First Palm Springs Commerce Center

Draft Environmental Impact Report

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December 2024

Strive Higher

The Altum Group
Engineering • Planning • Survey • Environmental • Urban Design

FIRST PALM SPRINGS COMMERCE CENTER

DRAFT ENVIRONMENTAL IMPACT REPORT

State Clearing House #2024010068

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AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ACHP	Advisory Council on Historic Preservation
ACM	Asbestos Containing Materials
ADT	Average Daily Traffic
AFY	Acre Per Year
APN	Assessor Parcel Number
APS	Alternative Planning Strategy
ARPA	Archaeological Resources Protection Act
AQMP	Air Quality Management Plan
ATCM	Air Toxic Control Measure
AWWARF	American Water Works Association Research Foundation
BACM	Best Available Control Measures
Bcf	Billion Cubic Feet
BLM	Bureau of Land Management
BMP's	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalARP	California Accidental Release Prevention Program
CalEMA	California Emergency Management Agency
CalFire	California Department of Forestry and Fire Protection
CalOES	California Governor's Office of Emergency Services
CalTrans	California Department of Transportation
Cal TRIPA	California Toxic Release Inventory Program Act
CalFire	California Department of Forestry and Fire Protection
CAP	Climate Action Plan
CARB	California Air Resources Board
CASQA	California Stormwater Quality Association
CBC	California Building Code
CBSC	California Building Standards Commission

CCAA	California Clean Air Act
CCR	California Code of Regulations
CdC	Carsitas gravelly sand
CDFG	California Department of Fish and Game
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CDPH	California Department of Public Health
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response Compensation and Liability Act
CEQA	California Environmental Quality Act
CFC	California Fire Code
CFPD	Coachella Valley Fire Protection District
CFR	Code of Federal Regulations
CGP	Construction General Permit
ChC	Carsitas cobbly sand
CHP	California Highway Patrol
City	City of Palm Springs
CkB	Carsitas fine sand
CMA	Congestion Management Agency
CMP	Congestion Management Program
CMS	Congestion Management System
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
County	County of Riverside
CRHR	California Register of Historical Resources
CT	Computerized Tomography
CUPAs	Certified Unified Program Agencies
CVSC	Coachella Valley Stormwater Channel
CVSIP	Coachella Valley State Implementation Plan
CVWD	Coachella Valley Water District

db	Decibels
dBa	A-Weighted Decibel
DCE	Desert Community Energy
DEH	Department of Environmental Health
DEIR	Draft Environmental Impact Report
DOC	Department of Conservation
DOF	Department to Finance
DOSH	Division of Occupational Safety and Health
DPR	Department of Parks and Recreation
DTSC	Department of Toxic Substances Control
DU	Dwelling Unit
DWR	Department of Water Resources
DWQ	Department of Water Quality
EHR	Earthquake Hazards Reduction Act
EIC	Eastern Information Center
EIR	Environmental Impact Report
EISA	Energy Independence and Security Act of 2007
EMA	Emergency Management Authority
EO	Executive Order
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
EPCA	Energy Policy and Conservation Act
EPCRA	Emergency Planning Community Right to Know Act
ESA	Environmental Site Assessment
ETWU	Estimated Total Water Usage
EV	Electrical Vehicle
°F	Fahrenheit
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Act
FEPCA	Federal Energy Policy and Conservation Act
FERC	Federal Energy Regulatory Commission

FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIRMs	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
FRA	Federal Responsibility Area
FRAP	Fire and Resources Assessment Program
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Plan
GHG	Greenhouse Gas Emissions
GLO	General Land Office
GSA	Groundwater Sustainability Agencies
GSP	Groundwater Sustainability Plan
GW	Giga Watt
GWh	Giga Watt hours
HCD	Housing and Community Development
HCM	Highway Capacity Manual
HMBP	Hazardous Materials Business Plan
HSC	Health and Safety Code
HVAC	Heating, Ventilation and Air Conditioning
I-10	Interstate 10
Ibs	Pounds
IEPR	Integrated Energy Policy Report
IFC	International Fire Code
IRPs	Integrated Resource Plans
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IWA	Indio Water Authority
IWMA	Integrated Waste Management Act
kBTU	Kilo Thermal British Units
Kw	Kilowatt
LBP	Lead Based Paints
LCFS	Low Carbon Fuel Standard

LDA	Light Duty Autos
Ldn	Day-Night Average Level
LDT	Light Duty Trucks
LED	Light Emitting Diode
Leq	Equivalent Continuous Sound Pressure Level
LEV	Low-Emission Vehicle
LHMP	Local Hazard Mitigation Plan
LOS	Level of Service
LRA	Local Responsibility Area
LTS	Localized Significance Thresholds
M-2	Manufacturing Zone
MAWA	Maximum Applied Water Allowance
MCLs	Maximum Containment Levels
MGD	Million Gallons Per Day
MMRP	Mitigation Monitoring and Reporting Program
MMT	Million Metric Tons
MPO	Metropolitan Planning Organization
MRI	Magnetic Resonance imaging
MSWD	Mission Springs Water District
$MTCO_2e$	Metric tons of carbon dioxide equivalent
MW	Mega Watt
MWh	Mega Watt hours
NAHC	Native American Heritage Commission
NEHRP	National Earthquake Hazards Reduction Program
NFPA	National Fire Protection Association
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NIMS	National Incident Management System
NIST	National Institute of Standards and Technology
MICR	Mixed Individual Cancer Risk
MPO	Metropolitan Planning Organization

