmental conditions necessary for each special-status wildlife species identified in the literature review, it was determined that 11 listed wildlife species have no potential to occur in the BSA (CNDDB, 2022a, b; eBird, 2022; Google Earth, 2022; Sawyer et al., 2009; Soil Survey Staff, 2022; USDA-NRCS, 2022b; USEPA, 2022b; USFWS, a, b, c, d). In most cases, species were determined to have no potential to occur because the project site lacks suitable habitat or is outside of a particular species geographic or elevation range. The following 11 listed species and their respective statuses (as determined by various state, federal, regional and local regulatory agencies) are listed below (see **Appendix F,** *Special-Status Species Potential Occurrence Determination,* for the descriptions of the status rankings):

- monarch butterfly (*Danaus plexippus* pop. 1) FC: California overwintering population
- Casey's June beetle (*Dinacoma caseyi*) FE
- desert pupfish (*Cyprinodon macularius*) FE, SE, CVMSHCP: Covered
- southern mountains yellow-legged frog (*Rana muscosa*) FE, SE, CDFW:WL
- southern rubber boa (*Charina umbratica*) ST

[9] California Rare Plant Ranks (CRPR), in summary, are:
1A: Plants Presumed Extinct in California and Either Rare or Extinct Elsewhere
1B: Plants Rare, Threatened, or Endangered in California and Elsewhere
2A: Plants Presumed Extinct in California, But Common Elsewhere
2B: Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
3: Plants About Which More Information is Needed - A Review List
4: Plants of Limited Distribution - A Watch List
Threat Ranks
0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
0.2-Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
0.3-Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)
A more detailed explanation of CRPRs is provided in **Appendix C1**, *Biological Resources Evaluation*.

- Yuma rail (=Yuma clapper rail) (*Rallus obsoletus yumanensis*) (=*Rallus longirostris yumanensis*) FE, ST, fully protected, MSHCP: Covered
- southwestern willow flycatcher (*Empidonax traillii extimus*) FE, SE, CVMSHCP: Covered Season of Concern: nesting
- coastal California gnatcatcher (*Polioptila californica californica*) FT, SSC
- Townsend's big-eared bat (*Corynorhinus townsendii*) SSC
- San Joaquin kit fox (*Vulpes macrotis mutica*) FE, ST
- Peninsular bighorn sheep (Distinct Population Segment) (*Ovis canadensis nelsoni* pop. 2) (=*Ovis canadensis cremnobates*) FE, ST, fully protected

Listed Species with a Moderate Potential to Occur Within the BSA: A discussion of natural history and vulnerability to project impacts is provided below for the two listed wildlife which were determined to have a moderate potential to occur within the BSA:

Desert tortoise

Desert tortoise (*Gopherus agassizii,* FT, ST, MSHCP: Covered), is a widely distributed species, occurring in the Mojave, Sonoran, and Colorado deserts. Suitable habitats for this tortoise include desert scrub, desert wash, and Joshua tree habitats. This species occurs in virtually all desert habitats, except for in areas with precipitous slopes. Diet of this herbivorous species consists of annual forbs and grasses; however forbs are typically preferred. Desert tortoise primarily resides under bushes or overhanging rock formations in burrows that the tortoise has excavated (Marlow, 1979). The majority of tortoise activity occurs between March and June, although they may be active year-round. Adult desert tortoise have few known predators; however juveniles often experience predation by eagles, coyotes, and foxes (Grover and DeFalco, 1995; Marlow, 1979; CWHR CDFW, 2022).

There is suitable habitat on the project site, including sources of food and burrowing habitat. Project activities would lead to the removal or disturbance of all soils, which would potentially remove burrows and potentially lead to take of this species. Development of the project would significantly impact desert tortoise by potentially causing take and loss of foraging habitat. This species is covered under the MSHCP and project impacts would be minimized by payment into an LDMF.

Coachella Valley fringe-toed lizard

Coachella Valley fringe-toed lizard (*Uma inornata*; FT, SE, MSHCP: Covered) is a generally rare reptile, however it may be common only within the Coachella Valley. This species is confined to a limited range of Coachella Valley sand dunes; this species requires fine, loose, wind-blown sand. Suitable habitats for this lizard include sand dunes with sparsely distributed desert scrub, alkali scrub, and desert wash habitats. This insectivorous lizard primarily feeds on ants, grasshoppers, beetles, sand-dwelling roaches, spiders, larvae, and caterpillars. During breeding season, which may vary each year depending on precipitation, males will consume ants and vegetation such as flower buds and stems in the morning only. Predators of this species include roadrunners, badgers, loggerhead shrikes, American kestrels, and coyotes. To obtain coverage from predators, this species will burrow into sand, often on the lee side of the sand dune in order to avoid losing coverage by the sand in periods of high winds. (Stebbins, 1944, 1954; Norris, 1958; Kaufman 1982; CWHR CDFW 2022).

There is suitable habitat on the project site, including sources of prey. Project activities would lead to the removal or disturbance of all soils, which would remove foraging and potentially lead to take of this species. Development of the project would significantly impact Coachella Valley fringe-toed

lizard by potentially causing take and loss of foraging habitat. This species is covered under the MSHCP and project impacts would be minimized by payment into an LDMF.

Sensitive Wildlife

One sensitive wildlife species, merlin *(Falco columbarius*; WL, Season of Concern: nesting), was observed within the BSA during the habitat assessment survey conducted on March 5, 2022 (**Appendix C1**, *Plant and Wildlife Species Observed*). This species was observed foraging both onsite and offsite within the BSA.

Based on an analysis of the biological, physical and environmental conditions necessary for each of the 34 sensitive wildlife species identified in the wildlife inventory, it was determined that 18 have at least a low potential to occur within the BSA, and one sensitive wildlife species was observed within the BSA. The following 15 sensitive wildlife species were determined to have no potential to occur in the BSA because the BSA lacks suitable habitat, the BSA is outside of the geographic and elevational range, or other site disturbances mentioned above preclude the establishment of these species (see **Appendix F,** *Special-Status Species Potential Occurrence Determination,* for the descriptions of the status rankings):

- Borrego parnopes cuckoo wasp (*Parnopes borregoensis*) CNDDB Special Animals List
- southern California legless lizard (*Anniella stebbinsi*) SSC
- black swift (*Cypseloides niger*) SSC, BCC, Season of Concern: nesting
- southern California rufous-crowned sparrow(*Aimophila ruficeps canescens*)
- vermillion flycatcher (*Pyrocephalus rubinus*) SSC Season of Concern: nesting
- brown-crested flycatcher (*Myiarchus tyrannulus*) WL Season of Concern: nesting
- gray vireo (*Vireo vicinior*) SSC, BCC, CVMSHCP: Covered Season of Concern: nesting
- yellow warbler (*Setophaga petechia*)(=*Dendroica petechia*) SSC, BCC, MSHCP: Covered Season of Concern: nesting
- yellow-breasted chat (*Icteria virens*) SSC, MSHCP: Covered Season of Concern: nesting
- summer tanager (*Piranga rubra*) SSC, MSHCP: Covered Season of Concern: nesting
- pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*) SSC
- San Diego desert woodrat (*Neotoma lepida intermedia*) SSC
- American badger (*Taxidea taxus*) SSC
- desert bighorn sheep (=Nelson's bighorn sheep) (*Ovis canadensis nelson*) fully protected, MSHCP: Covered
- two-striped garter snake (*Thamnophis hammondii*) SSC

Sensitive Species Observed Within the BSA: A discussion of natural history and vulnerability to project impacts is provided below for the one sensitive wildlife species which was observed within the BSA:

Merlin

Merlin breed in the northwestern United States and in Alaska and Canada during the summer months and winter throughout the southern region of the United States, including California, and as far south as Ecuador, from September to May. They occupy annual grasslands to open ponderosa pine and montane hardwood conifer habitats, and coastlines, savannahs, woodlands, lakes, and wetlands. They frequently use dense tree stands for cover and are often close to water bodies (Cornell Lab of Ornithology, 2022).

Merlin *(Falco columbarius*; WL, Season of Concern: nesting), was observed within the project site and other offsite areas of the BSA during the habitat assessment survey conducted on March 5, 2022 (**Appendix G**, *Plant and Wildlife Species Recorded During the Field Surveys*). This species was observed foraging both onsite and offsite within the BSA. The project vicinity does provide some suitable foraging wintering habitat such as annual grasslands. It is not anticipated that merlin would nest within the BSA because this species does not nest south of Oregon. Thus, development of the project would impact this species by reducing available foraging habitat. This impact would be less than significant because there is abundant foraging areas in the adjacent lands of the Willow Hole Conservation Area.

Sensitive Species with a Moderate Potential to Occur Within the BSA: A discussion of natural history and vulnerability to project impacts is provided below for the eight sensitive wildlife which were determined to have a moderate potential to occur within the BSA:

Burrowing owl

Burrowing owl (*Athene cunicularia*; SSC, MSHCP: Covered [BUOW]) has a relatively large geographic range, covering open landscape of North and South America. This owl typically occurs in areas of open, dry, flat ground or low rolling hills with sparse vegetation and available burrows. This owl typically utilizes burrows created by fossorial mammals; however, these owls are capable of creating their own burrows in the soft banks of irrigation canals and ditches.

Suitable habitat for BUOW occurs throughout the project site for BUOW. For example, the majority of the project site is covered with creosote bush – white bursage scrub, which is a habitat commonly used by BUOW. Two fossorial mammal species, white-tailed antelope squirrel (*Ammospermophilus leucurus*) and California ground squirrel (*Otospermophilus beecheyi*), that both create burrows that are suitable for BUOW were observed onsite. Most of the soils throughout the project site consist of loose, sandy soils which are the types of soils in which BUOW typically make their burrows. Development of the project site would remove all existing soils, thus leading to the loss of any BUOW burrows that may currently occur on the site.

Prairie falcon

Prairie falcon (*Falco mexicanus*; WL, Season of Concern: nesting) occupy several habitats such as annual grasslands, alpine meadows on open, dry, level or hilly terrain, perennial grasslands, savannahs, rangeland, some agricultural fields, desert scrub areas and even marshland and ocean shores. During the winter they reside in cultivated fields, lakeshores, and desert scrub. Prairie falcon typically create nests in natural crevices, potholes, or on overhanging cliff ledges, where there is protection for the nest from predators. They can also nest in trees, powerlines or other structures.

There is suitable foraging habitat on the project site and there is abundant sources of prey such as small birds that were observed onsite. By contrast, the project site lacks suitable nesting habitat such as cliffs or trees. Development of the project would remove available foraging habitat from this species. However, there is ample suitable habitat surrounding much of the project site where falcon could find alternative hunting sites. Development of the project would have less than significant impacts on prairie falcon.

Le Conte's thrasher

Le Conte's thrasher (*Toxostoma lecontei*; SSC, MSHCP: covered) is an uncommon to rare resident of southern California deserts ranging from southern Mono County to northern Mexico and in western and southern areas of San Joaquin Valley. This species typically occurs in sandy areas in open desert wash, alkali desert scrub, desert scrub, and desert succulent shrub habitats; it is also found in Joshua tree habitats containing scattered shrubs. Diet of this species consists of primarily insects but may occasionally include small lizards, seeds, and other small invertebrates. Scattered dense shrubs are utilized for cover. Typically, this bird will nest in a dense, spiny shrub or cactus with dense branching. (Bent, 1948; Sheppard, 1970).

Suitable creosote bush – white bursage scrub habitat is extensive on the project site. However, the project site lacks dense, thorny shrubs, which is the preferred nesting habitat of this species. There are areas on the project site such as the desert riparian wash, where there is a lot of leaf litter under shrubs that may support invertebrates, the preferred prey item of Le Conte's thrasher. Project activities would lead to the removal of all vegetation, which would remove both foraging and nesting habitat. Development of the project would significantly impact this species by potentially harming nests. This species is covered under the MSHCP and project impacts would be minimized by payment into an LDMF.

Loggerhead shrike

Loggerhead shrike (*Lanius ludovicianus*; SSC, Season of Concern: nesting) is a common resident and winter visitor in lowlands throughout California. It frequently occurs in open habitats interspersed with shrubs. Typical habitats include agricultural fields, pastures with fence rows, old orchards, savannas, prairies, mowed roadsides, desert washes, desert scrub, grassland, and other similar habitats. This species feeds upon large insects, but will also hunt small birds, mammals, amphibians, reptiles, and other invertebrates. They build nests in dense canopies of shrubs or trees (Zeiner et al., 1988-1990).

Suitable creosote bush – white bursage scrub habitat is extensive on the project site. There are a few dense, thorny shrubs within the project site, which is the preferred nesting habitat of this species. There are abundant prey items on the project site such as arthropods, lizards, small mammals and birds. Project activities would lead to the removal of all vegetation, which would remove both foraging and nesting habitat. Development of the project would significantly impact loggerhead shrike by potentially harming nests.

Coachella Valley Jerusalem cricket

Coachella Valley Jerusalem cricket (*Stenopelmatus cahuilaensis*; SSC, MSHCP: Covered) inhabits areas with loose, wind-blown drift sands, dunes, and occasionally sandy vacant lots that contain adequate native vegetation (CVCC, 2016). Occurs in rolling sand dune ridges near the north base of the San Jacinto mountains (Tinkham, 1968). This species is associated with dune shrubbery typical of the Colorado Desert. This species requires high humidity, and are typically observed when soils are moist (Hawks, 1995). During the summer, they retreat to deep burrows during the day and may surface at night (Hawks, 1995). They feed on roots, tubers and detritus (CVCC, 2016).

Although there is suitable habitat on the project site to support Coachella Valley Jerusalem cricket, there have not been any reported sighting of this species within two miles of the project site (CNDDB, 2022). Nevertheless, development of the project would significantly impact any onsite occurrences of this species by destroying their shelters and causing harm or death to inhabitants. This species is covered under the MSHCP and payment into the LDMF would minimize the impacts to it.

Flat-tail horned lizard

Flat-tail horned lizard (*Phrynosoma mcallii*; SCE, SSC, MSHCP: Covered) The range of this species is confined to sparsely-vegetated areas with fine sand in central Riverside, eastern San Diego, and Imperial Counties. This species most frequently occurs in moderately flat areas of creosote bush, and is found in desert scrub, desert wash, succulent shrub, and alkali scrub habitats. Fine sand is a crucial habitat element, as it is required for burrowing mainly for the purpose of coverage and avoidance of extreme temperatures. Shrubs are also used as a shade source during periods of extreme heat. Ants comprise the primary diet component for all species of horned lizard, however other arthropods may occasionally be consumed (Pianka and Parker 1975; Turner and Medica 1982; CWHR CDFW 2022; Stebbins 1985).

There is suitable habitat on the project site, including sources of prey. Project activities would lead to the removal or disturbance of all soils, which would remove foraging and potentially lead to take of this species. Development of the project would significantly impact flat-tail horned lizard by potentially causing take and loss of foraging habitat. This species is covered under the MSHCP and project impacts would be minimized by payment into an LDMF.

Red diamond rattlesnake

Red diamond rattlesnake (*Crotalus ruber*; SSC) is The geographic range of this venomous pit viper species spans from the southwestern corner of California, southward through most of Mexico's Baja peninsula. This rattlesnake requires rodent burrows or crevasses or cracks in rocks, and other forms of surface cover.

There is suitable habitat on the project site for red diamond rattlesnake. Several rodent burrows were observed onsite. Development of the project would potentially lead to take of this species. However, red diamond rattlesnake are abundant throughout California and potential take of species occurring on the project site would not significantly impact the overall population of this species. Thus, development of the project would have a less than significant impact on red diamond rattlesnake.

Western yellow bat

Western yellow bat (*Lasiurus xanthinus*; SSC, MSHCP: Covered, WBWG: H) is an uncommon, year-round resident of California that occurs in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. The western yellow bat is known to occur only in Los Angeles and San Bernardino Counties to south to the Mexican border. This bat's diet consists of flying insects. This species typically roosts in trees located in palm oasis and riparian habitats. It forages over water and among trees, and begins periods of activity at dusk. (Barbour and Davis, 1969; CWHR CDFW 2022).

There is suitable foraging habitat on the project site and there is abundant sources of prey such as insects that were observed onsite. By contrast, the project site lacks suitable roosting habitat such as trees. Development of the project would remove available foraging habitat from this species. However, there is ample suitable habitat surrounding much of the project site where bats could find alternative hunting sites. Development of the project would have less than significant impacts on western yellow bat.

Pallid bat

Pallid bat (*Antrozous pallidus*; SSC) occurs variety of habitats are occupied by pallid bats, including deserts, grasslands, shrublands, woodlands, and forests form sea level up through mixed conifer forests. Day and night roosts include crevices in rocks and cliffs, caves, mines, trees, and various human structures. They prey upon a variety of insects and occasionally smaller animals such as lizards.

There is suitable foraging habitat on the project site and there is abundant sources of prey such as insects that were observed onsite. By contrast, the project site lacks suitable roosting habitat such as trees. Development of the project would remove available foraging habitat from this species. However, there is ample suitable habitat surrounding much of the project site where bats could find alternative hunting sites. Development of the project would have less than significant impacts on pallid bat.

Mitigation Measures

There are ten sensitive plant species in the plant inventory that have been designated by CNPS as California Rare Plant Rank (CRPR) 1 or 2 species and that were determined to have a low potential to occur within the BSA; these species are fully protected under CEQA and NPPA. Development of the project would have significant direct and indirect impacts on these species. As such, implementation of mitigation measure **BIO-1**, which requires a thorough botanical survey of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018), is required prior to commencing project activities. Because Coachella Valley milkvetch and triple-ribbed milkvetch are covered under the MSHCP, impacts to these species will be covered by payment of the Coachella Valley Association's and Coachella Valley Conservation Commission's (CVAG's and CVCC's) Local Development Mitigation Fee (LDMF); however, additional surveys may be required by USFWS and/or CDFW for listed species. Mitigation measure **BIO-8**, which requires regular cleaning of equipment and vehicles would minimize the introduction of invasive plants into the adjacent conservation area.

Because there is the potential for desert tortoise burrows to be destroyed during development of the project, additional mitigation is required to minimize or avoid potential take of this species. Mitigation measure **BIO-2** requires protocol surveys be conducted to identify any desert tortoise or sign of desert tortoise that may occupy the project site. This mitigation measure also requires consultation with USFWS if desert tortoise are observed on the project site. Mitigation measure **BIO-5** provides for instruction of workers to educate them of potential biological resources such as desert tortoise burrows and of ways to avoid adversely impacting such resources. Mitigation measure **BIO-6** provides an onsite Biological Monitor during ground- and habitat-disturbing project activities, who will take steps to protect desert tortoise and other listed species if found. Implementation of mitigation measures **BIO-2**, **BIO-5**, and **BIO-6**, coupled with payment into the LDMF, would reduce impacts of project development to listed wildlife species to a less than significant level.

As a result of potential impacts to BUOW and in compliance with the MSHCP, the project proponent will implement mitigation measure **BIO-3** to conduct a sequence of surveys to ascertain the occurrence of established resident populations of BUOW and to reduce the potential for loss of BUOW that might establish residence just prior to project commencement. If any BUOW are observed during the BUOW surveys then the City will confer with CDFW to determine how to minimize impacts to existing BUOW. Implementation of mitigation measure **BIO-3** would reduce impacts to BUOW to less

than significant. Several mitigation measures will be implemented in order to minimize and avoid impacts to loggerhead shrike and other special-status wildlife species that could occur on the project site. Mitigation measure **BIO-4** provides for a pre-construction breeding bird survey in which biologists will take steps to protect nests and breeding behavior of bird species covered under MBTA and the Fish and Game Code.

Mitigation measure **BIO-5** provides for instruction of workers to educate them of potential biological resources such as nests and of ways to avoid adversely impacting such resources. Implementation of mitigation measures **BIO-6** through **BIO-8** would minimize the risk of workers unwittingly impacting biological resources. Mitigation measure **BIO-6** provides an onsite Biological Monitor during ground- and habitat-disturbing project activities, who will take steps to protect special-status plant and wildlife species. Mitigation measure **BIO-7** provides for several construction BMPs that are designed to take precautions against contaminating water or soil surfaces with toxic or hazardous liquids that may spill from equipment or machinery. Mitigation measure **BIO-8** will establish project limits for where vehicles, equipment, and machinery can be stored or operated and where work crews can conduct operations. Mitigation measure **BIO-9** provides protections for vegetation and wildlife. Implementation of mitigation measure **BIO-10** will reduce the disturbances to special-status plants and wildlife occurring on adjacent lands.

MM BIO-1: Rare Plant Surveys

Project site clearance would potentially remove California Rare Plant Rank 1 and 2 plant species that are protected both by CEQA and the NPPA. A floristic-based survey of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, 2018) shall be performed by a qualified biologist prior to project approval. Surveys will be conducted in the field at appropriate times of the year to coincide with the growing season and different blooming periods and when optimum conditions for identification (generally blooms, fruits, and leaves) are present. Typically, a minimum of two surveys should be conducted during different seasons of the same year to adequately capture the floristic diversity of a site, with a focus on areas that will be directly or indirectly receiving impacts from project activities. Biologists will pay special attention to those habitat areas that appear to provide suitable habitat for special-status species. Should any state-listed plant species be present in the Project area, the Project proponent shall obtain an Incidental Take Permit for those species prior to the start of Project activities.

MM BIO-2: Desert Tortoise Take Avoidance Survey

According to Section 9.6.1.4 of the MSHCP, take avoidance surveys are required for projects located inside and outside of Conservation Areas. No more than 14 calendar days prior to start of project activities, a qualified biologist shall conduct pre-construction surveys for desert tortoise as described in the USFWS *Preparing for Any Action That May Occur Within the Range of the Mojave Desert Tortoise* (*Gopherus agassizii*) (USFWS 2019). Pre-construction surveys shall be completed using perpendicular survey routes within the project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project activities cannot start until two negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Should desert tortoise presence be confirmed during the survey, then coordination with USFWS may be required. In this case, unforeseen delays to the project may occur.

MM BIO-3: Burrowing Owl Surveys and Compensatory Mitigation

MM BIO-3.1: Burrowing Owl Survey No More Than 14 Days Prior to Ground Disturbance

Although BUOW was not detected onsite during the general wildlife surveys, and even if they are not detected during the breeding and non-breeding season surveys, the BSA contains suitable habitat to potentially support BUOW, including sparsely vegetated open areas with friable soils. It is thus possible that BUOW could colonize the site between the completion of the surveys and the beginning of ground-disturbing work. Therefore, pre-construction BUOW surveys are required to avoid take and to maintain compliance with the MBTA**.** Pre-construction BUOW surveys shall be conducted no more than 14 days prior to initiating ground-disturbing activities, in accordance with the *Staff Report* (CDFG 2012). Pre-construction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the pre-construction surveys confirm occupied BUOW habitat, project activities shall be immediately halted. CDFW shall be notified of burrowing owl survey results within 48 hours of detection. The qualified biologist shall coordinate with CDFW, USFWS, and the County EPD to conduct an impact assessment to develop avoidance and minimization measures to be approved by CDFW prior to commencing project activities.

Following the completion of the pre-construction BUOW survey, the biologist would prepare a letter report in accordance with the survey guidelines summarizing the results of the survey. The report would be submitted to CDFW prior to initiating any ground disturbance activities.

If no BUOWs or signs of BUOWs are observed during the survey and concurrence is received from the County and CDFW, project activities may begin and no further mitigation would be required.

MM BIO-3.2: Burrowing Owl Survey Within 24 Hours of Initiation of Ground Disturbance

Pre-construction BUOW surveys shall be conducted within 24-hours prior to the initiation of ground disturbing activities, in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). This survey will follow the same guidelines described in the 14-day pre-construction survey (i.e., **BIO-1.2**).

MM BIO-3.3: BUOW Compensatory Mitigation

If BUOW are identified onsite during one or more of the foregoing BUOW surveys, then CDFW will consulted to determine the appropriate mitigation, including but not limited to passive relocation, artificial burrow system installation and monitoring, 5-year reporting, in-lieu fees or payment into mitigation bank.

MM BIO-4: Pre-Construction Breeding Bird Survey

To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.

- Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or

disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts to migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 1 through September 1, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.

- If project activities cannot be avoided during February 1 through September 1, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will focus on direct and indirect evidence of nesting. The biologist will make every effort to avoid nest predation as a result of survey and monitoring efforts. The survey will be conducted 72 hours prior to the initiation of ground-disturbing activities.

- If no breeding birds or active nests are observed during the pre-construction survey, or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.

- If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting.

MM-BIO 5: Worker Environmental Awareness Program

Development of the project would potentially impact special-status plants and wildlife and jurisdictional waters (including wetlands) within the project site. Prior to project construction activities, a qualified biologist will prepare and conduct a Worker Environmental Awareness Program (WEAP) that will describe the biological constraints of the project. All personnel who will work within the project site will attend the WEAP prior to performing any work. The WEAP will include, but not be limited to the following: results of pre-construction surveys; description of sensitive biological resources potentially present within the project site; legal protections afforded the sensitive biological resources; BMPs for protecting sensitive biological resources (i.e., restrictions, avoidance, protection, and minimization measures); individual responsibilities associated with the project; and, a training on grading to reduce impacts to biological resources. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading.

The training shall include a description of the species of concern and its habitat, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to the project site boundaries within which the project activities must be accomplished. The program will also include the reporting requirements if workers encounter a sensitive wildlife species, including BUOW and desert tortoise (i.e., notifying the biological monitor or the construction foreman, who will then notify the biological monitor).

Training materials will be language-appropriate for all construction personnel. Upon completion of the WEAP, workers will sign a form stating that they attended the program, understand all protection measures, and will abide all the rules of the WEAP. A record of all trained personnel will be kept with the construction foreman at the project field construction office and will be made available to any resource agency personnel. If new construction personnel are added to the project later, the construction foreman will ensure that new personnel receive training before they start working. The biologist will provide written hard copies of the WEAP and photos of the sensitive biological resources to the construction foreman.

MM BIO-6: Biological Monitor

Development of the project would potentially impact special-status species and jurisdictional waters (including wetlands). A qualified biologist shall be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way wildlife that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise by injured or killed, and individuals should be moved only as far a necessary to ensure their safety. Measures shall be taken to prevent wildlife from re-entering the Project site. Only biologists authorized by a Memorandum of Understanding issued by CDFW shall move CESA-listed species.

If special-status wildlife species such as BUOW or nesting bird species are observed and determined present within the project site during the pre-construction breeding bird surveys or the BUOW surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The biological monitor shall ensure that all BMPs, avoidance, protection and mitigation measures described in the relevant project permits and reports are in place and are adhered to.

The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. Work can continue at the location if the project proponent and the consulted resource agency determine that the activity will not result in adverse effects on the species.

The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include; location of the carcass, a photograph, cause of death (if known), and other pertinent information.

MM BIO-7: Construction Best Management Practices

Project work crews will be directed to use BMPs where applicable. These measures will be identified prior to construction and incorporated into the construction operations.

Implementation of this mitigation measure will help to avoid, eliminate or reduce impacts to sensitive biological resources, such as special-status terrestrial wildlife species, to less than significant levels. BMPs applicable to this project include the following:

- Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.

- Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitat. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional agencies such as the City, FWS, and CDFG, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.

- The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs.

MM BIO-8: Project Limits and Designated Areas

To avoid impacts to sensitive biological resources, the project proponent will implement the following measures prior to project construction and commencement of any ground-disturbing activities or vegetation removal:

- Specifications for the project boundary, limits of construction, project-related parking, storage areas, laydown sites, and equipment storage areas will be mapped and clearly marked in the field with temporary fencing, signs, stakes, flags, rope, cord, or other appropriate markers. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas. All markers will be maintained until the completion of activities in that area. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans.

- To minimize the amount of disturbance, the construction/laydown areas, parking areas, staging areas, storage areas, spoil areas, and equipment access areas will be restricted to designated areas. To the extent possible, designated areas will comprise, existing disturbed areas (parking lots, access roads, graded areas, etc.).

- Project related work limits will be defined and work crews will be restricted to designated work areas. Disturbance beyond the actual construction zone is prohibited without site specific surveys. If sensitive biological resources are detected in the area to be impacted, then appropriate measures will be implemented to avoid impacts (i.e., flag and avoid, erect orange snow fencing, biological monitor present during work, etc.). However, if avoidance is not possible and the sensitive biological resources will be directly impacted by project activities, the biologist will mark and/or stake the site(s) and map the individuals on an aerial map and with a GPS unit. The biologist will then contact the appropriate resource agencies to develop additional avoidance, minimization and/or mitigation measures prior to commencing project activities.

- The project proponent will ensure that construction activities will include measures to prevent accidental falls into excavated areas. The construction crew will inspect excavated

areas daily to detect the presence of trapped wildlife. All deep or steep-walled excavated areas will be covered with tarp and either be furnished with escape ramps or be surrounded with exclusionary fencing in order to prevent wildlife from entering them. Wildlife found in excavation areas should be trapped and relocated out of harm's way to a suitable habitat outside of the project area, if possible.

MM BIO-9: General Vegetation and Wildlife Avoidance and Protection Measures

The BSA contains habitat, including wetland habitat, which can support many wildlife species. The project boundary is adjacent to portions of the Willow Hole Conservation Area and measures should be taken to prevent project activities from impacting that area. The project proponent will implement the following general avoidance and protection measures to protect vegetation, wetlands and other jurisdictional areas, and wildlife, to the maximum extent practical:

- Fencing will be installed around the perimeter of the project site, to limit impacts to the nearby Willow Hole Conservation Area as a result of development of the project. To prevent mammals and reptiles attempting to move from the conservation area into the project site, the project proponent will install exclusion fencing around the perimeter of the project site. The appropriate fencing material will be determined by the construction contractor in cooperation with the qualified biologist. Fencing materials such as hardware cloth, silt fencing, Animex wildlife exclusion fencing, Ertec wildlife exclusion fencing, or similar products may be considered exclusion fencing. This fencing will be installed by first trenching and then burying the bottom portions of the fence. Fencing will be angled away from the project site or curved at the top to prevent animals from climbing over the fence. The fencing should be buried to a depth of 12 to 14 inches. Stabilization of the fencing is achieved through the use of 36-inch-long wooden landscape stakes, spaced 5 to 8 feet apart, depending on the stability of the soil. The stakes will be placed into the ground until their tops are approximately even with the top of the fencing.

- Cleared or trimmed vegetation and woody debris will be disposed of in a legal manner at an approved disposal site. Cleared or trimmed non-native, invasive vegetation will be disposed of in a legal manner at an approved disposal site as soon as possible to prevent regrowth and the spread of weeds.

- The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.

- Non-native wildlife species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible. Only a qualified biologist should remove non-native species.

- During project construction and operation/maintenance, vehicles and all equipment will be washed (including wheels, undercarriages, and bumpers) at an offsite washing facility (e.g., a car wash or truck wash) immediately before project construction begins and prior to leaving the project area each time these items are brought to or removed from the project area. In addition, tools such as chainsaws, hand clippers, pruners, etc. will be washed at an offsite washing facility immediately before project construction begins and prior to leaving the project area each time these items are brought to or removed from the project area. In

addition, vehicles, tools, and equipment will be washed at an offsite washing facility should these vehicles, tools, and equipment have been used in an area where invasive plants occur and as directed by the biological monitor, prior to entering a project area free of populations of invasive plants. Rumble plates need to be installed at the entrance to the project area. All vehicles entering or leaving the project site must drive over the rumble plates to limit the amount of offsite mud being brought onto the project site and onsite mud being transported off of the project site. Finally, vehicles, tools, and equipment used for maintenance will be washed at an offsite washing facility immediately before each maintenance event. All washing will take place where rinse water is collected and disposed of in either a sanitary sere or landfill; an effort will be made to use wash facilities that use recycled water. When vehicle and equipment washing and cleaning must occur onsite, and the operation cannot be located within a structure or building equipped with appropriate disposal facilities, the outside cleaning area should have the following characteristics: 1) Located away from storm drain inlets, drainage facilities, or watercourses, 2) Paved with concrete or asphalt and bermed to contain wash waters and to prevent runon and runoff, 3) Configured with a sump to allow collection and disposal of wash water, 4) No discharge of wash waters to storm drains or watercourses, and 5) Used only when necessary.

- To minimize construction-related mortalities of nocturnally active species such as mammals and snakes, it is recommended that all work be conducted during daylight hours. Nighttime work (and use of artificial lighting) will not be permitted unless specifically authorized. If required, night lighting will be directed away from the preserved open space areas to protect species from direct night lighting. All unnecessary lights will be turned off at night to avoid attracting wildlife such as insects, migratory birds, and bats.

- If any wildlife such as BUOW or desert tortoise is encountered during the course of project activities, said wildlife will be allowed to freely leave the area unharmed.

- If any wildlife does not move off the site unassisted and within less than one hour, then a qualified biologist will be contacted to move the species out of harm's way wildlife if it would otherwise be injured or killed from the project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise by injured or killed, and individuals should be moved only as far a necessary to ensure their safety. Only biologists authorized by a Memorandum of Understanding issued by CDFW shall move FESA and CESA-listed species such as desert tortoise.

- Wildlife will not be disturbed, captured, harassed, or handled. Animal nests, burrows and dens will not be disturbed without prior survey and authorization from a qualified biologist.

- Active nests of special-status or otherwise protected bird species cannot be removed or disturbed. Nests can be removed or disturbed if determined inactive by a qualified biologist.

- To avoid impacts to wildlife and attracting predators of protected species, the project proponent will comply with all litter and pollution laws and will institute a litter control program throughout project construction. All contractors, subcontractors, and employees will also obey these laws. These covered trash receptacles will be placed at each designated work site and the contents will be properly disposed at least once a week. Trash removal will reduce the attractiveness of the area to opportunistic predators such as common ravens, coyotes, northern raccoons, and Virginia opossums.

- Contractors, subcontractors, employees, and site visitors will be prohibited from feeding wildlife and collecting plants and wildlife.

- Disturbance near ponded water will be limited during the rainy season. It could serve as potential habitat for amphibians and sensitive invertebrates.

MM BIO-10: MSHCP Section 4.5 Land Use Adjacency Guidelines

The western boundary of the project area abuts the eastern boundary of the Willow Hole MSHCP Conservation Area; therefore, the Land Use Adjacency Guidelines presented in Section 4.5 of the MSHCP shall be adhered to. The purpose of these guidelines is to avoid or minimize indirect effects from development projects that are adjacent to Conservation Areas. The MSHCP defines "adjacent" as: "*sharing a common boundary with any parcel in a Conservation Area*". These potential indirect effects are referred to as "edge effects". The guidelines provide that edge effects will be addressed through reserve management activities such as fencing. The following Land Use Adjacency Guidelines shall be considered by the Permittees in their review of individual public and private Development projects adjacent to or within the Conservation Areas:

4.5.1 Drainage: Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

4.5.2 Toxics: Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.

4.5.3 Lighting: For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

4.5.4 Noise: Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

4.5.5 Invasives: Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112. The plants listed in Table 4-113 (MSHCP) shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

Level of Significance After Mitigation

With implementation of mitigation measures **BIO-1** through **BIO-10** listed above, as well as payment into the MSHCP LDMF, the project would result in less than significant impacts on special-status plant and wildlife species.

b) Would the project 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 Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant with Mitigation Incorporated

There are eight land cover types that occur within the project site, and the primary plant community covering over 90 percent of the site is creosote bush-white bursage scrub[10]. The majority of the vegetation that occurs onsite is xerophytic desert shrubs, annual forbs and grasses; however, there is an approximately 1.00-acre desert riparian wash area located in the southwestern portion of the project site. This desert riparian wash occurs where stormwater flow draining southward along the western roadway margin of Palm Drive overflows the roadway berm along the eastern project boundary and fans out into a wash just north of the stabilized desert dune, approximately 500 feet north of the southwestern corner of the project site (see **Figure 4.4-1**). The plant community that occurs in the desert riparian wash area is Fourwing saltbush scrub (*Atriplex canescens* shrubland alliance), which was further classified to the association level of *Atriplex Canescens* Desert Wash Association based on *A Manual of California Vegetation, second edition* (Sawyer et al., 2009; Evens et al., 2020). Although this one area was determined to be riparian habitat, none of the land cover types within the BSA are sensitive plant communities (CDFW, 2022). Refer to **Appendix C1**, *Biological Resources Evaluation*, for a more detailed discussion of the various land cover types and the specific hydrological and vegetative characteristics of the desert riparian wash area.

Development of the project will lead to the removal or disturbance of all existing top soil and the loss of all the plant communities that occur on the project site. None of these activities would have direct significant impacts on sensitive plant communities because none occur within the BSA. However, direct impacts of all on-site riparian habitat, which is under RWQCB and CDFW jurisdiction, is anticipated as a result of the proposed project.

The western and part of the northern boundary of the project site abuts the Willow Hole Conservation Area, which is conserved habitat protected into perpetuity by the MSHCP. There is suitable habitat in the conservation area to support sensitive natural communities. One potential indirect impact of project activities is that weed seeds carried on heavy equipment and work vehicles could spread into the conservation area. Invasive plant species could be introduced into the conservation area and over time, invasive plant populations could establish and displace sensitive natural communities.

The literature review and field surveys determined that the BSA does not contain USFWS critical habitat, therefore the project is not anticipated to have direct or indirect impacts on critical habitat.

[10] The project area is MSHCP-mapped as Sonoran mixed woody succulent scrub. The site is not within a Conservation Area and therefore the Conservation Objectives for this natural community do not apply (MSHCP Section 4.0).

Mitigation Measures

Development of the project would have significant direct impact on the riparian occurrence of the fourwing saltbush scrub plant community in the desert riparian wash area. Prior to clearance or any other ground-disturbing activities, the City will consult with RWQCB and CDFW to determine the required avoidance and minimization measures to reduce project impacts to a less than significant level. Introduced invasive plant species from project activities would potentially have significant indirect impacts on sensitive natural communities in adjacent conservation areas. Implementation of mitigation measure **BIO-1**, which requires floristic surveys for sensitive plant communities, would provide a means to identify any special-status plant species within the desert riparian area on the project site. Implementation of mitigation measure **BIO-8**, which requires regular vehicle and equipment cleaning, would reduce the introduction of weeds into areas surrounding the project site.

Level of Significance After Mitigation

With implementation of mitigation measures **BIO-1** and **BIO-8**, as well as payment into the MSHCP LDMF and consultation with RWQCB and CDFW regarding required avoidance and minimization measures for impacts to jurisdictional waters (including wetlands), the project would result in less than significant impacts on sensitive plant communities and riparian habitat.

c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant with Mitigation Incorporated

Federally Protected Jurisdictional Waters (Including Wetlands)

According to the literature review and reconnaissance-level field survey, there are no waters, including wetlands, on the project site that meet the definition of "jurisdictional waters of the U.S." as per 40 CFR 230.3(s). Surface waters in the project vicinity, such as the Morongo Wash, flow southward (see **Appendix C1**, Figure 7, *Surface Waters and Watersheds*), some of which enter the Coachella Valley Stormwater Channel, and others Whitewater River. Whitewater River flows southeast to the Salton Sea, which is a terminal lake with no outlet to the ocean. Water entering the Salton Sea can only depart through evaporation.

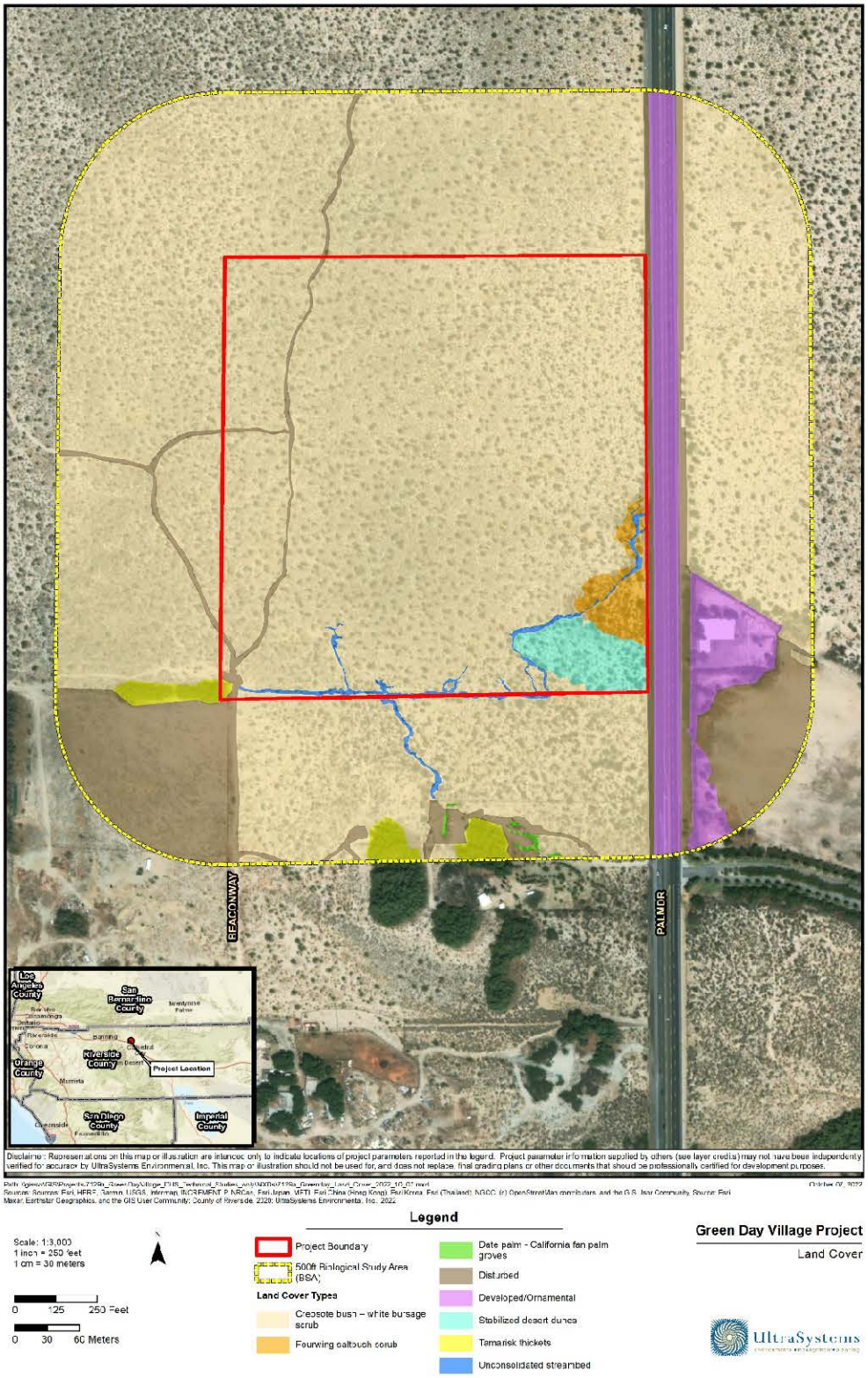
None of the sheetflow generated on the project site appears to enter either the Coachella Valley Stormwater Channel or Whitewater River. Sheetflow on the project site drains into two small drainages along the southern boundary of the project site and these waters merge together into one channel that continues southward into the south-adjacent property. These waters appear to spread out and eventually percolate into the soils of the southern property. Water movement past the southern property to 20th Avenue is not possible because there are large dunes that separate these areas. Thus, no onsite waters eventually enter the Salton Sea and these are not waters of the U.S.