MRZ	Mineral Resource Zone
NAAQS	National Ambient Air Quality Standards
NOA	Notice of Availability
NOAA	National Oceanic and Atmospheric Administration
NOC	Notice of Completion
NOD	Notice of Determination
NOP	Notice of Preparation
NOx	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Services
NRHP	National Register of Historic Places
NSF	National Science Foundation
NWRWRF	Nancy Wright Regional Water Reclamation Facility
O^2	Dioxygen
O_3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OES	California Governor's Office of Emergency Services
OHP	Office of Historic Preservation
OPR	Office of Planning and Research
OPSC	Office of Public Safety Communications
OSHA	Occupational Safety and Health Act
Pb	Lead
PG&E	Pacific Gas and Electric
PM	Particulate Matter
ppb	Parts Per Billion
PPE	Personal Protective Equipment
PPV	Peak Particle Velocity
PRC	Public Resources Code
PRIMP	Paleontological Resource Impact Program
PSDS	Palm Springs Disposal Services
PWS	Public Water System

PV	Photovoltaic
RCBOE	Riverside County Board of Education
RCFCB	Riverside County Flood Control Board
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCFC	Riverside County Flood Control
RCFD	Riverside County Fire Department
RCRA	Resource Conservation and Recovery Act
RCRMC	Riverside County Regional Medical Center
RCSD	Riverside County Sherrif's Department
RCTC	Riverside County Transportation Commission
RCWMD	Riverside County Waste Management Department
RHNA	Regional Housing Needs Assessment Allocation
RHSA	Regional System of Highways and Arterials
RMP	Risk Management Plan
RMS	Root Mean Square
ROG	Reactive Organic Gases
RTIP	Regional Transportation Improvement Plan
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RUWMP	Regional Urban Water Management Plan
RWQCB	Regional Water Quality Control Board
SAFE	Safer Affordable Fuel-Efficient
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SCAQ	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SDS	Safety Data Sheets
SDWA	Safe Drinking Water Act
SED	Socio Economic Data
SEMS	Standardized Emergency Management System

SF	Square Feet
SFHAs	Special Flood Hazard Areas
SFP	School Facilities Program
SGMA	Sustainable Groundwater Management Act
SHMA	Seismic Hazards Mapping Act
SHMP	State Hazard Mitigation Plan
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SLF	Sacred Lands File
SLRM	Screening Levels and Remediation
SMARA	Surfacing Mining Reclamation Act
SMCL	Secondary Maximum Containment Levels
SOC	Statement of Overriding Consideration
SoCalGas	Southern California Gas Company
SOI	Sphere of Influence
SOx	Sulfur Oxide
SP	Service Population
Sqft	Square Foot
SR	State Route
SRA	State Responsibility Area
SRRE	Source Reduction and Recycling Element
SSAB	Salton Sea Air Basin
SSMP	Sewer System Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resource Control Board
SVP	Society of Vertebrate Paleontology
TACs	Toxic Air Contaminants
TAZ	Traffic Analysis Zone
TCR	Tribal Cultural Resources
TEA-21	Transportation Equity Act for the 21st Century
THPO	Tribal Historic Preservation Officer

TIA	Traffic Impact Analysis
TIS	Traffic Impact Study
TMDLs	Total Maximum Daily Loads
TUMF	Transportation Uniform Mitigation Fee
UCR	University of California Riverside
UFC	Uniform Fire Code
UPAAG	Unified Program Administration and Advisory Group
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFS	United States Forest Service
USGS	United States Geological Survey
USWFAS	United States Wildland Fire Assessment System
UWMP	Urban Water Management Plan
UWMPA	Urban Water Management Planning Act
V/C	Volume to Capacity
VdB	Vibration Decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
WEO	Wind Energy Overlay
WAC	Williamson Act Contract
WAIRE	Warehouse Actions and Investments to Reduce Emissions
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment
WSA/WSV	Water Supply Assessment and Water Supply Verification
WUI	Wildland Urban Interface
WQMP	Water Quality Management Plan
WQOs	Water Quality Objectives

WWTP	Waste Water Treatment Plan
YBP	Years Before Present
ZEV	Zero Emissions Vehicle

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EXECUTIVE SUMMARY

The California Environmental Quality Act (CEQA) mandates that local government agencies consider the environmental consequences of their programs and projects. This Draft Environmental Impact Report (Draft EIR; DEIR) therefore analyzes the potential significant environmental impacts of implementation of the proposed First Palm Springs Commerce Center Project (Project; proposed Project). This chapter of the Draft EIR has therefore been prepared pursuant with CEQA Guidelines (Cal. Pub. Resources Code, Section §21000, et seq.) and the State CEQA Guidelines (14 Cal. Code Regs., Section §15123).

ES.1 PROPOSED PROJECT

ES.1.1 Project Site Characteristics, Land Use and Zoning

The proposed Project would be developed in the city of Palm Spring, located on the western edge of the Coachella Valley in the County of Riverside. The approximate 91.97 acre proposed Project site is located north of the I-10 and east of SR 62, in the northern portion of the city of Palm Springs, County of Riverside. The site is comprised of five (5) parcels, Accessor Parcel Numbers (APNs) 666-320-010, -011, -012, -015, and -019, and is bounded by 18th Avenue to the north, North Indian Canyon Drive to the east, and 19th Avenue to the south. Karen Drive and Blair Road are to the west of the site. Interstate 10 (I-10) and the Union Pacific Railroad (UPRR) corridor are approximately between three thousand (3,000) feet to one and half (1.5) miles to the south of the site (Google Maps; 2023). The general local area surrounding the proposed Project site is primarily characterized by open and vacant land.

The site is an approximate consists of vacant parcels with low lying shrub, small to medium sized boulders, and some shrub and low tree coverage scattered throughout. The site is generally flat with a slope from north to south. The site had historically been used as a wind farm consisting of nine (9) large wind turbines and soil conditions are disturbed and uneven across the site. Unpaved access routes for pedestrians and bicycles traverse the site from north to south.

There is no water feature located on site. The nearest waterway is the mostly dry channel for the Whitewater River which runs approximately two (2) miles to the southwest of the site.

The proposed Project site has a General Plan land use designation of Industrial with Wind Overlay (City of Palm Springs 2007 General Plan; 2007).

According to the City of Palm Springs Zoning Map the site is zoned zone M2-Manufacturing Zone (City of Palm Springs Zoning Map; 2007).

The site is located in a primarily vacant northern portion of the city and is bounded by 18th Avenue to the north, N Indian Canyon Drive to the east, 19th Avenue to the south and Karen Drive to the west. Land uses surrounding the site include primarily vacant properties with a mix of commercial and residential uses north of 18th Avenue, vacant land and industrial uses associated with the Coachillin Business Park to the east, commercial, light industrial and vacant properties to the south, and primarily vacant land with a Southern California Edison (SCE) electrical sub-station and wind turbines to the west of the site.

ES.1.2 Proposed Development

The currently vacant approximate 91.97 acre site would be developed with two (2) warehouse buildings with office spaces, truck docking areas and employee parking spaces.

Building 1 would approximate 1,516,174 square feet (sf), with 258 truck trailer docks, four (4) grade doors, 929 parking spaces for cars and trucks, of which 16 spaces would be for handicap parking, 25 bicycle parking areas, as well as external building and internal roadway lighting, landscaping, and trash enclosure areas. Monument signs would be provided at the site entrances at 18th Avenue, and N Indian Canyon Drive. Two (2) office areas on each side of the building would be provided along North Indian Canyon Avenue and Indigo Drive, respectively. Site access would be gated and provided from North Indian Canyon Drive to the east, and two (2) new internal roadways - Noble Drive to the south and Indigo Drive to the west.

Building 2 would approximate 388,530 sf with 42 truck trailer docks, two (2) grade doors, 302 parking spaces for cars and trucks, of which eight (8) spaces would be for handicapped parking, 14 bicycle parking areas, as well as external building and internal roadway lighting, landscaping, and trash enclosure areas. Monument signs would be provided at the site entrances at 19 Avenue, and Noble Drive. One (1) office area would be provided at the southeast corner of the building. Site access would be gated and provided from the new roadway for Noble Drive to the north and 19th Avenue to the south.

The proposed development would also incorporate the installation and use of fixed rooftop solar panel arrays on both buildings. The number of installed panels would be sufficient to generate approximately one (1) to up to five (5) kilowatt (kW) of solar power to be utilized at the site. Panel arrays could range from 60 cell to 96 cell panels that are typically sized approximately between 39 inches in width and 66 inches to height, to 41.5 inches in width and 62.6 inches in height.

On-site stormwater retention basins serving the site would be constructed underground. The proposed Project would connect to existing water, wastewater, sewer and electric lines along N Indian Canyon Drive to the east and 19th Avenue to the south of the site.

ES.2 PROPSOED PROJECT OBJECTIVES

The proposed Project would utilize a currently vacant site comprising of two (2) parcels with light industrial uses, in an Industrial District in the city of Palm Springs. Complementary Project Objectives include the following realistic and achievable objectives:

- Provide development of an underutilized site consistent with the goals and policies of the Palm Springs 2007 General Plan.
- Develop a state-of-the-art fulfillment center in an Industrial zone (with Wind Overlay) within the city of Palm Springs that is consistent with the goals and policies of the Palm Springs 2007 General Plan.
- Create new employment opportunities particularly within the city of Palm Springs Industrial and Regional Business Center land use zones.
- Develop industrial uses near existing roadways and freeways to reduce potential impacts related to traffic congestion, air and greenhouse gas emissions and noise.
- Establish new development that would further the City's near-term and long-range fiscal goals. ES.3 Project Site Development

ES.3 PROPOSED PROJECT EMPLOYMENT

The proposed Project would employ approximately between 700 and 725 employees. While portions of the site will be operational 24 hours of the day, with trucks accessing the site, the primary hours of operation for office uses will be approximately between 7:00 am and 6:00 pm.

ES.4 PROPOSED INFRASTRUCTURE AND UTILITIES

ES.4.1 Circulation and Parking

The proposed Project would provide gated access and circulation primarily from N. Indian Canyon Drive and 18th and 19th Avenues. Two (2) internal roadways – Noble Drive and Indigo Drive would provide internal site access. All site access and internal roadways would be constructed with lane widths and rights-of-way adequate for access and circulation of fire trucks and emergency response vehicles.

Employee automobile parking and bike storage would be provided in designated parking areas on the site. Truck docking positions and trailer parking would be provided along the northern and southern sides of Building 1 and along the eastern side of Building 2.

Pedestrian walkways would be located along building frontages as well along N, Indian Canyon Drive and 19th Street.