State Protected Jurisdictional Waters (Including Wetlands)

According to the literature review and reconnaissance-level jurisdictional delineation survey, there are jurisdictional waters of the State that occur on the project site (see **Figure 4.4-2**). Based on the results of the jurisdictional delineation conducted by UltraSystems biologists on March 5 and 6, and May 26 and 27, 2022, there were the following 10 jurisdictional features identified on the project

site: five ephemeral drainages, three swales and one desert riparian wash associated with the drainages, and one isolated desert playa. The drainages, swales, desert riparian area, and playa are considered waters of the State and would be regulated by RWQCB. CDFW would potentially regulate all of these features except the swales. Refer to **Appendix C2**, *Preliminary Jurisdictional Delineation,* for a detailed analysis of these waters of the State.

Figure 4.4-1
LAND COVER TYPES



Direct or indirect impacts on state-protected wetlands as defined by Section 404 of the Clean Water Act are anticipated through direct removal, filling, hydrological interruption, or other means, as a result of project activities, and therefore, mitigation is required. Jurisdictional waters with their respective acreages are provided in **Table 4.4-2**, *Total Acreage of Potential Impacts to Jurisdictional Waters*.

The SWRCB and the RWQCBs have the authority to regulate the discharge of dredged or fill material under § 401 CWA and Porter-Cologne. When a discharge is proposed to waters outside of federal jurisdiction, the SWRCB and the RWQCBs regulate the discharge under Porter-Cologne through the issuance of Waste Discharge Requirements (WDRs). CWA § 401 Water Quality Certifications (WQCs), Waste Discharge Requirements (WDRs), and waivers of WDRs are referred to as orders or permits.

The ground-disturbing activities would entail the removal of all of the onsite drainages, including D1, which discharges to the south of the project site within 50 feet of the Date palm – California fan palm groves that occur in the BSA (see **Figure 4.4-1**). As a consequence of the removal of these onsite drainages, it is likely that the remaining stretch of D1 that is south of the project site will have a substantially reduced volume of water that it discharges into the area where the fan palm stand occurs. This reduction in water flow may lead to the death or reduced function of the California fan palm trees in these stands.

The Date palm – California fan palm groves appear to be monotypic stands of California fan palm. California fan palm is rated as FAC species on USACE's National Wetland Plant List (USACE, 2020). A FAC rating indicates that the species can be a facultative wetland species and be an indicator of wetland conditions when there is also hydrology and soils indicators of hydric conditions. Thus, these groves may be riparian habitat. Therefore, a reduction in the flow volume through D1 could adversely impact riparian (i.e., wetland) habitat. If these are wetland waters of the State, then there are potential indirect impacts to the covered Desert fan palm oasis woodland as a result of development of the project.

Figure 4.4-2
JURISDICTIONAL WATERS

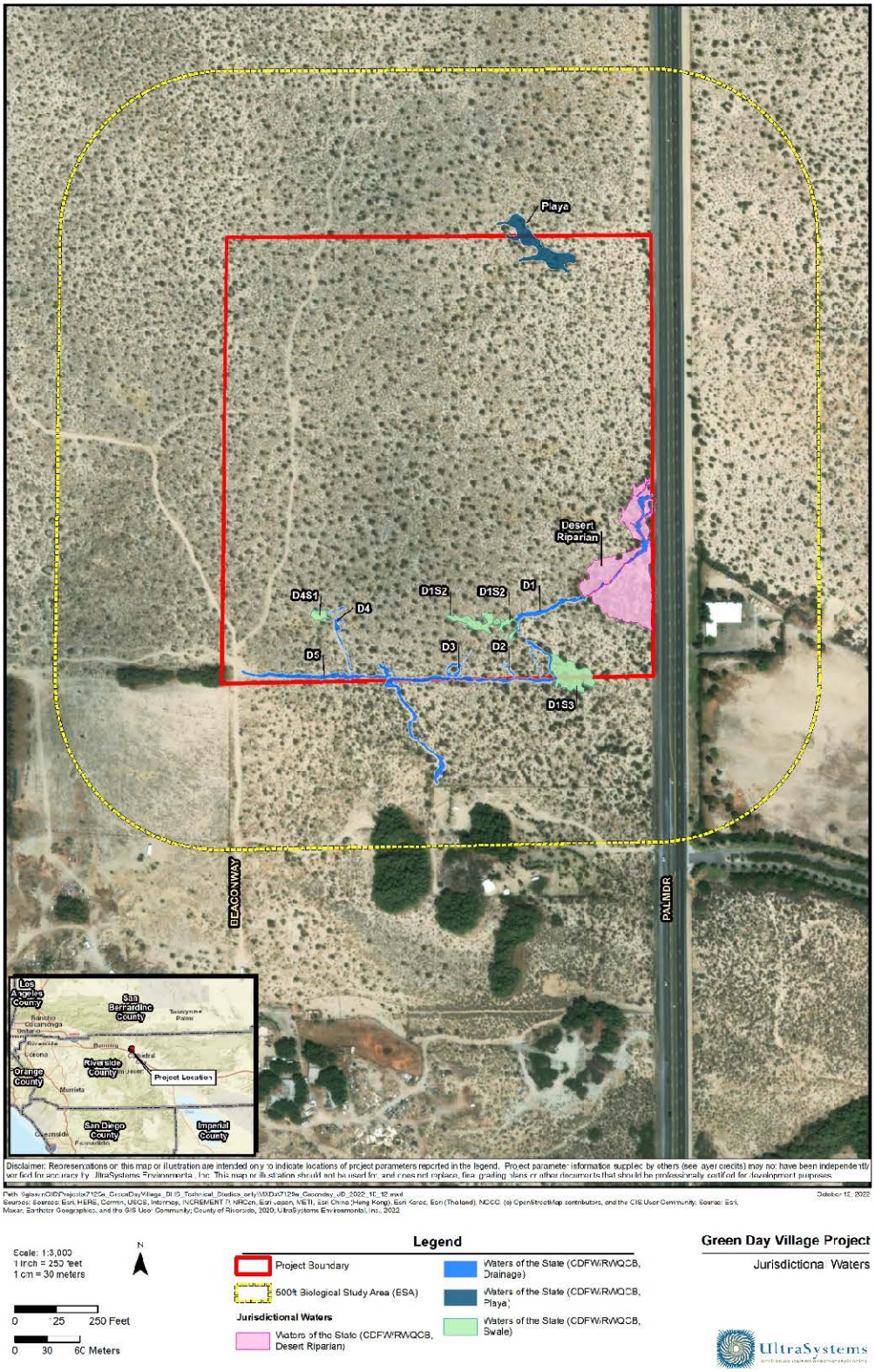


Table 4.4-2
TOTAL ACREAGE OF POTENTIAL IMPACTS TO JURISDICTIONAL WATERS

Agency Jurisdiction	Total in Project Area	Total Permanent Impact Acreage	Total Temporary Impact Acreage	Total Impact Acreage
Waters of the State (RWQCB/CDFW - Drainage)	0.49	0.49	0	**0.49**
Waters of the State (RWQCB – Swale)	0.25	0.25	0	**0.25**
Waters of the State (RWQCB/CDFW – Playa)	0.19	0.19	0	**0.19**
Waters of the State (RWQCB/CDFW – Desert Riparian)	1.00	1.00	0	**1.00**
Total Waters of the State (RWQCB)	1.93	1.93	0	**1.93**
Total Waters of the State (CDFW)	1.68	1.68	0	**1.68**

Mitigation Measures

MM BIO-11: Mitigation for Impacts to Jurisdictional Waters

Prior to the issuance of grading permits for the project, and prior to any impacts to jurisdictional areas, the City of Desert Hot Springs will obtain WDR permits pursuant to Section 401 of the CWA for impacts to jurisdictional waters of the State and pursuant to the California Porter-Cologne Water Quality Control Act, §§ 1600-1616 of the California Fish and Game Code for impacts to CDFW jurisdictional areas. The former is issued by the RWQCB, while the latter is issued by CDFW. These permits are described in detail within **Section 9.0** of *the Biological Resources Evaluation for the Green Day Village Project*, UltraSystems 2022, included as **Appendix C1** to this Initial Study. The permits will mandate BMPs, avoidance and protection measures, and compensatory mitigation measures for impacts to jurisdictional waters. All measures to protect waters, water quality, fish, and wildlife resources will be incorporated into the project design as appropriate. Specific mitigation details to offset impacts to jurisdictional areas will be finalized during the permitting process with RWQCB and CDFW.

Level of Significance After Mitigation

With the implementation of **MM BIO-11**, development of the project would have less than significant impacts on waters of the State.

d) Would the project 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?

Less Than Significant Impact

The project site does not support resident or migratory fish species. No wildlife nursery sites were observed during the field surveys. According to the findings of the literature review and reconnaissance-level survey, no designated resident or migratory wildlife corridors such as CDFW Essential Habitat Connectivity Areas or Natural Landscape Blocks occur on the project site or in the BSA. The BSA does potentially represent a wildlife movement corridor because the site is undisturbed and its surroundings include ample open space for various species of mammals and

reptiles to traverse. The project site would likely be fenced during construction which may disrupt movement patterns of wildlife species that would typically travel through the project site. However, because special-status and common wildlife would still be able to use the adjacent wildlife movement corridors of the adjacent Willow Hole Conservation Area that will be conserved into perpetuity, it is anticipated that the project would impact these corridors to a less than significant degree. Similarly, any species of migratory birds that would use this site as a migratory stop would be able to find nearby alternative habitat in the adjacent conservation area. As a result, the project would not interfere substantially with or impede: (1) the movement of any resident or migratory fish or wildlife species; (2) established resident or migratory wildlife corridors; or (3) the use of wildlife nursery sites. Therefore, there would be less than significant impact in this regard.

Mitigation Measures

Development of the project would have less than significant impacts on native wildlife movement or corridors, or native wildlife nursery sites and therefore no mitigation is required.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact

In the City Municipal Ordinance Title 17, Chapter 17.56, Section 17.56.090, *Removal or destruction of trees* (hereafter, tree removal ordinance), states that for any property in which more than five healthy, shade-providing, and aesthetically valuable trees are proposed for removal that a tree removal permit must be obtained by the property owner.

A tamarisk thicket is adjacent to and partly stretching into the southwest corner of the project site (see **Appendix A**, Figure 8, *Land Cover Types*). Four salt cedar (*Tamarix ramosissima*) trees occur on the project site, three of which have canopies that overhang into the site, and one of which is entirely within the site. The occurrence of these four trees in the project site does not necessitate the submission of a tree removal permit because these trees would likely not be considered aesthetically valuable by the City, and thus would not be protected by the ordinance. Furthermore, salt cedar has a high rating on the Cal-IPC Inventory. The CDFW typically requires that invasive plant species with a moderate or high rating on the Cal-IPC Inventory be removed; thus, it would be beneficial to the ecological health of the surrounding areas to remove salt cedar from the project site. Moreover, there is no requirement to submit a tree removal permit because there are fewer than six trees that are proposed for removal. Development of the project would not conflict with local policies protecting biological resources, such as the tree removal ordinance. The trees that are proposed for removal from the project site do not qualify for protection by the City's tree removal ordinance. Potential conflicts with the MSHCP are discussed in the next section.

Mitigation Measures

Development of the project would have less than significant impacts on the trees protected under City ordinance and therefore no mitigation is required.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant with Mitigation Incorporated

The project site is located within the Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP) area. Adherence to the MSHCP Conservation Objectives for various biological resources does not apply to the project, because the project does not occur within an MSHCP Conservation Area. However, there are several MSHCP-covered plant and wildlife species and natural communities that would potentially be impacted by development of the project.

Based on the results of a literature review and field surveys, it was determined that the following 15 MSHCP covered species have a potential to occur on the project site: Coachella Valley milkvetch, triple-ribbed milk-vetch (*Astragalus tricarinatus*), Little San Bernardino Mountains linanthus (*Linanthus maculatus* [Parish] Milliken ssp. *maculatus*), desert tortoise, Coachella Valley fringe-toed lizard, least Bell's vireo (*Vireo bellii pusillus*), Coachella giant sand treader cricket (*Macrobaenetes valgum*), Coachella Valley Jerusalem cricket, flat-tail horned lizard, BUOW, Le Conte's thrasher, Crissal thrasher (*Toxostoma crissale*), Palm Springs round-tailed ground squirrel (*Xerospermophilus tereticaudus chlorus*), Palm Springs pocket mouse (*Perognathus longimembris* ssp. *bangsi*), and western yellow bat.

Based on the results of field surveys, it was determined that the following four MSHCP covered natural communities occur within the BSA: desert saltbush scrub (the names of analogues of these communities shown in **Appendix A**, Figure 8, *Land Cover Types*, which were mostly based on the *Manual of California Vegetation (Second Edition)*, are listed parenthetically): desert saltbush scrub (fourwing saltbush scrub), Sonoran creosote bush scrub (creosote bush-white bursage scrub), stabilized and partially stabilized desert dunes (stabilized desert dunes), and desert fan palm oasis (date palm - California fan palm groves)

The MSHCP requires payment into an LDMF for all development projects. These funds are used to acquire and protect conserved lands where suitable habitat for these protected biological resources occurs.

In addition, the project's adjacency to eastern boundary of the Willow Hole Conservation Area warrants the adherence to the MSHCP Land Use Adjacency Guidelines, presented in Section 4.5 *Land Use Adjacency Guidelines* of the MSHCP. The project's proximity to the Willow Hole Conservation Area could cause the proposed project to conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP; however, impacts could be reduced to a less-than-significant degree with the incorporation of mitigation.

Mitigation Measures

Mitigation measure **BIO-3** requires breeding and non-breeding season surveys to be conducted for BUOW in accordance with MSHCP requirements. Mitigation measure **BIO-2** requires protocol surveys for desert tortoise in accordance with MSHCP requirements. Mitigation measure **BIO-10** provides protections for MSHCP natural communities and covered species that have the potential to occur in the Willow Hole Conservation Area, which shares a boundary on both the western and part of the northern boundary of the project site. This measure presents land use adjacency guidelines which provide guidance in reducing indirect project impacts due to disturbances or contamination associated with drainage, toxics, lighting, noise, and invasive species. In addition to mitigation measures **BIO-2, BIO-3**, and **BIO-10**, the project proponent will be required to pay an LDMF in order to minimize and avoid impacts to covered species and natural communities.

Level of Significance After Mitigation

With the implementation of mitigation measures **BIO-2**, **BIO-3**, **BIO-10** and payment of the LDMF, project impacts to HCPs and NCCPs will be reduced to a less than significant level.

4.5 Cultural Resources

Information from the Phase I Cultural Resources Inventory for the Green Day Village Project, City Of Desert Hot Springs, dated July 2022 (see Appendix D**),** prepared by UltraSystems (O'Neil and Doukakis, 2022), has been included in this section.

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
f) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				**X**
g) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		**X**		
h) Disturb any human remains, including those interred outside of dedicated cemeteries?		**X**		

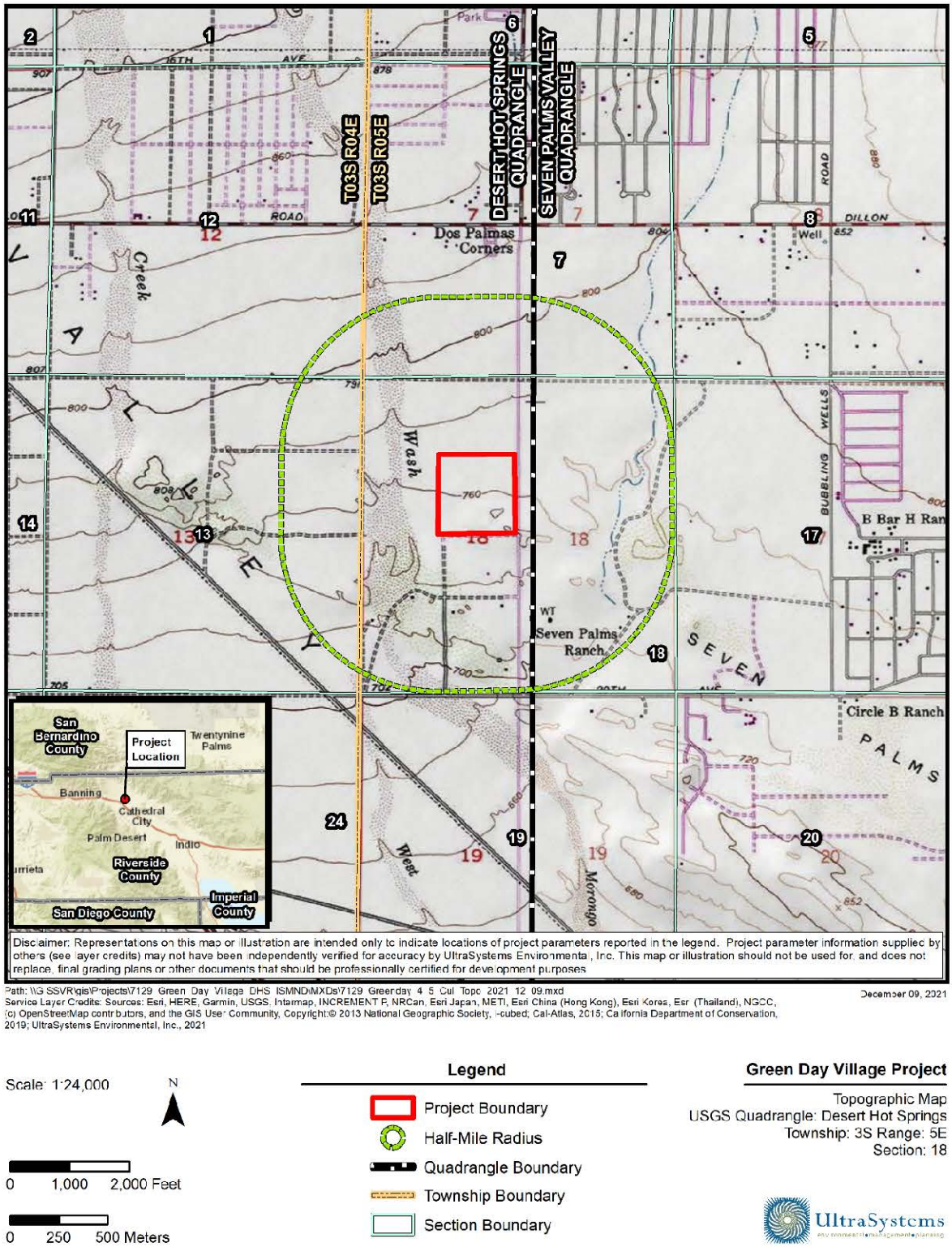
4.5.1 Introduction

This section addresses project impacts on historical resources (any object, building, structure, site, area, place, record, or manuscript determined to be historically significant); archaeological resources (prehistoric or historic evidence of past human activities, including structural ruins and buried resources), and human remains.

Methodology

A cultural resources analysis was conducted for the Green Day Village project site (**Figure 4.5-1**) that included a California Historic Resources Inventory System (CHRIS) records and literature search at the Eastern Information Center (EIC) located at University of California, Riverside. Additionally, a request was made to the Native American Heritage Commission (NAHC) to conduct a search of its Sacred Lands File (SLF) for potential traditional cultural properties as well as to provide a list of local Native American tribes and tribal representatives to contact. Finally, a pedestrian survey of the project site was completed. The EIC records search was conducted on March 16, 2022. The NAHC request was made on December 9, 2021, and a reply was received on February 7, 2022; letters were sent to the listed tribes on February 9, 2022, and follow-up telephone calls were conducted June 27 and 28, 2022. The pedestrian field survey was conducted on April 5, 2022.

Figure 4.5-1
TOPOGRAPHIC MAP



Existing Conditions

Based on the cultural resources records search, it was determined that no prehistoric or historic cultural resources have been previously recorded within the project site boundary. Within the 0.5-mile buffer zone, there have been 18 prehistoric archaeological sites and six previously recorded historic-era cultural resource. Section 4.1 **in** Appendix D of this document describes this resource.

A prehistoric site and a site-complex (CA-RIV-154 and CA-RIV-8783 respectively) along with numerous prehistoric isolates are located to the south, southwest, east and northeast of the project boundary. The large habitation and burial site CA-RIV-154 (also known as Seven Palms Village II) is located 300 meters to the south of the project's southern edge. A large complex of sites is situated immediately east of the project across Palm Drive in the Seven Palms Ranch (now the Desert Dunes Golf Club); this consists of CA-RIV-1825, -1827, -2642, -2643, -2644, -2646, -2647, and -8766; also identified as Seven Palms Site #1 and #2, and as Seven Palms 1 – 6 (see Table 4.1-1 in Appendix D). This site complex is centered approximately 550 meters to the southeast of the project boundary. All of these prehistoric sites, plus several historic sites, are also grouped together as CA-RIV-8783 that includes these prehistoric and historic sites along with nearby isolate artifacts found in Palm Drive Avenue, that were identified on the original Seven Palms Ranch property (Table 4.1-1 in Appendix D).

In addition to the Seven Palms Village site and associated smaller prehistoric sites and isolates, surveys along Palm Drive and 18th Avenue recorded several prehistoric isolates consisting of ceramics and ground stone (33-012629, -013679, -016743, -016744, -016745, -016747, -016748, and -016749). These are located to the southeast, north and northeast of the project boundary and are also grouped together within RIV-8783 (Table 4.1-1 in Appendix D).

4.5.2 Impact Analyses

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

No Impact

A historical resource is defined in § 15064.5(a)(3) of the CEQA *Guidelines* as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register, included in a local register, or identified as significant in a historic resource survey are also considered as historical resources under CEQA.

Similarly, the National Register criteria (contained in 36 CFR 60.4) are used to evaluate resources when complying with Section 106 of the National Historic Preservation Act (NHPA). Specifically, the National Register criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that: (a) are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of a type, period, or method of construction,

or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or (d) that have yielded or may be likely to yield, information important to history or prehistory.

A substantial adverse change in the significance of an historical resource as a result of a project or development is considered a significant impact on the environment. Substantial adverse change is defined as physical demolition, relocation, or alteration of a resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Direct impacts are those that cause substantial adverse physical change to a historic property. Indirect impacts are those that cause substantial adverse change to the immediate surroundings of a historic property, such that the significance of a historical resource would be materially impaired.

There are no known historic cultural resources within the project site boundary or immediately adjacent, based on findings of the CHRIS records search, research conducted on the project site's history and the pedestrian survey. Therefore, it is determined there is a low potential for the presence of historic resources. While there is always the potential for unanticipated historic resource discoveries being made during ground disturbing activities, it is anticipated there would be no impacts on historic resources associated with the development of the project.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less than Significant Impact with Mitigation Incorporated

An archaeological resource is defined in § 15064.5(c) of the CEQA Guidelines as a site, area or place determined to be historically significant as defined in § 15064(a) of the CEQA Guidelines, or as a unique archaeological resource defined in § 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically recognized important prehistoric or historic event or person. The undeveloped, open desert lands nature of the project site and level elevation relative to adjacent roads suggest that ground here has been not been disturbed, with the native surface soil and vegetation remaining intact. The cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and buffer zone, a search of the SLF by the NAHC, and pedestrian field survey, leads to the conclusion that there is the potential for undisturbed unique archaeological resources exist on the project site.

The cultural resources records search conducted at the EIC determined that there are no known prehistoric cultural resource sites, features or isolates recorded within the project boundary. There are 18 recorded prehistoric sites and six recorded historic sites within the 0.5-mile radius buffer zone of the area of potential effect (APE) of the project boundary. The result of the pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site.

According to records at the EIC, no previous cultural resource surveys have included a portion of the project area, and that 16 surveys have been conducted within the 0.5-mile radius project buffer but not within the project APE (Table 4.5-2 **in** Appendix D). As noted above, none of these surveys recorded prehistoric or historic cultural resources within the project boundary.

A NAHC SLF search was conducted on and within a 0.5-mile buffer around the project site. The NAHC letter of February 7, 2022 indicated a positive result documenting the presence of a traditional

cultural properties within this general area. Twenty-one representatives representing 14 Native American tribal organizations on the NAHC local tribal contact list were contacted. These tribes are:

- Agua Caliente Band of Cahuilla Indians
- Augustine Band of Cahuilla Mission Indians
- Cabazon Band of Mission Indians
- Cahuilla Band of Mission Indians
- Los Coyotes Band of Cahuilla and Cupeno Indians
- Soboba Band of Luiseño Indians
- Morongo Band of Mission Indians
- Santa Rosa Band of Cahuilla Indians
- Quechan Tribe of the Fort Yuma Reservation
- Ramon Band of Cahuilla
- San Manuel Band of Mission Indians
- Serrano Nation of Mission Indians
- Torres-Martinez Desert Cahuilla Indians
- Twenty-Nine Palms Band of Mission Indians

UltraSystems prepared letters to each of the 21 tribal contacts representing 14 tribes and bands named by the NAHC (Attachment C in Appendix D). On February 9, 2022, Ms. Doukakis mailed letters with accompanying maps to all 21 tribal contacts, and emailed the letters and maps to each of the 19 tribal contacts for which email addresses were known, with the contact letter and map describing the project and showing the project's location, requesting a reply if they have knowledge of cultural resources in the area that they wished to share, and asking if they had questions or concerns regarding the project.

Jill McCormick, Historic Preservation Officer for the Quechan Tribe of the Fort Yuma Reservation replied by email on March 1, 2022 indicating that the tribe has no comments on this project and will defer to the more local Tribes and support their decisions on the project. Ryan Nordness, Cultural Resource Analyst and Bonnie Bryant, Cultural Resources Technician with the San Manuel Band of Mission Indians both responded by email on March 1 and March 3, 2022 indicating that the project area is outside of their ancestral territory and would not like to consult on the project. Copies of these replies are located in Attachment C of Appendix D.

Following up on the initial letter and email contacts, telephone calls were conducted by Archaeological Technician Megan B. Doukakis on June 27 and 28, 2022 to those tribes who had not previously replied by email or letter and had provided telephone numbers. Eight of the telephone calls were placed with no answer and so messages were left describing the project and requesting a response. These were to Wayne Walker, Co-Chairperson of the Serrano Nation of Mission Indians; Joseph Hamilton, Chairperson and John Gomez, Environmental Coordinator of the Ramon Band of Cahuilla; Anne Brierty, THPO and Robert Martin, Chairperson of the Morongo Band of Mission Indians; Doug Welmas, Chairperson of the Cabazon Band of Mission Indians; Patricia Garcia-Plotkin, Director and Jeff Grubbe, Chairperson of the Agua Caliente Band of Cahuilla Indians. In a call to Mark Cochrane, Co-Chairperson of the Serrano Nation of Mission Indians, the phone line was disconnected so no message was able to be left. In a call to Michael Mirelez, Cultural Resource Coordinator of the Torres-Martinez Desert Cahuilla Indians there was no answer, the answering machine was full, and so no message could be left. Calls to Amanda Vance, Chairperson of the Augustine Band of Cahuilla Mission Indians; Daniel Salgado, Chairperson of the Cahuilla Band of Indians; and Ray Chapparosa, Chairperson of the Los Coyote Band of Cahuilla and Cupeño Indians resulted with messages being left for them with the tribal receptionists. In a call to Lovina Redner, Tribal Chair of the Santa Rosa Band of Cahuilla Indians, the tribal receptionist indicated that the Chair was not in the office and that email is the best way to reach her. No message was left.

In a call to Joseph Ontiveros, Cultural Resource Department of the Soboba Band of Luiseño Indians on June 27, 2022, Mr. Ontiveros indicated that the project area is sensitive and near a Traditional

Cultural Place (TCP) for the tribe. Mr. Ontiveros indicated that the tribe can provide information about that TCP during consultation with the lead agency. Mr. Ontiveros also requested Native American monitoring during ground disturbance.

In a call to Anthony Madrigal, Tribal Historic Preservation Officer of the Twenty-Nine Palms Band of Mission Indians on June 28, 2022, Mr. Madrigal asked that UltraSystems contact Sarah Bliss, Director of Tribal Programs. Ms. Bliss was called the same day and she asked that we forward her the letter that we sent to Mr. Madrigal and she will provide a response. This email was sent the same day. No response has been received to date.

There have been no further responses to date (see contact record table in Attachment C of Appendix D).

The result of the pedestrian survey was negative for both prehistoric and historic sites, features and isolates on the project site. However, based on the results of the records search and tribal outreach, it was determined there is a moderate potential that cultural resources or tribal resources could be adversely affected by construction of the project. Grading activities associated with development of the project would cause new subsurface disturbance and potentially could result in the unanticipated discovery of archaeological resources. The following mitigation measures are suggested.

Mitigation Measures

MM CUL-1: **Archaeological Monitoring:** At least 30 days prior to grading permit issuance and before any grading, excavation, and/or ground-disturbing activities on the site take place, the project permittee/owner shall retain a Riverside County-certified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Prior to grading, the project permittee/owner shall provide to the City verification that a certified archaeological monitor has been retained. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.

The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.

A final report documenting the monitoring activity and disposition of any recovered cultural resources shall be submitted to the City of Desert Hot Springs and the Eastern Information Center within 60 days of completion of monitoring.

MM CUL 2: **Worker Environmental Awareness Program:** The Project Archeologist shall attend the pre-grading meeting with the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural

resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project Archaeologist shall make themselves available to provide the training on an as-needed basis

MM CUL-3: **Native American Monitoring:** Native American Tribal monitors shall also participate in monitoring of ground-disturbing activity. At least 30 days prior to issuance of grading permits, an agreement between the permittee/owner and a Consulting Tribe(s) shall be developed regarding prehistoric cultural resources and shall identify any monitoring requirements and treatment of Tribal Cultural Resources (TCRs) so as to meet the requirements of CEQA. The monitoring agreement shall address the treatment of known Tribal Cultural Resources; the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground-disturbing activities; project grading and development scheduling. The Tribal Monitors shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the Project Archaeologist / Archaeological Monitor.

MM CUL-4 If historical or unique archaeological resources are discovered during construction, the contractor shall halt construction activities in the immediate area and notify the City. An on-call qualified archaeologist shall be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area and afforded the necessary time and funds to recover, analyze, and curate the find(s). The Project Archaeologist and the Tribal Monitor shall coordinate decision making authority over the identification and disposition of potential TCR artifacts and features. Following analysis, historic resources may be offered to a local accredited repository (such as the Western Science Center located in Hemet); cultural resources of Native American origin will initially be offered to the tribe or tribes who have stated an interest in the TCRs during AB 52 consultation with the City. Construction activities may continue on other parts of the project site while evaluation and treatment of historical or unique archaeological resources takes place.

Level of Significance After Mitigation

With implementation of mitigation measures **CUL-1** through **CUL-4** above, potential impacts related to archaeological resources would be less than significant.

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant with Mitigation Incorporated

As previously discussed in **Section 4.5 b)**, the project would be built on undisturbed open desert lands that have not been previously graded. No human remains have been previously identified or recorded onsite. However, there are known large Late Prehistoric habitation and burial sites to the

south and southeast of the project site, and numerous isolate artifacts found to the north and east. There is therefore the potential that undisturbed unique archaeological resources exist on the project site. The project proposes grading activities for the implementation of infrastructure that includes water, sewer and utility lines. Grading and trenching activities associated with development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unanticipated discovery, implementation of **MM CUL-5** and adherence to all applicable codes and regulations would ensure that impacts related to the accidental discovery of human remains would be less than significant.

California Health and Safety Code § 7050.5 identifies procedures for the discovery of human remains. CEQA § 15064.5 indicates the process for determining the significance of impacts on archaeological and historical resources. California Public Resources Code § 5097.98 stipulates the notification process during the discovery of Native American human remains, descendants, disposition of human remains, and associated artifacts.

Mitigation Measure

MM CUL-5: If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the Riverside County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

Level of Significance After Mitigation

With implementation of mitigation measure **CUL-5**, potential impacts related to unanticipated human remains would be less than significant.

4.6 Energy

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			**X**	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			**X**	

4.6.1 Introduction

Regulatory Setting

State of California

Title 24 Building Energy Efficiency Standards

The Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations) were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Compliance with Title 24 will result in decreases in GHG emissions.

The Title 24 standards are updated on a three-year schedule, with the most current 2022 standards adopted on August 11, 2021. The 2022 standards were approved by the California Building Standards Commission in December, 2021, for inclusion into the California Building Standards Code. The Building Energy Efficiency Standards (Energy Code) apply to newly constructed buildings, additions, and alterations. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (Title 24, Part 11 code), commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

Title 20 California Appliance Efficiency Regulations

The California Code of Regulations (CCR), Title 20: Division 2, Chapter 4, Article 4, §§ 1601-1608 (Appliance Efficiency Regulations) regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. 23 categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Senate Bill 100

Senate Bill 100 (SB 100), officially known as "The 100 Percent Clean Energy Act of 2018," requires that public utilities, including electric corporations, must design renewable energy portfolios so that all retail sales by 2045 are generated from renewable and zero-carbon energy sources. SB 100 updates the state's Renewables Portfolio Standard to ensure that by 2030 at least 60 percent of California's electricity is renewable (CEC, 2022).

Executive Order N-79-20

On September 23, 2020, California Governor Gavin Newsom issued Executive Order N-79-20 (the "Order"), setting new statewide goals for phasing out gasoline-powered cars and trucks in California. Under the Order, 100% of in-state sales of new passenger cars and trucks are to be zero-emission by 2035; 100% of in-state sales of medium- and heavy-duty trucks and busses are to be zero-emission by 2045, but only where feasible; and 100% of off-road vehicles and equipment sales are to be zero-emission by 2035 where feasible (ARB, 2022).

Assembly Bill 1109

California Assembly Bill 1109 (AB 1109), also known as the Lighting Efficiency and Toxics Reduction Act, required reductions in energy usage for lighting and is structured to reduce lighting electrical consumption by (1) at least 50 percent from 2007 levels for indoor residential lighting, and (2) at least 25 percent from 2007 levels for indoor commercial and all outdoor lighting by 2018.

Local

City of Desert Hot Springs General Plan Update

The land use and community design element of the city's General Plan Update (GPU) addresses land use and includes several land use related policies (DHS General Plan Update, 2020c, Appendix C). Project consistency with relevant GPU policies is addressed below in Section 4.6.b.

4.6.2 Impact Analyses

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant Impact

CEQA Guidelines § 15126.2(d) states that "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement that provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified." Therefore, the purpose of this analysis is to identify significant irreversible environmental effects of project implementation that cannot be avoided.

Construction Impact Analysis

The following forms of energy are anticipated to be expended during project construction:

- Diesel fuel for off-road equipment (measured in gallons).
- Electricity to deliver water for use in dust control (kilowatt-hours [kWh]).
- Motor vehicle fuel for worker commuting, materials delivery and waste disposal (gallons).

Project construction would consume energy in the form of petroleum-based fuels associated with the use of offroad construction vehicles and equipment on the project site, construction workers' travel to and from the project site, and delivery and haul truck trips hauling solid waste from and delivering building materials to the project site.

During project construction, trucks and construction equipment would be required to comply with the ARB's anti-idling regulations. ARB's In-Use Off-Road Diesel Fueled Fleets regulation (ARB, 2016) would also apply. Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards established by the federal government. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary use of energy.

During project construction, energy would be consumed in the form of electricity associated with the conveyance and treatment of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Due to the fact that electricity usage associated with lighting and construction equipment that utilizes electricity is not easily quantifiable or readily available, the estimated electricity usage during project construction is speculative.

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Therefore, the proposed project is not anticipated to have a demand for natural gas during project construction.

Construction is anticipated to begin in 2023 and take approximately 33 months to complete. Heavy-duty equipment used for project construction would rely on diesel fuel, as would haul trucks involved in off-hauling materials from excavation. Construction workers are expected to travel to and from the project site in gasoline powered passenger vehicles. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive that is used for comparable activities or use of equipment that would not conform to current emission standards (and related fuel efficiencies).

Heavy-duty construction equipment of various types would be used during construction. Construction equipment diesel fuel was used by combining CalEEMod input factors with a fuel use factor recommended by the South Coast Air Quality Management District (SCAQMD, 1993). Results are shown in Table 4.6-1. The table also shows demand of gasoline fuel for construction worker and vendor trips to and from the site during construction. A fuel efficiency value was obtained from the U.S. Department of Transportation Bureau of Transportation Statistics (USDOT, undated).

Table 4.6-1
ESTIMATED PROJECT CONSTRUCTION FUEL DEMAND

Energy Type	Units	Value
Construction Equipment	Gallons diesel	285,654
Construction Workers	Gallons gasoline	369,400
Construction Vendors	Gallons gasoline	36,327

Source: Calculated by UltraSystems. Brake-horsepower (BHP) hours determined from CalEEMod input data for offroad equipment. Diesel consumption per BHP is from SCAQMD (1993), Table A9-3-E. Gasoline fuel efficiency values are from USDOT (undated) for 2020.

The project would use construction contractors which practice compliance with applicable ARB regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, the ARB has adopted an airborne toxic control measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants. Compliance with these measures would result in a more efficient use of construction-related energy and would minimize or eliminate wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additionally, as required by California Code of Regulations Title 13, Motor Vehicles, § 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Therefore, as the project's construction is required to comply with ARB regulations and does not include the need of construction processes that would require the use of equipment that is more energy efficient, the proposed project annual construction related fuel consumption would not be considered significant.

Operational Impact Analysis

Energy would be consumed during project operations for space and water heating; water conveyance; solid waste disposal; and vehicle trips of residents, employees of onsite businesses and customers of those facilities.

Electricity

Electricity is supplied to the project site by Southern California Edison Company (SCE), which provides electricity to the City of Desert Hot Springs (DHS General Plan Update, 2020a, p. 4.6-1). SCE provides electricity to the project site from existing electrical service lines.

Natural Gas

Natural gas is supplied to the project site by Southern California Gas Company (SoCal Gas), which provides natural gas to the City of Desert Hot Springs (DHS General Plan Update, 2020b, p. 4.6-2).

The proposed project would include 608 residential units, convenience market, fast food restaurant with drive thru, free-standing discount store, hardware/paint store, high turnover (sit down restaurant) and medical office building.

Using the CalEEMod outputs from the air quality and greenhouse gas analyses prepared for the proposed project, the annual fuel consumption was calculated for residential and commercial land use. The estimated project operational energy use by the residential and commercial units is shown in **Table 4.6-2**.

The proposed project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips. The State of California consumed approximately 4.2 billion gallons of diesel and 15.1 billion gallons of gasoline in 2015. Therefore, the increase in fuel consumption from the proposed project is less than significant in comparison to the State's demand. Therefore, project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.
The proposed project's natural gas consumption is estimated to be 5,080,000 MBtu[11] per year in residential land use, and 3,340,000 MBtu per year in commercial land use. The electricity demand is estimated to be 1,264,860 kWh per year in residential land use, and 532,304 kWh per year in commercial land use. The County of Riverside consumed approximately 16,767 gigawatt-hours in 2021, and 431 million of therms of natural gas[12] in 2018 (CEC, 2021). Therefore, the increase in both electricity and natural gas demand from the proposed project would be less than significant compared to the county's demand.

11 MBtu = 1,000 Btu.
12 One therm = 100 MBtu.

Table 4.6-2
ESTIMATED PROJECT OPERATIONAL ENERGY USE

Energy Type	Units	Value		Energy Use	
		Residential	Commercial	Per Capita[a] (Residential)	Per Employee[b] (Commercial)
Onroad Motor Vehicle Travel (gasoline/diesel use)	Gallons gasoline per year	262,619	246,846	156	1562
	Gallons diesel fuel per year	37,400	35,154	22	223
Natural Gas Use	1,000 BTU per year	5,080,000	3,340,000	3,022	21,139
Electricity Use	Kilowatt-hours per year	1,264,860	532,304	753	3,369

[a]Based upon estimated range of residential population (1,681 maximum); see **Table 4.14-3.**
[b]Based upon estimated project employment generation (158); see **Table 3.3-1.**
Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool (ARB, 2022) and CalEEMod (2020.4.0) (CAPCOA, 2022); see **Appendix B**. Natural gas use and electricity use calculated by UltraSystems with CalEEMod (2020.4.0).

The proposed project would adhere to applicable federal, state, and local requirements for energy efficiency, including Title 24 standards. Additionally, there would not be any inefficient, wasteful, or unnecessary energy usage in comparison to similar development projects of this nature regarding construction-related fuel consumption. Therefore, the implementation of the proposed project would result in less than significant impacts on energy resources.

Continued use of energy resources is consistent with the anticipated growth within the city and the general vicinity and would not result in energy consumption requiring a significant increase in energy production for the energy provider. Therefore, the energy demand associated with the project would be less than significant.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact

State policies respecting energy efficiency are introduced above in Section 4.6.1. Project compliance with selected policies is addressed below.

State of California

Title 24 Building Energy Efficiency Standards

The designs of the proposed buildings would comply with the Title 24 building energy efficiency standards.

Title 24 California Green Building Standards Code

The proposed project would be designed with energy-efficient features, including insulated and glazed windows and low E coating on windows, and will be built in compliance with the California Green Building Standards (CAL Green) Code (California Code of Regulations, Title 24, Part 11). These are discussed in detail in the Air Quality and Greenhouse Gas Emissions Report (See **Appendix B**).

Title 20 California Appliance Efficiency Regulations

The proposed project would be designed to include appliances in compliance with the Title 20 California Appliance Efficiency Regulations requirements.

Local

City of Desert Hot Springs General Plan Update

The land use and community design element of the city's General Plan Update (GPU) addresses land use and includes several land use related policies. Policy LU-1.4 Sustainability, promote sustainable land uses and building practices that promote efficient energy use and resource sustainability (DHS General Plan Update, 2020c, Appendix C).

The City of Desert Hot Springs General Plan Update policies related to energy conservation for the purpose of avoiding or mitigating an environmental effect that apply to the proposed project are listed in **Table 4.6-3** below, along with an evaluation of project consistency with those policies.