ES.4.2 Landscaping

The proposed development would add new landscaping to the site with a mix of climate-adapted shrubs and grasses, and shade trees, in the parking areas and along building and perimeter buffers.

Lighting and Signage

Lighting on the proposed Project site would be provided by street lighting along the proposed internal roadways and along the site frontages along 18th Avenue, 19th Avenue as well as N. Indian Canyon Drive. Lighting internal to the site would be provided outside building facades, gates, walkways and parking areas.

Monument signs would be installed at the site entrances along N. Indian Canyon Drive as well as 18th and 19 avenues Each of the two (2) buildings would have their individual signage demarcating office, warehouse, and storage areas.

ES.4.3 Water, Sewer, and Wastewater

The Mission Springs Water District (MSWD) would provide water service to the proposed Project site. New water lines to be constructed for the proposed Project would connect to existing water infrastructure along N. Indian Canyon Drive and 19th Avenue.

MSWD would also provide sanitary sewer service to the site. The proposed Project would be required to construct new sewer lines to connect on site facilities with the City's sewer system along existing sewer lines on 19th Avenue and N. Indian Canyon Drive.

Veolia Water North America, which provides wastewater collection and treatment to the City of Palm Springs, would also provide service to the proposed Project site.

ES.4.4 Drainage

The proposed Project site is relatively flat with a less than three (3) percent topographical north to south slope. Development at the site would include stormwater channels along the site's frontage along N. Indian Canyon Drive and underground retention basins to collect and store on-site and off-site storm water. The proposed drainage systems at the site would connect to existing City drainage facilities along N. Indian Canyon Drive and 10th Avenue.

ES.4.5 Solid Waste and Recycling

The proposed Project would be served by the Palm Springs Disposal Services which would then be transported to the Edom Hills Transfer Station and then to the Lamb Canyon Sanitary Landfill.

ES.4.6 Other Utilities

Southern California Edison (SCE) would provide electric services for the proposed Project. The site would be serviced by the Southern California Gas Company for natural gas, Spectrum Communications for cable and Spectrum or Frontier Communications for telecommunication services.

ES.5 PROPOSED PROJECT CONSTRUCTION

The proposed Project is scheduled to begin construction in the summer of 2024 and for total site occupancy in 2028. Site construction is estimated to occur over two (2) phases.

ES.6 DISCRECTIONARY APPROVALS AND PERMITS

The anticipated discretionary actions, permits, and consultation(s) necessary to approve the proposed Project are summarized below.

ES.6.1 Discretionary Actions

Pursuant to CEQA Guidelines Section §15367, the City of Palm Springs is the Leas Agency for the proposed Project and therefore has discretionary authority over the proposed development.

CEQA Guidelines Section §15124 states in pertinent part that if "a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed…" Requested decisions, or City discretionary actions, necessary to develop the proposed Project would include:

- Approval of Parcel Maps;
- Adoption of a Development Agreement;

ES.6.2 Permits

Other Responsible and Trustee Agencies may also utilize this DEIR in their consideration of development permits that would be needed for the proposed Project. These agencies include, but are not limited to:

- State Water Resources Control Board (Region 7) – for construction Stormwater Pollution Prevention Plan (SWPPP), National Pollutant Discharge Elimination System (NPDES) Permit, and Stormwater General Permit;
- South Coast Air Quality Management District – PM10 Plan for compliance with Rule 403, Fugitive Dust and 403.1 Fugitive Dust in the Coachella Valley, and other applicable air quality permits to construct and operate the proposed development;
- Various site construction, grading, and encroachment permits from affected agencies necessary for the construction and operation of site facilities related to roadways and utility systems.

ES.7 PROPSOED PROJECT ALTERNATIVES

State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. The CEQA Guidelines Section 15126.6(e) also requires that a "no project" alternative be evaluated in an EIR. The alternatives analysis provides a comparative analysis between the project and the selected alternatives. In conjunction with the proposed project, the EIR qualitatively evaluates the following other land use alternatives, which include:

ES.7.1 No Project Alternative

Pursuant to Section §15126.6[e]) of the CEQA Guidelines, Alternative 1 assumes that the approximate 91.97 acre proposed Project site would be retained in its current vacant and undeveloped condition. all existing land uses. CEQA, through case law, requires that the "no project" alternatives be evaluated so as to allow the Lead Agency to compare the potential impacts of approving the proposed Project versus not approving it. Under State CEQA Guidelines §15126.6(e)(2), "the No Project Alternative shall discuss the existing conditions at the time the notice of preparation is published…as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services."

For the proposed Project, the No Project analysis discusses both the existing conditions at the time the NOP is published as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved. Therefore, under Alternative 1, the site would remain undeveloped with the potential to generate future industrial uses consistent with the City of Plam Springs General Plan and Zoning designations for the site.

ES.7.2 Industrial Business Park Alternative

Under Alternative 2 - Industrial Business Park Alternative, the proposed Project site would be developed with a mix of industrial, small business and office spaces, vehicle storage and rental facilities, as well as distribution centers. Alternative 2 would provide employment for 604 employees at the site. It would also provide four (4) warehouse storage facilities at a size of 155,000 square feet (sqft) each, two (2) vehicle storage and rental facilities with each facility averaging 28,000 sqft in size, two (2) manufacturing buildings (26,000 sqft each), two (2) wholesale warehouse structures at 275,000 sqft each, and six (6) small business spaces each averaging 4,500 sqft, in size. This Alternative would account for approximately 946 total parking spaces including 574 personal vehicle parking and 30 handicap parking spaces, as well as 24 bicycle parking spaces, 176 trailer parking stalls, and 134 truck dock positions.

ES.7.3 Reduced Intensity Alternative

The Reduced Intensity Alternative or Alternative 3 for the proposed Project would develop the site with a reduced intensity industrial project that would reduce both building sizes by 50 percent. Building 1 would be at a maximum size of 758,090 sqft, while Building 2 would be at a maximum size of 194,265 sqft. Alternative #3 would reduce the number of employees on the site to approximately 350 employees, thereby reducing vehicular trip traffic. This Alternative would also account for 338 car parking spaces and 12 handicap parking spaces, as well as 17 spaces for bicycle parking, 270 trailer parking stalls, and 152 truck dock positions, for a total of 803 onsite parking spaces.

ES.7.4 Distribution Warehouse Alternative

Alternative 4 or the Distribution Warehouse Alternative would develop the site with one (1) large distribution warehouse, at an estimated total square footage of 1,904,704 sqft, to store and distribute goods to wholesalers and retailers. Under this Alternative, total building footprint would remain the same as that for the proposed Project, but the total number of employees needed at the site would be reduced to 250 employees, requiring 240 vehicle parking and 10 handicap parking spaces and only 10 bicycle parking spaces to be provided at the site. Under Alternative 4 the total trailer stalls and dock positions would remain the same as that for Alternative 3, with 267 stalls for trailer parking and 152 truck dock positions, for a total of 607 parking spaces at the site.

Table ES-1: Comparison of Alternatives shows a comparison of impact levels under each Alternative evaluated for the proposed Project.

Table ES1: Comparison of Alternatives

Impact	Proposed Project	Alternative 1: No Project	Alt 2: Industrial Business Park	Alt 3: Reduced Intensity	Alt 4: Distribution Warehouse Alternative
4.1 Aesthetics	Less than significant	RI	RI	RI	RI
4.2 Air Quality	Less than significant with mitigation incorporated	RI	GI	SI	SI
4.3 Biological	Less than significant with mitigation incorporated	RI	SI	SI	SI
4.4 Cultural	Less than significant with mitigation incorporated	RI	SI	SI	SI
4.5 Energy	Less than significant	RI	SI	RI	SI
4.6 Geology and Soil	Less than significant with mitigation incorporated	RI	SI	RI	SI
4.7 Greenhouse Gas Emissions	Less than significant with mitigation incorporated	RI	GI	RI	SI
4.8 Hazardous	Less than significant	RI	SI	SI	SI
4.9 Hydrology	Less than significant	RI		SI	SI
4.10 Noise	Less than significant	RI	GI	RI	SI
4.11 Population	Less than significant	RI	SI	RI	RI
4.12 Public Services	Less than significant	RI	SI	SI	SI
4.13 Recreation	Less than significant	RI	RI	RI	RI
4.14 Transportation	Significant Unavoidable	RI	GI	RI	RI
4.15 Tribal	Less than significant with mitigation incorporated	RI	SI	SI	SI
4.16 Utility	Less than significant	RI	SI	SI	RI
4.17 Wildfire	Less than significant	SI	SI	SI	SI

Note:

RI: Reduced Impact in comparison to the proposed Project

SI: Similar Impact to that of the proposed Project

GI: Greater Impact than that under the proposed Project

ES.7.5 Environmentally Superior Alternative

State CEQA Guidelines Section §15126.6(e)(2) mandates that an Environmental Impact Report (EIR) analyze alternatives to a proposed project so as to identify an environmentally superior alternative among those evaluated in the EIR. If it is determined that the "no project" alternative would be the environmentally superior alternative, then the EIR is required to identify an environmentally superior alternative among the other project alternatives.

Based on the Alternatives Analysis conducted in the Draft EIR, for each of the four (4) Alternatives to the proposed Project. Alternative 1 or the No Project Alternative would result in the least impacts in

comparison to the proposed Project. With no development on the currently vacant site, Alternative 1 would eliminate potential impacts to each of the issue areas analyzed in the Draft EIR. With regard to wildfire, as with the proposed Project, the No Project Alternative would have less than significant impacts. In comparison to other three (3) Alternatives, Alternative 1 is the environmentally superior alternative. However, none of the proposed Project objectives would be met under the No Project Alternative, nor is it guaranteed that the site would remain undeveloped in perpetuity and therefore not result in any environmental impacts under CEQA.

In comparison to the proposed Project, the Reduced Intensity Alternative (Alternative 3) would avoid or reduce to the greatest extent more of the impacts identified for the proposed Project and each of the other alternatives. Alternative 3 would not result in greater impacts to any of the issue areas since building mass and sizes would be reduced by 50%. Although Transportation and Traffic Impacts would remain Significant and Unavoidable under Alternative 3 as it would under the proposed Project, the Reduced Intensity Alternative however, would meet all of the objectives of the proposed Project; and is therefore the environmentally superior alternative.

ES.7.6 Alternatives Considered and Rejected

Section 15126.6[c} of the State CEQA Guidelines require that an EIR also identify any other alternatives that were considered by the Lead Agency but were rejected as infeasible for their failure to meet any or most of the project objectives. The following alternatives were therefore considered but rejected in this Draft EIR.