Table 4.6-3
ENERGY POLICY CONSISTENCY

Policy	Consistency Analysis
Desert Hot Springs General Plan Update – Land Use and Community Design Element	
Policy LU-1.4: Sustainability. Promote sustainable land uses and building practices that promote efficient energy use and resource sustainability.	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy LU-1.4.
Desert Hot Springs General Plan Update – Mobility and Infrastructure Element	
Policy MI 11.11 Reduce Energy. Implement regulations and provide incentives that require public and private developments to reduce energy use over the long term.	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy MI 11.11.
Policy MI 11.12 Energy Efficiency. Encourage energy-efficient design of all new projects (public and private), including appropriate structure orientation and the use of shade trees to maximize cooling and	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building

Policy	Consistency Analysis
reduce fossil fuel consumption for heating and cooling.	Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy MI 11.12.
Desert Hot Springs General Plan Update – Open Space and Natural Resources Element	
Policy OS-3.1: Water Conservation. Require water conservation measures in new development, equivalent to CalGreen Tier One or similar standards.	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy OS-3.1.
Policy OS-4.1: Energy Conservation. Seek to incorporate energy conservation measures into new development projects.	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy OS-4.1.
Policy OS-4.4: Solar Energy Systems. Encourage the use of solar energy systems or any other technologies that similarly reduce the use of power from the grid in residential and commercial uses.	**Consistent:** The project would be required to implement and adhere to CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy OS-4.4.
Policy OS-4.7: Alternative Electricity Options. Continue to explore, assist, and encourage alternative electricity options such as wind or small-scale solar energy facilities.	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy OS-4.7.
Policy OS-6.1: Sustainable Construction. Encourage sustainable construction practices and the use of energy-saving technology within buildings. Consider establishing a green building program that draws from the LEED (Leadership in Energy & Environmental Design) standards.	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy OS-6.1.
Policy OS-6.2: Green Building. Require LEED or similar building efficiency certifications for all new public facilities and buildings. Encourage similar green building certifications for private development projects.	**Consistent:** The project would be required to implement and adhere to Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR Part 6), and CALGreen Building Standards Code (24 CCR, Part 11). Therefore, the project is consistent with General Plan Policy OS-6.2.

As shown in the above table, the project will comply with the City of Desert Hot Springs General Plan goals and policies related to energy efficiency. Therefore, impacts would be less than significant.

Desert Hot Springs Energy Action Plan

In July 2013, the City of Desert Hot Springs adopted an Energy Action Plan (EAP), which outlines the City's strategy to help reduce energy consumption, reduce operating costs, and increase energy awareness within the city (DHS, 2013b). The EAP contains 60 energy efficiency measures that target improvements for the municipal structures in the city. It goes on to identify goals for maintaining the municipal fleet's performance and efficiency, which would serve to reduce fuel use. The EAP also indicates the City's intent to purchase alternative fueled vehicles, as feasible. Furthermore, from a community program perspective, the EAP indicates that the City would consider additional green building measures not included in Title 24 as well as the expansion of electric vehicle (EV) and compressed natural gas (CNG) infrastructure. (DHS General Plan Update, 2020d, p. 4.6-9).

The proposed project would adhere to applicable federal, state, and local requirements for energy efficiency, including Title 24 standards and General Plan Chapter 12, Sustainability and Resilience. Therefore, impacts would be less than significant.

Conclusion

As supported by the preceding analyses, project construction and operations would not result in the unnecessary consumption of energy. Further, the energy demands of the project can be accommodated within the context of available resources and energy delivery systems. The project would therefore would not cause not engage or result in the need for additional energy producing or transmission facilities. The project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California.

4.7 Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			**X**	
ii) Strong seismic ground shaking?			**X**	
iii) Seismic-related ground failure, including liquefaction?			**X**	
iv) Landslides?				**X**
b) Result in substantial soil erosion or the loss of topsoil?			**X**	
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?			**X**	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			**X**	
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?				**X**
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		**X**		

4.7.1 Introduction

This Section addresses geologic hazards including:

- surface rupture of a known active fault;

- strong ground shaking;
- liquefaction, which refers to loose, saturated sand or silt deposits that behave as a liquid and lose their load-supporting capability when strongly shaken
- earthquake-induced landslides;
- soil erosion;
- ground subsidence, a settling of the earth's surface, most frequently caused by the excessive withdrawal of groundwater;
- collapsible soils, which shrink upon being wetted and/or being subject to a load; and
- expansive soils, which contain substantial amounts of clay that swells when wetted and shrinks when dried; the swelling or shrinking can shift, crack, or break structures built on such soils.

This Section also addresses project impacts on unique fossils or geological features.

Information Sources

The information in this Section is based on the following technical reports:

Topographic Survey, GDV DHS Palm Drive, RB Engineers Inc., dated November 25, 2021. This Survey is included as **Appendix E-1** to this IS/MND.

Preliminary Fault Hazard Evaluation, Proposed Green Day Village, Desert Hot Springs, California, prepared by Sladden Engineering dated November 23, 2021. A complete copy of this Report is included as **Appendix E-2** to this IS/MND.

Seismic Hazard Evaluation, Proposed Green Day Village, prepared by Sladden Engineering dated June 29, 2022. A complete copy of this Report is included as **Appendix E-3** to this IS/MND.

Geotechnical Investigation, Proposed Mixed-Use Development, Green Day Village, Desert Hot Springs, California, prepared by Sladden Engineering, dated July 6, 2022. A comlete copy of this Report is included as **Appendix E-4** to this IS/MND.

Paleontological Resources Records Search, Los Angeles County Museum of Natural History, dated February 13, 2022. A complete copy of this Letter is included as **Appendix E-5** to this IS/MND.

4.7.2 Impact Analyses

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a

known fault? Refer to Division of Mines and Geology Special Publication 42.

Less than Significant Impact.

The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,000 years.

Sladden Engineering (Sladden) completed a preliminary fault hazard study of the project site in November 2021. Sladden reviewed geologic literature of the site and vicinity and performed an aerial lineament analysis based on tone (light versus dark soils), landforms, and vegetation. Images reviewed include black-and-white stereo photo pairs, lidar (laser radar) images, and U.S. Geological Survey 3D Elevation Program imagery. No lineaments interpreted as faults were identified onsite. A subtle slope break onsite was interpreted as a depositional feature. Multiple drainages comprising the Morongo Wash, extending north-south, were identified west of the project site. Numerous photo-lineaments were observed south of the project site at approximately the location of the mapped South Branch of the San Andreas Fault, which passes approximately 0.25 mile south of the project site.[13]

No faults were identified passing through or abutting the project site (Sladden, 2022a). Project development would not exacerbate hazards arising from surface rupture of a known active fault, and impacts would be less than significant.

ii) Strong seismic ground shaking?

Less than Significant Impact

The proposed project is located within a seismically active region, susceptible to collapse of structures, buckling of walls, and damage to foundations from strong ground shaking. Known active faults in the region include the South Branch of the San Andreas Fault, which passes approximately 0.25 mile south of the project site; the Garnet Hill Fault approximately 1.75 miles to the southwest; and the North Branch of the San Andreas Fault approximately 2.3 miles to the northeast (CGS, 2022); the Garnet Hill Fault is one of the fault traces in the San Andreas Fault Zone (see **Figure 4.7-1**). The peak ground acceleration onsite is estimated at 1.061g where g is the acceleration of gravity (Sladden, 2022b). Ground acceleration of 1.061g correlates with intensity IX on the Modified Mercalli Intensity (MMI) Scale (Wald et. al. 1999), a subjective scale of how earthquakes are felt by people and the effects of earthquakes on buildings. The MMI Scale is a 12-point scale where Intensity I earthquakes are generally not felt by people; in Intensity XII earthquakes damage is total, and objects are thrown into the air (USGS 2022). In an intensity IX earthquake, damage is considerable in specially designed structures, and well-designed frame structures are thrown out of plumb. Damage is great in substantial buildings, with partial collapse; and buildings are shifted off foundations (USGS 2022).

Structures for human occupancy must be designed to meet or exceed 2022 California Building Code (CBC) standards for earthquake resistance. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of ground motion with a specified probability at the site. The geotechnical investigation for the project estimated seismic design parameters to be used in project design and construction pursuant to the

[13] The San Andreas Fault near the project site consists of two branches: the Southern Branch passes approximately 0.25 mile south of the project site, and the Northern Branch passes approximately 2.4 miles northeast of the site.

2022 CBC. Impacts would be less than significant after compliance with regulatory requirements regarding geotechnical investigations.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact

General types of ground failures that might occur as a consequence of severe ground shaking typically include landslides, ground subsidence, ground lurching and shallow ground rupture. The probability of occurrence of each type of ground failure depends on the severity of the earthquake, distance from the faults, topography, subsoils and groundwater conditions, in addition to other factors.

Liquefaction typically occurs when saturated or partially saturated soils behave like a liquid, as a result of losses in strength and stiffness in response to an applied stress caused by earthquake shaking or other sudden change in stress conditions.

Historic high and anticipated high groundwater depths were determined to be approximately 80 feet bgs. Potential total seismic settlement is estimated at 3.4 inches. The potential seismically related differential settlements are expected to be less than approximately 2.0 inches over a horizontal distance of approximately 200 feet. The foundation design recommendations in the geotechnical investigation report account for the estimated potential seismic settlement onsite. Project development would not exacerbate liquefaction hazards, and impacts would be less than significant.

iv) Landslides?

No Impact

Landslides occur when the stability of the slope changes from a stable to an unstable condition. A change in the stability of a slope can be caused by a number of factors, acting together or alone. Natural causes of landslides include groundwater (pore water) pressure acting to destabilize the slope, loss of vegetative structure, erosion of the toe of a slope by rivers or ocean waves, weakening of a slope through saturation by snow melt or heavy rains, earthquakes adding loads to barely stable slope, earthquake-caused liquefaction destabilizing slopes, and volcanic eruptions.

The project site has a south slope of approximately 1.5% grade. No slopes susceptible to landslides are present on or next to the site. Project would not exacerbate landslide hazards, and no impact would occur.

Figure 4.7-1
REGIONALLY ACTIVE FAULTS

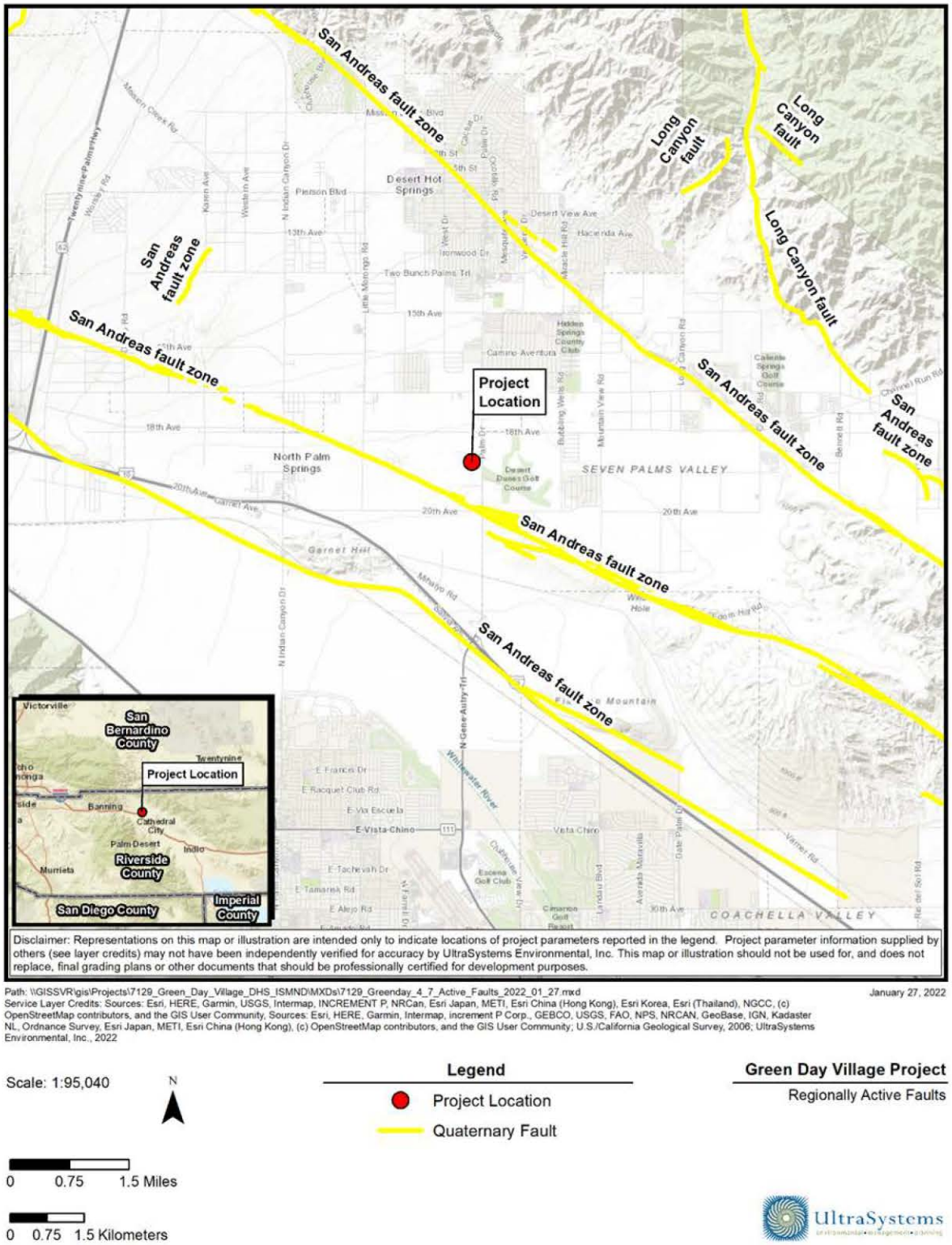
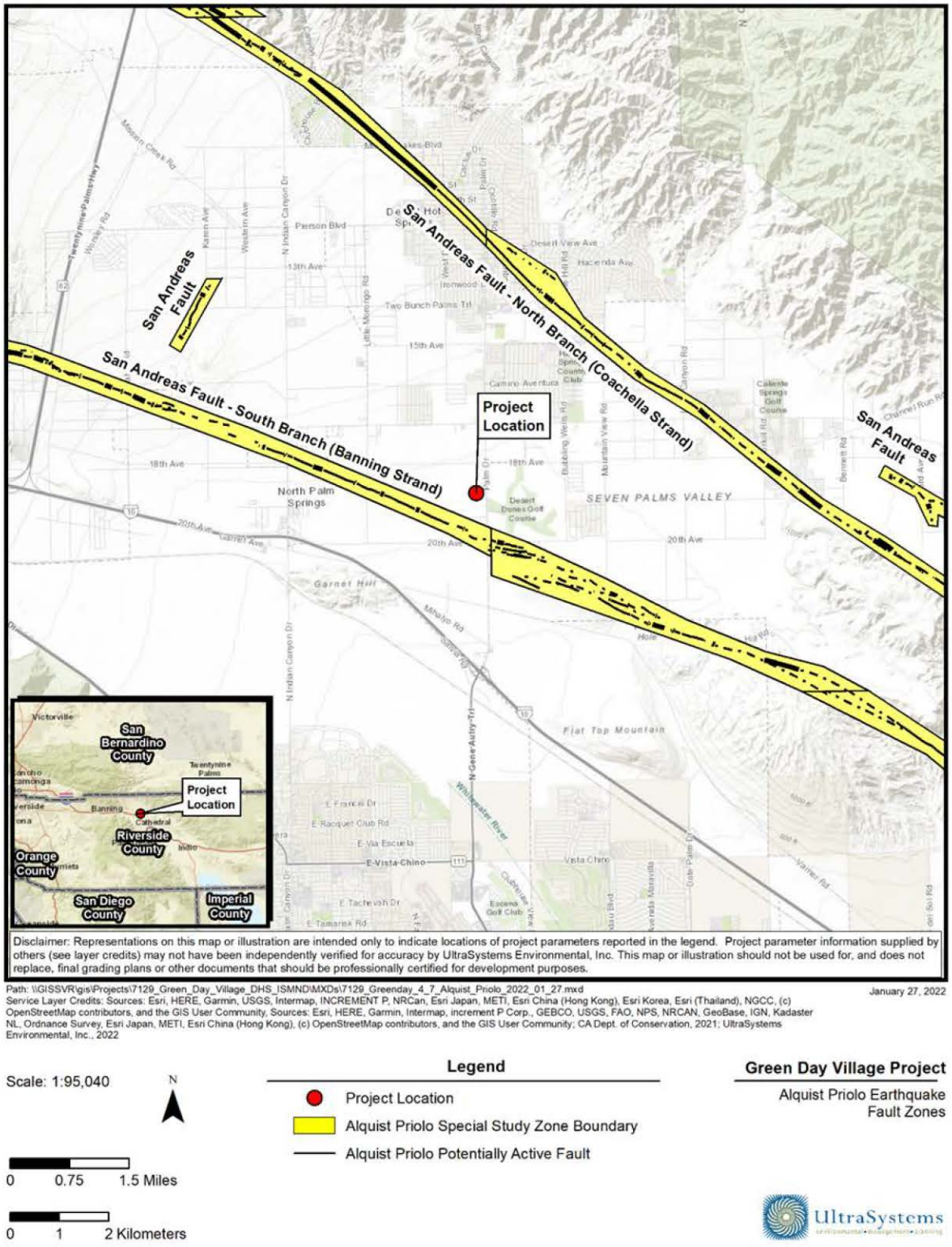


Figure 4.7-2
ALQUIST PRIOLO FAULT ZONES



b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact

The existing project site is vacant desert land vegetated with mainly with creosote bush – white bursage scrub. Substantial areas of bare soil are present between scattered desert shrubs. Much of the project region is susceptible to wind erosion, and extensive sand dunes are present in the Coachella Valley.

The project site would be developed with a mix of impervious surfaces such as buildings, parking lots, driveways and walkways, in addition to landscaped areas, farm areas, a constructed streambed, and two recharge basins.

Construction projects of one acre or more are regulated under the Statewide General Construction Permit, Order No. 2009-0009-DWQ, issued by the State Water Resources Control Board (SWRCB) in 2009. Projects obtain coverage by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) estimating sediment risk from construction activities to receiving waters and specifying Best Management Practices (BMPs) that would be used by the project to minimize pollution of stormwater. Categories of BMPs used in SWPPPs are described below in **Table 4.7-1**. Project erosion impacts would be less than significant after preparation and implementation of the SWPPP.

TABLE 4.7-1
CONSTRUCTION BEST MANAGEMENT PRACTICES

Category	Purpose	Examples
Erosion Controls	Consists of using project scheduling and planning to reduce soil or vegetation disturbance (particularly during the rainy season), preventing or reducing erosion potential by diverting or controlling drainage, as well as preparing and stabilizing disturbed soil areas.	Scheduling, preservation of existing vegetation, hydraulic mulch, hydroseeding, soil binders, straw mulch, geotextile and mats, wood mulching, earth dikes and drainage swales, velocity dissipation devices, slope drains, streambank stabilization, compost blankets, soil preparation/roughening, and non-vegetative stabilization
Sediment Controls	Filter out soil particles that have been detached and transported in water.	Silt fence, sediment basin, sediment trap, check dam, fiber rolls, gravel bag berm, street sweeping and vacuuming, sandbag barrier, straw bale barrier, storm drain inlet protection, manufactured linear sediment controls, compost socks and berms, and biofilter bags
Wind Erosion Controls	Consists of applying water or other dust palliatives to prevent or minimize dust nuisance.	Soil binders, chemical dust suppressants, covering stockpiles, permanent vegetation, mulching, watering, synthetic covers, and minimization of disturbed area
Tracking Controls	Minimize the tracking of soil offsite by vehicles	Stabilized construction roadways and construction entrances/exits, and entrance/outlet tire wash.
Non-Storm Water Management Controls	Prohibit discharge of materials other than stormwater, such as discharges from the cleaning, maintenance, and fueling of vehicles and equipment. Conduct various construction operations, including paving, grinding, and concrete curing and finishing, in ways that minimize non-stormwater discharges and contamination of any such discharges.	Water conservation practices, temporary stream crossings, clear water diversions, potable and irrigation water management, and the proper management of the following operations: paving and grinding, dewatering, vehicle and equipment cleaning, fueling and maintenance, pile driving, concrete curing, concrete finishing, demolition adjacent to water, material over water, and temporary batch plants.
Waste Management and Controls (i.e., good housekeeping practices)	Management of materials and wastes to avoid contamination of stormwater.	Stockpile management, spill prevention and control, solid waste management, hazardous waste management, contaminated soil management, concrete waste management, sanitary/septic waste management, liquid waste management, and management of material delivery storage and use.

Source: CASQA 2019

c) Would the project 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 offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than Significant Impact

Impacts related to liquefaction and landslides are discussed above in **Section 4.7.a**.

Lateral Spreading

Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer due to gravity and earthquake shaking combined. Lateral spreading of the ground surface during an earthquake usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (i.e., retaining wall, slope, or channel) and to lesser extent on ground surfaces with a very gentle slope. The geotechnical investigation required for the proposed project assessed liquefaction potential in subsurface site soils and provides needed recommendations to minimize hazards from liquefaction and from lateral spreading. Impacts arising from lateral spreading would be less than significant.

Collapsible Soils

Based on our experience in the region, we expect that the geotechnical investigation will conclude that shallow site soils—that is, within a few feet of the ground surface—are unsuitable for supporting the proposed condominium buildings, and will recommend removal, engineering, and replacement of shallow site soils. The project geotechnical investigation determined that shallow soils onsite are unsuitable for supporting the proposed buildings and other improvements, and recommends removal of soils to a depth of 4 feet below existing grade or to a minimum depth of 3 feet below the bottom of the footings, whichever is deeper. Project development would not exacerbate hazards arising from collapsible soils after implementation of recommendations in the geotechnical report.

Subsidence

The major cause of ground subsidence is the excessive withdrawal of groundwater. The project site is above the Mission Creek Subbasin of the Coachella Valley Groundwater Basin (DWR, 2022). The Mission Creek Subbasin is intentionally recharged via replenishment facilities placed into service in 2002 by the Coachella Valley Water District and the Desert Water Agency (CVWD, 2021), and is also naturally recharged by surface and subsurface stream flows, irrigation return flows, and discharges from municipal and individual subsurface wastewater disposal systems. The current replenishment program is effectively increasing water levels throughout most of the subbasin (CVWD, 2021).

Mission Springs Water District (MSWD) provides water to most of the City of Desert Hot Springs including the project site. MSWD's entire water supply is groundwater from the Coachella Valley Groundwater Basin. MSWD forecasts that it will have sufficient water to meet demands in its service area over the 2025-2045 period in normal water year conditions, single-dry-year conditions, and multiple-dry-year conditions (see further discussion of water supplies and demands in **Section 4.19**) (CVWD et al., 2021). The project would conform with existing General Plan land use designations for the project site. MSWD water demand forecasts are based on General Plan land use projections. Therefore, project water demands are accounted for in MSWD water demand forecasts.

The project site is not mapped by the US Geological Survey within an area of land subsidence (USGS, 2022). Project development would not exacerbate hazards due to land subsidence, and impacts would be less than significant.

d) Would the project 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?

Less than Significant Impact

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. Soils under the site are considered non-expansive based on expansion index testing conducted as part of the geotechnical investigation (Sladden, 2022, p. 8). Project development would not exacerbate hazards related to expansive soils, and impacts would be less than significant.

e) Would the project 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?

No Impact

The proposed project would be served by city sewer systems and would not include septic tanks or alternative waste water disposal systems. Thus, no impacts associated with septic tanks or alternative waste water disposal systems would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact with Mitigation Incorporated

The project site is underlain by alluvial sand and gravel of valley areas (Dibblee and Minch, 2004). The paleontological records search by the Los Angeles Museum of Natural History identified four fossil localities in the Coachella Valley, as listed below in **Table 4.7-2**.[14] Fossils could be present in subsurface site soils; and could be damaged by project ground-disturbing activities. This impact would be potentially significant. Implementation of Mitigation measure GEO-1, set forth below,

Table 4.7-1
FOSSIL LOCALITIES IN THE PROJECT REGION

Locality No.	Location[1]	Depth	Formation	Taxa
LACM VP 1269	Near intersection of Varner Road and Edom Hill Road; west end of Indio Hills	Unknown	Unknown formation (Pleistocene)	Horse (*Equus*)

[14] Two localities identified by the Los Angeles County Museum of Natural History are omitted from this table, as they are dozens of miles outside of the project region, which is considered as the Coachella Valley and adjacent portions of surrounding mountain ranges.

Locality No.	Location[1]	Depth	Formation	Taxa
LACM VP 6922, LACM IP 5218	Near north end of Jackson St, Indio, CA	Unknown	poss. Palm Springs Formation (diatomaceous shale)	freshwater Gastropods, uncatalogued vertebrates
LACM IP 4779	N of El Dorado County Club, Indian Wells	Unknown	Unknown formation (Pleistocene)	Invertebrates (unspecified)
LACM VP 6921	Box Canyon, Mecca Hills	Unknown	Unknown Formation (Middle Pleistocene possible Palm Spring or Borrego Formations; coarse sandstone with interbedded grey silts & shales)	Vertebrates (unspecified)

1 Two of the six localities identified by the Los Angeles County Museum of Natural History are omitted from this table, as they are dozens of miles outside of the project region, which is considered as the Coachella Valley and adjacent portions of surrounding mountain ranges.
Source: LACM, 2022

Mitigation Measure

MM GEO-1 The project applicant shall retain a qualified paleontologist, prior to the issuance of building/grading permit, to remain on-call during project ground-disturbing activities. If paleontological resources are uncovered during project construction, the contractor shall halt construction activities within 50 feet of the find and notify the City. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). The paleontologist shall curate the find(s) at an accredited repository for paleontological resources such as the Western Science Center near Hemet or the San Bernardino County Museum. Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that are found during construction on the project site.

Level of Significance After Mitigation

With implementation of **MM GEO-1**, potential impacts to paleontological resources would be reduced to a less than significant level.

4.8 Greenhouse Gas Emissions

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

4.8.1 Introduction

4.8.1.1 Background Information on Greenhouse Gas Emissions

Life on earth depends on energy coming from the sun. About half the light reaching Earth's atmosphere passes through the air and clouds to the surface, where it is absorbed and then radiated upward in the form of infrared heat. About 90 percent of this heat is then absorbed by the greenhouse gas (GHG) emissions and radiated back toward the surface, which is warmed to a life-supporting average of 59 degrees Fahrenheit (°F) (NASA, 2018).

Human activities are changing the natural greenhouse. Over the last century, the burning of fossil fuels such as coal and oil has increased the concentration of atmospheric carbon dioxide (CO_2). This happens because the coal or oil burning process combines carbon in the fuel with oxygen in the air to make CO_2. To a lesser extent, the clearing of land for agriculture, industry, and other human activities has increased concentrations of GHGs (NASA, 2018).

GHGs are defined under the California Global Warming Solutions Act of 2006 (AB 32) as carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF_6). Associated with each GHG species is a "global warming potential" (GWP), which is a value used to compare the abilities of different GHGs to trap heat in the atmosphere. GWPs are based on the heat-absorbing ability of each gas relative to that of CO_2, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years). The GWPs of CH_4 and N_2O are 25 and 298, respectively (GMI, 2018). "Carbon dioxide equivalent" (CO_2e) emissions are calculated by weighting each GHG compound's emissions by its GWP and then summing the products. HFCs, PFCs, and SF_6 are not emitted in significant amounts by project sources, so they are not discussed further.

Carbon Dioxide (CO2). Carbon dioxide is a colorless, odorless gas consisting of molecules made up of two oxygen atoms and one carbon atom. CO_2 is produced when an organic carbon compound (such as wood) or fossilized organic matter (such as coal, oil, or natural gas) is burned in the presence of oxygen. Since the industrial revolution began in the mid-1700s, industrial activities have increased in scale and distribution. Prior to the industrial revolution, CO_2 concentrations were stable at a range of 275 to 285 ppm (IPCC, 2007a). The National Oceanic and Atmospheric Administration's Earth

System Research Laboratory indicates that global concentration of CO_2 was 403.96 ppm in October 2017 (ESRL, 2018). These concentrations of CO_2 exceed by far the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores.

Methane (CH_4). Methane is a colorless, odorless non-toxic gas consisting of molecules made up of four hydrogen atoms and one carbon atom. CH_4 is combustible, and is the main constituent of natural gas, a fossil fuel. CH_4 is released when organic matter decomposes in low oxygen environments. Natural sources include wetlands, swamps and marshes, termites, and oceans. Anthropogenic sources include the mining of fossil fuels and transportation of natural gas, digestive processes in ruminant animals such as cattle, rice paddies, and the buried waste in landfills. Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH_4. Other anthropogenic sources include fossil-fuel combustion and biomass burning.

Nitrous Oxide (N_2O). Nitrous oxide is a colorless, non-flammable gas with a sweetish odor, commonly known as "laughing gas," and sometimes used as an anaesthetic. N_2O is naturally produced in the oceans and in rainforests. Manmade sources of N_2O include the use of fertilizers in agriculture, nylon and nitric acid production, cars with catalytic converters and the burning of organic matter. Concentrations of N_2O also began to rise at the beginning of the industrial revolution.

4.8.1.2 Regulatory Setting

GHGs are regulated at the national, state, and air basin level; each agency has a different degree of control. The United States Environmental Protection Agency (USEPA) regulates at the national level; the California Air Resources Board (ARB) regulates at the state level; and the South Coast Air Quality Management District (SCAQMD) regulates at the air basin level in the project area.

4.8.1.3 Federal Regulations

The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. The USEPA has been maintaining a national inventory of GHG emissions since 1990 and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

Previous USEPA efforts based on historical website material reflecting the USEPA website as it existed on January 19, 2017 (USEPA, 2017a) include regulatory initiatives such as mobile source GHG emission standards and the Clean Power Plan; partnering with the private sector through voluntary energy and climate programs; and reducing USEPA's carbon footprint with the federal greenhouse gas requirements and USEPA's Strategic Sustainability Performance Plan. The current administration has a different strategy in relation to climate change and is taking the USEPA in a new direction (USEPA, 2017b). Executive Order on Energy Independence (WH, 2017) specifically addresses revisions in the Clean Power Plan and standards of performance for GHGs for new stationary sources; CH_4 standards for the oil and gas sector; and light-duty vehicle GHG standards.

4.8.1.4 State Regulations

Executive Order S 3-05

On June 1, 2005, the governor issued Executive Order (EO) S 3-05, which set the following GHG emission reduction targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels;
- By 2050, reduce GHG emissions to 80% below 1990 levels.

To meet these targets, the Climate Action Team (CAT)[15] prepared a report to the Governor in 2006 that contains recommendations and strategies to help ensure the targets in EO S-3-05 are met.

Assembly Bill 32 (AB 32)

In 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as AB 32. AB 32 focuses on reducing GHG emissions in California. GHGs, as defined under AB 32, include CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. The ARB is the state agency charged with monitoring and regulating sources of emissions of GHGs that cause global warming to reduce emissions of GHGs. AB 32 also requires that by January 1, 2008, the ARB must determine what the statewide GHG emissions level was in 1990, and it must approve a statewide GHG emissions limit, so it may be applied to the 2020 benchmark. The ARB approved a 1990 GHG emissions level of 427 million metric tons of CO_2e ($MMTCO_2e$), on December 6, 2007 in its Staff Report. Therefore, in 2020, emissions in California are required to be at or below 427 $MMTCO_2e$.

Under the "business as usual or (BAU)" scenario established in 2008, statewide emissions were increasing at a rate of approximately one percent per year as noted below. It was estimated that the 2020 estimated BAU of 596 $MMTCO_2e$ would have required a 28% reduction to reach the 1990 level of 427 $MMTCO_2e$.

Climate Change Scoping Plan

The Scoping Plan released by the ARB in 2008 (ARB, 2008) outlined the state's strategy to achieve the AB 32 goals. This Scoping Plan, developed by ARB in coordination with the CAT, proposed a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health. It was adopted by ARB at its December 2008 meeting. According to the Scoping Plan, the 2020 target of 427 $MMTCO_2e$ requires the reduction of 169 $MMTCO_2e$, or approximately 28.3%, from the state's projected 2020 BAU emissions level of 596 $MMTCO_2e$.

In August 2011, the Scoping Plan was re-approved by the Board and includes the Final Supplement to the Scoping Plan Functional Equivalent Document (ARB, 2011). This document includes expanded analysis of project alternatives and updates the 2020 emission projections by considering updated

15 The Climate Action Team (CAT) members are state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency (Cal/EPA). They coordinate statewide efforts to implement global warming emission reduction programs and the state's Climate Adaptation Strategy.

economic forecasts. The updated 2020 BAU estimate of 507 $MMTCO_2e$ yielded that only a 16% reduction below the estimated new BAU levels would be necessary to return to 1990 levels by 2020. The 2011 Scoping Plan expands the list of nine Early Action Measures into a list of 39 Recommended Actions contained in Appendices C and E of the Plan.

In May 2014, ARB developed, in collaboration with the CAT, the First Update to California's Climate Change Scoping Plan (Update) (ARB, 2014), which shows that California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32. In accordance with the United Nations Framework Convention on Climate Change, ARB has mostly transitioned to the use of the Intergovernmental Panel on Climate Change's (IPCC's) Fourth Assessment Report (AR4)'s 100-year global warming potentials (GWPs) (IPCC, 2007b) in its climate change programs. ARB recalculated the 1990 GHG emissions level with the AR4 GWPs to be 431 $MMTCO_2e$; therefore the 2020 GHG emissions limit established in response to AB 32 is now slightly higher than the 427 $MMTCO_2e$ in the initial Scoping Plan.

In November 2017, ARB published the 2017 Scoping Plan (ARB, 2017) which builds upon the former Scoping Plan and Update by outlining priorities and recommendations for the State to achieve its 2030 GHG target of a 40 % reduction in GHGs by 2030, compared to 1990 levels. The major elements of the framework proposed are enhancement of the Renewables Portfolio Standard (RPS) and the Low Carbon Fuel Standard; a Mobile Source Strategy, Sustainable Freight Action Plan, Short-Lived Climate Pollutant Reduction Strategy, Sustainable Communities Strategies, and a Post-2020 Cap-and-Trade Program; a 20% reduction in GHG emissions from the refinery sector; and an Integrated Natural and Working Lands Action Plan.

Renewables Portfolio Standard (Scoping Action E-3)

The California Energy Commission estimates that in 2000 about 12% of California's retail electric load was met with renewable resources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. California's current renewables portfolio standard (RPS) is intended to increase that share to 33% by 2020. Increased use of renewables will decrease California's reliance on fossil fuels, thus reducing emissions of GHGs from the electricity sector. Most recently, Governor Brown signed into legislation Senate Bill (SB) 350 in October 2015, which requires retail sellers and publicly-owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030.

Senate Bill 375 (SB 375)

SB 375 was signed by the governor on September 30, 2008. According to SB 375, the transportation sector is the largest contributor of GHG emissions and is responsible for over 40% of the GHG emissions in California, with automobiles and light trucks alone contributing almost 30%. SB 375 indicates that GHGs from automobiles and light trucks can be reduced by new vehicle technology. However, significant reductions from changed land use patterns and improved transportation also are necessary. SB 375 states, "Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

Executive Order B-30-15

On April 29, 2015, the Governor issued EO B-30-15, which added an interim target of GHG emissions reductions to help ensure that the state meets its 80% reduction by 2050, as set in EO S-3-05. The interim target is reducing GHG emissions by 40% by 2030. It also directs state agencies to update the Scoping Plan, update the Adaptation Strategy every three years, and take climate change into account in agency planning and investment strategies. Additionally, it requires the state's Five-Year Infrastructure Plan to take current and future climate change impacts into account in all infrastructure projects.

4.8.1.5 Local Regulations

In California, AB 32, SB 375, and other State laws require that the City of Desert Hot Springs take actions to reduce local greenhouse gas (GHG) emissions toward State reduction goals. State legislation is intended to address climate change caused by human activity. Alone, the population of the City of Desert Hot Springs could have little impact on any potential change in the overall climate of the planet. However, the GHG reduction laws mandate all Californians to work together to effect change on a larger scale. State legislation set out goals to reduce emissions to 1990 levels by 2020, with this target date subject to change based on measured progress (City of Desert Hot Springs General Plan, 2020a, p. SN-10).

In conjunction with land use planning, the Mobility Plan bolsters City compliance with AB 32 (Global Warming Solutions Act) and SB 375 (Sustainable Communities and Climate Protection Act) to reduce the City's contribution to greenhouse gases (GHGs) that cause anthropogenic climate change. Vehicles on the roadway that rely on fossil fuels are one of the City's main generators of GHGs. Reduction of GHGs will be achieved holistically by a robust Complete Streets strategy, including support for pedestrians and bicycling systems and sustainability policies that reduce the reliance on fossil fuel energy (City of Desert Hot Springs General Plan, 2020a, p. MI-29).

The State legislature has adopted several laws focused on reducing greenhouse gases to address climate change. California Assembly Bill (AB) 1358 (Complete Streets Act), AB 32 (Global Warming Solutions Act), and California Senate Bill (SB) 375 (Sustainable Communities and Climate Protection Act) form the basis of greenhouse gas reduction policies and establish requirements that link land use(s) and transportation policy planning (City of Desert Hot Springs General Plan, 2020a, p. MI-3).

Desert Hot Springs Climate Action Plan

The City of Desert Hot Springs is located in central Riverside County and is one of the nine incorporated cities within the Coachella Valley (City of Desert Hot Springs Climate Action Plan, 2013a, p. 3). In July 2013, the City of Desert Hot Springs adopted a Climate Action Plan (CAP) for the development and implementation of policies and programs to reduce GHG emissions within the City (DHS, 2013b). The CAP is based on the directives of the Assembly Bill (AB) 32 and Executive Order S-3-05. The CAP uses a GHG emission inventory from the Year 2010 to establish the City's baseline emissions for the purposes of assessing future GHG reduction goals and forecasting GHG emissions in the future. In the Year 2010, the CAP estimated the City's community-wide GHG emissions were approximately 100,654 metric tons of carbon dioxide equivalents ($MTCO_2e$). Based on this historical emissions profile, the CAP established its annual Year 2020 GHG emission reduction goal to be 64,047 $MTCO_2e$, which would require an approximately 48,769 $MTCO_2e$ decrease from its business-as-usual forecasted scenario for the Year 2020. The CAP includes 80 specific measures to reduce the City's

GHG emissions. These measures are grouped into the following seven spheres of daily life (City of General Hot Springs General Plan Update, 2020b, p. 4.6-8):

- Where We Live (Live)
- Where We Work (Work)
- How We Build (Build)
- How We Get Around (Mobility)
- How We Govern (Govern)
- Where We Visit and Play (Recreate)
- How We Teach and Learn (Learn)

The City promotes energy efficiency and conservation in all areas of community development, including transportation, development planning, and public and private sector construction and operation, as well as in the full range of residential and non-residential projects. The City supports public and private efforts to develop and operate alternative systems of solar and electric production that take advantage of local renewable resources. In addition, the CAP discusses the ability to develop and implement a solar ready ordinance that would require all new buildings and homes to be prepared for solar installation. The CAP also promotes the use of drought tolerant desert landscaping for parks, recreational facilities and golf courses.

City of Desert Hot Springs Energy Action Plan

In July 2013, the City of Desert Hot Springs adopted an Energy Action Plan (EAP), which outlines the City's strategy to help reduce energy consumption, reduce operating costs, and increase energy awareness within the City (DHS 2013b). The EAP contains 60 energy efficiency measures that target improvements for the municipal structures in the City. The EAP indicates the City would consider additional, green building measures not included in Title 24 as well as the expansion of electric vehicle (EV) and compressed natural gas (CNG) infrastructure (City of General Hot Springs General Plan Update, 2020b, p. 4.6-9).

City of Desert Hot Springs General Plan Update

The Desert Hot Springs General Plan Update (GPU) was adopted in 2020, and serves as the blueprint for the city's future growth and development. The GPU consists of policies that guide the City's evaluation of development proposals and inform CEQA as they relate to GHG and climate change are addressed in the following elements: Land Use and Community Development, Mobility and Infrastructure, and Open Space and Natural Resources. Several policies are identified in these Elements to reduce GHG emissions within the Planning Area as well as reduce potential impacts related to implementation of the General Plan Update (GPU):

- Policy LU-1.4: Sustainability
- Policy LU-1.5: Reduce Vehicular Trips and Miles Traveled
- Policy LU-7.1: Mixed-Use Commercial Component
- Policy LU-13.11: Trees and Landscaping
- Policy LU-15.2: Compliance
- Policy MI-1.1: Transportation Network Improvements
- Policy MI-1.3: Multi-Modal
- Policy MI-1.5: Roadways in Planning Communities
- Policy MI-2.1: Complete Streets

- Policy MI-2.2: Balanced Transportation System
- Policy MI-3.6: Traffic Calming
- Policy MI-4.3: Connectivity
- Policy MI-5.1: Reduce Vehicle Miles Traveled
- Policy MI-5.2: Sustainable Transportation and Land Use Strategies
- Policy MI-5.3: Clean Vehicles
- Policy MI-5.4: Traffic Mitigation
- Policy MI-5.6: Repaving and Repairing
- Policy MI-7.1: Bus Service
- Policy MI-7.2: Transit Expansion
- Policy MI-7.3: Transit Facilities
- Policy MI-9.1: Intelligent Transportation Systems
- Policy MI-9.3: Funding Sources
- Policy MI-10.2: Expand Funding
- Policy MI-10.3: Impact Fees
- Policy MI-10.4: Mitigation Fees
- Policy MI-11.11: Reduce Energy
- Policy MI-11.1: Energy Efficiency
- Policy MI-11.12: Minimize Solid Waste Streams
- Policy MI-11.13: Infrastructure Planning
- Policy OS-2.1: Air Pollution Reduction
- Policy OS-2.2: Climate Change Laws
- Policy OS-2.4: Air Quality Goals
- Policy OS-2.6: Alternative Fuels
- Policy OS-3.5: Water District Consultation
- Policy OS-3.6: Landscaping
- Policy OS-3.8: Recycled Water
- Policy OS-3.7: Grey Water
- Policy OS-4.1: Energy Conservation
- Policy OS-4.3: Rooftop Solar Projects
- Policy OS-4.4: Solar Energy Systems
- Policy OS-4.5: Solar Farms
- Policy OS-4.6: City Vehicle Replacement
- Policy OS-4.7: Alternative Electricity Options
- Policy OS-5.2: Waste Reduction
- Policy OS-6.1: Sustainable Construction
- Policy OS-6.2: Green Building
- Policy OS-7.4: Street Trees

A comprehensive list of the GPU goals and policies are also provided in Appendix C of the City's General Plan Update Draft Environmental Impact Report (City of Desert Hot Springs, 2020). The proposed project was evaluated against relevant GPU goals and policies. (See below.)

4.8.2 Impact Thresholds

The following thresholds of significance are based on criteria in **Appendix G** of the State CEQA Guidelines. A project has the potential to create a significant environmental impact if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Neither the SCAQMD nor the State CEQA Guidelines Amendments has adopted specific quantitative thresholds of significance for addressing a project's GHG emissions. The City of Desert Hot Springs adopted CAP for the development and implementation of policies and programs to reduce GHG emissions within the City (City of Desert Hot Springs, 2020e). Nonetheless, § 15064.4 of the CEQA Guidelines serves to assist lead agencies in determining the significance of the impacts of GHGs. As required in § 15064.4, this analysis includes an impact determination based on (1) an estimate of the amount of GHG emissions resulting from the project; (2) a qualitative analysis or performance based standards; (3) a quantification of the extent to which the project increases GHG emissions as compared to the existing environmental setting; and (4) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, the SCAQMD Board adopted an Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans (SCAQMD, 2008), The Interim Guidance uses a tiered approach to determining significance. Although this Interim Guidance was developed primarily to apply to stationary source/industrial projects where the SCAQMD is the lead agency under CEQA, in absence of more directly applicable policy, the SCAQMD's Interim Guidance is often used as general guidance by local agencies to address the long-term adverse impacts associated with global climate change.