Alternate Site Location: The proposed fulfillment center is compliant with the General Plan existing land use (Industrial with Wind Energy Overlay) and zoning designations (M-2 Manufacturing Zone) established by the City of Palm Springs. Although similar vacant parcels zoned for industrial development exist within the city, particularly surrounding the proposed Project site, the Project applicant does not own or control uses at these sites. Even though there are other vacant parcels located in the city with similar ease of interstate and roadway access, these parcels would require amendments to the City of Palm Springs General Plan and Zoning. These parcels are also surrounded by land designated for Open Space – Mountain that allows for one (1) dwelling unit (DU) per 40 acres, or as Desert that allows for one (1) DU for 10 per acre.

Other vacant parcels in the city that would be consistent with the Industrial designation under the City General Plan are limited to vacant parcels in the central and core city areas and surrounding the Palm Springs Internation Airport. A number of the other parcels are zoned M1 IL: Service/Manufacturing on Indian Land, these areas are under the jurisdiction of the local Tribal uses.

Moreover, this alternative would not meet the proposed Project objectives and were therefore, the relocation of the proposed Project to an alternate site in the city was not considered a feasible alternative and was not evaluated further in this DEIR.

Energy Use Alternative: Since the proposed Project site is designated as Industrial with Wind Energy Overlay under the City's General Plan (City of Palm Springs 2007 General Plan; 2007), development of the proposed Project site with a wind energy system, or a solar farm, or a Battery Energy Storage System (BESS) facility. However, this alternative was rejected because this alternative would not meet the proposed Project objectives of developing a state-of-the-art fulfillment center in an Industrial zone (with Wind Overlay) within the city of Palm Springs; creating new employment opportunities particularly within the city of Palm Springs Industrial and Regional Business Center land use zones; developing industrial uses

near existing roadways and freeways to reduce potential impacts related to traffic congestion, air and greenhouse gas emissions and noise. Therefore, the development of the proposed Project site as an energy use project was not considered a viable alternative and was not evaluated further in this DEIR.

ES.8 AREAS OF CONTROVERSY

Comments received the 30 day circulation of the DEIR Notice of Preparation (NOP) did not identify specific areas of controversy or concern regarding the proposed Project.

ES.9 SUMMARY OF IMPACTS

Impacts that would result from implementation of the proposed Project are provided under **Table ES-2: Summary of Impacts and Mitigation Measures.** The impacts identified in **Table ES-2** correspond with 17 environmental topics and impacts discussed in EIR **Section 4.0, Environmental Impact Analysis. Table ES-2** also includes the level of significance under each issue area analyzed for the proposed Project as well as the measures proposed to mitigate potentially significant environmental impacts.

Table ES-2: Summary of Impacts

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
Air Quality	***Impact 4.2.1*** Implementation of the proposed Project would conflict with or obstruct implementation of the applicable air quality plan. Impacts would be Significant and Unavoidable. ***Impact 4.2.2:*** Result in cumulative considerable net increase of any criteria pollutants for which the project regions non-attainment under an applicable federal or state ambient air quality standard? ***Impact 4.2.3:*** Expose Sensitive Receptors to substantial pollutant concentrations?	Potentially Significant	**AIR-1:** The proposed Project shall adhere to SCAQMD Rules 403 and 403.1 and the proposed Project shall be required to obtain and prepare a Fugitive Dust Control Plan prior to Project approval. **AIR-2:** Architectural coatings applied to buildings on the proposed Project site shall be limited to 20 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content. **AIR-3:** All construction equipment used at the proposed Project site shall use Tier 4 Final construction equipment. **AIR-4:** Proposed Project operations shall utilize low-flow water fixtures.	Less than Significant
Biological Resources	***Impact 4.3.1*** The proposed Project would not have a substantial adverse effect on candidate, sensitive, or special status species as identified in local or regional plans, policies, or regulations. Impacts would be Less than Significant with Mitigation Incorporated. ***Impact 4.3.4*** Implementation of the proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife	Potentially Significant	**BIO-1:** A pre-construction protocol survey for burrowing owls in accordance with the Coachella Valley Multiple Species Conservation Plan Area shall be conducted. This mitigation measure requires a clearance survey be conducted not more than 14 days prior to grubbing, grading, or other surface disturbances to determine whether the species still occurs on the site. A final clearance survey must be conducted 24 hours	Less Than Significant