The final Environmental Impact Report for the City of Desert Hot Springs, dated May 1, 2020, summarizes the basic structure of the SCAQMD's tiered, interim GHG significance thresholds:

- **Tier 1** consists of evaluating whether or not the project qualifies for applicable CEQA exemptions.

- **Tier 2** consists of determining whether or not a project is consistent with a greenhouse gas reduction plan. If a project is consistent with a greenhouse gas reduction plan, it would not have a significant impact.

- **Tier 3** consists of using screening values at the discretion of the Lead Agency; however, the Lead Agency should be consistent for all projects within its jurisdiction. The following thresholds were proposed for consideration: 3,000 $MTCO_2e$/yr for all land use types; or 3,500 $MTCO_2e$/yr for residential; 1,400 $MTCO_2e$/yr for commercial; 3,000 $MTCO_2e$/yr for mixed use projects.

- **Tier 4** has three options for projects that exceed the screening values identified in Tier 3:

    - Option 1: Reduce emissions from business-as-usual by a certain percentage (currently undefined).

    - Option 2: Early implementation of applicable AB 32 Scoping Measures.

- Option 3: For plan-level analyses, analyze a project's emissions against an efficiency value of 6.6 $MTCO_2e$/year/SP by 2020 and 4.1 $MTCO_2e$/year/SP by 2035. For project-level analyses, analyze a project's emissions against an efficiency value of 4.8 and 3.0 $MTCO_2e$/year/SP for the 2020 and 2035 calendar years, respectively.

For the GHG significance analysis, an efficiency value for the project buildout year (2025) was determined by interpolation to be 4.2 $MTCO_2e$/year/SP.

Methodology

Short-term construction GHG emissions and long-term operational emissions were assessed using California Environmental Emissions Estimator Model (CalEEMod) Version 2020.4.0 (CAPCOA, 2022). This analysis focused upon emissions of CO_2, CH_4, and N_2O. HFCs, PFCs, and SF_6 are emitted in negligible quantities by project sources, so they are not discussed further.

4.8.3 Impact Analyses

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact

Construction is an episodic, temporary source of GHG emissions. Emissions are generally associated with the operation of construction equipment and the disposal of construction waste. To be consistent with the guidance from the SCAQMD for calculating criteria pollutants from construction activities, only GHG emissions from onsite construction activities and offsite hauling and construction worker commuting are considered as project-generated. As explained by California Air Pollution Control Officers Association (CAPCOA) in its 2008 white paper, the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. CEQA does not require an evaluation of speculative impacts (*CEQA Guidelines* § 15145). Therefore, the construction analysis does not consider such GHG emissions, but does consider non-speculative onsite construction activities, and offsite hauling and construction worker trips. All GHG emissions are identified on an annual basis.

Estimated criteria pollutant emissions from the project's onsite and offsite project construction and operations activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0, which was described in **Section 4.3.6.** Each construction phase involves the use of a different mix of construction equipment and therefore has its own distinct GHG emissions characteristics. A schedule for the major phases of construction was supplied by the applicant. CalEEMod defaults were used otherwise. Construction emissions occur both onsite and offsite. Onsite air pollutant emissions consist principally of exhaust emissions from off-road heavy-duty construction equipment. Offsite emissions result from workers commuting to and from the job site, as well as from vendors and visitors to the site.

CalEEMod estimated construction GHG emissions for all phases combined to be 2,754 MT of CO_2e. The 30-year amortized value is 91.8 MT of CO_2e per year. **Table 4.8-1** summarizes the results of the GHG emissions analysis for both construction and operations.

Table 4.8-1
UNMITIGATED ANNUAL GHG EMISSIONS, 2025 AND BEYOND

Category	Emissions (metric tons per year)			
	CO_2	CH_4	N_2O	CO_2e
Direct – (Amortized Construction)				91.8
Direct – Mobile (Operational)	4,538.1	0.37	0.30	4,635.8
Direct – Purchased Natural Gas	671.7	0.013	0.012	675.7
Direct – Area Source	7.4	0.0071	0.0000	7.6
Indirect – Purchased Electricity (Power)	506.7	0.043	0.0052	509.3
Indirect – Purchased Electricity (Water)	189.5	1.65	0.040	242.6
Direct – Fugitive – Solid Waste	111.6	6.6	0.0000	276.4
Totals	**6,025**	**8.7**	**0.36**	**6,439**

***Source**: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021).*

Total unmitigated operational CO2e emissions from the project would be 6,347 MT of CO2e per year. Mobile sources account for about 73 percent of these emissions. With the addition of the amortized construction emissions, the total project GHG emissions would be 6,439 MT of CO2e per year. The service population (SP) for the project comprises 1,681 residents and 158 employees, for a total SP of 1,839. The ratio of emissions to service population is therefore 3.47 MTCO2e/year/SP. As discussed in Section 4.3.2, the significance threshold for this project in the project buildout year (2025) was determined by interpolation to be 4.2 MTCO2e/year/SP. Since the project's ratio is below this, GHG emissions will be less than significant. The service population (SP) for the project comprises 1,681 residents and 158 employees, for a total SP of 1,839. The ratio of emissions to service population is therefore 3.47 MTCO2e/year/SP. As discussed in Section 4.3.2, the significance threshold for this project in the project buildout year (2025) was determined by interpolation to be 4.2 MTCO2e/year/SP. Since the project's ratio is below this, GHG emissions will be less than significant. The service population (SP) for the project comprises 1,681 residents and 158 employees, for a total SP of 1,839. The ratio of emissions to service population is therefore 3.47 MTCO2e/year/SP. As discussed in Section 4.3.2, the significance threshold for this project in the project buildout year (2025) was determined by interpolation to be 4.2 MTCO2e/year/SP. Since the project's ratio is below this, GHG emissions will be less than significant. The service population (SP) for the project comprises 1,681 residents and 158 employees, for a total SP of 1,839. The ratio of emissions to service population is therefore 3.47 MTCO2e/year/SP. As discussed in Section 4.3.2, the significance threshold for this project in the project buildout year (2025) was determined by interpolation to be 4.2 MTCO2e/year/SP. Since the project's ratio is below this, GHG emissions will be less than significant. The service population (SP) for the project comprises 1,681 residents and 158 employees, for a total SP of 1,839. The ratio of emissions to service population is therefore 3.50 MTCO2e/year/SP. As discussed above, the

significance threshold for this project in the project buildout year (2025) was determined by interpolation to be 4.2 MTCO2e/year/SP. Since the project's ratio is below this, GHG emissions will be less than significant.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact

The City of Desert Hot Springs adopted a CAP in 2013. The CAP set goals to reduce emissions in order to achieve AB 32 targets. The CAP has not been updated, but it represents the most relevant guidance for the proposed project. In order to meet its targets, the CAP provides programs and policies in various sectors of the community, including transportation, residential buildings, commercial buildings, government incentives, renewable energy, cross-cutting initiatives, solid waste, and water. As seen in **Table 4.8-2**, the proposed project would comply with all applicable greenhouse gas reducing programs and policies identified in the CAP.

Table 4.8-2
CITY OF DESERT HOT 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 68.1% by 2015 potentially through use of tiered rate structure.	Consistent. The proposed project will comply with all local and state diversion requirements.
Solid Waste	Solid Waste Diversion: Increase solid waste diversion rate by an additional 10% to 78.1% by 2020 potentially through awareness programs, recognition, tiered rate structures, and other financial instruments.	Consistent. The proposed project will be required to comply with AB 341 which includes recycling programs that reduce waste to landfills by up to 75% by 2020.
Sphere – "Where We Work"		
Commercial Buildings	Peak Demand Reduction: Collaborate with SCE and encourage 100 businesses to enroll in Energy Efficiency and Demand Response programs such as the Summer Discount Program.	Consistent. This is a city-based measure. If the proposed project is mandated by the City to be one of the 100 businesses that are to enroll in an Energy 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/industrial buildings.	Consistent. The proposed 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 reaching out to 100 businesses.	Consistent. This is a city-based measure. If the project is mandated by the City to

Sector	CAP Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
Commercial Buildings	Integrated Lighting Systems: Promote SCE's Energy Management Solutions' energy-efficient lighting linked to building controls and occupancy sensors in minimum of one million square feet of commercial/industrial space.	be one of the 100 businesses in the "Temperature Club," the project will comply as needed Consistent. This is a city-based measure. If the If the project or the previously approved cultivation use are mandated by the City to be part of the one million square feet of commercial/industrial space that is to have energy-efficient lighting linked to building controls and occupancy sensors, then the project will comply as needed.
Government initiatives	Water Efficient Landscaping Ordinance: Build on and exceed current Water Efficient Landscaping Ordinance in the commercial/industrial sector by 15% community-wide by 2020.	Consistent. The propose project's landscape design complies with the City's landscaping standards and accommodates the surrounding desert landscape
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.	Consistent. The proposed project includes the planting of trees in the parking lot 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/industrial properties in the community with recognition for first ten early adopters.	Consistent. The project will comply with current Title 24 prescriptive cool roof requirements to meet energy compliance.
Government Initiatives	Green Building Program: Promote the voluntary Green Building Program to prepare for enhanced Title 24 requirements and green building standards.	Consistent: The Proposed Project will comply with the California Green Building Standards Code.
Water	Stormwater Capture: Promote storm water capture and retention for exterior landscape use (cisterns, rain barrels).	Consistent. The proposed project includes two onsite recharge basins. These areas will reduce the runoff from the project site to its pre-developed rate and meet water quality requirements.

The City's General Plan Update supports the goals of the CAP with policies that promote energy conservation in new development projects (Policy OS-4.1), solar energy systems in commercial uses (Policy OS-4.4), and green building/sustainable construction (Policies OS-6.1

Energy efficient features, including dual-glazed windows and insulation would be incorporated into building design to comply with the provisions of the California Green Building Code, Title 24, Part 11 of the California Code of Regulations. Title 24, Part 11 requires new structures to incorporate a variety of features to promote green buildings as means to improve energy efficiency, reduce water demand, promote recycling, and other measures. The project will have solar panels to reduce fossil

fuel combustion, and bike racks will be provided to encourage bicycle riding instead of automobile trips (Seniff, 2018). These project features will assist the City in meeting its GHG emission reduction targets.

Appendix B2 summarizes pertinent General Plan provisions and shows why the proposed project in consistent therewith.

As shown in **Table 4.8-2** and **Appendix B2**, the proposed project would be consistent with applicable measures found in the CAP and would not conflict with any applicable plan, policy, or regulation adopted with the purpose of reducing greenhouse gas emission. Impacts would be less than significant.

4.9 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			**X**	
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?			**X**	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?				**X**
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?				**X**
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?				**X**
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			**X**	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			**X**	

4.9.1 Introduction

This Section addresses impacts related to hazardous materials; hazards from aircraft crashes to people on the ground; adverse impacts on emergency response plans; and wildfires. Wildfire-related impacts are addressed in further detail in Section 4.20, *Wildfire*.

The information in this section regarding hazardous materials is based on the Phase I Environmental Site Assessment, Green Day Village, West of Palm Drive and 1,320 feet south of 18th Avenue, Desert Hot Springs, California, 92240, completed by All Phase Environmental, Inc. on November 21, 2021; a complete copy of this document is included as **Appendix F1**.

4.9.2 Impact Analyses

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact

Construction

Project construction would involve use, storage, and transport of hazardous materials including fuels, lubricants, greases, paints and other architectural coatings, cleansers, pesticides, and fertilizers. Such use, transport, and storage would comply with existing regulations of several agencies including the Riverside County Department of Environmental Health (DEH); US Environmental Protection Agency (EPA); Department of Toxic Substances Control (DTSC); Occupational Safety and Health Administration (OSHA); and US Department of Transportation (DOT). Hazards arising from routine use of hazardous materials would be less than significant after regulatory compliance.

Operation

Residential Uses

Operation of the proposed residences would involve use of small amounts of hazardous materials for cleaning and maintenance purposes. Use, transport, and disposal of such hazardous materials would not create significant hazards to the public or the environment.

Commercial Uses

The project proposes 77,971 square feet of commercial uses including 10,752 square feet of restaurant and food service spaces, retail buildings totaling 45,365 square feet, a 21,854-square-foot medical office building, and two recycling centers totaling 720 square feet.

Medical wastes generated by medical offices would be disposed of in accordance with existing regulations administered by several agencies.

State laws, regulations, and agencies governing the storage, transport, and disposal of medical wastes include:

- Medical Waste Management Act (California Health and Safety Code Sections 117600 et seq.)
- California Division of Occupational Safety and Health (DOSH)

- Caltrans

Federal agencies governing the storage, transport, and disposal of medical wastes include:

- Occupational Safety and Health Administration
- Centers for Disease Control and Prevention (CDC)

Retail uses would utilize small amounts of hazardous materials for cleaning, maintenance, and pest control. The use of hazardous materials during operation of the commercial uses would be required to comply with regulations of the same agencies identified above under *Construction*. Impacts would be less than significant after regulatory compliance.

b) Would the project 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?

Less than Significant Impact

Development of the project would involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Occupational Safety and Health Administration (OSHA), California hazardous waste control law[16], California Division of Safety and Health (DOSH), South Coast Air Quality Management District (SCAQMD), and Riverside County Fire Department requirements. Onsite maintenance and operation of the project would involve storage and use of small amounts of commercially available janitorial and landscaping supplies. These materials would be used, stored, handled, and disposed of in accordance with applicable regulations. Compliance with applicable laws and regulations during project construction and operation would ensure that impacts associated with upset or accident conditions would be less than significant.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact

No schools are present within 0.25 mile of the project site, and project development would not create hazards for persons at schools arising from hazardous emissions or handling hazardous substances. No impact would occur.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

16 Codified in California Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control.

No Impact

Government Code § 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update, at least annually, lists of the following:

- Hazardous waste and substances sites from the DTSC EnviroStor database.
- Leaking Underground Storage Tank (LUST) sites by county and fiscal year in the State Water Resources Control Board (SWRCB) GeoTracker database.
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.
- SWRCB Cease and Desist Orders (CDOs) and Cleanup and Abatement Orders (CAOs).[17]
- Hazardous waste facilities subject to corrective action pursuant to § 25187.5 of the Health and Safety Code, identified by DTSC.[18]

These lists are collectively referred to as the "Cortese List." (EPA, 2018) The project site was not identified as a Cortese site. No properties included on the Cortese list are within 0.5 mile of the project site. No hazardous materials sites of any kind were identified within search radii up to one mile from the project site, depending on the type of hazardous materials site (All Phase Environmental, 2021, p. 14). No impact would occur.

e) Would the project 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?

No Impact

Due to the distance of the project site from the nearest airport, the project site is not located within the boundary of an Airport Influence Area (AIA), or within two miles of a public airport or public use airport. The nearest public airport is Palm Springs International Airport (PSP) approximately 4.6 miles to the south. The project site is outside of compatibility zones surrounding PSP where land uses are regulated to minimize aviation-related hazards to people on the ground, and outside of noise contours for PSP (RCALUC, 2005). Therefore, the project would not expose people to safety hazards or excessive noise due to proximity to a public airport, and no impacts would occur.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact

17 CDOs and CAOs may be issued for discharges of domestic sewage, food processing wastes, or sediment that do not contain hazardous materials.

18 If corrective action is not taken on or before the date specified in a CDO or CAO, or if immediate corrective action is necessary to remedy or prevent an imminent substantial danger to the public health, domestic livestock, wildlife, or the environment, the DTSC may take, or contract for corrective action and recover the cost for a responsible party.

The City of Desert Hot Springs Emergency Operations Plan is the emergency response plan in effect for the City. Near the project site, Palm Drive is classified as an Urban Arterial, and Dillon Road as a Secondary I. It is expected that both of those roadways would be used as evacuation routes. Project construction would involve utilities installation in Palm Drive and modification of the west half of Palm Drive. Encroachment permits from the City of Desert Hot Springs Public Works Department would be required for work in the Palm Drive right-of-way. The Public Works Department would require that adequate emergency access be maintained on Palm Drive.

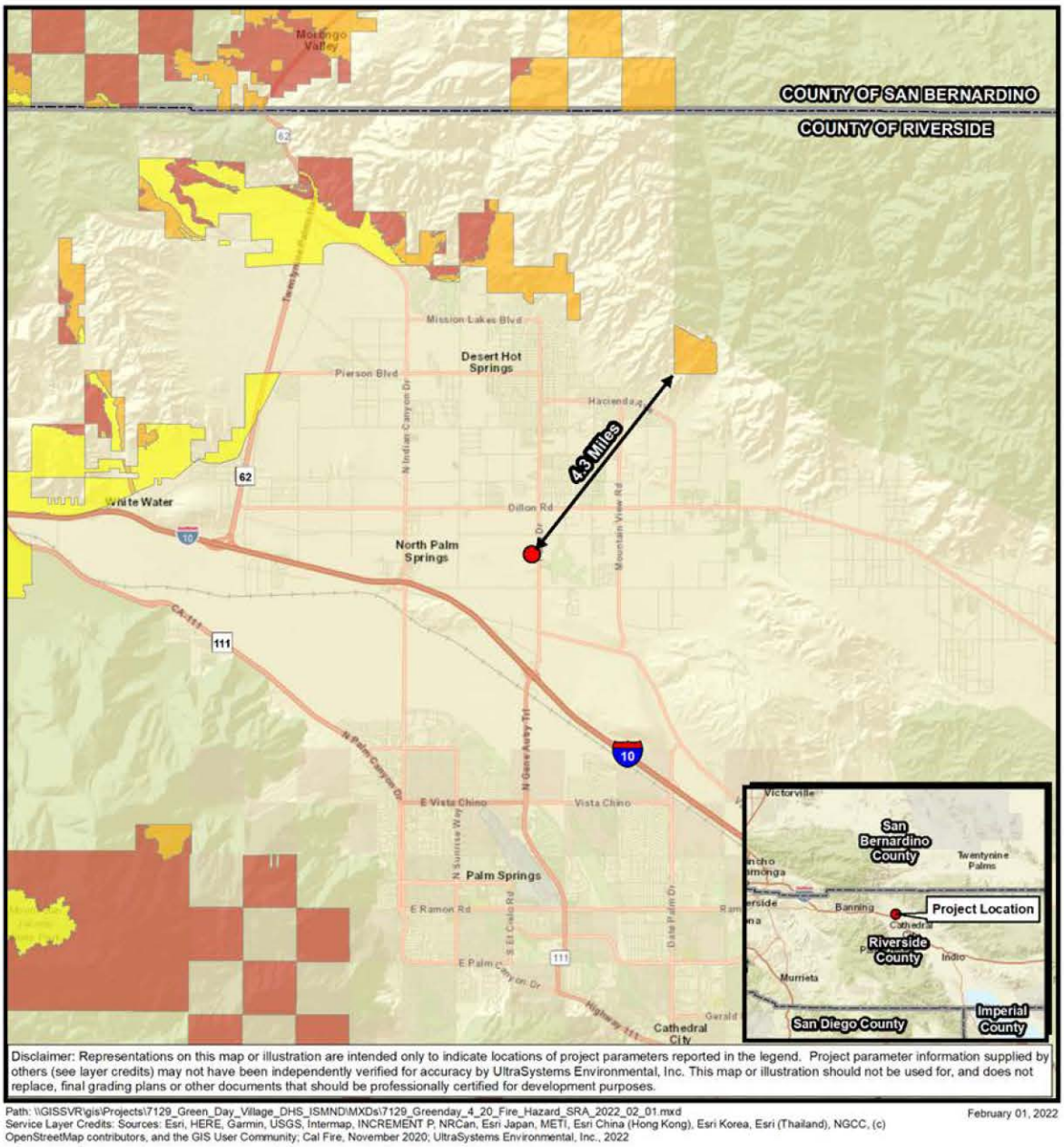
Proposed driveways into the residential areas of the project would be controlled by three gates. All three gates would be equipped with Knox boxes. First responder vehicles are equipped with remote controls for Knox boxes. Impacts would be less than significant after compliance with requirements of the City of Desert Hot Springs.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less than Significant Impact

The project site is not in a fire hazard severity zone mapped by the California Department of Forestry and Fire Protection (CAL FIRE, 2022), as shown on **Figures 4.9-1** and **4.9-2**. The project site is not in wildland urban interface mapped by the University of Wisconsin (UW, 2022). The nearest historic wildfires to the site mapped by CAL FIRE are approximately 4.7 miles to the northwest and southwest, respectively (CAL FIRE, 2022b). Project development would not expose people or structures to substantial risks from wildland fires, and impacts would be less than significant.

Figure 4.9-1
FIRE HAZARDS - SRA



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\GISSVR\gis\Projects\7129_Green_Day_Village_DHS_ISMND\MXDs\7129_Greenday_4_20_Fire_Hazard_SRA_2022_02_01.mxd
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community; Cal Fire, November 2020; UltraSystems Environmental, Inc., 2022

February 01, 2022

Scale: 1:158,400

N

0 1.25 2.5 Miles

0 1.25 2.5 Kilometers

Legend

- Project Location
- County Boundary

Fire Hazard Severity Zones in SRA

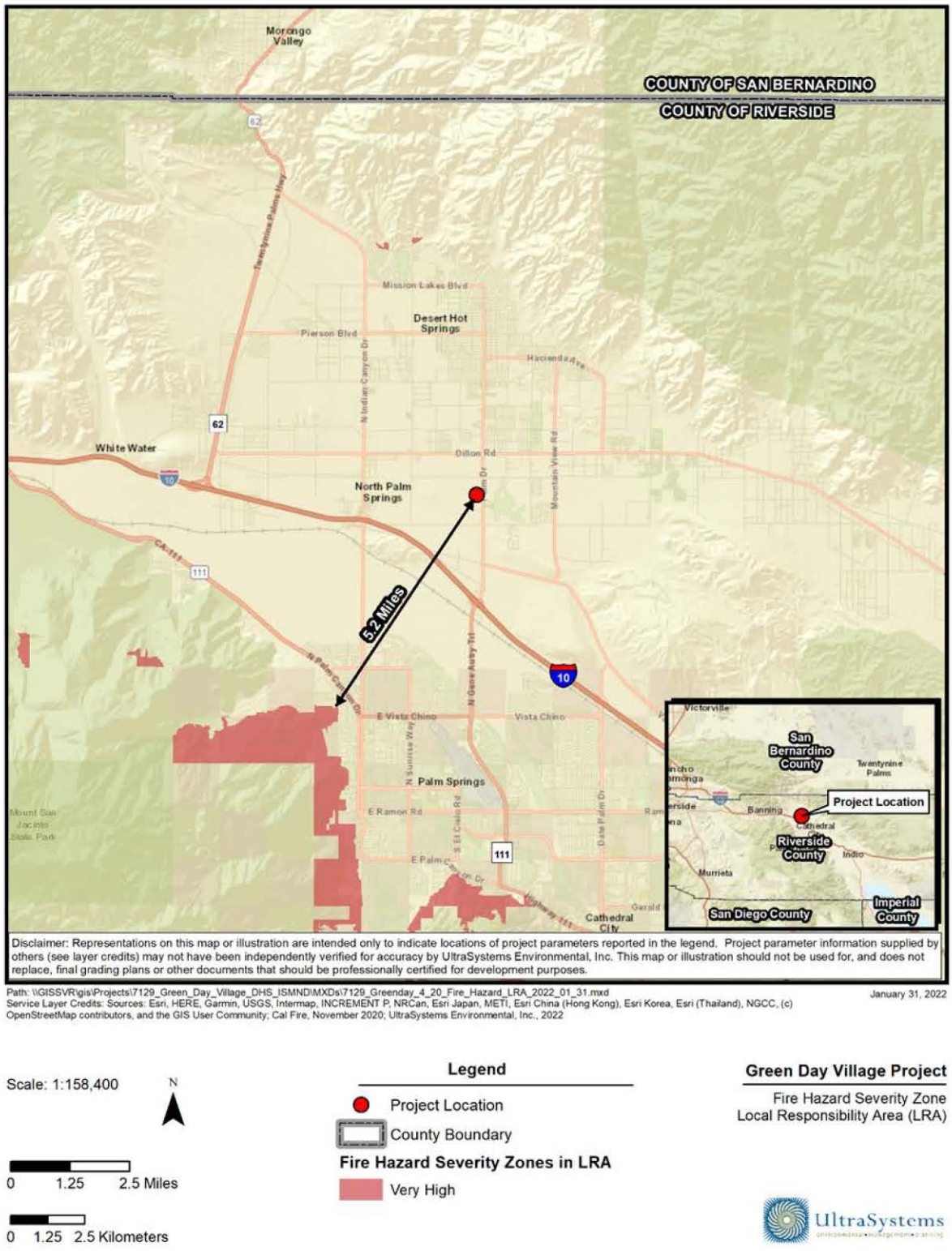
- Moderate
- High
- Very High

Green Day Village Project

Fire Hazard Severity Zone
State Responsibility Area (SRA)

UltraSystems

Figure 4.9-2
FIRE HAZARDS – LRA



4.10 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			**X**	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			**X**	
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:				
i) Result in substantial erosion or siltation on or offsite;			**X**	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			**X**	
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			**X**	
iv) impede or redirect flood flows?		**X**		
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			**X**	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			**X**	

4.10.1 Introduction

This Section addresses project impacts related to water quality; groundwater; surface hydrology and drainage; and flood hazards.

4.10.2 Impact Analyses

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality??

Less than Significant Impact

The project site is currently vacant. Under existing conditions, stormwater runoff generated on the project site sheetflows to Morongo Wash to the south. Morongo Wash discharges into the Whitewater River, which is tributary to the Salton Sea (ASAP Consulting, 2022b, p. 1-5). The receiving waters are not Waters of the United States, as they do not have a hydrological connection to the ocean; are not interstate waters; are not used in interstate or foreign commerce; and are not tributary to any of those categories of waters. The receiving waters are Waters of the State.

Development of the proposed project may result in two types of water quality impacts: (1) short-term impacts due to construction related discharges; and (2) long-term impacts from operation or changes in site runoff characteristics. Runoff may carry on-site surface pollutants to water bodies such as lakes, streams or rivers that ultimately drain to the ocean. Projects that increase urban runoff may indirectly increase local and regional flooding intensity and erosion.

Construction Pollutants Control

Construction projects typically expose soil to erosion and may temporarily alter drainage patterns. Storm water runoff during construction may contain soil amendments such as fertilizers and pesticides, entrained soil, trash, waste oil, paints, solvents and other substances used during construction. The project would be required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ, as authorized by § 402 CWA). The Statewide Construction General Permit requires dischargers of potential pollutants into waters of the United States (WOUS) to: (1) implement best management practices (BMPs) to eliminate or reduce point and non-point source discharges of pollutants; and (2) if one acre or more of soil is disturbed during construction, to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP) to protect human health and the environment and obtain a National Pollutant Discharge Elimination System (NPDES) permit. NPDES permits establish enforceable limits on discharges, require effluent monitoring, designate reporting requirements, and require construction and post-construction BMPs to eliminate or reduce point and non-point source discharges of pollutants.

The project would be required to prepare a SWPPP and implement BMPs prior to commencement of construction activities to obtain coverage under the Construction General Permit. Additionally, BMPs must be maintained, inspected after each precipitation event, and repaired or replaced as necessary. Because the project is required by the SWRCB to comply with all applicable conditions of Construction General Permit Order 2009-0009-DWQ, potential violations of water quality standards or waste discharge requirements would be less than significant during project construction.

Operational Pollutant Controls

The project site is in the Whitewater River Subbasin ("Subbasin") that spans approximately 1,500 square miles in central Riverside County and southern San Bernardino County.

The municipal stormwater permit ("MS4 permit") in effect for the Subbasin is Order No. R7-2013-0011 issued by the Colorado River Regional Water Quality Control Board (CRRWQCB) in 2013. BMPs projects must use to comply with the MS4 permit are set forth in the Whitewater River Region Water Quality Management Plan Guidance Document issued by Riverside County Watershed Protection (RCWP) revised in 2015 and the Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development (LID Handbook) issued by RCWP in 2014.

A Preliminary Water Quality Management Plan (PWQMP) for the project was completed by ASAP Consulting in July 2022; a complete copy of the WQMP is included as **Appendix G1** to this Initial Study. The WQMP prescribes Best Management Practices (BMPs) that will be implemented during project design and project operation to minimize stormwater pollution in compliance with City of Desert Hot Springs requirements protecting stormwater quality.

Site Design BMPs

Site design BMPs reduce or eliminate post-project runoff. The WQMP prescribes the following site design BMPs for the proposed project.

- **Minimize Urban Runoff, Minimize Impervious Footprint, and Conserve Natural Areas**
    - Preserve natural drainage features and natural depressional storage areas on the site.
    - Maximize canopy interception and water conservation by preserving existing native trees and shrubs, and planting additional native or drought tolerant trees and large shrubs.
    - Construct streets, sidewalks and parking lot aisles to minimum widths necessary, provided that public safety and a walkable environment for pedestrians are not compromised.
- **Minimize Directly Connected Impervious Area**
    - Urban curb/swale system: street slopes to curb; periodic swale inlets drain to landscaped swale or biofilter.
    - Where landscaping is proposed in parking areas, incorporate parking area landscaping into the drainage design.

Five infiltration basins (one above ground and four underground) are proposed throughout the site to manage storm water runoff and improve water quality. Catch basins collect storm water runoff and convey the flows through pipes to the on-site infiltration basins. The project will retain 100% of the difference between the 100-year pre-development and post-development conditions. Therefore, the project satisfies the local ordinance requirement for 100% on-site retention for the 100-year, 24-hour storm event (ASAP Consulting, 2022a, p. 1-14).

Treatment Control BMPs

Treatment control BMPs remove pollutants from contaminated stormwater before the water is discharged offsite. The project would include two treatment control BMPs: one aboveground infiltration basin and four underground infiltration basins. The potential pollutants of concern within the drainage sub-area are bacteria / virus/pathogens, heavy metals, nutrients, toxic organic

compounds, sediment / turbidity, trash & debris, and oil and grease. Infiltration basins are highly effective at removing the identified potential pollutants. The project site is divided into five drainage areas, with one infiltration basin in each drainage area (ASAP Consulting, 2022a). The drainage areas and basins are described below in **Table 4.10-1.**

Table 4.10-1
DRAINAGE AREAS AND PROPOSED INFILTRATION BASIS

Drainage Area (Proposed Land Use)	Acres	Infiltration basin:				
		aboveground/ underground	Area at top, square feet	Depth, feet	Available volume, cubic feet	Required flood volume, cubic feet
A (Residential)	26.34	aboveground	46,870	4	153,579	117,655
B (Residential)	1.07	Underground	2,200	4	7,038	5,979
C (Commercial)	1.24	Underground	2,200	4	15,46	8,559
D (Commercial)	3.85	Underground	6,000	5	43,956	28,240
E (Commercial)	3.60	Underground	6,000	5	44,842	25,623

[1] **Source**: ASAP Consulting, 2022a

Source Control BMPs

Source control BMPs reduce the potential for pollutants to enter runoff. The project WQMP prescribes the following source control BMPs:

Structural source control BMPs are incorporated into the project design.

- Storm Drain Inlet Stenciling and Signage: Stenciling and signage will be provided (where practical) and maintained for the onsite storm drains.
- Landscape and Irrigation System Design: Onsite maintenance staff will provide ongoing irrigation system inspection and maintenance to reduce excessive watering and overspray.
- Protect Slopes and Channels: maintenance staff will stabilize disturbed slopes as quickly as possible, control and treat flows in landscaping and or/ other controls prior to reaching existing natural drainage systems, maintain native and drought tolerant vegetation of slopes, convey runoff safely from tops of slopes and stabilize channel crossings as quickly as possible, and ensure that increases in run-off velocity and frequency caused by the project do not erode the channel.
- Properly design trash storage areas
- Properly design loading docks
- Provide Wash Water Controls for Food Preparation Areas (ASAP Consulting, 2022a, pp. 1-21 – 1-23)

Non-Structural Source Control BMPs

- Education for Property Owners, Operators, Tenants, Occupants, or Employees
- Activity Restriction
- Irrigation System and Landscape Maintenance: onsite maintenance staff will provide ongoing irrigation system inspection and maintenance to ensure that timers and smart controllers are working as desired.
- Common Area Litter Control
- Street Sweeping Private Streets and Parking Lots
- Drainage Facility Inspection and Maintenance (ASAP Consulting, 2022a, p. 1-22).

Operational impacts on water quality standards and waste discharge requirements would be less than significant after implementation of the WQMP for the proposed project.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

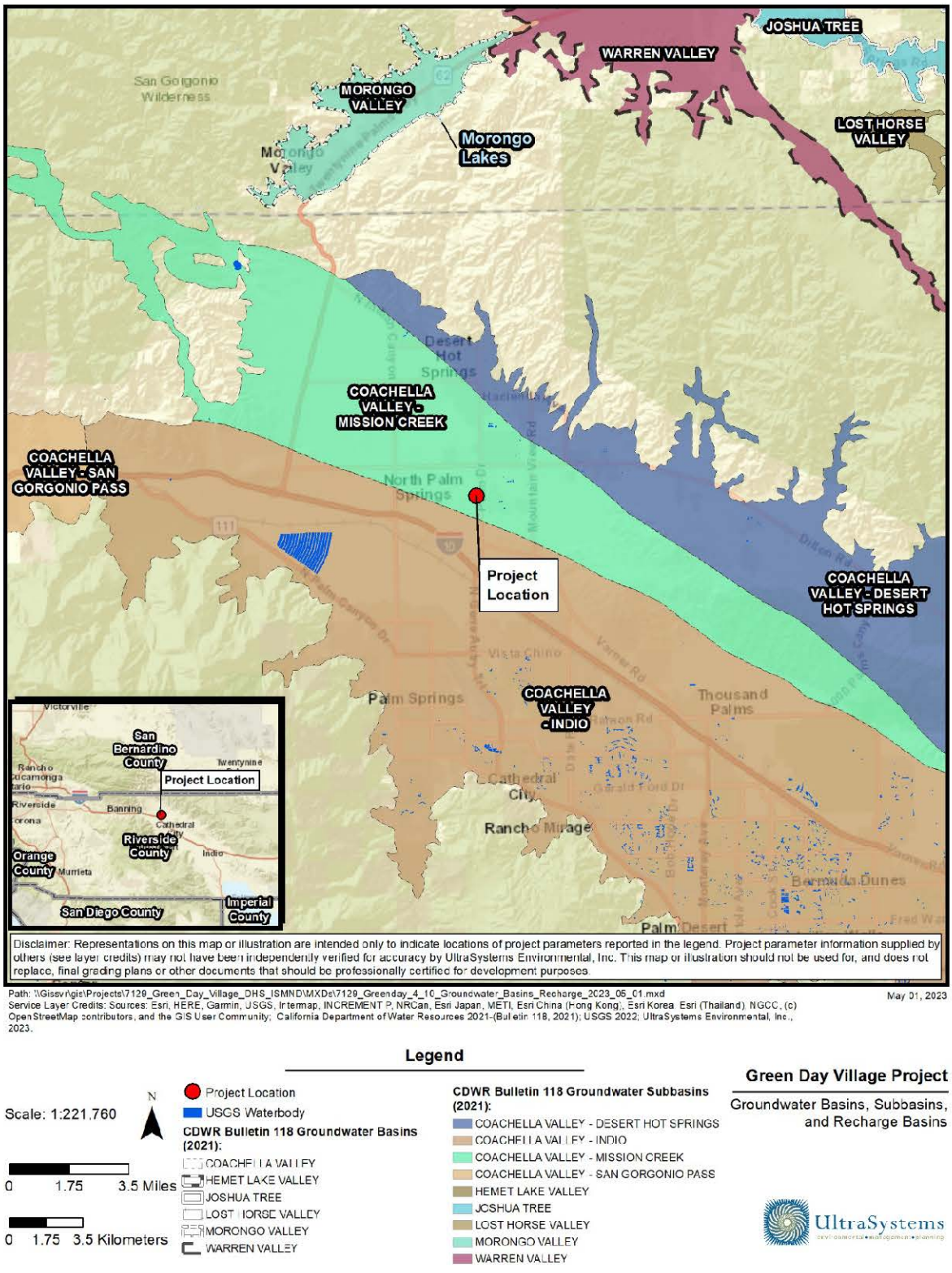
Less than Significant Impact.

The project site is above the Mission Creek Subbasin (MCSB), which comprises part of the northwest portion of the Coachella Valley Groundwater Basin (CVGWB) (MSWD, 2023). **Figure 4.10-1** shows the MCSB and part of the CVGWB. The project site is in the service area of the Mission Springs Water District (MSWD). MSWD completed a draft Water Supply Assessment (WSA) for the project in April 2023; a complete copy of the WSA is included as **Appendix 13a** of this IS/MND. MSWD's entire water supply is groundwater from the MCSB and two other subbasins of the CVGWB: the Indio Subbasin (ISB) and the San Gorgonio Pass Subbasin (SGPSB). Project water supplies would be produced from the MCSB and from the Garnet Hill Subarea (GHSA) of the ISB. Groundwater in the MCSB is managed by the MSWD, Desert Water Agency (DWA), and Coachella Valley Water District (CVWD) pursuant to the Mission Creek Settlement Agreement dated December, 2004. The MCSB is not currently considered in a state of overdraft (MSWD, 2023, p. 4-8).

- Natural surface water from several washes and drainages;
- Irrigation return flow and discharges from municipal and individual subsurface wastewater disposal systems; and
- Intentional recharge with water imported from the Colorado River via the Colorado River Aqueduct. The DWA and CVWD both acquire Colorado River water for groundwater replenishment. Amounts of Colorado River water delivered to the Mission Creek Groundwater Replenishment Facility during the last five years for which data are available (2017-2021) range from a high of 9,248 acre-feet in 2017 to zero in 2021 (MSWD, 2023, pp. 4-3 – 4-10).

- **Figure 4.10-1**

GROUNDWATER BASINS MAP



- The primary recharge sources for the GHSA are subsurface flow from the MCSB and runoff from the Whitewater River Watershed to the west.

MSWD water supplies are forecast to increase from 8,996 acre-feet per year (afy) in 2025 to 14,495 afy in 2045 in normal water year conditions (MSWD, 2023, p. 4-37).

Project water demand is estimated as 525.6 afy (MSWD, 2023, p. 2-6). The MSWD concluded that the total projected water supplies available to MSWD during normal, single dry, and multiple dry water years over the 2025-2045 period are sufficient to meet the projected water demand of the proposed Green Day Village Development Project, in addition to MSWD's existing and planned future uses (MSWD, 2023, p. 4-39). Project water demand would not decrease groundwater supplies.

The project includes five proposed infiltration basins—described in **Table 4.10-1** above—that collectively would have capacity to infiltrate the net difference in runoff from the project site in post-project conditions compared to existing conditions from a 100-year, 24-hour storm (ASAP Consulting, 2022a, p. 1-14). Project development would not substantially interfere with groundwater recharge, and impacts would be less than significant.

c) Would the project 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:

Less than Significant Impact.

The project site is in the Little Morongo Creek-Morongo Wash Watershed ("Watershed") that spans approximately 171 square miles in north-central Riverside County and southern San Bernardino County (CDFW, 2022). The Watershed encompasses part of the east end of the San Bernardino Mountains; the west end of the Little San Bernardino Mountains; the west end of the Morongo Basin in the Mojave Desert; and part of the Coachella Valley. The Watershed is part of the Whitewater River Subbasin ("Subbasin") that spans approximately 1,500 square miles in central Riverside County and southern San Bernardino County, including the Coachella Valley, the southeast part of the San Bernardino Mountains, the southwest-facing slopes of the Little San Bernardino Mountains, and the northeast-facing slopes of the San Jacinto and Santa Rosa Mountains (CDFW, 2022). The Whitewater River, the major stream in the Subbasin, extends 54 miles from the San Bernardino Mountains on the northwest to the Salton Sea on the southeast. Morongo Wash, the major stream in the Watershed, discharges into the Whitewater River.

The Morongo Wash passes approximately 900 feet west of the project site.

i) Result in substantial erosion or siltation on or offsite;

Less than Significant Impact.

The existing project site contains large amounts of bare soil and thus is susceptible to erosion by wind and flowing water. Large areas of the Coachella Valley consist of sand dunes, showing widespread erosion in the region. During project construction large amounts of soil would be disturbed and exposed, resulting in the potential for widespread erosion. Project construction would include implementation of erosion control and sediment control BMPs specified in the project SWPPP in accordance with the Statewide Construction General Permit (see further discussion in Section 4.10.a). Impacts would be less than significant.

At project completion the entire project site would consist of buildings; parking lots, roadways, and drive aisles and walkways; and landscaping, farming areas, and an aquaponics area. Soil would not be left bare exposed to erosion. Site design, source control, and treatment control BMPs that would be incorporated into the site design and/or implemented during project operation are specified above in Section 4.10.a. Impacts would be less than significant after implementation of the project WQMP.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

Less than Significant Impact.

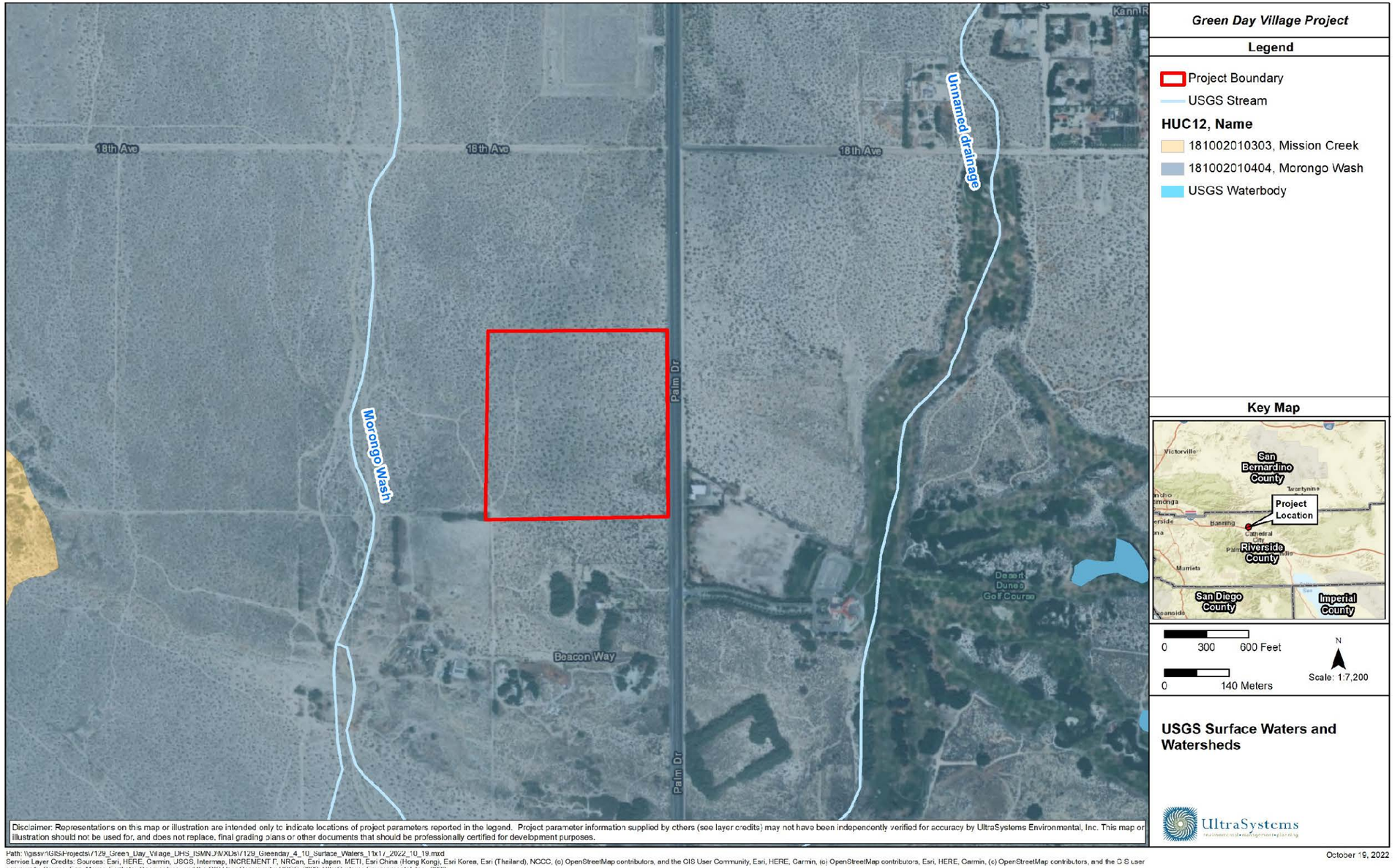
The project includes five infiltration basins—described in **Table 4.10-1** above—that collectively would have capacity to infiltrate the net difference in runoff from the project site in post-project conditions compared to existing conditions from a 100-year, 24-hour storm (ASAP Consulting, 2022b, p. 1-14). Project development would not increase the rate or volume of surface runoff on- or offsite and thus would not cause flooding; impacts would be less than significant.

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

Less than Significant Impact.

The analysis for Section 4.10.c.ii applies to this threshold as well; impacts would be less than significant.

Figure 4.10-2
SURFACE WATERS



iv) Impede or redirect flood flows

Less than Significant Impact with Mitigation Incorporated.

The project site is in flood hazard zone A03, that is, in a 100-year flood zone, mapped by the Federal Emergency Management Agency (FEMA, 2022); see **Figure 4.10-3**. A design for the project for controlling floods originating offsite was prepared by PACE Engineering and is summarized in a technical memorandum included as **Appendix G5**. The inflow onto the project site during a 100-year flood is estimated at 28,301 cubic feet per second, measured approximately 4,800 feet north of the project site. Three corridors (in north-south roadways) would be incorporated into the project design for floodwaters from upstream of the site to pass through the site. All building pad elevations would be raised at least one foot above the 100-year flood elevation. The estimated flow velocities in a 100-year flood within the corridors are moderately high (8-10 feet per second (fps), and over 10 fps in some areas. Therefore, embankment protections will be needed on the pad perimeters (PACE Engineering, 2023).

A Conditional Letter of Map Revision (CLOMR) issued by the Federal Emergency Management Agency (FEMA) is required before the City of Desert Hot Springs will issue a grading permit for the project. A CLOMR is a letter from FEMA commenting on whether a proposed project, if built as proposed, or proposed hydrology changes would meet minimum National Flood Insurance Program (NFIP) standards. Project impacts respecting flood hazards in a 100-year flood zone would be potentially significant. The requirement for the applicant to submit a request for a CLOMR first to the City of Desert Hot Springs Public Works Department, and then to FEMA after City approval, is set forth as Mitigation Measure HYD-1.

Mitigation Measure

HYD-1: Project development would exacerbate flood hazards, as the project site is in a 100-year flood zone. Before issuance of a grading permit by the City of Desert Hot Springs, the project applicant shall submit a Request for a Conditional Letter of Map Revision (CLOMR) to the City of Desert Hot Springs Director of Public Works (Director) or his or her designee. Upon approval of the Request for CLOMR by the Director, the project applicant shall submit the Request for CLOMR to FEMA. The City of Desert Hot Springs shall issue a grading permit only after FEMA conditionally revises the flood control map covering the project site. Before issuance of a Certificate of Occupancy by the City of Desert Hot Springs, an approved Letter of Map Revision (LOMR) from FEMA is required.

Level of Significance After Mitigation

Project impacts regarding flood hazards would be less than significant after implementation of Mitigation Measure HYD-1.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than Significant Impact with Mitigation Incorporated.

Flood Hazard Zones

Project impacts regarding flood hazards within flood hazard zones would be less than significant with mitigation incorporated, as substantiated above in Section 4.10.c.iv.

Tsunami Zones

A tsunami is a series of ocean waves caused by a sudden displacement of the ocean floor, most often due to earthquakes. The project site is approximately 70 miles inland from the Pacific Ocean and is outside of tsunami hazard zones. No impact would occur.

Seiche Zones

A seiche is a surface wave created when an inland water body is shaken, usually by an earthquake. No inland bodies of water are near enough to the site such that project development would exacerbate an existing flood hazard due to a seiche. No impact would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact.

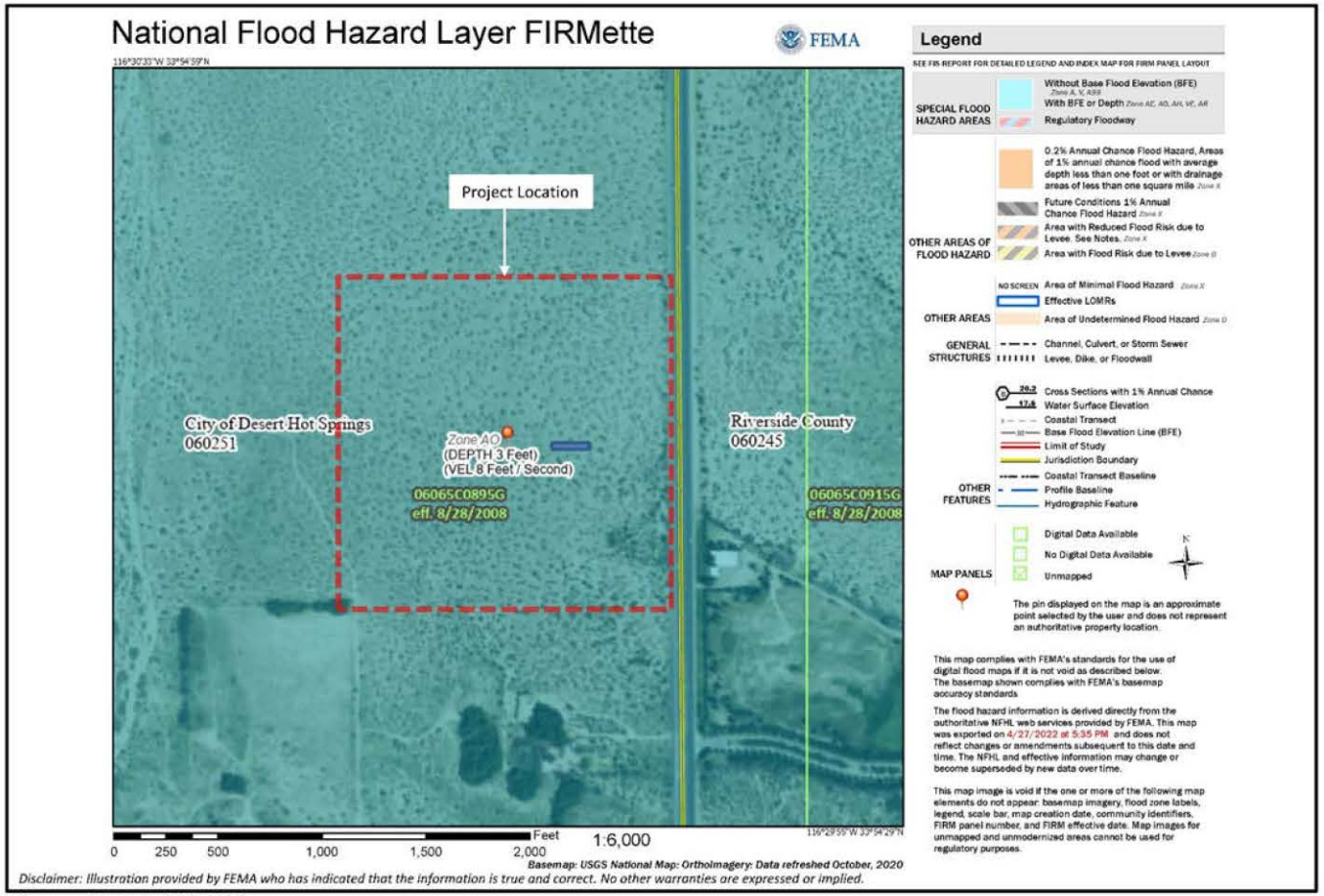
Water Quality Control Plan

The project site is in the Colorado River Regional Water Quality Control Board (CRRWQCB) jurisdiction. The Water Quality Control Plan for the CRRWQCB region was amended in 2019. Project design and operation would include implementation of the project WQMP prepared in accordance to the Water Quality Control Plan. Project development would not conflict with the Water Quality Control Plan, and impacts would be less than significant.

Sustainable Groundwater Management Plan

The project site is above the Mission Creek Subbasin of the CVGWB. The groundwater management plan in effect for the project region is the Mission Creek Subbasin Alternative Plan Update prepared by Wood and Kennedy Jenks in 2021. A draft WSA for the project was completed by the Mission Springs Water District (MSWD) in April 2023. MSWD's entire water supply is groundwater from three subbasins of the CVGWB. The WSA concluded that the MSWD is forecast to have sufficient water supplies for the proposed project in normal and dry water years over the 2025-2045 period. Therefore, project development would not conflict with the Mission Creek Subbasin Alternative Plan Update, and impacts would be less than significant.

Figure 4.10-3
FEMA FIRM MAP PANEL



Sources: FEMA, April 27, 2022.

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Green Day Village
FEMA FIRM Map

4.11 Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?				**X**
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?		**X**		

4.11.1 Introduction

This Section addresses project impacts on physical division of communities, and on land use policies established to avoid or minimize environmental impacts.

4.11.2 Impacts Analysis

a) Would the project physically divide an established community?

No Impact

The project site is vacant and is surrounded by vacant land to the north, west, and south; and by the Desert Dunes Golf Club opposite Palm Drive to the east. The project site is not within an established community and is not used for transit between parts of such a community. Project development would not divide an established community, and no impact would occur.

b) Would the project 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?

Less than Significant Impact with Mitigation Incorporated.

As shown in **Figure 4.11-1**, the City's General Plan land use designations for the project site are Mixed Use Corridor (MU-C) and Residential High (RH) (City of Desert Hot Springs, 2020d). The City's zoning designations for the project site are also Mixed-Use Corridor (MU-C) and Residential High (RH), as shown on **Figure 4.11-2** (City of Desert Hot Springs, 2020e). The MU-C and RH general plan and zoning designations each permit residential development at densities of 20 to 30 units per acre. The MU-C designation also permits commercial development with floor area ratios of up to 1.5, with building heights typically two to four stories.[19] The project proposes residential development at a density of approximately 17.2 units per acre, below the densities permitted under

[19] The floor area ratio is the gross square footage of all the buildings on a lot divided by the total area of the lot. For instance, a one-acre lot (43,560 square feet) developed with a building with total square footage of 65,340 (43,560 x 1.5) would have a floor area ratio of 1.5.

the current general plan and zoning designations. The project includes applications for a General Plan amendment and a zone change shifting the boundary between the MU-C and RH zoning districts such that the MU-C zoning district

The City of Desert Hot Springs General Plan Circulation Element sets forth requirements for intersection operation in terms of Level of Service (LOS), a qualitative rating of intersection operation ranging from LOS A, free-flowing traffic, to LOS F, severe congestion. The City's minimum LOS standard is D or better. A project site access analysis completed by IBI Group in October 2022, and included as Appendix I2 to this Initial Study, concluded that the intersection of Palm Drive with the proposed main project driveway would operate at unacceptable LOS F. Addition of a traffic signal to the intersection would improve intersection operation to acceptable LOS.

Mitigation Measure

Before opening of the first phase of residential development in the project, the project applicant would have a traffic signal installed at the intersection of the main entrance driveway with Palm Drive to ensure the intersection would operate at an acceptable level of service per the City of Desert Hot Springs significance thresholds.

Level of Significance After Mitigation

With implementation of Mitigation Measure TRANS-1, project impacts on operation of the intersection of Palm Drive with the main project driveway would be less than significant.

Figure 4.11-1
PROJECT SITE CURRENT GENERAL PLAN LAND USE DESIGNATIONS

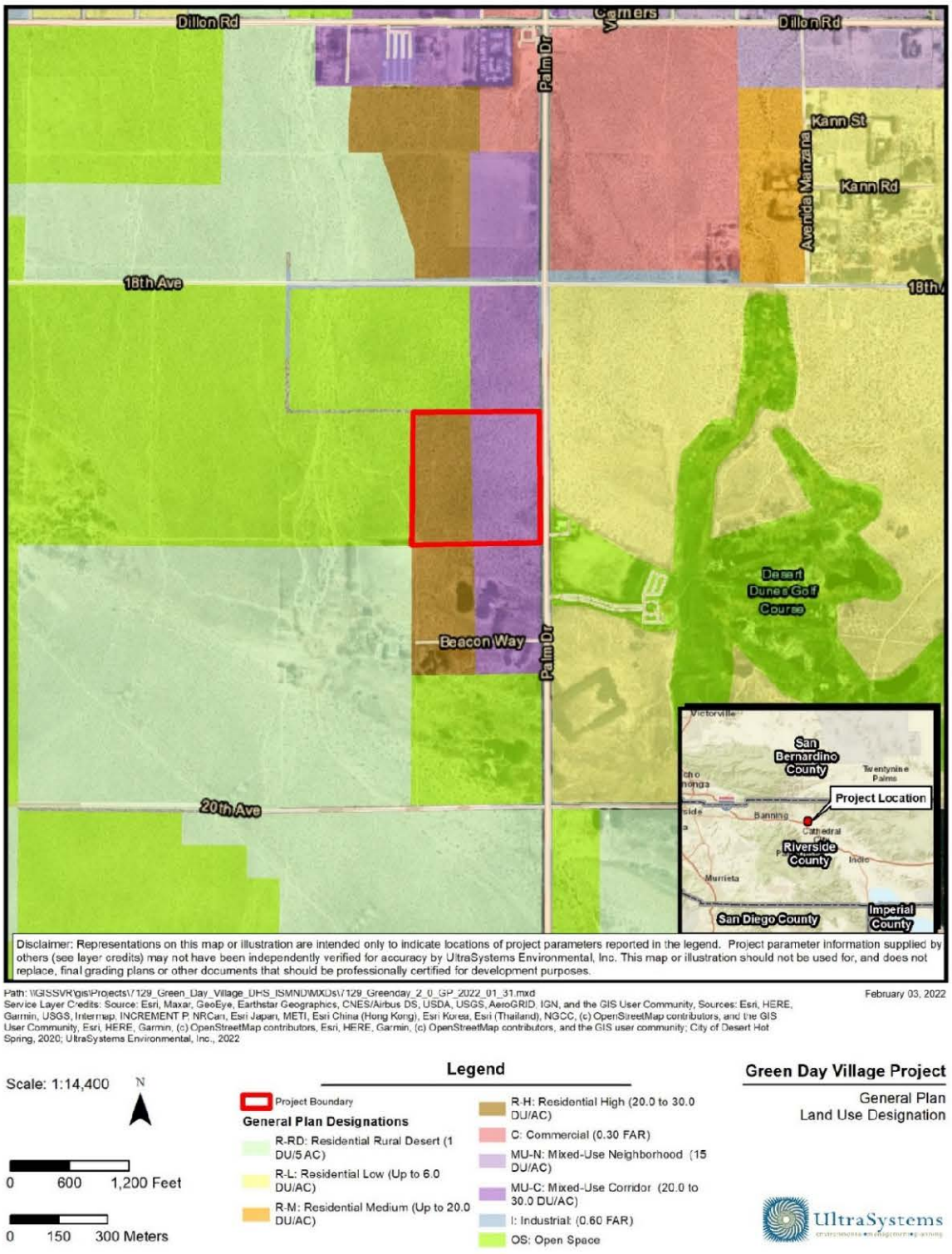
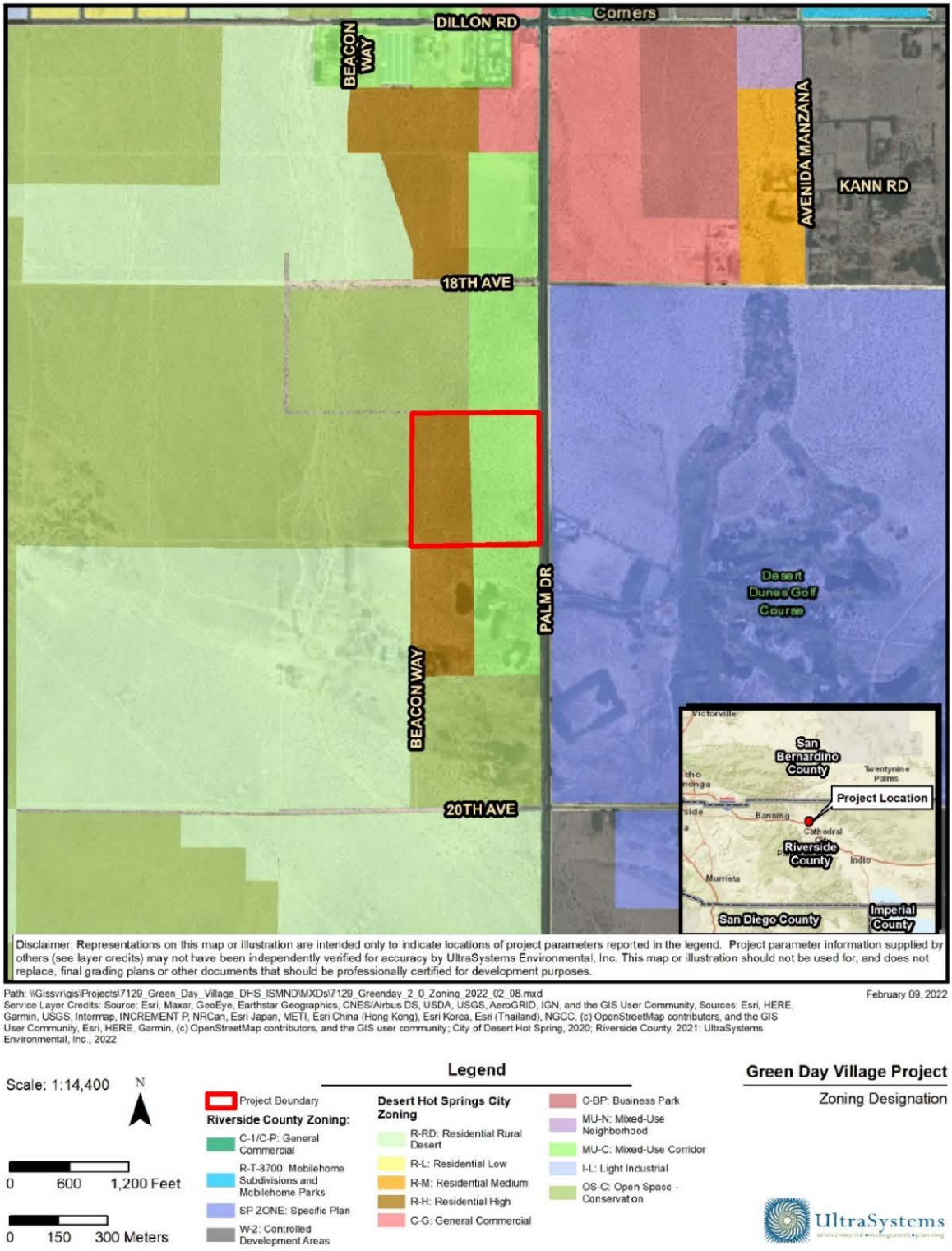


Figure 4.11-2
PROJECT SITE CURRENT ZONING DESIGNATIONS



4.12 Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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?				**X**
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?				**X**

4.12.1 Introduction

This Section addresses project impacts on availability of mineral resources including construction minerals such as aggregate and stone, industrial minerals, oil and gas, and geothermal energy resources.

4.12.2 Impacts Analysis

a) Would the project 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) Would the project 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?

No Impact

The project site is mapped as Mineral Resource Zone 3 (MRZ-3), indicating that the area contains known or inferred mineral resources of undetermined significance. Two areas in Desert Hot Springs are mapped MRZ-2, indicating that geologic data show that significant measured or indicated mineral resources are present, as shown on **Figure 4.11-1**.

- One area is at the north city boundary in Little Morongo Canyon approximately 5.5 miles north of the project site;
- The second area is near the west city boundary approximately seven miles west of the project site (California Geological Survey, 2007).

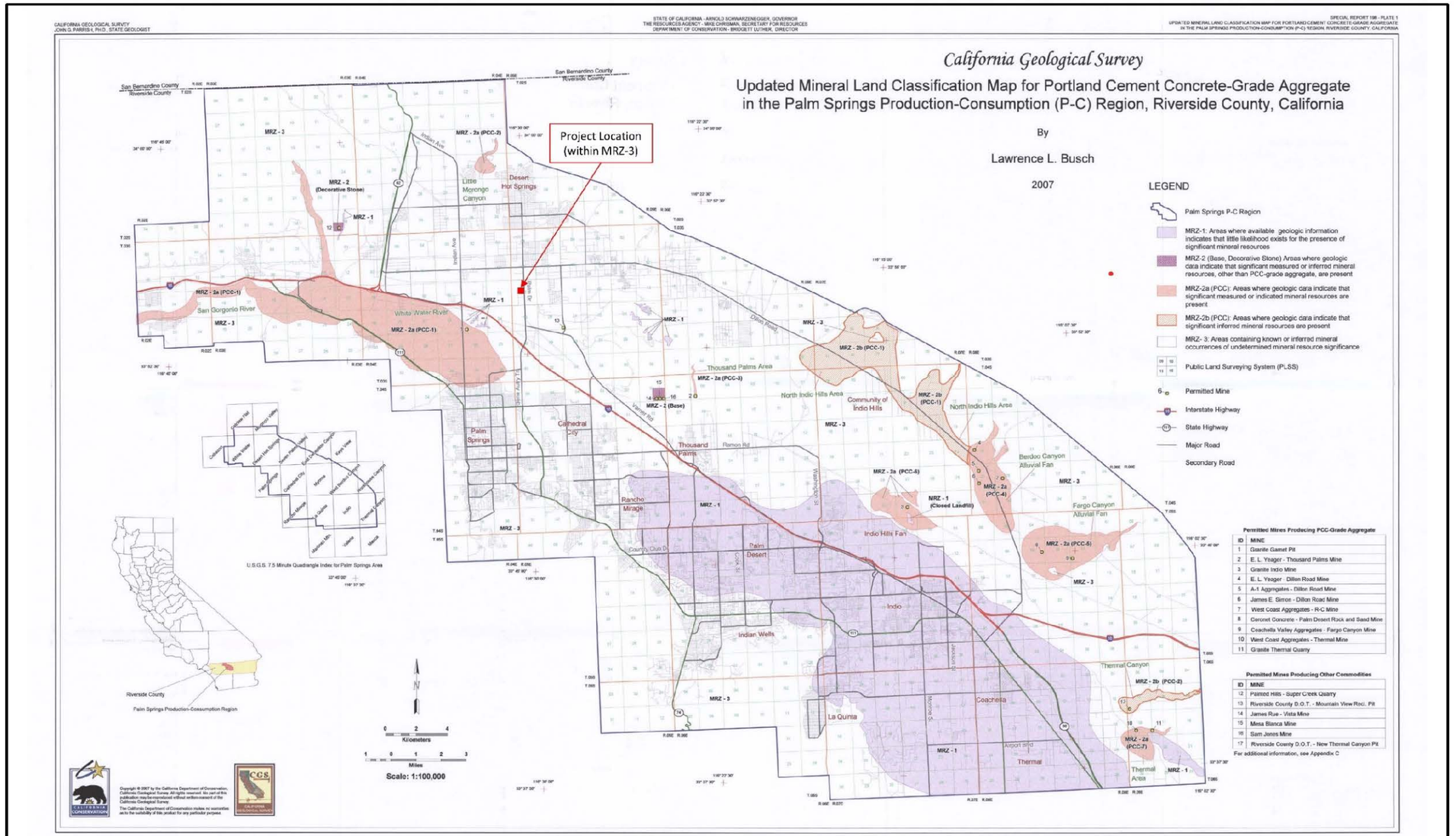
The same areas are mapped as MRZs in the City of Desert Hot Springs General Plan (Desert Hot Springs, 2020, p. OS-15).

One mine, the Painted Hills – Super Creek Quarry, is mapped in the city on the Mines Online map maintained by the Division of Mine Reclamation (DMR, 2022); the mine is in the MRZ-2 area near the west city boundary. No mapped mineral resources valuable to the region, and no mines, are present

on or near the project site, and project development would not cause impacts on the availability of mineral resources.

One geothermal well is within one mile of the project site; the well is approximately 0.8 mile north of the site near the intersection of Palm Drive and Dillon Road, as shown on **Figure 4.11-2**. The nearest oil and gas well to the project site is an idle well approximately 4.3 miles to the west, as shown on **Figure 4.11-3**. Project development would not cause a loss of availability of geothermal and oil and gas resources. No impact to mineral resources would occur.

Figure 4.12-1
MINERAL RESOURCE ZONES

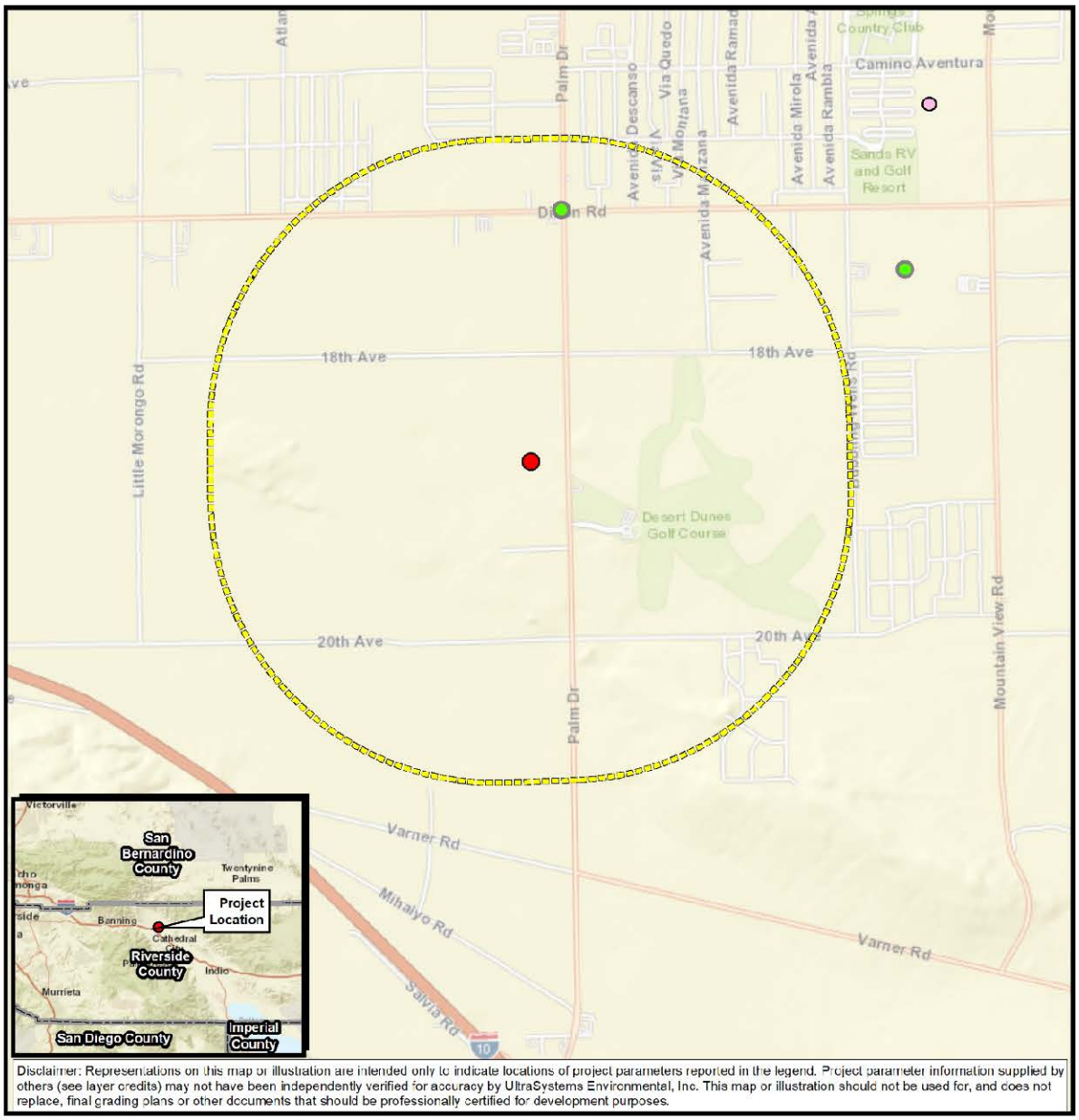


Source: Busch, 2007.

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Designated Mineral Resource Zones

Figure 4.12-2
GEOTHERMAL WELLS



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\GISSVR\gis\Projects\7129_Green_Day_Village_DHS_ISMND\MXDs\7129_Greenday_4_9_Geothermal_Wells_2022_01_27.mxd
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community; CalGEM WellSTAR, July 19, 2021; UltraSystems Environmental, Inc., 2022

January 27, 2022

Scale: 1:30,000

N

0 1,250 2,500 Feet

0 300 600 Meters

Legend

- Project Location
- 1-Mile Radius

Geothermal Well Status:

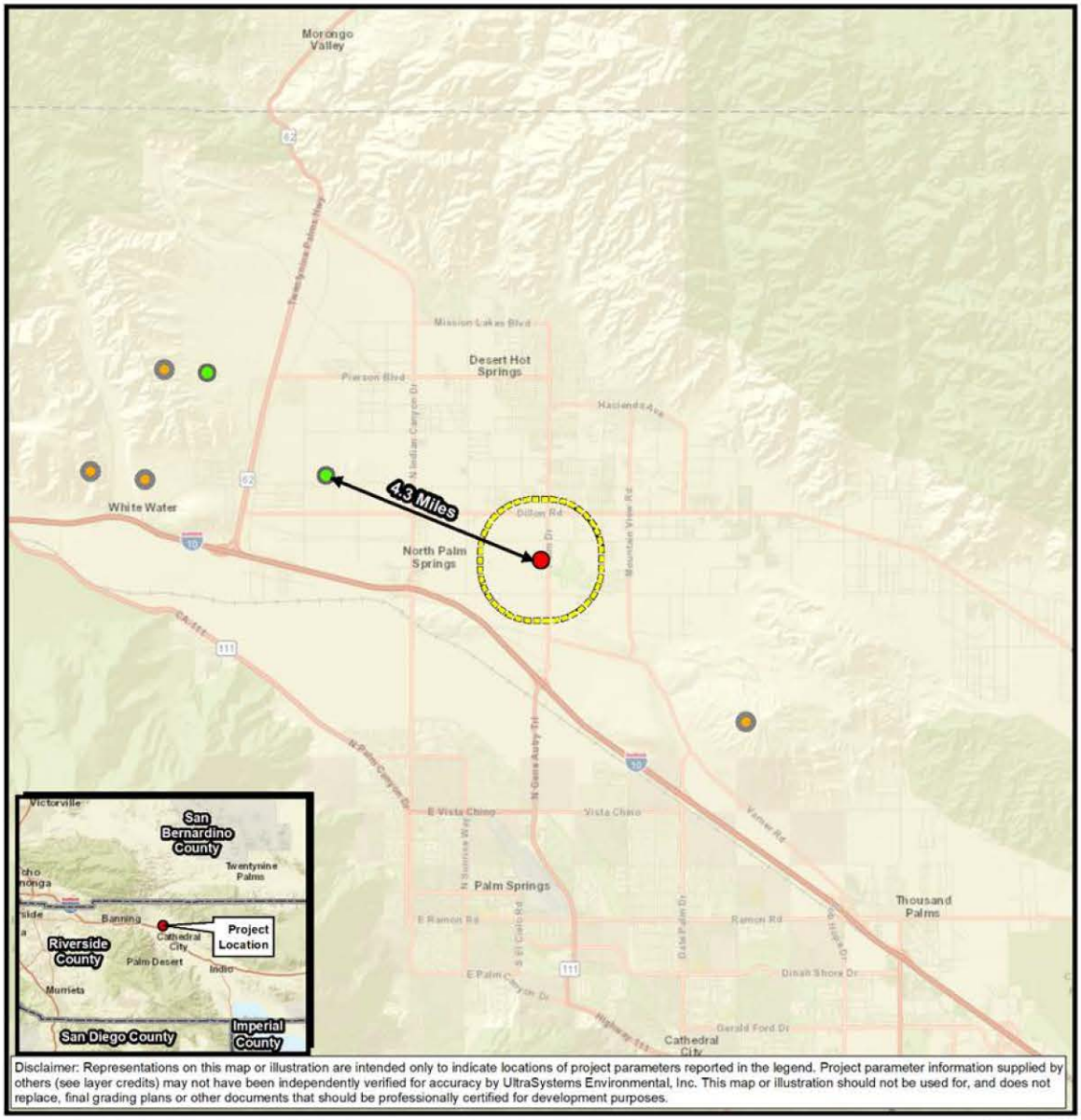
- Active
- Canceled

Green Day Village Project

Geothermal Wells

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Figure 4.12-3
OIL AND GAS WELLS



4.13 Noise

Would the project result in:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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?			**X**	
b) Generation of excessive groundborne vibration or groundborne noise levels?			**X**	
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?				**X**

4.13.1 Introduction

Characteristics of Sound

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The decibel (dB) scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Because the human ear is not equally sensitive to all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale is based on a reference pressure level of 20 micropascals (zero dBA). The scale ranges from zero (for the average least perceptible sound) to about 130 (for the average human pain level). Examples of various sound levels in different environments can be found in the technical report. [20]

Noise Measurement Scales

Several rating scales have been developed to analyze adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people depends largely upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

20 See **Table 2.1-1** in the technical report (**Appendix H**).

- **L_{eq}**, the equivalent noise level, is an average of sound level over a defined time period (such as 1 minute, 15 minutes, 1 hour or 24 hours). Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.
- **L_{90}** is a noise level that is exceeded 90 percent of the time at a given location; it is often used as a measure of "background" noise.
- **L_{max}** is the root mean square (RMS) maximum noise level during the measurement interval. This measurement is calculated by taking the RMS of all peak noise levels within the sampling interval. Lmax is distinct from the peak noise level, which only includes the single highest measurement within a measurement interval.
- **CNEL**, the Community Noise Equivalent Level, is a 24-hour average Leq with a 4.77-dBA "penalty" added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime (Caltrans, 2013). The logarithmic effect of these additions is that a 60-dBA 24-hour Leq would result in a calculation of 66.7 dBA CNEL.
- **L_{dn}**, the day-night average noise, is a 24-hour average Leq with an additional 10-dBA "penalty" added to noise that occurs between 10 p.m. and 7 a.m. The L_{dn} metric yields values within 1 dBA of the CNEL metric. As a matter of practice, L_{dn} and CNEL values are considered to be equivalent and are treated as such in this assessment.

Existing Noise: Sensitive Receptors and Sensitive Receivers

The 2020 General Plan Safety and Noise Element (City of Desert Hot Springs, 2020) defines "sensitive receptors" in areas of 24-hour-per-day of exposure as residences, schools, hospitals, rest homes, long-term care facilities, and mental care facilities. Sensitive receivers[21] for shorter-term exposures are defined as schools, parks, golf courses, libraries, places of worship, and passive recreation uses. The closest sensitive receivers in the project area include a single-family home south of the project site, a single-family residence to the northeast and Desert Dunes Golf Club to the east. **Figure 4.13-1** shows the single-family residences and the golf course and **Table 4.13-1** summarizes information about them.

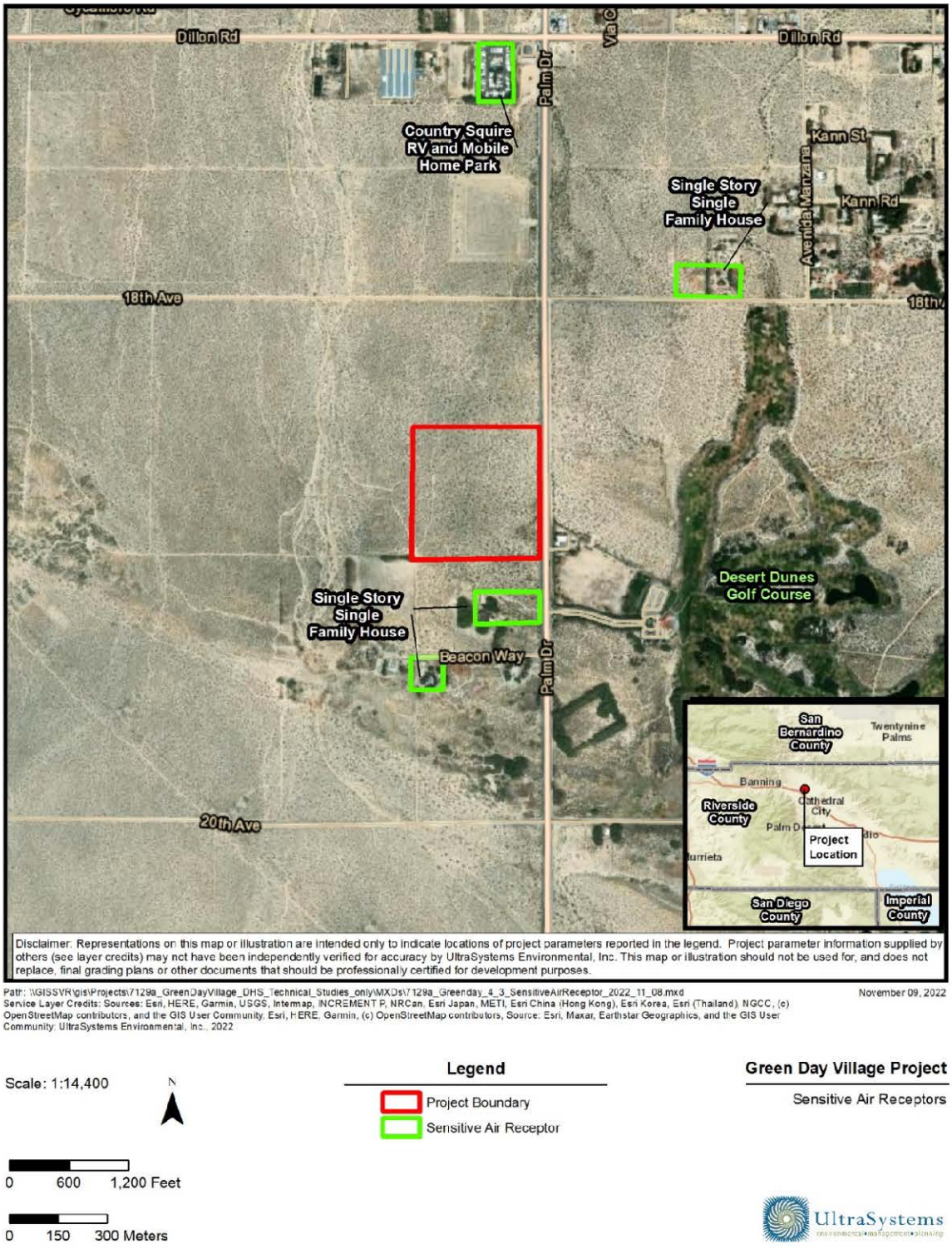
Table 4.13-1
SENSITIVE RECEIVERS IN PROJECT AREA

ID	Name	Type	Address	Feet From Site[a]
1	Desert Dunes Golf Club	Recreational	19300 Palm Drive, Desert Hot Springs, CA 92240	1,291
2	Mobile Home Park	Residential	17025 Palm Drive, Desert Hot Springs, CA 92240	3,356
3	Single-family Residence	Residential	19501 Beacon Way, Desert Hot Springs, CA 92240	1,034
4	Single-family Residence	Residential	67210 18th Avenue, Desert Hot Springs, CA 92240	2,350
5	Single-family Residence	Residential	19255 Palm Drive, Desert Hot Spring, CA 92240	334

[a]These distances are from the sensitive receptor to the nearest point on the project boundary. They are not the values used for the noise and vibration exposure calculations.

21 The targets of adverse noise impacts are called "sensitive receivers" in this document, while those of adverse air quality impacts are termed "sensitive receptors."

Figure 4.13-1
SENSITIVE RECEIVERS NEAR PROJECT SITE



Ambient Noise Levels

On September 1, 2022, UltraSystems conducted ambient noise sampling near sensitive noise receivers around the project area. The highest recorded L_{eq} value was measured at point 2 and the lowest was recorded at sampling point 4. **Table 4.13-2** shows the ambient noise measurements collected adjacent to each sensitive receiver.

Table 4.13-2
ESTIMATED AMBIENT NOISE LEVELS AT SENSITIVE RECEIVERS ANALYZED

Point	Data Set	Sampling Time	Address	Sound Level (dBA)			Notes
				L_{eq}	L_{max}	L_{90}	
4	S275	1137-1152	67210 18th Avenue (Single-family home)	45.4	61.4	39.1	Residential
2	S276	1205-1220	17025 Palm Drive (Mobile home park)	56.7	66.5	49.3	Residential
1	S277	1228-1243	19300 Palm Drive (Desert Dunes Golf Course)	54.5	68.9	53.5	Recreational
3	S278	1257-1312	19501 Beacon Way (Single-family home)	49.3	55.9	48.8	Residential

Source: UltraSystems, 2022.

Regulatory Setting

Federal

The U.S. Department of Housing and Urban Development has set a goal of 45 dBA $L_{dn,}$ as a desirable maximum interior standard for residential units developed under HUD funding (HUD, 1985). While HUD does not specify acceptable exterior noise levels, standard construction of residential dwellings constructed under Title 24 of the California Code of Regulations typically provides 20 dBA of acoustical attenuation with the windows closed and 10 dBA with the windows open. Based on this assumption, the exterior L_{dn} or CNEL should not exceed 65 dBA under normal conditions.

State of California

The California Department of Health Services (DHS) Office of Noise Control studied the correlation of noise levels with effects on various land uses. (The Office of Noise Control no longer exists.) The most current guidelines prepared by the state noise officer are contained in the "General Plan Guidelines" issued by the Governor's Office of Planning and Research in 2017 (OPR 2017). These guidelines establish four categories for judging the severity of noise intrusion on specified land uses:

- **Normally Acceptable**: Is generally acceptable, with no mitigation necessary.
- **Conditionally Acceptable**: May require some mitigation, as established through a noise study.
- **Normally Unacceptable**: Requires substantial mitigation.
- **Clearly unacceptable**: Probably cannot be mitigated to a less-than-significant level.