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
	species or with wildlife corridors, or wildlife nursery sites. Impacts would be Less than Significant with Mitigation Incorporated.		prior to ground disturbance. If the owl is present during the breeding season (February 15 through September 15), a qualified biologist will establish a buffer area (a no disturbance zone) around the active burrow. When it is determined that all young owls have permanently left the burrow (fledged), the buffer area may be abandoned, and the adult owls captured and relocated. All these activities must be governed by a plan approved by CDFW. If an owl is present, regardless of the presence of young, a qualified biologist must develop either an avoidance or a relocation plan for review and approval by the CDFW, approved under permit. **BIO-2:** In accordance with the Migratory Bird Treaty Act and all applicable section of the California Fish and Game Code, ground disturbance and vegetation clearance shall take place before typical avian nesting seasons of February 1 and August 31. **BIO-3**: In accordance with the CVMHCP, payment of the LDMF fee, as determined by the City of Palm Springs.	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
Cultural Resources	***Impact 4.4.1*** Implementation of the proposed Project may cause a substantial adverse change in the significance of historical and archeological resources pursuant to in § 15064.5. However, impacts would be Less than Significant Impact with Mitigation Incorporated. ***Impact 4.4.2*** Implementation of the proposed Project may disturb any human remains, including those interred outside of dedicated cemeteries. However, impacts would be Less than Significant Impact with Mitigation Incorporated.	Potentially Significant	**CUL-1:** Should paleontological resources be discovered at the proposed Project site, the area of the discovery shall be cordoned off and a Riverside County qualified paleontologist shall be consulted to determine the significance of the finds. If the discovery is determined to be significant by the qualified paleontologist, a Paleontological Resource Impact Program (PRIMP) shall be required for the proposed Project prior to approval by the City of Palm Springs to reduce adverse impacts to paleontological resources to a level below significant. The PRIMP shall follow the guidelines of the City of Palm Springs, the County of Riverside, and the recommendations of the Society of Vertebrate Paleontology (2010). The PRIMP shall include methods for: •Attendance by a qualified paleontologist at the preconstruction meeting to consult with the grading and excavation contractors. •On-site presence of a paleontological monitor to inspect for paleontological resources during the excavation of previously undisturbed deposits.	Less Than Significant

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			•Salvage and recovery of paleontological resources by a qualified paleontologist or paleontological monitor. •Preparation (repair and cleaning), sorting, and cataloguing recovered paleontological resources. •Donation of prepared fossils, field notes, photographs, and maps to a scientific institution with permanent paleontological collections. •Completion of a final summary report that outlines the results of the mitigation **CUL-2:** Initial clearing and grading of the property (first five feet) shall be monitored by a qualified archeologist. The consulting archaeologist shall have the authority to modify and reduce the monitoring program to either periodic spot-checks or suspension of the monitoring program should the potential for cultural resources appear to be less than anticipated. **CUL-3:** Should grading and construction activities at the Project site reveal the presence of human remains, all work at the site, shall be stopped and all remains shall be disposed in accordance	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			with the California Public Resources Code Section 5097.98.	
Geology and Soils	***Impact 4.6.1*** Implementation of the proposed Project has the potential to directly or indirectly cause potential substantial adverse geologic effects, including the risk of loss, injury, or death involving earthquake fault ruptures, strong seismic ground shaking and ground failure, as well as liquefaction and landslides. Impacts would therefore be Less than Significant with Mitigation Incorporated. ***Impact 4.6.2:*** Implementation of the proposed Project has the potential to result in soil erosion or the potential erosion of topsoil. Impacts would therefore be Less than Significant with Mitigation Incorporated. ***Impact 4.6.3:*** The proposed Project has the potential to 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. Impacts would however be Less than Significant with Mitigation Incorporated. ***Impact 4.6.6*** Implementation of the proposed Project has the potential to directly or indirectly destroy a unique	Potentially Significant	**GEO-1:** The proposed Project shall comply with all the applicable grading and excavation codes of the City of Palm Springs and shall be in compliance with all applicable provisions of the 2022 California Building Code (2022 CBC), as reviewed and approved by the City Engineer. **GEO-2:** The proposed Project shall be required to conduct a Geotechnical Investigation for the submittal of grading and building plans. The proposed Project shall also be required to conduct an on-site meeting with the proposed Project applicant(s), the geotechnical consultant, and the City Engineer to review construction work schedule, identify milestone construction activities and associated reviews by the Geotechnical and the City Engineers, ascertain geotechnical aspects of site grading. **GEO-3:** Prior to the issuance of any building permits, a licensed geotechnical engineer shall evaluate the site for the presence of undocumented fill and unsuitable native soils. Any unsuitable	Less Than Significant