The types of land uses addressed by the state standards, and the acceptable noise categories for each are presented in **Table 4.13-2**. There is some overlap between categories, which indicates that some judgment is required in determining the applicability of the numbers in every situation.

Table 4.13-3
CALIFORNIA LAND USE COMPATIBILITY FOR COMMUNITY NOISE SOURCES

Land Use Category	*Noise Exposure (dBA, CNEL)*						
	55	*60*	*65*	*70*	*75*	*80*	
Residential – Low-Density Single-Family, Duplex, Mobile Homes							
Residential – Multiple Family							
Transient Lodging – Motel, Hotels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arena, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							
Golf Courses, Riding Stables, Water Recreation, Cemeteries							

Land Use Category	*Noise Exposure (dBA, CNEL)*						
	55	*60*	*65*	*70*	*75*	*80*	
Office Buildings, Business Commercial and Professional							
Industrial, Manufacturing, Utilities, Agriculture							

	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.
	Conditionally Acceptable: New construction or development 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 system or air conditioning will normally suffice.
	Normally Unacceptable: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
	Clearly Unacceptable: New construction or development should generally not be undertaken.

Source: Office of Planning and Research.[22]

City of Desert Hot Springs

General Plan Safety and Noise Element

The City's General Plan contains the following goals and policies relevant to noise (City of Desert Hot Springs 2020).

Goal SN-8: A noise environment that provides peace and quiet that complements the City's spa resort character.

Policy SN-8.1: Sensitive Land Uses. Protect noise-sensitive land uses from high noise levels from both existing and future noise sources. Sensitive uses include residences, resorts and community open space, schools, libraries, churches, hospitals, and convalescent homes.

Policy SN-8.2: Noise Impacts. Assess proposed development and associated traffic for the potential to generate adverse and incompatible noise impacts. Require mitigation for identified impacts.

Policy SN-8.3: Noise Mitigation. Require the installation of sound walls, earthen berms, wall, window noise insulation, and other mitigation measures for new development in areas that may exceed the City's noise limit standards.

22 General Plan Guidelines: State of California, Governor's Office of Planning and Research, Sacramento, California. Internet: http://opr.ca.gov/docs/OPR_COMPLETE_7.31.17.pdf. Accessed July 7, 2022.

Policy SN-8.4: Circulation Pattern. Encourage a Citywide circulation pattern that places primary traffic loads on major arterials and preserves local neighborhood noise environments by controlling traffic speeds to the greatest extent practical.

Policy SN-8.5: Compatible Land Uses. Designate land uses that are compatible with higher noise levels adjacent to major arterial roads and highways, the Interstate 10 corridor, or designated industrial lands.

Policy SN-8.6: Truck Routes. Designate primary truck routes and clearly mark these routes through the City. Other than vehicles providing local service, construction traffic, and delivery trucks, through traffic shall be limited to those as detailed in the Circulation chapter.

Policy SN-8.7: Wind Farm Noise Impacts. Strive to minimize noise impacts from existing and future wind farm development.

Policy SN-8.8: Interior Noise Standards. Enforce quantitative exterior and interior noise standards for various types of sensitive land uses.

Policy SN-8.9: Exterior Noise Standards. Allow for an exceedance of exterior noise standards for all land use types so long as adequate mitigation is provided for interior noise reduction.

Policy SN-8.10: Noise-Generating Uses. Require specific design for noise-generating uses such as restaurants, bars, and industrial business located near sensitive uses such as residential.

Policy SN-8.11: Noise Level Compliance. Require new development to monitor and document compliance with all applicable noise level limits in areas subject to potentially significant noise impacts.

Policy SN-8.12: Delivery or Service Noise Generation. Regulates delivery or service hours for businesses with potential noise-generating features such as trash bins, docks, loading areas that are located near sensitive uses such as residences, schools, and hospitals.

Policy SN-8.13. Noise-Reducing Pavement. Encourages the use of noise-reducing paving materials such as rubberized asphalt for road surfacing projects near sensitive land uses.

Municipal Code

The City of Desert Hot Springs Municipal Code sections applicable to the evaluation of the proposed project in this analysis include the following:

Section 8.12.030. Prohibits unlawful noise disturbances within City limits or within 200 feet of City. Per Section 8.12.020, a noise disturbance is any sound that:

- Endangers the safety or health of any person;
- Disturbs a reasonable person of normal sensitivities; or
- Endangers personal or real property.

Section 8.12.090. Prohibits operational noise disturbances across residential property boundaries outside specified hours: Monday through Friday, 7:00 a.m. through 6:00 p.m.; Saturday, 8:00 a.m. through 6:00 p.m. and Sunday, 9:00 a.m. through 5:00 p.m.

Section 9.04.030. Prohibits construction activities between the hours of 5:00 p.m. of each day and 7:00 a.m. of the next day, except when daylight savings time is in effect. During such time as daylight savings time is in effect in the City, no such activities shall be permitted between the hours of 6:00 p.m. of each day and 6:00 a.m. of the next day. No such activities shall be permitted on Sundays.

Section 17.40.180. Prohibits attention attracting or communications device noise with discernable noise outside of the boundary line of the parcel, except fire protection devices, burglar alarms and church bells. The following provisions shall apply:

a. In residential areas, no exterior noise level shall exceed 65 dBA and no interior noise level shall exceed 45 dBA.

Section 17.40.300. Prohibits discernible vibration beyond the boundary line of the property

Significance Thresholds

Noise

Two criteria were used for judging noise impacts. First, noise levels generated by the proposed project must comply with all relevant federal, state, and local standards and regulations. Noise impacts on the surrounding community are limited by local noise ordinances, which are implemented through investigations in response to nuisance complaints. It is assumed that all existing regulations for the construction and operation of the proposed project will be enforced. In addition, the proposed project should not produce noise levels that are incompatible with adjacent noise sensitive land uses.

The second measure of impact used in this analysis is a significant increase in noise levels above existing ambient noise levels resulting from the introduction of a new noise source. An increase in noise level due to a new noise source has a potential to adversely impact people. The proposed project would have a significant noise impact if it would do any of the following:

- Expose persons to or generate long-term noise levels (as CNEL) in excess of standards recommended in the state's land use compatibility table.
- Include construction activities outside of the allowed construction times.
- Increase short-term noise exposures at sensitive receivers during construction by 5 dBA L_{eq} or more for prolonged periods.
- Contribute, with other local construction projects, to a significant cumulative noise impact.
- Increase operational exposures at sensitive receivers by 5 dBA CNEL or more.

Vibration

There are no California or local governmental standards for exposure to vibration. The American National Standards Institute (1983) indicates that vibration levels in critical care areas, such as hospital surgical rooms and laboratories, should not exceed 0.2 inch per second of PPV. The FTA also uses a PPV of 0.2 inch per second as a vibration damage threshold for fragile buildings and a PPV of 0.12 inch per second for extremely fragile historic buildings (FTA, 2018, p. 186). The FTA criteria for "infrequent" ground-borne vibration events (fewer than 30 events per day) that may cause annoyance are 80 VdB for residences and buildings where people normally sleep, and 83 VdB for institutional land uses with primarily daytime use; for "frequent" events (more than 70 per day from

the same source), the annoyance levels are 72 and 75 VdB for the two aforementioned receiver categories, respectively (FTA, 2018, p. 126).

Based on the above information, we have set the following significance thresholds for this project:

- PPV of 0.2 inch per second as a vibration damage threshold for fragile buildings.
- 80 VdB for residences and buildings where people normally sleep,

4.13.2 Impacts Analysis

a) Would the project result in 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?

Less Than Significant Impact

Construction

The construction of the proposed project may generate temporary increases in ambient noise levels that exceed the thresholds of significance for this analysis. Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and on-road delivery and worker commuter vehicles, the location of equipment, and the timing and duration of the noise-generating activities.

The types and numbers of pieces of equipment anticipated in each phase of construction and development were estimated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0 (BREEZE Software, 2021) and UltraSystems' experience with similar projects. A CalEEMod output that includes the equipment data is in **Appendix H**. **Table 4.13-4** lists the equipment expected to be used. For each equipment type, the table shows an average noise emission level (in dB at 50 feet, unless otherwise specified) and a "usage factor," which is an estimated percentage of operating time that the equipment would be producing noise at the stated level (Knauer et al., 2006). Equipment use was matched to phases of the construction schedule. The last column of the table shows the composite noise at 50 feet for each phase; i.e., the total noise if all of each phase's equipment were to operate simultaneously.

Using calculation methods published by the Federal Transit Administration (FTA, 2018), UltraSystems estimated the average hourly exposures at four representative locations around the project site. To account for the fact that at any given time the various pieces of construction equipment are at different places, the distances used for the calculation were those from the center of construction activity during each construction phase to each receiver.

Table 4.13-4
CONSTRUCTION EQUIPMENT NOISE CHARACTERISTICS

Phase	Construction Phase	Equipment Type	No. of Pieces	Maximum Sound Level (dBA @ 50 feet)	Usage Factor	Composite Noise (dBA @50 feet)
Phase 0	Site Preparation	Rubber-Tired Dozers	3	79	0.40	87.51
		Tractors/Loaders/Backhoes	4	85	0.37	
	Rough Grading	Excavators	2	80	0.40	88.14
		Graders	1	85	0.41	
		Rubber Tired Dozers	1	79	0.40	
		Scrapers	2	88	0.14	
		Tractors/Loaders/Backhoes	2	85	0.37	
	Trenching	Tractors/Loaders/Backhoes	3	83	0.37	87.25
		Trenchers	3	85	0.3	
Phase 1	Fine Grading	Graders	1	85	0.41	85.97
		Rubber Tired Dozers	1	79	0.40	
		Tractors/Loaders/Backhoes	2	85	0.37	
	Building Construction	Cranes	1	83	0.08	85.94
		Forklifts	3	67	0.30	
		Generator Sets	1	73	0.50	
		Tractors/Loaders/Backhoes	3	85	0.37	
		Welders	1	74	0.45	
	Paving	Pavers	2	77	0.50	86.35
		Paving Equipment	2	85	0.50	
		Rollers	2	74	0.10	
	Architectural Coating	Air Compressors	1	81	0.48	
Phase 2	Fine Grading	Graders	1	85	0.41	85.97
		Rubber Tired Dozers	1	79	0.40	
		Tractors/Loaders/Backhoes	2	85	0.37	
	Building Construction	Cranes	1	83	0.08	82.51
		Forklifts	1	67	0.30	
		Generator Sets	1	73	0.50	
		Tractors/Loaders/Backhoes	1	85	0.37	
		Welders	3	74	0.45	
	Paving	Cement and Mortar Mixers	1	85	0.41	86.93
		Pavers	1	77	0.50	
		Paving Equipment	1	85	0.50	
		Rollers	1	74	0.10	
		Tractors/Loaders/Backhoes	1	85	0.37	
	Architectural Coating	Air Compressors	1	81	0.48	

Sensitive receivers for which noise exposures were estimated are shown in **Figure 4.13-2**. Calculation methods and information about project-specific construction equipment are provided in the noise technical report for this project (**Appendix H**). To account for the fact that at any given time the various pieces of construction equipment are at different places, the distances used for the calculation were those from the center of construction activity during each construction phase to each receiver.

Figure 4.13-2

SENSITIVE RECEIVER LOCATIONS FOR CONSTRUCTION NOISE ANALYSIS

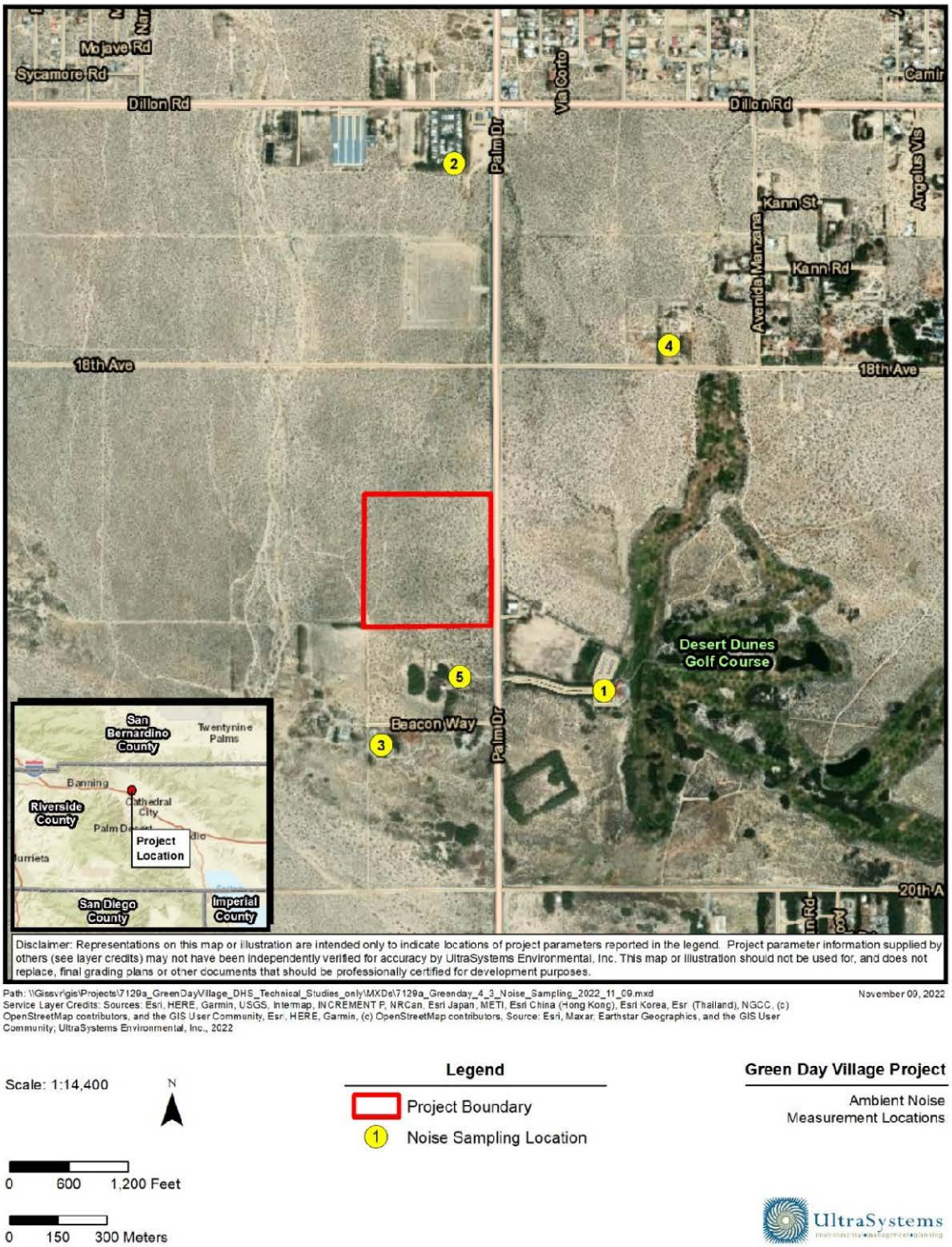


Table **4.13-5** summarizes the results of the unmitigated construction noise analysis for various sensitive receivers in the project area. Per Federal Transit Administration (FTA) guidance, the distances in the table are from the center of the project site to the nearest exterior of each sensitive receiver (FTA, 2018, p. 177). The increase in short-term noise exposures at sensitive receivers during construction would not exceed 5-dBA increase criterion for any sensitive receiver, except for the single-family house nearest the project. In Phase 0, the increase in short-term exposure during rough grading would be 5.3 dBA L_e. The maximum exposures during construction would be between 46.8 and 56.8 dBA, which are typical of quiet residential neighborhoods. The 5-dBA L_{eq} increase criterion is exceeded by only 0.3 dBA (about 7%). Furthermore, this increase would occur during hours when many local residents will be absent from their homes. In our considered judgment, the onsite construction impacts would be less than significant.

Table 4.13-5
MAXIMUM ESTIMATED CONSTRUCTION NOISE EXPOSURES AT NEAREST SENSITIVE RECEIVERS FOR PHASES 0-2

Sensitive Receivers for Phase 0	Distance (feet)	15-minute L_{eq} (dBA)		
		Existing	Projected[a]	Change
1 – Desert Dunes Golf Course	2,225	54.5	55.2	0.7
2 – Mobile Home Park	3,950	56.7	56.8	0.1
3 – Single-Story Single-Family House	1,925	49.3	51.9	2.6
4 – Single-Story Single-Family House	3,226	45.4	47.3	1.9
5 – Single-Story Single-Family House	1,251	49.3	54.6	**5.3**

[a]Existing plus construction-related.

Sensitive Receivers for Phase 1	Distance (feet)	15-minute L_{eq} (dBA)		
		Existing	Projected[a]	Change
1 – Desert Dunes Golf Course	2,225	54.5	55.0	0.5
2 – Mobile Home Park	3,950	56.7	56.8	0.1
3 – Single-Story Single-Family House	1,925	49.3	51.2	1.9
4 – Single-Story Single-Family House	3,226	45.4	46.8	1.4
5 – Single-Story Single-Family House	1,251	49.3	53.4	4.1

[a]Existing plus construction-related; adjusted for intervening structures between source and receiver.

Sensitive Receivers for Phase 2	Distance (feet)	15-minute L_{eq} (dBA)		
		Existing	Projected[a]	Change
1 – Desert Dunes Golf Course	2,225	54.5	55.0	0.5
2 – Mobile Home Park	3,950	56.7	56.8	0.1
3 – Single-Story Single-Family House	1,925	49.3	51.4	2.1
4 – Single-Story Single-Family House	3,226	45.4	46.9	0.6
5 – Single-Story Single-Family House	1,251	49.3	53.8	4.5

[a]Existing plus construction-related; adjusted for intervening structures between source and receiver.

The aforementioned CalEEMod run estimated that a maximum of 676 worker commuting and vendor truck trips per day would be necessary during Phase 1. Using a method described by the Federal

Transit Administration (FTA, 2018, pp. 78-80), and assuming that noise generation was similar to that of diesel buses, and that (as a worst case), trucks would travel on local streets for eight hours per day, it was estimated that the exposure from motor vehicles to residences in the area would be about 44.3 dBA L_{eq}. This is lower than existing ambient noise levels on that street, and the change in total exposure (ambient plus trucks) would be about 0.4 dBA at Sensitive Receiver 4, the nearest one to a roadway. These increases would not be noticeable to the human ear and are therefore less than significant.

Onsite Operational

Onsite noise sources associated with the proposed project will include rooftop equipment, such as air conditioners; trash collection; and cars entering and exiting the parking areas. Rooftop equipment usually emits about 50 to 55 dB at 50 feet, and would not be heard above normal traffic. Trash pickup may be loud but it is for only a few minutes or so, and does not contribute to the hourly L_{eq}. Therefore, onsite noise sources would not cause a change in exposure to the community and the impact would be less than significant.

Finally, we consider noise from motor vehicles entering and leaving the facility. The project traffic access analysis (Arizabal, 2022a) estimates onsite travel of 9,083 vehicles per day, or an average of 378.5 per hour, assuming a 24-hour day. Noise generated by onsite travel was estimated with a method described by the FTA (FTA, 2018, pp. 78-80). Calculations are shown in the noise technical report (**Appendix H**). The onsite traffic would result in exposures of 34.2 dBA L_{eq} at 50 feet. Given the attenuation with distance, the highest exposure at the nearest sensitive receiver would be only about 13.6 dBA L_{eq}. This would not be noticed by the average person.

Roadway Noise

The principal noise source in the project area is traffic on local streets. The project may contribute to a permanent increase in ambient noise levels in the project vicinity due to project-generated vehicle traffic on neighborhood roadways and at intersections. A noise impact would occur if the project contributes to a permanent increase in ambient noise levels affecting sensitive receivers along roadways that would carry project-generated traffic.

The Project is forecast to generate a maximum of 9,083 daily vehicle trips (actual vehicles) (Arizabal, 2022a). The estimated distribution of this traffic on local streets is:

- 90% on Palm Drive between Dillon Road and 20th Avenue
- 5% on Dillon Road West of Palm Drive
- 5% on Dillon Road East of Palm Drive

Table 4.13-6 shows the increase in traffic on Palm Drive and Dillon Road during project operations. Existing ADT values were obtained from the Draft EIR for the General Plan Update and Zoning Amendment (City of Desert Hot Springs, 2020e, pp. 4.17-4.19). Given the logarithmic nature of the decibel, traffic volume needs to be doubled in order for the noise level to increase by 3 dBA (Caltrans, 2009, p. 2-12), the minimum level perceived by the average human ear. A doubling is equivalent to a 100% increase. Because the maximum increase in traffic on any roadway segment is far below 100%, the increase in roadway noise experienced at sensitive receivers would not be perceptible to the human ear. Therefore, roadway noise associated with project operation would not expose a land use to noise levels that are considered incompatible with or in excess of adopted standards, and impacts would be less than significant.

Table 4.13-6
TRAFFIC INCREASES DUE TO PROJECT OPERATIONS

Location	Existing ADT	Trip Distribution	Percent Increase
Dillon Road West of Palm Drive	10,081	454	4.5
Dillon Road East of Palm Drive	10,539	454	4.3
Palm Drive Between Dillon Road and 20th Avenue	35,024	8,175	23.3

b) Would the Proposed Project Result in Generation of Excessive Groundborne Vibration or Groundborne Noise Levels?

Less Than Significant Impact

Construction Vibration

The FTA has published standard vibration levels for construction equipment operations, at a distance of 25 feet (FTA, 2018, p. 184). The average distance from construction activity to the nearest residential receiver would be approximately 1,275 feet. The calculated vibration levels expressed in VdB and PPV for selected types of construction equipment at distances of 25 and 1,275 feet are listed in **Table 4.13-7**.

Table 4.13-7
VIBRATION LEVELS OF TYPICAL CONSTRUCTION EQUIPMENT

Equipment	PPV at 25 feet (in/sec)	Vibration Decibels at 25 feet (VdB)	PPV at 1,275 feet (in/sec)	Vibration Decibels at 1,275 feet (VdB)
Loaded trucks	0.076	86	0.0010	35
Small bulldozer	0.003	58	0.000040	7
Large bulldozer	0.089	87	0.0012	36

As shown in **Table 4.13-7**, the vibration level of construction equipment at the nearest sensitive receiver (1,275 feet) is at most 0.0012 inch per second, which is less than the FTA damage threshold of 0.12 inch per second PPV for fragile historic buildings, and 36 VdB, which is below the FTA threshold for human annoyance of 80 VdB. Construction vibration impacts would therefore be less than significant.

Operational Vibration

Operation of the proposed project would not involve significant sources of ground-borne vibration or ground-borne noise. Thus, operation of the proposed project would result in a less than significant impact.

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?

No Impact

The nearest active public airport is Palm Springs International Airport, located approximately 5.6 miles to the southwest of the project. Due to the project's distance from the nearest active airport, it is not located within the boundary of an Airport Influence Area (AIA), or within two miles of a public airport or public-use airport. As a consequence, the project would not expose people to safety hazards due to proximity to a public airport, and no impacts would occur.

4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

4.14.1 Introduction

This Section addresses project impacts respecting population growth of population, housing, and/or employment beyond existing regional forecasts for the City of Desert Hot Springs; the State requirement for additional affordable housing units; and employment compared to the number of households in the city ("jobs-housing balance").

4.14.2 Impacts Analysis

a) Would the project 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)?

Less than Significant Impact

Population

The population of the city of Desert Hot Springs was estimated at 32,569 in 2022 (California Department of Finance, 2022). The population of the city is forecast to increase by about 172 percent between 2022 and 2040 (see **Table 4.14-1** below; Southern California Association of Governments, 2020). As shown below in **Table 4.14-2**, the estimated population growth rate for the city is approximately six times that of Riverside County between 2022 and 2045.

The proposed 608 residential units are estimated to house approximately 1,241 persons at buildout (see **Table 4.14-3** below). Average household size for the two-bedroom units is estimated as 3.08 persons, that it, the average household size in the city of Desert Hot Springs in 2021 estimated by the California Department of Finance (CDF, 2022). Average household sizes for the one-bedroom apartments, including the loft apartments, are estimated at two persons each. Average household size for the studio and studio loft units is estimated here as 1.5. Population growth due to project

development would be a small fraction of forecast growth in the city between 2021 and 2045, and thus would be a less than significant impact.

Table 4.14-1
CITY OF DESERT HOT SPRINGS DEMOGRAPHIC FORECAST

	2022	2040	Difference, 2040- 2022	Percent Difference, 2040 - 2022
Population	32,569	88,476	55,907	172%
Housing Units	11,704	34,808	23,104	197%
Employment	3,687[1]	14,611	10,924	296%

[1] 2019 estimate
Sources: City of Desert Hot Springs, 2020; CDF, 2022; US Census, 2022

Table 4.14-2
RIVERSIDE COUNTY DEMOGRAPHIC FORECAST

	2022	2045	Difference, 2045 - 2022	Percent Difference, 2045 - 2022
Population	2,435,525	3,252,000	816,475	33.5%
Households	773,390	1,086,000	312,610	40.4%
Employment	745,957[1]	1,103,000	357,043	47.9%

[1] 2019 estimate
Sources: CDF, 2022; SCAG, 2020; US Census, 2022

Table 4.14-3
ESTIMATED PROJECT POPULATION AT BUILDOUT

Unit Type	Units	Residents	
		Per Unit	Total
Two-bedroom	92	3.08[1]	283
One bedroom	368	2	736
Studio	92	1.5	138
Studio and studio loft units	56	1.5	84
Total	608	Not applicable	**1,241**

[1] **Source**: CDF, 2022

Housing

The number of housing units in the city is forecast to increase by approximately 23,104 units (197%), by 2040, as shown above in Table **4.14-1**. The rate of household growth in the city is forecast to be more than four times that in Riverside County between 2021 and 2045 (see Table **4.14-2**).

The estimated number of housing units in the city in 2022 was 11,704 The number of occupied units (that is, households) was estimated at 9,733. Numbers of housing units in the city by unit type are listed below in **Table 4.14-4**. As shown in Table 4.14-4, approximately 64% of the units in the city are single-family detached and approximately 27% are multifamily. The vacancy rate in the city was estimated at 16.8%. Nearly 60% of the vacant units are estimated to be for seasonal, recreational, or occasional use (City of Desert Hot Springs, 2021, p. A-4).

Table 4.14-4
HOUSING UNITS IN DESERT HOT SPRINGS

	Units	Percent of Total Units
Single-Family Detached	7,468	63.8%
Single-Family Attached	187	1.6%
Multifamily	3,185	27.2%
Mobile Homes	864	7.4%
Total Units	**11,704**	**100%**
Occupied Units	10,708	91.5%
Vacancy Rate	8.5%	Not applicable
Average Household Size, persons	3.03	Not applicable

Source: CDF, 2022

The proposed 608 housing units in the project would be a small fraction of the estimated housing growth of 23,106 in the city between 2021 and 2045, and thus there would be a less than significant impact.

Regional Housing Needs Assessment

State housing law requires that each jurisdiction in the state quantify the need for housing within its jurisdiction as part of periodically updating its general plan housing element. SCAG has allocated the City of Desert Hot Springs a Regional Housing Needs Assessment (RHNA) of residential units for the 2021-2029 period, detailed by income category in **Table 4.14-5** below.

Table 4.14-5
REGIONAL HOUSING NEEDS ASSESSMENT, CITY OF DESERT HOT SPRINGS, 2021-2029

Income Category	Percent of Riverside County Median Income	Units	Percent of Total Units
Very Low Income	≤50	569	14.6%
Low Income	50-80	535	13.8%
Moderate Income	80-120	688	17.8%
Above Moderate Income	≥120	2,081	53.8%
Total	Not applicable	3,873	100%

Source: City of Desert Hot Springs, 2021

Employment

The number of jobs in Desert Hot Springs in 2019 was estimated at 3,687. Jobs in the city are highly concentrated in services and retail trade. The four largest industrial sectors by number of jobs were health care and social assistance (952 jobs or 26% of the total); accommodations and food services (799 jobs or 22% of the total); educational services (509 jobs or 14% of the total); and retail trade

(456 jobs or 12% of the total) (US Census Bureau, 2022). Employment in the city is forecast to increase to 14,611 by 2040, as shown above in **Table 4.14-1**. The forecast employment growth rate in the city between 2019 and 2040 is approximately six times that of Riverside County between 2019 and 2045, as shown in **Table 4.14-2**.

The unemployment rate in the city of Desert Hot Springs in December 2021 was 4.5%, somewhat higher than the rate in Riverside County of 3.4% (EDD, 2022).

Project operation is expected to generate 158 jobs, as shown below in **Table 4.14-6**. Project construction would generate a limited number of temporary jobs. Given the regional unemployment rate, construction and operational employment are expected to be absorbed from the regional labor force and not expected to attract workers into the region. Therefore, project-generated employment would not indirectly cause substantial growth in the project region, and impacts would be less than significant.

Table 4.14-6
ESTIMATED PROJECT EMPLOYMENT GENERATION

Land Use	Square Feet	Employment Generation	
		Square feet per employee[1]	Total employees
Commercial Uses			
Retail	44,645	585	76.3
Restaurants	10,752	585	18.4
Medical office building	21,854	466	46.9
Recycling Centers	720	500	1.4
Subtotal	**77,971**	Not applicable	**143**
Community Center	8,886	585	15.2
Total	**86,857**	Not applicable	**158.2**

[1] Note: employment density factors are for five counties in the Southern California Association of Governments (SCAG) region (Los Angeles, Orange, San Bernardino, Riverside, and Ventura) and are median square feet per employee (Natelson Co. 2001). The factor for community center is that for other retail/services and the factor for recycling center is one used by many jurisdictions for many types of employment-generating land uses.
[1] **Source**: Natelson Co. 2001

Jobs-Housing Balance

Jobs and housing are in balance when an area has enough employment opportunities for most of the people who live there and enough housing opportunities for most of the people who work there. Jobs-housing goals and ratios are advisory only. The American Planning Association's recommended target for an appropriate jobs-housing ratio is 1.5, with a recommended range of 1.3 to 1.7 (Weltz, 2003).

The jobs-housing balance in the city of Desert Hot Springs in 2021 was a very housing-rich 0.38, and the ratio is forecast to increase to a slightly less housing-rich 0.50 by 2040, as shown in **Table 4.14-7** below. No forecast number of households in the City in 2040 is available; the number is estimated using the forecast number of housing units (34,808), and the 2021 occupancy rate of 83.2% (that is, 100% less the vacancy rate of 16.8%).

Table 4.14-7
JOBS-HOUSING BALANCE, CITY OF DESERT HOT SPRINGS

	2021	2040 (existing forecast)	2040 (existing forecast plus project buildout)
Employment	3,687	14,611	14,769
Households[1]	9,733	28,960	29,572
Jobs-Housing Balance	0.38	0.5	0.5

[1] The estimate here for project buildout assumes 100% occupancy.
Sources: US Census, 2022; CDF, 2021; City of Desert Hot Springs, 2020

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact

The project site does not contain any residences. Therefore, project development would not displace housing or people would not require the construction of replacement housing. No impact would occur.

4.15 Public Services

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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:				
a) Fire protection?			**X**	
b) Police protection?			**X**	
c) Schools?			**X**	
d) Parks?			**X**	
e) Other public facilities?			**X**	

4.15.1 Introduction

This Section addresses project impacts respecting demands for new or expanded public service facilities including fire stations, police stations, schools, parks, libraries, and hospitals.

4.15.2 Impacts Assessment

a) Fire Protection?

Less than Significant Impact

The Riverside County Fire Department (RCFD) provides fire protection and emergency medical services to the city of Desert Hot Springs. Two RCFD stations are in the city:

- Station 36 (Skyborne) is located at 11535 Karen Avenue, approximately five miles northwest of the project site. Station 36 is equipped with one Type I fire engine; daily staffing is three firefighters.

- Station 37 (Desert Hot Springs) is located at 65958 Pierson Boulevard, approximately 3.6 miles north of the project site. Station 37 is equipped with one Type I engine (staffed) and one Type I reserve engine (unstaffed); daily staffing is three firefighters (Desert Hot Springs, 2020)

RCFD has mutual aid agreements with the Palm Springs Fire Department and Cathedral City Fire Department; each of those two agencies will assist with responses in Desert Hot Springs upon RCFD request. RCFD has an automatic aid agreement with all municipal fire departments in Riverside County and will send units when municipal fire departments require assistance due to the size or intensity of a fire (Desert Hot Springs, 2020). The two nearest fire stations to the project site operated by other municipal fire departments are:

- Palm Springs Fire Department Station 3 at 590 East Racquet Club Road, approximately 4.5 miles southwest of the project site; and

- Cathedral City Fire Department Station 413 at 27610 Landau Boulevard, approximately 4.7 miles southeast of the project site.

The City of Desert Hot Springs charges a Fire Protection Impact Fee of $207 per multi-family residential unit and $0.08 per square foot of commercial development (City of Desert Hot Springs, 2021, p. D-14).

The project's demands on fire protection services would have a less than significant impact.

b) Police Protection?

Less than Significant Impact

The City of Desert Hot Springs Police Department (DHSPD) provides police services to the city. The police station is at 65-950 Pierson Boulevard and a satellite office is at 66140 West Arroyo in Tedesco Park. The DHSPD staff numbers 41, including 30 sworn officers (Desert Hot Springs, 2020).

The City of Desert Hot Springs charges a Law Enforcement Facilities Impact Fee of $1,652 per multi-family residential unit and $4.49 per square foot of commercial development (City of Desert Hot Springs, 2021, p. D-14).

The project would result in an increase in population and housing at the site and in the surrounding area and may affect the existing service capacity of the DHSPD. Impacts would be less than significant after payment of the relevant impact fees.

c) Schools?

Less than Significant Impact

The Palm Springs Unified School District (PSUSD) serves the City of Desert Hot Springs including the project site. The PSUSD spans 500 square miles, including much of the western half of the Coachella Valley, encompassing most of the cities of Palm Springs, Desert Hot Springs, and Rancho Mirage, part of the city of Palm Desert, the city of Cathedral City, and areas of unincorporated Riverside County (Cooperative Strategies, 2020, p. ES-2). Districtwide enrollment in the 2020-21 school year was 21,705 (CDE, 2022).

The project site is in the attendance boundaries of the three schools described below in **Table 4.15-1**.

Table 4.15-1
SCHOOLS SERVING THE PROJECT SITE

School and Address	Enrollment, 2020-21	Capacity	Residual Capacity
Two Bunch Palms Elementary (K-5) 14250 West Drive	710	1,200	490
Painted Hills Middle School (6-8) 9250 Sonora Drive	788	1,300	512

School and Address	Enrollment, 2020-21	Capacity	Residual Capacity
Desert Hot Springs High School (9-12) 65850 Pierson Boulevard	1,892	2,600	708

Sources: Arthur, 2022; Palm Springs Unified School District, 2022

PSUSD's Long Range Facilities Master Plan 2019-2029 includes construction of two new career technology education (CTE) buildings at Desert Hot Springs High School (PBK, 2019).

The PSUSD charges development school fees of $4.08 per square foot for both single-family and multifamily residential units (Cooperative Strategies, 2020, p. 26).

Development of the proposed 608 multifamily units is estimated to generate 108 students based on the student generation factors shown below in Table 4.15-2. Sufficient capacity is available at the three schools serving the project site for project-generated students, and impacts on school facilities would be less than significant.

Table 4.15-2
ESTIMATED PROJECT STUDENT GENERATION

School Level	Student Generation per Multifamily Unit
Elementary	0.0839
Middle	0.0420
High	0.0510
Total	**0.1769**

Source: Cooperative Strategies, 2020

d) Parks?

Less than Significant Impact

The City of Desert Hot Springs operates eight parks totaling approximately 29 acres.[23] The nearest city park to the project site is Mission Springs Park at 14510 Palm Drive, approximately 2.1 miles to the north. Amenities at Mission Springs Park include a playground and a soccer field (Desert Hot Springs, 2022). The City has plans to build one additional park but does not have funding for construction of the park (Ferris, 2022).

A portion of the Coachella Valley Mountains Conservancy (CVMC) abuts the west side of the project site. The CVMC spans 96,000 acres within a nearly 1,900-square-mile area in central Riverside County.

The City of Desert Hot Springs General Plan sets forth a standard of three acres of parkland per 1,000 residents (City of Desert Hot Springs, 2020, p. 4.16-3). The City would need approximately 90.3 acres of parkland to achieve that standard for its 30,086 residents. Thus, the City is approximately 60 acres short of its standard.

[23] The total acreage was determined by adding the 28.9 acres total identified in the City General Plan for seven of the eight parks plus 0.4 acre for Sgt. Hodge Skate Park from the California Protected Areas Database (Greeninfo Network, 2022).

The project at full buildout is estimated to house 1,241 persons. At the City standard of 3 acres per 1,000 persons project development would create demand for 3.72 acres of parkland. While the project proposes five swimming pools and four farm areas, the project does not propose areas for active recreation other than swimming pools, and does not propose areas for passive recreation. Therefore, the proposed swimming pools and farm areas are not deducted from the parkland requirement per the City standard.

The City of Desert Hot Springs charges a parkland impact fee of $2,795 per single-family residential unit and $2,421 per multi-family residential unit (City of Desert Hot Springs, 2021, p. D-14). Collection of the fee would enable the City to purchase and develop additional parkland, and/or to improve existing parkland, thereby reducing project impacts on parks. Impacts would be less than significant after payment of such fees.

e) Other Public Facilities?

Less than Significant Impact

Library services in the city are provided by the Riverside County Library System. The Desert Hot Springs Branch Library is at 11691 West Drive with a collection size of 33,000 items. A larger library facility has been approved (City of Desert Hot Springs, 2020). The City of Desert Hot Springs charges a Community Center Impact Fee in the amounts of $1,660 per single-family residential unit and $1,438 per multi-family residential unit; part of that Fee is allocated to building and improving library facilities (City of Desert Hot Springs 2021 p. D-14; QCode 2022 [City of Desert Hot Springs Municipal Code Section 17.144.050]).

The project at full buildout is estimated to house 1,241 persons, thus increasing demands for library facilities and services in the city. Payment of community center impact fees by the project would reduce project impacts on library facilities to less than significant.

4.16 Recreation

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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?			**X**	
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?				**X**

4.16.1 Introduction

This Section addresses project impacts on demands for existing park facilities; and impacts of development of recreational facilities included in the proposed project.

4.16.2 Impacts Analysis

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?

Less Than Significant Impact

The City of Desert Hot Springs operates eight parks totaling approximately 29 acres.[24] The nearest City Park to the project site is Mission Springs Park at 14510 Palm Drive, approximately 2.1 miles to the north. Amenities at Mission Springs Park include a playground and a soccer field (Desert Hot Springs, 2022).

A portion of the Coachella Valley Mountains Conservancy abuts the west side of the project site. The CVMC spans 96,000 acres within a nearly 1,900-square-mile area in central Riverside County.

The City of Desert Hot Springs General Plan sets forth a standard of three acres of parkland per 1,000 residents (City of Desert Hot Springs, 2020, p. 4.16-3). The City would need approximately 90.3 acres of parkland to achieve that standard for its 30,086 residents. Thus, the City is approximately 60 acres short of its standard.

The City of Desert Hot Springs charges a parkland impact fee of $2,795 per single-family residential unit and $2,421 per multi-family residential unit (City of Desert Hot Springs, 2021, p. D-14).

[24] The total acreage was determined by adding the 28.9 acres total identified in the City General Plan for seven of the eight parks plus 0.4 acre for Sgt. Hodge Skate Park from the California Protected Areas Database (Greeninfo Network, 2022).

The City of Desert Hot Springs is surrounded to the west, northeast, and northwest by several federal recreation areas:

- Joshua Tree National Park, to the northeast, spans 1,235 square miles in Riverside and San Bernardino counties.

- Sand to Snow National Monument, to the northeast, has 154,000 acres in Riverside and San Bernardino counties. It includes the eastern end of the San Bernardino Mountains, the western end of the Little San Bernardino Mountains, and an area of the Mojave Desert.

- San Bernardino National Forest, to the west, is approximately 1,287 square miles in two major sections: one encompassing the San Bernardino Mountains, almost entirely in San Bernardino County; and the second including the San Jacinto Mountains and Santa Rosa Mountains, in Riverside County.

The proposed project is estimated to house approximately 1,241 persons at project buildout. At the City's standard of 3 acres of parkland per 1,000 residents, project development would generate demand for approximately 3.95 acres of parkland. The project would pay parkland impact fees of $2,421 per multifamily residential unit to the City of Desert Hot Springs; payment of such fees would reduce project impacts on parks to less than significant.

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?

No Impact

The project includes recreational amenities—including a community center and five swimming pools—that would be available to residents and guests. The project does not propose construction or expansion of public recreational areas, and no impact would occur.

4.17 Transportation

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			**X**	
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?		**X**		
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		**X**		
d) Result in inadequate emergency access?				**X**

4.17.1 Introduction

This Section addresses potential project impacts that could arise from the proposed project conflicting with plans or policies pertaining to the transportation system; project vehicle miles traveled (VMT) impacts; traffic hazard impacts arising from project design or incompatible roadway uses; and impacts on emergency access.

The information in this Section is based in part on the following technical analyses:

- Vehicle Miles Traveled (VMT) Analysis completed by the IBI Group on June 28, 2022; a complete copy of the VMT Analysis Memorandum is included as **Appendix I1** to this Initial Study.
- Green Day Village Access Analysis completed by the IBI Group on October 6, 2022; a complete copy of the Access Analysis is included as **Appendix I2** to this Initial Study.

Applicable Plans, Ordinances, and Policies

City of Desert Hot Springs Bicycle & Pedestrian Master Plan

The City of Desert Hot Springs Bicycle & Pedestrian Master Plan, adopted in 2016, sets forth a series of priority complete street projects as well as a connected bicycle network. Protected bicycle lanes that would be part of CV Link, a path for bicycles, pedestrians, and low-speed electric vehicles, are proposed for Palm Drive between Dillon Road and the south city boundary (Desert Hot Springs,

2016). CV Link will span the Coachella Valley north to south; parts of CV Link are existing, parts under construction, and parts are planned for future construction.[25]

City of Desert Hot Springs Climate Action Plan

The City of Desert Hot Springs Climate Action Plan, adopted in 2013, sets forth 80 measures grouped into seven spheres of daily life. The Mobility Sphere consists of 14 measures promoting electric and hybrid vehicles, pedestrian and bicycle mobility, and more efficient use of motor vehicles (Desert Hot Springs, 2013).

City of Desert Hot Springs General Plan Mobility and Infrastructure Element

The City of Desert Hot Springs General Plan Mobility and Infrastructure Element sets forth the following goals addressing mobility:

GOAL MI-1: An inclusive mobility framework that safely and efficiently moves and connects people, destination, vehicles, and goods.

GOAL MI-2: Streets that are designed and managed to enable safe access for all users: pedestrians, equestrians, bicyclists, motorists, and transit riders of all ages and abilities.

GOAL MI-3: Streets and sidewalks that prioritize safety.

GOAL MI-4: Connected pedestrian and bicycle network.

GOAL MI-5: Reduction in total vehicle miles traveled to help improve local air quality and reduce greenhouse gas emissions.

GOAL MI-7: A comprehensive transit system that provides convenient and reliable transit access to residential neighborhoods and activity destinations.

GOAL MI-8: Efficient and safe movement of goods.

GOAL MI-9: Leverage promising technological advances and changes in use of mobility services.

GOAL MI-10: Sustainable revenues to fund transportation improvements and maintain existing network (Desert Hot Springs, 2020).

Riverside County Transportation Improvement Program

The Riverside County Transportation Department plans, designs, funds, builds, operates and maintains roads, bridges, and transportation facilities within the unincorporated areas of the County of Riverside, spanning approximately 7,300 square miles. The county-maintained road system is over 2,200 miles. The Transportation Department also maintains 116 bridges in the unincorporated area and 616 traffic signals (160 within the unincorporated area and 456 within contracted cities). The Transportation Improvement Program (TIP) includes $771 million in improvements in fiscal years 2020/21 and 2021/22 (Riverside County, 2020).

[25] CV Link is a project of the Coachella Valley Association of Governments (CVAG). The north end of CV Link as currently planned by CVAG is in the city of Palm Springs, to the south of the city of Desert Hot Springs.

Riverside County Long Range Transportation Study

The Riverside County Long Range Transportation Study (LRTS), completed by the Riverside County Transportation Commission (RCTC) in December 2019, aims to develop strategies to address transportation challenges, provide a realistic vision of transportation in Riverside County in 2045, and develop a list of high priority feasible and fundable projects that comprises RCTC's input to the Southern California Association of Governments (SCAG)'s 2020 RTP/SCS (Connect SoCal). The LRTS includes 187 projects consisting of 130 state highway and major roadway projects and 57 major local and regional transit projects (RCTC, 2022).

Existing Conditions

Palm Avenue along and near the project site frontage is a four-lane roadway with a two-way median turn lane and Class II (striped) bicycle lanes on each side of the roadway. Palm Drive is designated as an Urban Arterial in the City of Desert Hot Springs General Plan. The intersection of Palm Drive with 20th Street is controlled by cross-street stops on 20th Street. The intersection of Palm Drive with 18th Street, a dirt road, is uncontrolled, and the intersection of Palm Drive with Dillon Road is signalized.

4.17.2 Impacts Analysis

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

Less than Significant Impact

Bicycle Facilities

At project completion the west (southbound) side of Palm Drive along the project site frontage would be built out to its ultimate half-width including a protected bike lane. Project development would have a favorable impact on bicycle facilities and no adverse impact would occur.

During project construction, construction equipment and delivery trucks would cross the existing bike lane on the west side of Palm Drive along the site frontage. Such crossings may pose hazards to bicyclists using the bike lane. The project construction contractor would use standard measures for minimizing traffic and pedestrian hazards alongside construction sites, such as flag persons. Construction impacts on potential traffic conflicts involving bicyclists would be less than significant.

Pedestrian Facilities

No sidewalks are present on the west side of Palm Drive along the project site frontage. A sidewalk is present on the east side of Palm Drive opposite approximately the southern half of the project site frontage (part of the frontage of the Desert Dunes Golf Club). Project construction would not interfere with safe operation of the sidewalk opposite Palm Drive from the project site.

Public Transit

Sunline Transit bus routes 2 and 5 operate on Palm Drive past the project site. Route 2 extends north-south from Desert Hot Springs to Cathedral City and operates seven days per week with a frequency of 40 minutes all day. Route 5 extends north-south from Desert Hot Springs to Palm Desert and operates Monday through Friday during peak hours only with a frequency of one hour (Sunline 2022a; 2022b; 2022c). The nearest bus stop to the project site is on the east (northbound) side of

Palm Drive next to Desert Dunes Golf Club; the nearest bus stop to the project site on the west (southbound) side of Palm Drive is next to Dillon Road north of the site.

Project development is expected to involve construction of a bus turnout with bus shelter on the project site frontage south of the main entrance to the project site. Project development would have a favorable impact on public transit facilities, and no adverse impact would occur.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact

CEQA Guidelines section 15064.3(b) pertains to the use of Vehicle Miles Traveled (VMT) as a method of determining the significance of transportation impacts.

Estimated Project Trip Generation

Project operation is estimated to generate approximately 12,565 vehicle trips per day as shown below in Table 4.7-1. Some trips from residences onsite would end at businesses onsite rather than exiting the site, which is termed internal capture. After adjusting for internal capture, net project trip generation is estimated as 11,187 trips per day (see Table 4.7-1).

Table 4.17-1
PROJECT TRIP GENERATION

Land Use	Units	Size	Daily		AM Peak Hour		PM Peak Hour	
			Rate	Trips	Rate	Trips	Rate	Trips
Shopping Plaza (821)	TSF	43.621	94.49	4,122	3.53	154	9.03	394
Fast Food w/Drive Thru (934)	TSF	4.608	467.48	2,154	44.61	206	33.03	152
Retail Convenience Store (851)	TSF	1.024	762.28	781	62.54	64	49.11	50
Fast Casual Restaurants (930)	TSF	6.144	97.14	597	1.43	9	12.55	77
Medical Office Building (720)	TSF	21.854	36.00	787	3.10	68	3.93	86
Low-Rise Multifamily Housing (220)	DU	608	6.74	4,125	0.40	245	0.51	312
Gross Trip Generation			12,565	349	396	745	559	513
Internal Capture			-1,378	-43	-35	-78	-61	-61
Net Project Trip Generation			11,187	306	361	667	498	452

Source: IBI, Inc. 2022.

Vehicle Miles Traveled

The VMT analysis addressed proposed land use types (residential, retail, and medical office) separately.

Project Screening

Riverside County VMT Analysis guidelines set forth six screening criteria for determining whether projects can be determined to have less than significant VMT impact without full VMT analysis. The criteria are

- Small Projects:
- Projects Near High-Quality Transit
- Local-Serving Retail
- Affordable Housing
- Local Essential Service
- Map-Based Screening

Following is a screening analysis of the proposed project based on the six criteria.

Small Projects

The Small Projects criterion includes the following categories of projects:

- Multi Family (low rise) Housing projects less than or equal to 147 Dwelling Units; or
- General Office Building with area less than or equal to 165,000 SF; or
- Retail buildings with area less than or equal to 60,000 SF;

(Several other criteria inapplicable to the proposed project are omitted here and are listed in Appendix X).

The retail component of the project (45,365 square feet) and medical office component (21,854 square feet) both meet the small projects criterion.

Projects Near Transit

Projects within a half mile area of an existing "major transit stop"[26] may be presumed to have a less than substantial impact absent substantial evidence to the contrary. The project site is not near a major transit stop, and the projects near transit criterion is not met.

[26] Major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Local-Serving Retail

As noted in the County Guidelines, "Local-serving retail is presumed to have a less than significant

impact if no store on-site exceeds 50,000 SF and the project itself is locally serving as determined by the Transportation Department." Local-serving retail is defined as goods and services located in or around residential development, where residents are expected to be the primary patrons. The Local-Serving Retail screening criterion is not met (IBI Group, 2022, p. 3).

Local Essential Service

The following projects are presumed to have a less than significant impact:

Project is local-serving as determined by the Transportation Department; and

- Local-serving and Day care center; or
- Police or Fire facility; or
- Medical/Dental office building under 50,000 square feet; or
- Government offices (in-person services such as post office, library, and utilities); or
- Local or Community Parks

The Local Essential Service screening criterion is met for the retail and medical office components of the project.

Map-Based Screening

This method eliminates the need for complex analyses, by allowing existing VMT data to serve as a basis for screening smaller developments. Note that screening is limited to residential and office projects. Area of development is under threshold as shown on screening map as allowed by the Transportation Department.

The Map-Based screening criterion does not apply for the project.

Redevelopment Projects

The project does not replace an existing VMT-generating land use. Therefore, the Redevelopment Project screening criterion does not apply for the project.

Significance Threshold

Riverside County's significance threshold for VMT impacts is 15.2 VMT per capita.

VMT Analysis for Non-Screened Development

The proposed 608 dwelling units are estimated to generate 4,125 trips per the trip rates for Low-Rise Multifamily Housing (Land Use 220) of the Institute of Transportation Engineers. Trip generation by the residential units is estimated at 3,383 after adjustment for internal capture (trips avoided due to the mix of land uses in the proposed project) and alternative transportation modes.

The average trip length (in miles) for the City of Desert Hot Springs is 11.4 miles using the Riverside County Planning Sketch Tool. Therefore, the VMT calculation is as follows:

VMT = total number of trips x trip length

VMT = 3,383 daily trips x 22.8 miles (round-trip)

VMT = 38,566

VMT per Capita = VMT / Population

VMT per Capita = 38,566 / 1,681

VMT per Capita = 22.94

The VMT per capita of the proposed residential component of the project would exceed the 15.2 VMT/capita threshold set forth by the County. Impacts would be potentially significant.

Mitigation Measure

TRANS-1. Project VMT impacts would be potentially significant. During project operation all of the following Transportation Demand Management (TDM) measures must be implemented to reduce project VMT.

- Transit Subsidies – Involves the subsidization of transit fare for residents and employees of the project site. Existing bus stops are located along Palm Drive in the vicinity of the project site and the applicant is proposing a bus stop on Palm Drive immediately adjacent to the project site.

- Vanpool/Carpool – Incentivize residents with similar work commutes and times to carpool and vanpool through provision of resident-sponsored van or vehicle.

- Alternative Work Schedule or Telework (Telecommuting, Distance-Learning, etc.) – Flextime, Compressed Work Week (CWW), staggered shifts, and use of telecommunications as a substitute for physical travel.

- School Carpool Program – The project implements a school carpool program to encourage ridesharing for students living in the residential units.

- On-Site Affordable Housing – Provision of on-site affordable housing.

Level of Significance After Mitigation

The effectiveness of the categories of TDM measures is assessed as shown in Table 4.17-2.

Table 4.17-2
ASSESSMENT OF EFFECTIVENESS OF TDM MEASURES IN REDUCING VMT

TDM Category	Maximum VMT Reduction
Transit Subsidies	3%
Vanpool/Carpool	4%
Alternative Work Schedule or Telework	10%
School Carpool Program	15%
On-Site Affordable Housing	4%
Total	**34%**

[1] **Source**:
With implementation of Mitigation Measure **TRANS-1** project VMT per capita would be reduced from 22.94 to 15,14, that is, below Riverside County's threshold. Impacts would be less than significant after implementation of Mitigation Measure **TRANS-1**.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than Significant Impact with Mitigation Incorporated

Existing roadway and intersection conditions near the project site are described above in **Section 4.17.a**.

Site access would be via three driveways from Palm Drive. The main entrance would be in the center of the site's frontage on Palm Drive and would lead to a roundabout connecting to two driveways into the residential portion of the project. The northerly entrance would be near the northeast corner of the site and would connect to a driveway around the northern perimeter of the residential area. The southerly entrance would be near the southeast corner of the site and would connect to a driveway along the south perimeter of the residential area (see **Figure 3.2-1**).

An analysis of the proposed access driveways, and intersections of the driveways with Palm Avenue, was conducted by IBI Group. The project access analysis memo is included as Appendix I1 to this Initial Study.

The intersection of the proposed main driveway with Palm Drive would not meet the conditions for a signal warrant. Operation of the intersection was modeled using the Highway Capacity Manual methodology, which determined that both the overall intersection operation and the eastbound left-turn from the project site to northbound Palm Drive would suffer unacceptable delays based on the city of Desert Hot Springs' significance thresholds for traffic impacts. However, with a traffic signal the intersection of the main entrance driveway with Palm Drive would operate at acceptable level of service per the City's significance thresholds (IBI, 2022). Therefore, a signal is recommended for the intersection of the main project entrance with Palm Drive and would be implemented as **MM TRANS-1**.

The northerly and southerly driveways would each be configured for right-in-right-out operation only with a cross-street stop sign where the respective driveway intersects with Palm Drive. With implementation of **MM TRANS-2**, the project would have less than significant impacts.

Mitigation Measure

MM TRANS-2 Installation of a Traffic Signal

Before opening of the first phase of residential development in the project, the project applicant would have a traffic signal installed at the intersection of the main entrance driveway with Palm Drive to ensure the intersection would operate at an acceptable level of service per the City of Desert Hot Springs significance thresholds.

Level of Significance After Mitigation

With implementation of Mitigation Measure TRANS-2, project impacts on roadway operation would be less than significant.

d) Would the project result in inadequate emergency access?

No Impact

Construction

Project construction would involve installation of utilities in Palm Drive, and modifications and widening of the western (southbound) side of Palm Drive. Such work is expected to involve temporary closures of one or more southbound lanes of Palm Drive, and possibly temporary changes to one or both northbound lanes. All work within the Palm Drive right-of-way would require encroachment permits reviewed and approved by the City of Desert Hot Springs Public Works Department, and would be subject to review by the Riverside County Fire Department to ensure that emergency access to the project site and nearby properties was maintained.

Operation

The project design would comply with California Fire Code Section 503, which requires approved fire apparatus access roads within 150 feet of all portions of the exterior walls of the first story of each building. Such roads must be at least 20 feet wide, have 13.5 feet of vertical clearance, and must provide all-weather driving capabilities for fire apparatus. Prior to the issuance of building permits, the Riverside County Fire Department would review project site plans, including location of all buildings, fences, access driveways and other features that may affect emergency access. Fire lanes would be provided for adequate emergency access. The site design for the proposed project includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. The City's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided at the project site at all times. Proposed driveways into the residential areas of the project would be controlled by three gates. All three gates would be equipped with Knox boxes. First responder vehicles are equipped with remote controls for Knox boxes.

Therefore, the proposed project would not result in inadequate emergency access and there would be no impacts in this regard.

4.18 Tribal and Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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 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:				
i) 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)?				**X**
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 Resource Code Section 5024.1, ii) the lead agency shall consider the significance of the resource to a California Native American tribe.		**X**		

4.18.1 Introduction

Information from the Phase I Cultural Resources Survey report prepared by Stephen O'Neil and Megan B. Doukakis, dated July 6, 2022 (see **Appendix D**), prepared for the Green Day Village project by UltraSystems, describes the research for and analysis of cultural resources data conducted for the project. This research included cultural resources record search at the Eastern Information Center (EIC), a search of the Native American Heritage Commission's (NAHC) Sacred Lands File (SLF), and a pedestrian survey assessment.

Based on the EIC cultural resources records search, it was determined that there are no prehistoric or historic cultural resource previously recorded within the project site boundary. Within the half-mile buffer zone, there have been 24 recorded prehistoric (18) and historic-era (six) resources. Table 4.1-1 (see Appendix D of this IS/MND) summarizes these resources.

The six historic-era resources break down to one residence or work station dated circa 1940s [CA-RIV-4109H], a well pump and associated historic trash deposits [CA-RIV-8784], a late historic slab

foundation with associated trash deposit b[CA-RIV-8783] and three road segments (18th Avenue [P-33-08414], paved 20th Avenue [P-33-08403], and a dirt segment of 20th Avenue [P-33-028053]),

The two prehistoric sites (CA-RIV-154 and CA-RIV-8783) and numerous prehistoric isolates located to the south and east, southwest of the project boundary. The large habitation and burial site CA-RIV-154 (also known as Seven Palms Village II) is located 300 meters to the south of the project's southern edge, while the large complex of sites that make up CA-RIV-8783 is situated immediately east, across Palm Drive in the Seven Palms Ranch (now the Desert Dunes Golf Club) centered approximately 550 meters to the southeast of the project parcel.

In addition to the Seven Palms Village site and associated smaller sites and isolates, surveys along Palm Drive and 18th Avenue recorded several isolates consisting of ceramics and ground stone. These are located to the north and northeast of the project site.

In addition, the NAHC's Sacred Lands File search did result in a positive response indicating a traditional site in the general area (Attachment C**: "**Native American Heritage Commission Records Search and Native American Contacts" in Appendix D to this Initial Study/Environmental Assessment).

No prehistoric or historic archaeological resources were observed during the field survey. The results of the pedestrian assessment indicate it is highly unlikely that historic properties will be adversely affected by construction of the project. The cultural resource study findings at the SCCIC suggest that there is a moderate potential for finding resources on the project parcel.

Additionally, the project site has not been recommended for historic designation for prehistoric properties and TCRs.

4.18.2 Impacts Analysis

a) 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 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:

i) 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)?

No Impact

The Cultural Resources investigation determined that there are no tribal cultural resources 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) within the project boundary. There are two prehistoric sites –CA-RIV-0154 and CA-RIV-8783 (see description above) within the half-mile buffer surrounding the project boundary; however, it is not anticipated that there would be an adverse effect to these sites as a result of the project.

ii) 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant Impact with Mitigation Incorporated

Assembly Bill 52 (AB 52) requires meaningful consultation with California Native American Tribes on potential impacts on tribal cultural resources (TCRs), as defined in Public Resources Code § 21074. TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources [California Natural Resources Agency (CNRA), 2007].

As part of the AB 52 process, Native American tribes must submit a written request to a lead agency (City of Desert Hot Springs [City]) to be notified of projects within their traditionally and culturally affiliated area. The lead agency must provide written, formal notification to those tribes within 14 days of deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receiving this notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe's request. Consultation concludes when either (1) the parties agree to mitigation measures (MM) to avoid a significant effect on a tribal cultural resource, or (2) a party, acting in good faith and after reasonable effort, concludes mutual agreement cannot be reached. The letters shall convey that the recipient has 30 days from the receipt of the letter to request AB 52 consultation regarding the project, and 90- days from receipt of the letter requesting SB 18 consultation.

In addition, the City is contacting Native American tribes pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City make an attempt to contact tribal groups for the purpose of opening consultations between the City and tribal governments. Following legislation guidelines, tribes have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

The City has received a written correspondence from the contacted tribal governments requesting to be notified, or because their name was listed by the NAHC, of all Senate Bill 18 (SB 18) projects within the City of Desert Hot Springs.

Letters were sent by the City's Community Development Department to local Native American tribes asking if they wished to participate in AB 52 and SB 18 consultation concerning the Green Day Village within the City of Desert Hot Springs. The letters were sent on July 6, 2022 from Patricia Villagomez, Principal Planner with the City of Desert Hot Springs by certified mail. Letters were sent to the Agua Caliente Band of Cahuilla Indians (Patricia Garcia-Plotkin), the Augustine Band of Cahuilla Indians (Amanda Vance), the Cabazon Band of Mission Indians, (Doug Welmas), the Cahuilla Band of Mission Indians (Daniel Salgado), the Los Coyotes Band of Cahuilla and Cupeno Indians (Shane Chapparosa), the Morongo Band of Mission Indians (Robert Martin), the Quechan Tribe of the Fort Yuma Reservation (Jill McCormick), the Ramona Band of Cahuilla Indians (John Gomez), the San Manuel Band of Mission Indians (Jessica Mauck), the Santa Rosa Band of Cahuilla Indians (Loving Redner), the Serrano Nation of Mission Indians (Wayne Walker), the Soboba Band of Luiseño Indians (Scott

Cozart), the Torres-Martinez Desert Cahuilla Indians (Michael Mirelez), and the Twenty-Nine Palms Band of Mission Indians (Anthony Madrigal, Jr.). (Patricia Villagomez, personal communication, July 7, 2022.)

On July 20, 2022, H. Jill McCormick, Historic Preservation Officer for the Fort Yuma Quechan Tribe, emailed a response that the tribes do not wish to comment on this project.

On September 28, 2022, Ryan Nordness, Cultural Resource Analyst for the San Manuel Band of Mission Indians responded by email indicating that the proposed project is located outside of Serrano ancestral territory and the tribe will not be requesting consultation with the Lead Agency.

On September 30, 2022, Nicole Raslich, Archaeological Technician with the Tribal Historic Preservation Office (THPO) of the Agua Caliente Band of Cahuilla Indians (ACBCI), sent a letter via email to Villagomez requesting consultation and listing several documents ACBCI wanted to review. A Zoom meeting was held November 1, 2022 with Lacy Padilla, the ACBCI's THPO Operations Manager, Ms. Villagomez, and Stephen O'Neil, to discuss the Band's request for CHRIS cultural resources records and the project's cultural resources technical report. Following the meeting, O'Neil provided Villagomez with the project 's cultural resources report to make available to the Band. Also, the same day, O'Neil sent an email to Padilla informing her that the cultural resources report had been sent to Villagomez, and asking if the CHRIS records request should be sent to her, to Nicole Raslich or Patricia Gomez-Plotkin with the Band's cultural resources department. On November 2, 2022, O'Neil sent Padilla a "CHRIS Conditional Use Agreement" form to fill out and return that would be submitted to the SCCIC allowing O'Neil to provide the requested CHRIS documents; this form was sent to Padilla again on November 15, 2022. To date the Band has not yet provided a completed form for submittal. On December 14, 2022 Ms. Villagomez stated that there had been no further communications from the ACBCI since O'Neil's email to them of November 1, 2022 (Villagomez, personal communications, December 14, 2022). On June 15, 2023, an email letter was received by Ms. Villagomez from Claritsa Duarte, Cultural Resources Analyst for the ACBCI indicating that they had reviewed all the submitted documents, and provided three comments. The tribe requests the presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). If buried cultural deposits are encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office. The tribe also requests the presence of an archaeologist that meets the Secretary of Interior's standards during any ground disturbing activities; also that the project's Conditions of Approval be sent to the tribe.

On September 19, 2022, Bernadette Ann Brierty, Tribal Historic Preservation Officer (THPO) of the Morongo Band of Mission Indians (MBMI) sent a letter via email to Ms. Villagomez requesting consultation and listing several documents MBMI wanted to review. Ms. Villagomez replied to Ms. Brierty and Laura Chatterton at the MBMI on November 15, 2022 requesting to schedule a consultation meeting; this had not yet been scheduled. On December 14, 2022 Ms. Villagomez stated that there had been no further communications from the ACBCI since O'Neil's email to them of November 1, 2022 (Villagomez, personal communications, December 14, 2022).

There had been no replies to the City's consultation notification from the other ten contacted tribes requesting consultation (Villagomez, personal communication, November 15, 2022). No sites were documented in the Native American Heritage Commission (NAHC)'s Sacred Lands File search. No resources as defined by Public Resources Code § 21074 have been identified (Attachment C: "Native

American Heritage Commission Records Search and Native American Contacts" in Appendix D to this Initial Study/Environmental Assessment). Additionally, the project site has not been recommended for historic designation for prehistoric properties and TCRs. No specific Tribal resources have been identified.

Furthermore, no prehistoric or historic archaeological resources were observed during the field survey. During the cultural resources record search by the Eastern Information Center (EIC), no prehistoric resources were found. However, 18 prehistoric sites and isolates have been identified within the half-mile buffer zone (see above). The results of the pedestrian assessment indicate it is highly unlikely that historic properties will be adversely affected by construction of the project. The cultural resource study findings at the EIC suggest that there is a moderate potential for finding prehistoric cultural resources.

An **MM** for minimizing impacts on potential TCRs is applicable to the project site because the land at the site has remained undeveloped desert, resulting in minimal disturbance to the native soil, and had not been previously graded or built upon. Therefore, the potential for subsurface disturbance of any potential cultural and or historical deposits is considered to be low. The applicable mitigation related to TCRs as provided by the City are given below.

On November 17, 2022, Ms. Villagomez provided the City's standard Tribal conditions to be used a TCR mitigation measures. These have been included below.

Mitigation Measures

MM TCR-1: **Prior to grading permit issuance:** If there are any changes to project site design and/or proposed grades, the Applicant shall contact the consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City of Desert Hot Springs, Applicant, and consulting tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City of Desert Hot Springs. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject any future development, erosion or flooding.

MM TCR-2: **Archaeological Monitoring:** The Developer, the City and the consulting tribe(s) shall develop an archaeological monitoring plan to address details, timing and responsibilities of all archaeological activities that will occur at the project site, when it is determined by either the city or the consulting tribe(s) to be necessary. Details of the plan may include:

a) Project grading and development scheduling;
b) The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;

c) The protocols and stipulations that the Developer, City of Desert Hot Springs, the consulting tribes and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;
d) Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts.

MM TCR-3: **Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources, items of cultural patrimony, or Tribal Cultural Resources are inadvertently discovered during the course of grading for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:

a) Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversite of the process; and
b) Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Desert Hot Springs with evidence of same:
   i) Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
   ii) A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation:
   iii) For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Agua Caliente Cultural Museum.

At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City of Desert Hot Springs documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the

archaeologist. All reports produced will be submitted to the consulting tribes and Eastern Information Center and interested tribes.

MM TCR-4: Human Remains: In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor(s) shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Desert Hot Springs immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The County Coroner will notify the Native American Heritage Commission in accordance with California Public Resources Code 5097.98. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052) determined in consultation between the project proponent and the MLD. In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

Level of Significance After Mitigation

These MMs require monitoring of ground-disturbing activities during project construction by a Native American monitor, halting construction activities if unanticipated discovery of a TCR or historic artifact(s) and their evaluation by the Native American and a qualified archaeologist, describes treatment of human remains if found, and the disposition of TCRs and historic artifacts if found. With implementation of **MM TCR-1** through **TCR-4,** potential project impacts on TCRs would be less than significant.

4.19 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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?			**X**	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			**X**	
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?			**X**	
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?			**X**	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			**X**	

4.19.1 Introduction

This Section addresses project impacts on water infrastructure, wastewater treatment facilities, storm drainage facilities, electric power facilities and supply, natural gas facilities and supply, telecommunications infrastructure, water supplies, solid waste disposal capacity, and policies requiring solid waste diversion from landfills.

4.19.2 Impacts Analysis

a) Would the project 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?

Less than Significant Impact

Water: A new water line would be installed extending from the project site to an existing water main at the intersection of Little Morongo Road and 20th Avenue, approximately two miles to the southwest. The water line would be installed in existing roadways; thus, impacts of water line installation would be less than significant.

Wastewater Treatment: No existing sewer lines are present near the project site. The project would involve construction of a new sewer main from the project site south in Palm Drive and then west in 20th Avenue to an existing sewer main at the intersection of Little Morongo Road and 20th Avenue, approximately two miles to the southwest. The project site is within the Mission Springs Water District (MSWD), which spans 135 square miles including most of the City of Desert Hot Springs, two portions of the north end of the City of Palm Springs, and areas in unincorporated Riverside County. MSWD operates and maintains approximately 45 miles of sewers concentrated in the central part of the City of Desert Hot Springs. Residences in most of the balance of MSWD's service area rely on septic tanks for wastewater disposal. MSWD operates two wastewater treatment plants. The Horton Wastewater Treatment Plant (Horton WWTP), on Verbena Drive south of Two Bunch Palms Trail, has capacity of 2.3 million gallons per day (mgd); average daily flows through the facility in 2020 were approximately 2.0 mgd. The second WWTP, Desert Crest WWTP near the intersection of Dillion Road and Long Canyon Road, exclusively serves a country club and mobile home park (CVWD et al., 2021, p. 8-15), and is thus irrelevant to the project site.

MSWD has an ongoing program to convert residences from septic systems to sewers; 3,520 residences in MSWD's service area were converted to sewers between 2005 and 2020 (CVWD et al., 2021, p. 8-15).

MSWD is building a Regional Water Reclamation Facility (RWRF) scheduled to begin operation in 2023 with initial capacity of 1.0 mgd, with planned expansions to reach a total of 4.5 mgd capacity by 2045 (CVWD et al., pp. 8-17 and -18; MSWD, 2021; Champion, 2023).

Project wastewater generation is estimated using MSWD's wastewater generation factor of 84.8 gallons per capita day (City of Desert Hot Springs, 2020, p. 4.19-14). The project at buildout is estimated to house approximately 1,241 persons (see footnote 1 for **Table 4.19-1** below for how this estimate was calculated). Therefore, the completed project is estimated to generate approximately 105,268 gallons per day. Project construction is expected to last approximately 2.75 years from 1st quarter 2024 to 4th quarter 2026. By the time the proposed project begins operating and generating wastewater, the new RWRF will be operating. Sufficient existing and planned wastewater treatment capacity is available in the region for estimated project wastewater generation, and project development would not require construction of new or expanded wastewater treatment facilities. Impacts would be less than significant.

Table 4.19-1
ESTIMATED PROJECT WASTEWATER GENERATION

Land Use	Quantity and Units	Wastewater Generated (GPD)	
		Per person	total
Multifamily Residential	608 units; estimated 1,241 residents[1]	84.8[2]	105,268

Land Use	Quantity and Units	Wastewater Generated (GPD)	
		Per person	total
Commercial and rental/management office	77,971 square feet	The wastewater generation factor referenced above applies to all land uses.	
Community Center	8,886 square feet		
Total	Not applicable	Not applicable	**105,268**

Notes:
1: Population at project buildout is estimated at 3.08 persons per each of the 92 proposed two-bedroom units; 2 persons per unit for each of the proposed 368 one-bedroom units; 1.5 persons per each of the 56 proposed studio loft units; and 1.5 persons per each of the 92 proposed studio units, for a total of 1,241 persons; the average household size in the city of Desert Hot Springs in 2021 was 3.08 persons (CDF, 2021).
2 Source: City of Desert Hot Springs, 2020

Stormwater Drainage: The Colorado River Regional Water Quality Control Board (CRRWQCB) is responsible for implementing and overseeing National Pollutant Discharge Elimination System (NPDES) programs for the City of Desert Hot Springs. CRRWQCB Order No. R7-2013-0011 is the municipal stormwater permit for the Whitewater River Watershed, in which the city of Desert Hot Springs is located. This permit contains information on structural and nonstructural BMPs for managing stormwater runoff.

Project compliance with regulatory requirements would reduce potential erosion/siltation impacts during the construction phase of the project to a less than significant level. The proposed project would be designed in compliance with all applicable City of Desert Hot Springs regulations regarding stormwater runoff and the project would be reviewed by the City Public Works Department to ensure that the development would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems. Refer to **Section 4.10**, *Hydrology and Water Quality*, for additional information.

Electric Power: Electric power for the City of Desert Hot Springs is provided by Southern California Edison (SCE). SCE's service area spans much of southern California from Orange and Riverside counties on the south to Santa Barbara County on the west to Mono County on the north (CalOES, 2022). Total electricity consumption in SCE's service area is forecast to be 97,503 GWh in 2020 and 99,414 GWh in 2030 (CEC 2020); one GWH is equivalent to one million kilowatt-hours.

Project operational electricity demand is estimated at approximately 1.8 million kilowatt-hours per year (kWh/yr); consisting of 1.26 million kWh/yr by residential uses and 530,000 kWh/yr by commercial uses; see **Section 4.6**, *Energy,* for further discussion.

SCE typically utilizes existing utility corridors to reduce environmental impacts, and has energy-efficiency programs to reduce energy usage and maintain reliable service throughout the year (Southern California Edison, 2019). The project would be constructed in accordance with all applicable Title 24 regulations, and would not necessitate the construction or relocation of electric power facilities. Electric distribution lines serving the project site would be underground in accordance with City of Desert Hot Springs Municipal Code Section 17.40.290 and would connect to existing underground distribution lines abutting the project site. Therefore, a less than significant impact would occur.

Natural Gas: The Southern California Gas Company (SoCalGas) is the primary distributor of retail and wholesale natural gas across Southern California, including the City of Desert Hot Springs. SoCalGas provides services to residential, commercial, and industrial consumers, and also provides gas for electric generation customers in Southern California. In its 2020 California Gas Report, SoCalGas analyzed an 18-year demand period, from 2018-2035 to determine its ability to meet projected demand (California Gas and Electric Utilities, 2020. p. 145).

Project operational natural gas demand is estimated at approximately 8.42 million BTU per year (BTU/yr) consisting of 5.08 million BTU/yr by residential uses and 3.34 million BTU/yr by commercial uses; see **Section 4.6**, *Energy,* for further discussion.

SoCalGas expects total gas demand to decline approximately 1% annually from 2020 to 2035 as a result of energy-efficiency standards and programs, renewable electricity goals, modest economic growth in its service region, and advanced metering infrastructure (California Gas and Electric Utilities, 2020, p. 96). Therefore, anticipated natural gas supply is adequate to meet demand in the SoCalGas region, and the proposed project is not expected to impact this determination. Thus, no natural gas facilities would have to be constructed or relocated, and a less than significant impact would occur.

Telecommunications Facilities: Telecommunication services, including internet, phone, and television, near the project site are provided by Frontier (Underground Service Alert, 2021). The proposed project would not interfere with operation of AT&T and Frontier's facilities, and a less than significant impact would occur.

Summary

All of the impacts analyzed above would be less than significant.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact

Water Supplies

MSWD provides water to most of the City of Desert Hot Springs. No water mains are present near the project site; the nearest main is at the intersection of Palm Drive and Dillon Road approximately 0.7 miles to the north (MSWD, 2022). A draft Water Supply Assessment (WSA) for the project was completed by the Mission Springs Water District (MSWD) in April 2023; a complete copy of the WSA is included as **Appendix 13a** of this IS/MND. MSWD's entire water supply is groundwater from three subbasins of the Coachella Valley Groundwater Basin (CVGWB): the Mission Creek Subbasin (MCSB), Indio Subbasin (ISB), and the San Gorgonio Pass Subbasin (SGPSB). **Figure 4.10-1** shows the MCSB and part of the CVGWB. The Coachella Valley Groundwater Basin is not adjudicated and there are no legal agreements that limit MSWD from producing groundwater from any of the subbasins. Project water supplies would be produced from the MCSB and from the Garnet Hill Subarea (GHSA) of the ISB. Groundwater in the MCSB is managed by the MSWD, Desert Water Agency (DWA), and Coachella Valley Water District (CVWD) pursuant to the Mission Creek Settlement Agreement dated December, 2004. The MCSB is not currently considered in a state of overdraft (MSWD, 2023, p. 4-8). The MCSB is recharged from three sources:

- Natural surface water from several washes and drainages;

- Irrigation return flow and discharges from municipal and individual subsurface wastewater disposal systems; and

- Intentional recharge with water imported from the Colorado River via the Colorado River Aqueduct. The DWA and CVWD both acquire Colorado River water for groundwater replenishment. Amounts of Colorado River water delivered to the Mission Creek Groundwater Replenishment Facility during the last five years for which data are available (2017-2021) range from a high of 9,248 acre-feet in 2017 to zero in 2021 (MSWD, 2023, pp. 4-3 – 4-10).

The primary recharge sources for the GHSA are subsurface flow from the MCSB and runoff from the Whitewater River Watershed to the west.

MSWD systemwide water supplies and demands are summarized below in **Table 4.9-2.**

Table 4.19-2
MSWD WATER SUPPLIES AND DEMANDS

Water Year Type		2025	2030	2035	2040	2045
Normal	Supply Totals	8,996	10,874	12,713	15,104	17,495
	Demand Totals	8,996	10,874	12,713	15,104	17,495
	Difference	0	0	0	0	0
Single-Dry Year	Supply Totals	8,996	10,874	12,713	15,104	17,495
	Demand Totals	8,996	10,874	12,713	15,104	17,495
	Difference	0	0	0	0	0
Multiple-Dry Year First Year Supply	Supply totals	8,996	10,874	12,713	15,104	17,495
	Demand totals	8,996	10,874	12,713	15,104	17,495
	Difference	0	0	0	0	0
Multiple-Dry Year Second Year Supply	Supply totals	8,996	10,874	12,713	15,104	17,495
	Demand totals	8,996	10,874	12,713	15,104	17,495
	Difference	0	0	0	0	0
Multiple-Dry Year Third Year Supply	Supply totals	8,996	10,874	12,713	15,104	17,495
	Demand totals	8,996	10,874	12,713	15,104	17,495
	Difference	0	0	0	0	0
Multiple-Dry Year Fourth Year Supply	Supply totals	8,996	10,874	12,713	15,104	17,495
	Demand totals	8,996	10,874	12,713	15,104	17,495
	Difference	0	0	0	0	0
Multiple-Dry Year Fifth Year Supply	Supply totals	8,996	10,874	12,713	15,104	17,495
	Demand totals	8,996	10,874	12,713	15,104	17,495
	Difference	0	0	0	0	0

Source: MSWD, 2023, pp. 4-37 – 4-38

Estimated Project Water Demands

Project landscape irrigation water demand is approximately 36.4 afy, as shown below in Table 4.19-3. Project indoor water demands are estimated at approximately 436,694 gallons per day (gpd) or 489.2 acre-feet per year (afy), as shown below in **Table 4.19-4**. Total project water demands are estimated at approximately 525.6 afy, as shown in **Table 4.19-4**.

Table 4.19-3
ESTIMATED PROJECT IRRIGATION WATER DEMAND

Area (square feet)	Evapotranspiration (inches per year) including adjustment factor of 0.5	Conversion factor (to gallons per square foot)	Maximum Annual Applied Water Allowance	
			Gallons per year	Acre-feet per year
505,500	37.85	0.62	11,857,781	36.39

[1] Source: MSWD, 2023, p. 2-6

Table 4.19-4
ESTIMATED PROJECT WATER DEMAND

Land Use	Units or Area	Water Demand		
		gallons per day		Acre-feet per year
		Per unit	total	total
Residential	608 units	707.7 per unit	433,112	485.2
Commercial	1.8 acres	2,000 per acre	3,581	4.0
Subtotal	Not applicable	Not applicable	**436,694**	**489.2**
Landscape Irrigation	505,500 square feet	See Table 4.19-3	Not applicable	36.4
Total	Not applicable	Not applicable	Not applicable	**525.6[1]**

[1] Water demand estimated here is very conservative: specifically, residential water demand estimated here is nearly four times that of wastewater generation (i.e., indoor water demand) by residential uses estimated in Table 4.19-1. Therefore, water demand by the five proposed swimming pools is accounted for in the estimate above.
[1] **Source**: MSWD, 2023, p. 2-5

The WSA concluded that the total projected water supplies available to MSWD during normal, single dry, and multiple dry water years over the 2025-2045 period are sufficient to meet the projected water demand of the proposed Green Day Village Development Project, in addition to MSWD's existing and planned future uses (MSWD, 2023, p. 4-39),

Sufficient water supplies are available in the region for estimated project water demands, and project impacts no water supplies would be less than significant.

c) Would the project 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?

Less than Significant Impact

As described in **Section 4.19 a)** above, the volume of wastewater generated by the project represents only a fraction of the existing daily capacity of the existing wastewater treatment facility providing service in the area. Therefore, the wastewater anticipated to be generated by the project would be within the existing capacity of the wastewater treatment provider and less than significant impacts would occur.

d) Would the project 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?

Less than Significant Impact

In 2019, the latest year for which data are available, approximately 96% of the solid waste landfilled from the City of Desert Hot Springs was disposed of at the Lamb Canyon Sanitary Landfill near the City of Beaumont (CalRecycle, 2022a). Lamb Canyon Sanitary Landfill has remaining capacity of 19,242,950 cubic yards, daily permitted disposal capacity of 5,000 tons, average daily disposal of 1,977 tons, residual daily disposal capacity of 3,023 tons, and an estimated closing date of 2032 (CalRecycle, 2022b; CalRecycle, 2022c).

Project operation is estimated to generate approximately 3,271 pounds of solid waste per day (as shown below in **Table 4.19-5**), or 1.2 million pounds (600 tons) per year.

The current residual daily disposal capacity at the Lamb Canyon Sanitary Landfill is 3,023 tons. Therefore, operational solid waste generation would represent a small fraction of available landfill capacity. Impacts would be less than significant.

Construction and Demolition Debris

The project site is vacant; thus, site clearance is not expected to generate substantial demolition debris. Section 4.408 (Construction Waste Reduction, Disposal, and Recycling) of the 2019 California Green Building Standards Code (CALGreen; Title 24, California Code of Regulations, Part 11) requires that at least 65% of the nonhazardous construction and demolition waste from residential construction operations be recycled and/or salvaged for reuse. CALGreen Section 5.408 sets forth the corresponding requirement for nonresidential construction. Project construction would involve recycling and/or salvaging at least 65% of construction and demolition waste in accordance with CALGreen Sections 4.408 and 5.408.[27] Impacts would be less than significant.

[27] The specified CALGreen sections are referenced here rather than City of Desert Hot Springs Municipal code because the Municipal Code (Section 8.08.040) sets forth a lower diversion requirement (50%).

Table 4.19-5
ESTIMATED PROJECT SOLID WASTE GENERATION

Land Use	Quantity	Units	Solid Waste Generation, pounds per day	
			Per unit[1]	total
Multifamily residential	608	units	4	2,432
Restaurant	20,800	square feet	0.005	54
Retail	31,300	square feet	0.006	272
Medical Office	21,854	square feet	0.013	284
Community rooms	8,886	square feet	0.013	116
Pool Houses	6,000	square feet	0.013	78
Equipment	1,920	square feet	0.01	19
Total				**3,255**

[1] **Source**: CalRecycle 2022

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact

Assembly Bill 939 (AB 939; Integrated Solid Waste Management Act of 1989; Public Resources Code 40050 et seq.) established an integrated waste-management system that focused on source reduction, recycling, composting, and land disposal of waste. AB 939 required every California city and county to divert 50% of its waste from landfills by the year 2000. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates; actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years disposal capacity for all jurisdictions within the county, or show a plan to transform or divert its waste.

Assembly Bill 341 (AB 341; Chapter 476, Statutes of 2011) increases the statewide waste diversion goal to 75% by 2020, and mandates recycling for commercial and multi-family residential land uses. The project design includes outdoor storage areas for recyclable material, and project design and operation would comply with AB 341.

Assembly Bill 1826 (AB 1826; California Public Resources Code Sections 42649.8 et seq.) requires recycling of organic matter by businesses and multifamily residences of five of more units generating such wastes in amounts over certain thresholds. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. The project design includes storage areas for organic waste, and project design and operation would comply with AB 1826.

Senate Bill 1383 (SB 1383; California Health and Safety Code Sections 39730.5 et seq.) set targets to achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. The law is intended to reduce emissions of methane, a short-lived climate pollutant, from decomposition of organic waste in landfills, for the protection of people in at-risk communities as well as to reduce GHG emissions. SB 1383 requires all jurisdictions to provide organic waste collection services to all residents and businesses starting in 2022. Project operation would include organic waste storage and collection in accordance with SB 1383.

Section 4.408 (Construction Waste Reduction, Disposal, and Recycling) of the 2019 California Green Building Standards Code (CALGreen; Title 24, California Code of Regulations, Part 11) requires that

at least 65% of the nonhazardous construction and demolition waste from residential construction operations be recycled and/or salvaged for reuse. CALGreen Section 5.408 sets forth the corresponding requirement for nonresidential construction. Project construction would involve recycling and/or salvaging at least 65% of construction and demolition waste in accordance with CALGreen Sections 4.408 and 5.408. No adverse impact would occur.

4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			**X**	
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?			**X**	
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?			**X**	
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?			**X**	

4.20.1 Introduction

This Section addresses project impacts regarding emergency response plans; wildfire risks; installation or maintenance of infrastructure that may exacerbate wildfire risks; and impacts consequent to wildfire such as downstream flooding or landslides.

The project site is not in a fire hazard severity zone mapped by the California Department of Forestry and Fire Protection (CAL FIRE) (CAL FIRE, 2022). The project site is in a Local Responsibility Area (LRA), where the City of Desert Hot Springs is responsible for the cost of wildfire prevention and suppression (CAL FIRE, 2022). The City of Desert Hot Springs General Plan states that wildfires are a major risk for properties on hillsides due to hillside terrain, vegetation, and the potential for high winds (City of Desert Hot Springs, 2020, p. SN-20). The project site is not in a very high fire hazard severity zone (VHFHSZ) in LRA; the nearest such zone to the site is approximately 5.2 miles to the southwest in the city of Palm Springs (see Figure **4.20-1**). The project site is not in a State Responsibility Area (SRA); the nearest fire hazard severity zone in an SRA to the site is approximately 4.3 miles to the northeast in the Little San Bernardino Mountains, as shown on **Figure 4.20-2**.

Figure 4.20-1
FIRE HAZARD SEVERITY ZONE - LOCAL RESPONSIBILITY AREA

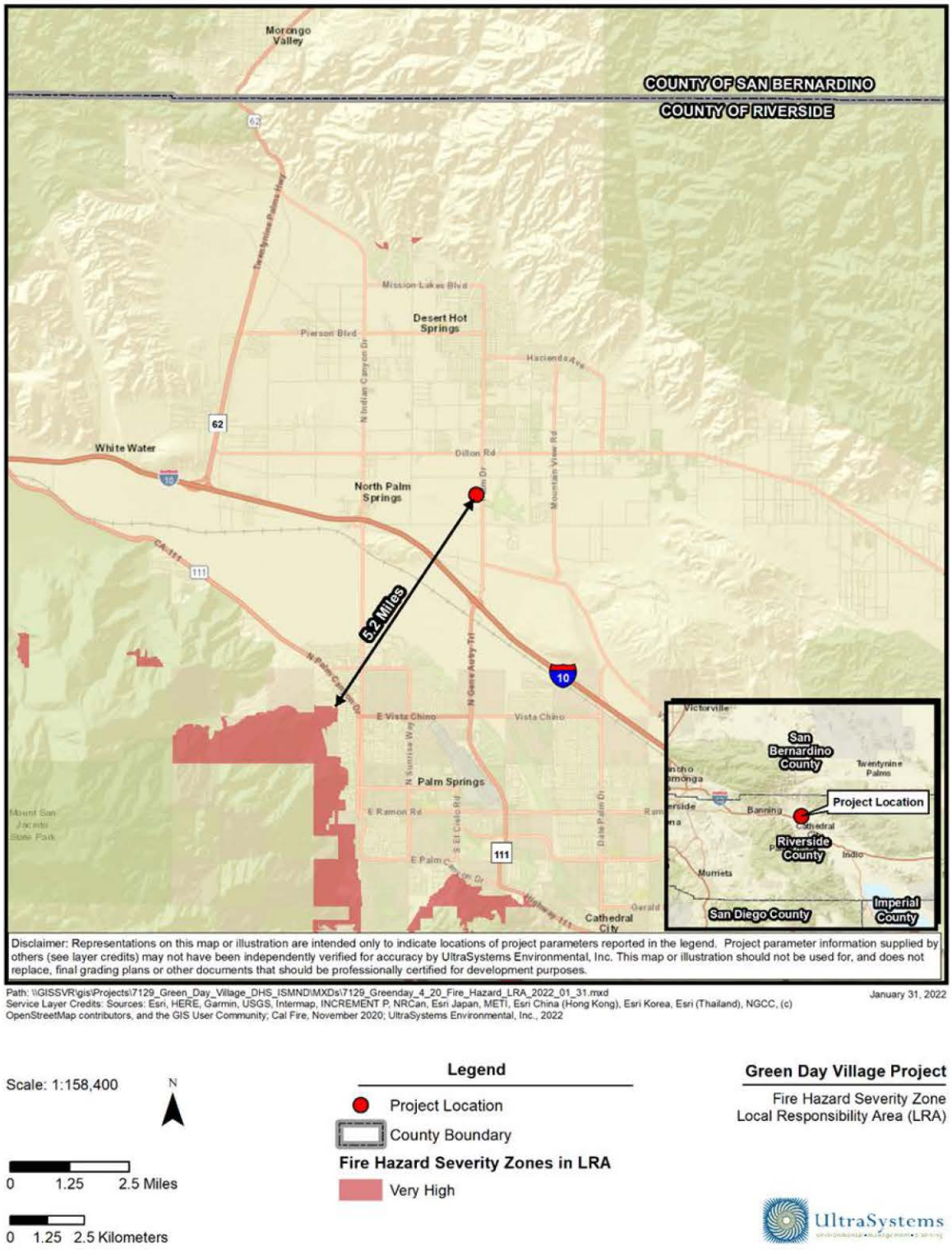
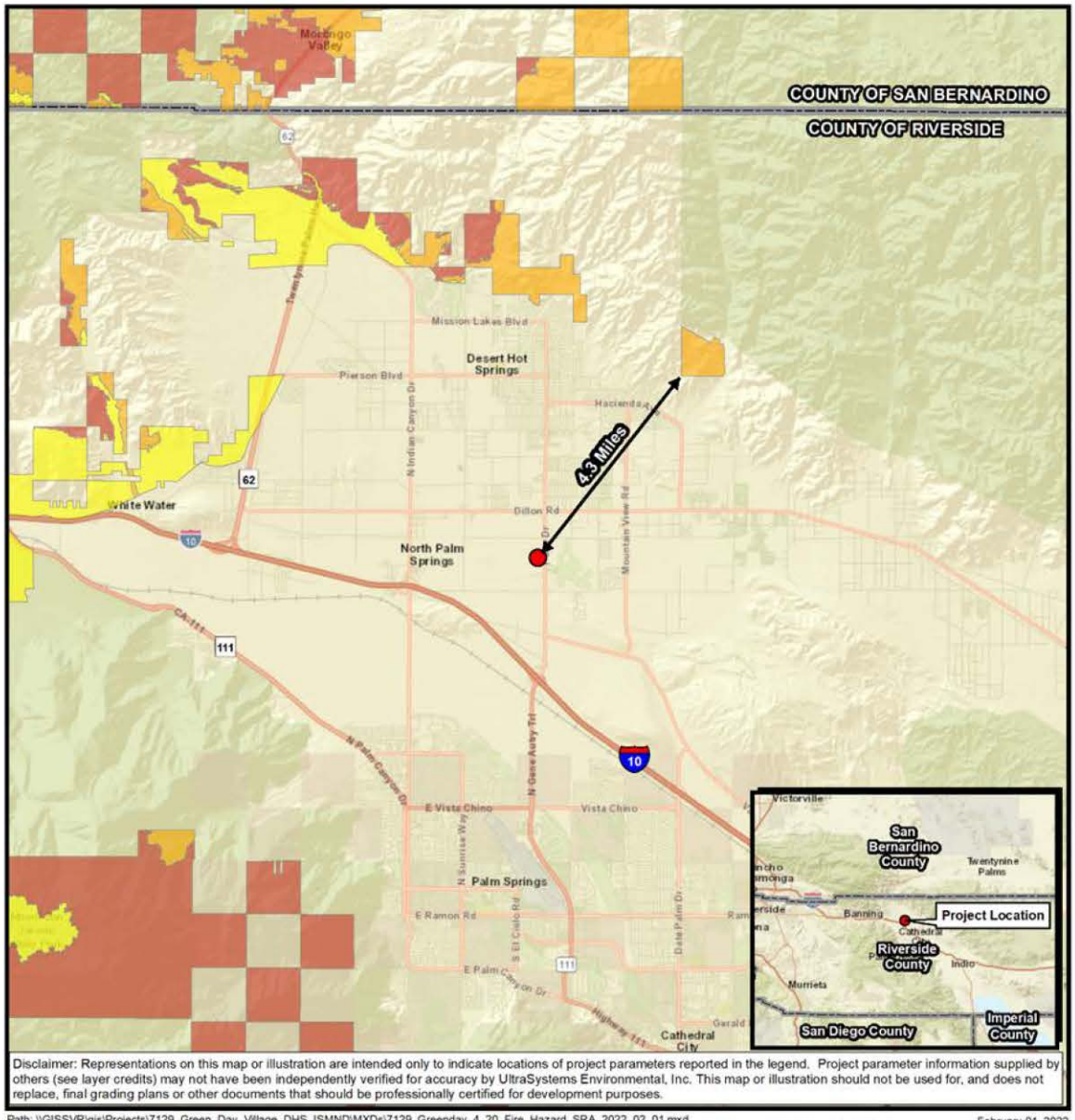


Figure 4.20-2

FIRE HAZARD SEVERITY ZONE - STATE RESPONSIBILITY AREA



4.20.2 Impact Analyses

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact

The City of Desert Hot Springs Emergency Operations Plan is the emergency response plan in effect for the City. Near the project site, Palm Drive is classified as an Urban Arterial, and Dillon Road as a Secondary I. It is expected that both of those roadways would be used as evacuation routes. Project construction would involve utilities installation in Palm Drive and modification of the west half of Palm Drive. Encroachment permits from the City of Desert Hot Springs Public Works Department would be required for work in the Palm Drive right-of-way. The Public Works Department would require that adequate emergency access be maintained on Palm Drive.

b) Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less than Significant Impact

The project site is not located in or near areas or lands classified as VHFHSZs. The project site has a south slope of approximately 1.5% grade. The only VHFHSZs in the City of Desert Hot Springs are two very small areas next to the north city boundary, each approximately 5.5 miles from the project site. The two nearest historic wildfires mapped on either of two maps maintained by CAL FIRE are each approximately 4.7 miles from the project site: the 1985 Cabanzo Fire about 4.7 miles to the southwest; and an unnamed 1988 fire approximately 4.8 miles to the northwest (CAL FIRE, 2022b; CAL FIRE, 2022c). Some areas outside the city abutting the city boundary are fire hazard severity zones in state responsibility areas (SRA) or federal responsibility areas. No slopes are present on or next to the project site which could exacerbate wildfire risks. The city of Desert Hot Springs has a prevailing west wind averaging approximately seven miles per hour. The project proposes construction of a berm next to the west site boundary to shelter the site from wind. At project completion, wind speeds onsite would be lower than those in surrounding areas. Project development would not expose occupants to uncontrolled spread of wildfire due to factors such as slope or prevailing winds. Impacts would be less than significant.

c) Would the project 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?

Less than Significant Impact

The project site is not located in or near areas or lands classified as VHFHSZs. The project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk. Project development would include installation of infrastructure. All infrastructure except for electric powerlines would be underground or at ground level. The project site is not in a fire hazard severity zone. The infrastructure to be built at ground level would include a retention pond. Such infrastructure is not flammable and would not increase wildfire risks onsite. Overhead powerlines would comply with California Public Utilities Commission safety regulations. Installation and

operation of overhead powerlines would not exacerbate fire risk and impacts would be less than significant.

d) Would the project 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?

Less than Significant Impact

The project site is not mapped in an FHSZ by CAL FIRE. The project site is on a south slope of approximately 1.5% grade, which is too slight a slope for project development to cause or exacerbate landslide risk consequent to a wildfire. The project proposes an on-site drainage system consisting of corridors conveying floodwaters from offsite (north of the project site) through the site; all proposed building pads would be above the 100-year flood elevation Therefore, project development would not expose people or structures downslope from the site to flood risks consequent to wildfires. Impacts would be less than significant and no mitigation is required.

4.21 Mandatory Findings of Significance

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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?		**X**		
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)?		**X**		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		**X**		

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?

Potentially Significant Impact

Section 4.4 of this document addresses impacts on biological resources. The project site is undeveloped and may contain sensitive habitats or special-status plants and wildlife. However, the biological resources evaluation (BRE) conducted for the project site did not observe sensitive plant species onsite. The BRE identified one sensitive animal species onsite: merlin (*Falco columbarius*), a raptor. The project site contains suitable habitat for burrowing owl and nesting birds. With implementation of **MM BIO-1** through **MM BIO-10**, impacts to the merlin, nesting birds, and

burrowing owl would be less than significant. Project development would cause impacts to waters of the State; implementation of **MM BIO-11** would reduce such impact to less than significant.

Section 4.5 of this document addresses potential impacts on Cultural Resources. No impacts to historical resources were identified. No archaeological resources—including human remains—were identified on the project site through the cultural resources records search, pedestrian survey, or in responses to inquiries to Native American tribal representatives. However, previous cultural resources investigations have identified 18 prehistoric archaeological sites and six historic-era cultural resources within 0.5 mile of the project site boundary. There is thus moderate potential that archaeological resources could be buried in site soils and therefore could be damaged by project ground-disturbing activities. Implementation of mitigation measures **CUL-1** through **CUL-4** would reduce impacts to archaeological resources to less than significant, and implementation of mitigation measure **CUL-5** would reduce impacts to human remains to less than significant.

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)?

Less than Significant Impact with Mitigation

The City of Desert Hot Springs stated that no related projects were known of in response to an inquiry. The proposed project would be consistent with regional plans and programs that address environmental factors such as air quality, water quality, and other applicable regulations that have been adopted by public agencies with jurisdiction over the project for the purpose of avoiding or mitigating environmental effects.

Although the project would increase the population in the project area, the projected population increase would be a fraction of the forecasted population growth within the city. Because the project would not increase environmental impacts after mitigation measures are incorporated, the incremental contribution to cumulative impacts is anticipated to be less than significant with mitigation incorporated.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact with Mitigation

As discussed in **Sections 4.1** through **4.20** of this document, after the implementation of mitigation measures, potential adverse environmental effects were found to be less than significant on human beings, either directly or indirectly. In **Section 4.4**, Biological Resources, **MM BIO-1** through **MM BIO-11** would reduce impacts on animals, habitats, and waters of the State to less than significant. In **Section 4.5**, Cultural Resources, **MM CUL-3** and **CUL-5** would prevent any significant impacts to Native American resources or human remains, respectively. In **Section 4.10**, Hydrology and Water Quality, the project site is in a 100-year flood zone; **MM HYD-1** would reduce flood hazard impacts to less than significant. In **Section 4.17**, Transportation and Traffic, **MM TRANS-1** would reduce vehicle miles traveled (VMT) impact to less than significant, and **MM TRANS-2** would ensure there would be no significant traffic delays for people at the intersection of the main entrance of the project site and Palm Drive.

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the California Environmental Quality Act (CEQA) Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR). The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those mitigation measures that are within the responsibility of the lead agency and/or project applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of Desert Hot Springs in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation, Monitoring and Reporting Program.

Table 7.0-1
MITIGATION MONITORING AND REPORTING PROGRAM

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
Threshold 4.4a) 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?	**MM BIO-1: Rare Plant Surveys** Project site clearance would potentially remove California Rare Plant Rank 1 and 2 plant species that are protected both by CEQA and the NPPA. A floristic-based survey of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, 2018) shall be performed by a qualified biologist prior to project approval. Surveys will be conducted in the field at appropriate times of the year to coincide with the growing season and different blooming periods and when optimum conditions for identification (generally blooms, fruits, and leaves) are present. Typically, a minimum of two surveys should be conducted during different seasons of the same year to adequately capture the floristic diversity of a site, with a focus on areas that will be directly or indirectly receiving impacts from project activities. Biologists will pay special attention to those habitat areas that appear to provide suitable habitat for special-status species. Should any state-listed plant species be present in the Project area, the Project proponent shall obtain an Incidental Take Permit for those species prior to the start of Project activities.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction
Threshold 4.4a) 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?	**MM BIO-2: Desert Tortoise Surveys and Compensatory Mitigation** ***MM BIO-2.1: Desert Tortoise Protocol Surveys*** Habitat for the desert tortoise was detected onsite during the reconnaissance-level biological surveys. Project site clearance would potentially remove desert tortoise from the project site. To determine whether desert tortoise is present within the BSA, the project proponent should hire a qualified biologist to perform a small project survey at the project site prior to project approval as per USFWS survey protocol provided in *Preparing for Any Action That May Occur Within the Range of the Mojave Desert Tortoise (Gopherus agassizii)* (USFWS 2019). The goal of the protocol survey is to provide information on whether desert tortoise are likely to be present within the project site. The survey can be completed at any time of the year and the *Desert Tortoise (Mojave Population) Field Manual (Gopherus agassizii)* (USFWS, 2009) should be used to identify sign of desert tortoise. The results of the survey should be provided to the USFWS and CDFW. If desert tortoise are observed within the BSA of the project site, then the project proponent needs to consult with USFWS in accordance with Section 7 of the ESA to obtain an incidental take permit. ***MM BIO-2.2: Desert Tortoise Survey No More Than 14 Days Prior to Ground Disturbance***	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	No more than 14 calendar days prior to start of project activities, a qualified biologist shall conduct pre-construction surveys for desert tortoise as described in the USFWS *Preparing for Any Action That May Occur Within the Range of the Mojave Desert Tortoise (Gopherus agassizii)* (USFWS 2019). Pre-construction surveys shall be completed using perpendicular survey routes within the project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project activities cannot start until two negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Should desert tortoise presence be confirmed during the survey, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance, minimization, and mitigation measures. ***MM BIO-2.3: Desert Tortoise Survey Within 24 Hours of Initiation of Ground Disturbance*** No more than 24 hours prior to start of project activities, a qualified biologist shall conduct pre-construction surveys for desert tortoise as described in the USFWS *Preparing for Any Action That May Occur Within the Range of the Mojave Desert Tortoise (Gopherus agassizii)* (USFWS 2019). Pre-construction surveys shall be completed using perpendicular survey routes within the project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project activities cannot start until two negative results from consecutive surveys using 10-meter-wide belt transect survey routes for desert tortoise are documented. Should desert tortoise presence be confirmed during the survey, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance, minimization, and mitigation. ***MM BIO-2.4: Desert Tortoise Compensatory Mitigation*** If desert tortoise are observed within the BSA of the project site, then the project proponent needs to consult with USFWS in accordance with Section 7 of the ESA to obtain an incidental take permit.			

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Threshold 4.4a) 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?	**MM BIO-3: Burrowing Owl Surveys and Compensatory Mitigation** ***MM BIO-3.1: Breeding and Non-Breeding Season Burrowing Owl Surveys*** The project site is located in the known distributional range of the burrowing owl (BUOW) (*Athene cunicularia*) and the site contains suitable habitat to potentially support BUOWs. Project site clearance would potentially remove BUOW from the project site; therefore, BUOW surveys are required by CDFW, in accordance with the guidelines set forth by CDFW in the *Staff Report on Burrowing Owl Mitigation* (*Staff Report*; CDFG, 2012). Surveys will be conducted by biologists who are familiar with BUOW habitat, natural history, ecology, behavior, and field identification of the species and BUOW sign. A total of eight BUOW surveys will be conducted, four during the main part of the breeding season (February 15 to July 15) and four during the non-breeding season (September 1 to January 31). **Breeding Season Surveys**. Four breeding season BUOW surveys will be conducted because BUOWs are more detectable during that season. In accordance with the *Staff Report*, one BUOW survey will be conducted between February 15th and April 15th and three surveys will be conducted at least three weeks apart between April 15th and July 15th, with at least one visit after June 15th. The last day to conduct the second breeding season BUOW survey is June 3rd in order to get three surveys in by July 15th. **Non-Breeding Season Surveys**. Four non-breeding season BUOW surveys will be conducted. These surveys will be spaced evenly throughout the non-breeding season and will provide additional information of BUOW occupancy. The same survey guidelines detailed below apply to both the breeding season and non-breeding season surveys. Surveys will be conducted between morning twilight to 10:00 a.m. or from two hours before sunset until evening twilight when weather conditions are conducive to BUOWs observations. Surveyors are required to comply with all of the guidelines detailed in Appendix D of the *Staff Report*. Biologists will conduct surveys within the project site and within a zone 500 feet out from the project site; defined the Biological Study Area (BSA). Surveys will be conducted in accessible portions of the BSA that contain BUOW essential habitat (nesting, foraging, wintering, and dispersal habitat). Inaccessible areas and areas of private land will be surveyed with binoculars/scopes only. Surveys will not extend beyond the BSA. Biologists will walk straight-line belt transects spaced no more than 65 feet apart to allow 100 percent visual coverage of the survey area, and examine entrances of potential burrows and suitable man-made structures for BUOWs and BUOW sign. Biologists will identify, record, and map with a global positioning system (GPS) unit BUOWs and potential BUOW sign. Detailed notes and wildlife species encountered during the surveys will be recorded in field notes. The purpose of the	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	surveys is to determine if BUOWs are foraging or nesting on or adjacent to the project site. Following completion of the focused BUOW surveys, the biologist will prepare a focused BUOW survey report in accordance with the guidelines described in the *Staff Report*. The report will: 1) summarize information regarding the BUOW's natural history; 2) assess the habitat of the survey area and its suitability for the BUOW; 3) describe the number, behavior, and location of any BUOWs detected during the surveys or assess the potential presence of BUOWs onsite; 4) analyze the potential impacts on the BUOW from project development; and 5) recommend, as appropriate, best management practices (BMPs), avoidance and protection measures, and mitigation measures to reduce or avoid potential impacts on BUOWs. The report will include: 1) methods and results of the literature review and field surveys; 2) figures depicting the location of BUOWs, if any; and 3) site photographs. ***MM BIO-3.2: Burrowing Owl Survey No Less Than 14 Days Prior to Ground Disturbance*** Although BUOW was not detected onsite during the general wildlife surveys, and even if they are not detected during the breeding and non-breeding season surveys, the BSA contains suitable habitat to potentially support BUOW, including sparsely vegetated open areas with friable soils. It is thus possible that BUOW could colonize the site between the completion of the surveys and the beginning of ground-disturbing work. Therefore, **pre-construction BUOW surveys are required to avoid take and to maintain compliance with the MBTA.** Pre-construction BUOW surveys shall be conducted no less than 14 days prior to initiating ground-disturbing activities, in accordance with the *Staff Report* (CDFG 2012). Pre-construction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the pre-construction surveys confirm occupied BUOW habitat, project activities shall be immediately halted. CDFW shall be notified of burrowing owl survey results within 48 hours of detection. The qualified biologist shall coordinate with CDFW, USFWS, and the County EPD to conduct an impact assessment to develop avoidance and minimization measures to be approved by CDFW prior to commencing project activities. **Following the completion of the pre-construction BUOW survey, the biologist would prepare a letter report in accordance with the survey guidelines summarizing the results of the survey. The report would be submitted to CDFW prior to initiating any ground disturbance activities.** **If no BUOWs or signs of BUOWs are observed during the survey and concurrence is received from the County and CDFW, project activities may begin and no further mitigation would be required**.			

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	MM BIO-3.3: Burrowing Owl Survey Within 24 Hours of Initiation of Ground Disturbance Pre-construction BUOW surveys shall be conducted within 24-hours prior to the initiation of ground disturbing activities, in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). This survey will follow the same guidelines described in the 14-day pre-construction survey (i.e., **BIO-1.2**). ***MM BIO-3.4: BUOW Compensatory Mitigation*** If BUOW are identified onsite during one or more of the foregoing BUOW surveys, then CDFW will consulted to determine the appropriate mitigation, including but not limited to passive relocation, artificial burrow system installation and monitoring, 5-year reporting, in-lieu fees or payment into mitigation bank.			
Threshold 4.4a) 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?	**MM BIO-4: Pre-Construction Breeding Bird Survey** To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts to migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 1 through September 1, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities. If project activities cannot be avoided during February 1 through September 1, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will focus on direct and indirect evidence of nesting. The biologist will make every effort to avoid nest predation as a result of survey and monitoring efforts. The survey will be conducted between five to seven days prior to the initiation of construction activities, including staging and ground disturbance.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

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	If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required. If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting.			
Threshold 4.4a) 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?	**MM-BIO 5: Worker Environmental Awareness Program** Development of the project would potentially impact special-status plants and wildlife and jurisdictional waters (including wetlands) within the project site. Prior to project construction activities, a qualified biologist will prepare and conduct a Worker Environmental Awareness Program (WEAP) that will describe the biological constraints of the project. All personnel who will work within the project site will attend the WEAP prior to performing any work. The WEAP will include, but not be limited to the following: results of pre-construction surveys; description of sensitive biological resources potentially present within the project site; legal protections afforded the sensitive biological resources; BMPs for protecting sensitive biological resources (i.e., restrictions, avoidance, protection, and minimization measures); individual responsibilities associated with the project; and, a training on grading to reduce impacts to biological resources. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitat, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to the project site boundaries within which the project activities must be accomplished. The program will also include the reporting requirements if workers encounter a sensitive wildlife species, including BUOW and desert tortoise (i.e., notifying the biological monitor or the construction foreman, who will then notify the biological monitor).	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

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	Training materials will be language-appropriate for all construction personnel. Upon completion of the WEAP, workers will sign a form stating that they attended the program, understand all protection measures, and will abide all the rules of the WEAP. A record of all trained personnel will be kept with the construction foreman at the project field construction office and will be made available to any resource agency personnel. If new construction personnel are added to the project later, the construction foreman will ensure that new personnel receive training before they start working. The biologist will provide written hard copies of the WEAP and photos of the sensitive biological resources to the construction foreman.			
Threshold 4.4a) 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?	**MM BIO-6: Biological Monitor** Development of the project would potentially impact special-status species and jurisdictional waters (including wetlands). A qualified biologist shall be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way wildlife that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise by injured or killed, and individuals should be moved only as far a necessary to ensure their safety. Measures shall be taken to prevent wildlife from re-entering the Project site. Only biologists authorized by a Memorandum of Understanding issued by CDFW shall move CESA-listed species. If special-status wildlife species such as BUOW or nesting bird species are observed and determined present within the project site during the pre-construction breeding bird surveys or the BUOW surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The biological monitor shall ensure that all BMPs, avoidance, protection and mitigation measures described in the relevant project permits and reports are in place and are adhered to. The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. Work can continue at the location if the project proponent and the consulted resource agency determine that the activity will not result in adverse effects on the species.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to and during construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include; location of the carcass, a photograph, cause of death (if known), and other pertinent information.			
Threshold 4.4a) 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?	**MM BIO-7: Construction Best Management Practices** Project work crews will be directed to use BMPs where applicable. These measures will be identified prior to construction and incorporated into the construction operations. Implementation of this mitigation measure will help to avoid, eliminate or reduce impacts to sensitive biological resources, such as special-status terrestrial wildlife species, to less than significant levels. BMPs applicable to this project include the following: • Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements. • Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitat. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional agencies such as the City, FWS, and CDFG, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas. • The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction

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Threshold 4.4a) 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?	**MM BIO-8: Project Limits and Designated Areas** To avoid impacts to sensitive biological resources, the project proponent will implement the following measures prior to project construction and commencement of any ground-disturbing activities or vegetation removal: Specifications for the project boundary, limits of construction, project-related parking, storage areas, laydown sites, and equipment storage areas will be mapped and clearly marked in the field with temporary fencing, signs, stakes, flags, rope, cord, or other appropriate markers. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas. All markers will be maintained until the completion of activities in that area. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. To minimize the amount of disturbance, the construction/laydown areas, parking areas, staging areas, storage areas, spoil areas, and equipment access areas will be restricted to designated areas. To the extent possible, designated areas will comprise, existing disturbed areas (parking lots, access roads, graded areas, etc.). Project related work limits will be defined and work crews will be restricted to designated work areas. Disturbance beyond the actual construction zone is prohibited without site specific surveys. If sensitive biological resources are detected in the area to be impacted, then appropriate measures will be implemented to avoid impacts (i.e., flag and avoid, erect orange snow fencing, biological monitor present during work, etc.). However, if avoidance is not possible and the sensitive biological resources will be directly impacted by project activities, the biologist will mark and/or stake the site(s) and map the individuals on an aerial map and with a GPS unit. The biologist will then contact the appropriate resource agencies to develop additional avoidance, minimization and/or mitigation measures prior to commencing project activities. The project proponent will ensure that construction activities will include measures to prevent accidental falls into excavated areas. The construction crew will inspect excavated areas daily to detect the presence of trapped wildlife. All deep or steep-walled excavated areas will be covered with tarp and either be furnished with escape ramps or be surrounded with exclusionary fencing in order to prevent wildlife from entering them. Wildlife found in excavation areas should be trapped and relocated out of harm's way to a suitable habitat outside of the project area, if possible.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

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Threshold 4.4a) 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?	**MM BIO-9: General Vegetation and Wildlife Avoidance and Protection Measures** The BSA contains habitat, including wetland habitat, which can support many wildlife species. The project boundary is adjacent to portions of the Willow Hole Conservation Area and measures should be taken to prevent project activities from impacting that area. The project proponent will implement the following general avoidance and protection measures to protect vegetation, wetlands and other jurisdictional areas, and wildlife, to the maximum extent practical: • Fencing will be installed around the perimeter of the project site, to limit impacts to the nearby Willow Hole Conservation Area as a result of development of the project. To prevent mammals and reptiles attempting to move from the conservation area into the project site, the project proponent will install exclusion fencing around the perimeter of the project site. The appropriate fencing material will be determined by the construction contractor in cooperation with the qualified biologist. Fencing materials such as hardware cloth, silt fencing, Animex wildlife exclusion fencing, Ertec wildlife exclusion fencing, or similar products may be considered exclusion fencing. This fencing will be installed by first trenching and then burying the bottom portions of the fence. Fencing will be angled away from the project site or curved at the top to prevent animals from climbing over the fence. The fencing should be buried to a depth of 12 to 14 inches. Stabilization of the fencing is achieved through the use of 36-inch-long wooden landscape stakes, spaced 5 to 8 feet apart, depending on the stability of the soil. The stakes will be placed into the ground until their tops are approximately even with the top of the fencing. • Cleared or trimmed vegetation and woody debris will be disposed of in a legal manner at an approved disposal site. Cleared or trimmed non-native, invasive vegetation will be disposed of in a legal manner at an approved disposal site as soon as possible to prevent regrowth and the spread of weeds. • The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. • Non-native wildlife species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible. Only a qualified biologist should remove non-native species. • During project construction and operation/maintenance, vehicles and all equipment will be washed (including wheels, undercarriages, and bumpers) at an offsite washing facility (e.g., a car wash or truck wash) immediately before project construction begins and prior to leaving the	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to and during construction

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	project area each time these items are brought to or removed from the project area. In addition, tools such as chainsaws, hand clippers, pruners, etc. will be washed at an offsite washing facility immediately before project construction begins and prior to leaving the project area each time these items are brought to or removed from the project area. In addition, vehicles, tools, and equipment will be washed at an offsite washing facility should these vehicles, tools, and equipment have been used in an area where invasive plants occur and as directed by the biological monitor, prior to entering a project area free of populations of invasive plants. Rumble plates need to be installed at the entrance to the project area. All vehicles entering or leaving the project site must drive over the rumble plates to limit the amount of offsite mud being brought onto the project site and onsite mud being transported off of the project site. Finally, vehicles, tools, and equipment used for maintenance will be washed at an offsite washing facility immediately before each maintenance event. All washing will take place where rinse water is collected and disposed of in either a sanitary sere or landfill; an effort will be made to use wash facilities that use recycled water. When vehicle and equipment washing and cleaning must occur onsite, and the operation cannot be located within a structure or building equipped with appropriate disposal facilities, the outside cleaning area should have the following characteristics: 1) Located away from storm drain inlets, drainage facilities, or watercourses, 2) Paved with concrete or asphalt and bermed to contain wash waters and to prevent runon and runoff, 3) Configured with a sump to allow collection and disposal of wash water, 4) No discharge of wash waters to storm drains or watercourses, and 5) Used only when necessary. • To minimize construction-related mortalities of nocturnally active species such as mammals and snakes, it is recommended that all work be conducted during daylight hours. Nighttime work (and use of artificial lighting) will not be permitted unless specifically authorized. If required, night lighting will be directed away from the preserved open space areas to protect species from direct night lighting. All unnecessary lights will be turned off at night to avoid attracting wildlife such as insects, migratory birds, and bats. • If any wildlife such as BUOW or desert tortoise is encountered during the course of project activities, said wildlife will be allowed to freely leave the area unharmed. • If any wildlife does not move off the site unassisted and within less than one hour, then a qualified biologist will be contacted to move the species out of harm's way wildlife if it would otherwise be injured or killed from the			

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	project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise by injured or killed, and individuals should be moved only as far a necessary to ensure their safety. Only biologists authorized by a Memorandum of Understanding issued by CDFW shall move FESA and CESA-listed species such as desert tortoise. • Wildlife will not be disturbed, captured, harassed, or handled. Animal nests, burrows and dens will not be disturbed without prior survey and authorization from a qualified biologist. • Active nests of special-status or otherwise protected bird species cannot be removed or disturbed. Nests can be removed or disturbed if determined inactive by a qualified biologist. • To avoid impacts to wildlife and attracting predators of protected species, the project proponent will comply with all litter and pollution laws and will institute a litter control program throughout project construction. All contractors, subcontractors, and employees will also obey these laws. These covered trash receptacles will be placed at each designated work site and the contents will be properly disposed at least once a week. Trash removal will reduce the attractiveness of the area to opportunistic predators such as common ravens, coyotes, northern raccoons, and Virginia opossums. • Contractors, subcontractors, employees, and site visitors will be prohibited from feeding wildlife and collecting plants and wildlife. • Disturbance near ponded water will be limited during the rainy season. It could serve as potential habitat for amphibians and sensitive invertebrates.			
Threshold 4.4a) 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?	**MM BIO-10: MSHCP Section 4.5 Land Use Adjacency Guidelines** The western boundary of the project area abuts the eastern boundary of the Willow Hole MSHCP Conservation Area; therefore, the Land Use Adjacency Guidelines presented in Section 4.5 of the MSHCP shall be adhered to. The purpose of these guidelines is to avoid or minimize indirect effects from development projects that are adjacent to Conservation Areas. The MSHCP defines "adjacent" as: "sharing a common boundary with any parcel in a Conservation Area". These potential indirect effects are referred to as "edge effects". The guidelines provide that edge effects will be addressed through reserve management activities such as fencing. The following Land Use Adjacency Guidelines shall be considered by the Permittees in their review of individual public and private Development projects adjacent to or within the Conservation Areas: 4.5.1 Drainage: Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area. 4.5.2 Toxics: Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area. 4.5.3 Lighting: For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual. 4.5.4 Noise: Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual. 4.5.5 Invasives: Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112. The plants listed in Table 4-113 (MSHCP) shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.			
Threshold 4.4b) Would the project 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 Wildlife or U.S. Fish and Wildlife Service?	Implementation of **MM BIO-1** through **BIO-8.**	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to and during construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.4c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Implementation of **MM BIO-6** through **BIO-9.**	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to and during construction
	MM BIO 11: Mitigation for Impacts to Jurisdictional Waters Prior to the issuance of grading permits for the project, and prior to any impacts to jurisdictional areas, the City of Desert Hot Springs will obtain WDR permits pursuant to Section 401 of the CWA for impacts to jurisdictional waters of the State and pursuant to the California Porter-Cologne Water Quality Control Act, §§ 1600-1616 of the California Fish and Game Code for impacts to CDFW jurisdictional areas. The former is issued by the RWQCB, while the latter is issued by CDFW. These permits are described in detail within **Section 9.0** of *the Biological Resources Evaluation for the Green Day Village Project*, UltraSystems 2022, included as **Appendix C1** to this Initial Study. The permits will mandate BMPs, avoidance and protection measures, and compensatory mitigation measures for impacts to jurisdictional waters. All measures to protect waters, water quality, fish, and wildlife resources will be incorporated into the project design as appropriate. Specific mitigation details to offset impacts to jurisdictional areas will be finalized during the permitting process with RWQCB and CDFW.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction
Threshold 4.4f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Implementation of **MM BIO-2, BIO-3,** and **BIO-10.**	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction
4.5 Cultural Resources				
Threshold 4.5b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**MM CUL-1: Archaeological Monitoring** At least 30-days prior to grading permit issuance and before any grading, excavation, and/or ground-disturbing activities on the site take place, the project permittee/owner shall retain a Riverside County-certified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	archaeological resources. Prior to grading, the project permittee/owner shall provide to the City verification that a certified archaeological monitor has been retained. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors. A final report documenting the monitoring activity and disposition of any recovered cultural resources shall be submitted to the City of Desert Hot Springs and the Eastern Information Center within 60 days of completion of monitoring.			
Threshold 4.5b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**MM CUL-2: Worker Environmental Awareness Program** The Project Archeologist shall attend the pre-grading meeting with the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project Archaeologist shall make themselves available to provide the training on an as-needed basis	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction
Threshold 4.5b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**MM CUL-3: Native American Monitoring** Native American Tribal monitors shall also participate in monitoring of ground-disturbing activity. At least 30 days prior to issuance of grading permits, an agreement between the permittee/owner and a Consulting Tribe(s) shall be developed regarding prehistoric cultural resources and shall identify any monitoring requirements and treatment of Tribal Cultural Resources (TCRs) so as to meet the requirements of CEQA. The monitoring agreement shall address the treatment of known Tribal Cultural Resources; the designation, responsibilities, and participation	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	of professional Native American Tribal monitors during grading, excavation, and ground-disturbing activities; project grading and development scheduling. The Tribal Monitors shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the Project Archaeologist / Archaeological Monitor.			
Threshold 4.5b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**MM CUL-4: Discovery of Historical or Archaeological Resources During Construction** If historical or unique archaeological resources are discovered during construction, the contractor shall halt construction activities in the immediate area and notify the City. An on-call qualified archaeologist shall be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area and afforded the necessary time and funds to recover, analyze, and curate the find(s). The Project Archaeologist and the Tribal Monitor shall coordinate decision making authority over the identification and disposition of potential TCR artifacts and features. Following analysis, historic resources may be offered to a local accredited repository (such as the Western Science Center located in Hemet); cultural resources of Native American origin will initially be offered to the tribe or tribes who have stated an interest in the TCRs during AB 52 consultation with the City. Construction activities may continue on other parts of the project site while evaluation and treatment of historical or unique archaeological resources takes place.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction
Threshold 4.5c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	**MM CUL-5 Human Remains** If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the Riverside County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.7 Geology and Soils				
Threshold 4.7f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	**MM GEO-1: Paleontological Resources** If paleontological resources are uncovered during construction activities, the contractor shall halt construction activities in the immediate area and notify the City. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain on-site for the duration of the ground disturbance to ensure the protection of any other resources that may be in the area.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction
4.10 Hydrology and Water Quality				
Threshold 4.10c.iv) Would the project impede or redirect flood flows.	**MM HYD-1: Flood Zone Map: Conditional Revision and Revision** Project development would exacerbate flood hazards, as the project site is in a 100-year flood zone. Before issuance of a grading permit by the City of Desert Hot Springs, the project applicant shall submit a Request for a Conditional Letter of Map Revision (CLOMR) to the City of Desert Hot Springs Director of Public Works (Director) or his or her designee. Upon approval of the Request for CLOMR by the Director, the project applicant shall submit the Request for CLOMR to FEMA. The City of Desert Hot Springs shall issue a grading permit only after FEMA conditionally revises the flood control map covering the project site. Before issuance of a Certificate of Occupancy by the City of Desert Hot Springs, an approved Letter of Map Revision (LOMR) from FEMA is required.	City of Desert Hot Springs	Consideration of Request for Conditional Letter of Map Revision for approval; verification of receipt of Letter of Map Revision from FEMA	City of Desert Hot Springs City of Desert Hot Springs Before issuance of grading permit; and before issuance of certificate of occupancy
4.11 Land Use and Planning				
4.11b) Would the project 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?	**MM TRANS-1 Installation of a Traffic Signal** Before opening of the first phase of residential development in the project, the project applicant would have a traffic signal installed at the intersection of the main entrance driveway with Palm Drive to ensure the intersection would operate at an acceptable level of service per the City of Desert Hot Springs significance thresholds.	Project applicant and City of Desert Hot Springs	Verification of installed and operating traffic signal	City of Desert Hot Springs City of Desert Hot Springs Before opening of the first phase of residential development in the project.
4.17 Transportation				

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.17b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) [that is, vehicle miles traveled impact]	**MM TRANS-1: TRANSPORTATION DEMAND MANAGEMENT** Project VMT impacts would be potentially significant. During project operation all of the following Transportation Demand Management (TDM) measures must be implemented to reduce project VMT. • Transit Subsidies – Involves the subsidization of transit fare for residents and employees of the project site. Existing bus stops are located along Palm Drive in the vicinity of the project site and the applicant is proposing a bus stop on Palm Drive immediately adjacent to the project site. • Vanpool/Carpool – Incentivize residents with similar work commutes and times to carpool and vanpool through provision of resident-sponsored van or vehicle. • Alternative Work Schedule or Telework (Telecommuting, Distance-Learning, etc.) – Flextime, Compressed Work Week (CWW), staggered shifts, and use of telecommunications as a substitute for physical travel. • School Carpool Program – The project implements a school carpool program to encourage ridesharing for students living in the residential units. • On-Site Affordable Housing – Provision of on-site affordable housing.	Management of proposed residential units; City of Desert Hot Springs	Verification of operating TDM measures	City of Desert Hot Springs City of Desert Hot Springs During project operation
Threshold 4.17c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	**MM TRANS-2: Installation of a Traffic Signal** Before opening of the first phase of residential development in the project, the project applicant would have a traffic signal installed at the intersection of the main entrance driveway with Palm Drive to ensure the intersection would operate at an acceptable level of service per the City of Desert Hot Springs significance thresholds.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Before opening of the first phase of residential development in the project,
4.18 Tribal Cultural Resources				

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.18a): Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is 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 § 5020.1(k)?	**MM TCR-1: Prior to grading permit issuance** If there are any changes to project site design and/or proposed grades, the Applicant shall contact the consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City of Desert Hot Springs, Applicant, and consulting tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City of Desert Hot Springs. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject any future development, erosion or flooding.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.18a): Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is 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 § 5020.1(k)?	**MM TCR-2: Archaeological Monitoring** The Developer, the City and the consulting tribe(s) shall develop an archaeological monitoring plan to address details, timing and responsibilities of all archaeological activities that will occur at the project site, when it is determined by either the city or the consulting tribe(s) to be necessary. Details of the plan may include: e) Project grading and development scheduling; f) The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists; g) The protocols and stipulations that the Developer, City of Desert Hot Springs, the consulting tribes and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation; h) Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts.	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs Prior to construction

Threshold 4.18a): Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is 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 § 5020.1(k)?	**MM TCR-3: Treatment and Disposition of Cultural Resources** In the event that Native American cultural resources, items of cultural patrimony, or Tribal Cultural Resources are inadvertently discovered during the course of grading for this Project. The following procedures will be carried out for treatment and disposition of the discoveries: i) Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversite of the process; and 2. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Desert Hot Springs with evidence of same: i) Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; ii) A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation: iii) For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Agua Caliente Cultural Museum. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City of Desert Hot Springs documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the consulting tribes and Eastern Information Center and interested tribes.			
Threshold 4.18a): Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is 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 § 5020.1(k)?	**MM TCR-4: Human Remains** In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor(s) shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Desert Hot Springs immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The County Coroner will notify the Native American Heritage Commission in accordance with California Public Resources Code 5097.98. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052) determined in consultation between the project proponent and the MLD. In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).	City of Desert Hot Springs	Field Verification	City of Desert Hot Springs City of Desert Hot Springs During construction