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
	paleontological resource or site or unique geologic feature. However impacts would be Less than Significant with Mitigation Incorporated.		materials identified shall be removed to a depth of at least 6 feet or until competent alluvial materials are found. The geotechnical consultant must provide written approval to the City Engineer certifying the removal of unsuitable soils prior to the placement of any fill or construction of foundations. Removal activities shall be monitored by the City Engineer or designated inspector during construction. **GEO-4:** Site clearing and grading activities shall involve the removal of all trash, debris, vegetation, rocks, and boulders at the site. Any voids created by such removals shall be backfilled with engineered fill. Any buried deleterious materials from past site usage, encountered during site excavation activities, shall be removed by hand (such as with the use of a root picker) during site grading operations. **GEO-5:** A qualified Geotechnical Engineer shall be retained to perform the following tasks prior to and during construction: •Review final grading, foundation, and drainage plans; •Review of soil type and soil expansion potential,	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			•Observe and advise during all grading activities, including site preparation, foundation and retaining wall excavation, and placement of fill, to confirm that suitable fill materials are placed. •All final plans shall be reviewed and approved by the City Engineer. The City Engineer or his/her City of Palm Springs staff representative shall be present during all excavation, grading and site fill activities. **GEO-6:** Prior to any site grading, all trash, debris, vegetation, and deleterious materials, including tree root balls, shall be removed from the site. The Geotechnical Engineer shall oversee and document the removal of unsuitable soils and certify that backfilling with engineered fill is completed in accordance with project specifications. Certification documents shall be submitted to the City Engineer for approval prior to any building construction. **GEO-7:** If during excavation, soils with a blow count less than 5 per ASTM D1586 or	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			other indications of instability are encountered, the soil must be stabilized as recommended by a licensed geotechnical engineer. The stabilization plan, including methods such as compaction or soil replacement, shall be submitted to the City Engineer for approval before any further construction occurs. All stabilization work must be monitored and certified by the geotechnical engineer. **GEO-8:** The proposed Project shall comply with all grading and excavation codes of the City of Palm Desert, as well as the applicable provisions of the 2022 California Building Code (2022 CBC). At the discretion of the City Engineer, the proposed Project shall be required to periodic inspections or reports, as by the City Engineer, over all site construction activities. Compliance will be confirmed by the City Engineer through periodic inspections, including during rough grading, final grading, and prior to foundation placement. Compliance milestones shall be set at the discretion of the Coty Engineer. No permits for vertical construction shall be issued until all required	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			grading inspections have been passed. **GEO-9 :** Should site grading activities go below 10 feet, a qualified paleontological monitor shall be retained by the proposed Project applicants(s) to check for fossils. Should site grading activities lead to the discovery of paleontological resources, the proposed Project site shall be cordoned off, all work shall be halted in that area and a qualified paleontologist from Riverside County shall be consulted to assess the significance of the findings. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. **GEO-10:** Should site grading activities below 10 feet lead to the discovery of paleontological resources, the proposed Project site shall be cordoned off, and a qualified paleontologist from Riverside County shall be consulted to assess the significance of the findings. If the qualified paleontologist deems the discovery to be significant, a Paleontological Resource Impact Program (PRIMP) shall	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			be implemented by a qualified paleontological monitor. If paleontological resources are discovered, construction shall be halted in the area and moved to other parts of the site while the monitor determines the significance of these resources. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented as recommended by the monitor. The PRIMP, shall include methods for: •Attendance by a qualified paleontologist at the preconstruction meeting to consult with the grading and excavation contractors. •On-site presence of a paleontological monitor to inspect for paleontological resources during the excavation of previously undisturbed deposits. •Salvage and recovery of paleontological resources by the qualified paleontologist or paleontological monitor.	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			•Preparation (repair and cleaning), sorting, and cataloguing of recovered paleontological resources. •Donation of prepared fossils, field notes, photographs, and maps to a scientific institution with permanent paleontological collections. •Completion of a final summary report that outlines the results of the mitigation program. The PRIMP shall be submitted for approval by the City of Palm Springs. All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other curation facility based upon the specific resource recovered and recommendations from the paleontological consultant.	
Greenhouse Gas		Potentially Significant		Less Than Significant
Hydrology and Water Quality	***Impact 4.9.2:*** The proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that it would impede sustainable groundwater management of the basin. Impacts would be Less	Potentially Significant	**HYD-1:** All landscaping and irrigation plans, and irrigation systems shall comply with all City ordinances and MSWD's Water Efficient Landscaping Guidelines. Irrigation systems shall be automatic, operated by a timer. To promote	Less Than Significant

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
	than Significant with Mitigation Incorporated.		deep root irrigation, the system shall use two bubbler heads or drop heads per tree. **HYD-2:** The proposed Project shall use, to the extent practicable, native plant materials and drought-tolerant plants. The Project shall not make use of turf grass in the landscape design, instead, ground cover plants consisting of shrubs non-turf grasses, and groundcovers **HYD-3:** All on-site water supply metering systems shall be installed and maintained in compliance with MSWD's metering and operating range according to AWWA standards. **HYD-4:** The proposed Project shall be comply with MSWD rate structures for water and sewer services at the site.	
Transportation	***Impact 4.14.2:*** *The proposed Project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would therefore be Significant and Unavoidable.*	Potentially Significant	**TRA- 1:** The proposed Project shall require all operators on the site to implement a VMT reduction program, to the maximum extent feasible, the following applicable transportation measures as listed under CAPCOA's Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and	Significant Unavoidable

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			Equity, which provides project type, scale, and locational context factors to determine if a transportation measure is applicable to a particular project. •Measure T-8: Provide Ridesharing Program •Measure T-9: Implement Subsidized or Discounted Transit Program •Measure T-10 Provide End-of-Trip Bicycle Facilities •Measure T-11: Provide Employer-Sponsored Vanpool •Measure T-13: Implement Employee Parking Cash-Out •Measure T-14: Provide electric vehicle charging infrastructure •Measure T-21-A: Implement conventional Carshare Program •Measure T-21-B: Implement electric Carshare Program •Measure T-30: Use cleaner fuel vehicles	
Tribal Cultural Resources	***Impact 4.15.1:*** Implementation of the proposed Project would not would not cause a substantial adverse change in the listing or eligible for listing, of a tribal cultural resource, as defined in PRC §21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe. Impacts would be	Potentially Significant	**CUL-1:** Should paleontological resources be discovered at the proposed Project site, the area of the discovery shall be cordoned off and a Riverside County qualified paleontologist shall be consulted to determine the significance of the finds. If the discovery is determined to be significant by the	Less Than Significant

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
	Less than Significant with Mitigation Incorporated.		qualified paleontologist, a Paleontological Resource Impact Program (PRIMP) shall be required for the proposed Project prior to approval by the City of Palm Springs to reduce adverse impacts to paleontological resources to a level below significant. The PRIMP shall follow the guidelines of the City of Palm Springs, the County of Riverside, and the recommendations of the Society of Vertebrate Paleontology (2010). The PRIMP shall include methods for: •Attendance by a qualified paleontologist at the preconstruction meeting to consult with the grading and excavation contractors. •On-site presence of a paleontological monitor to inspect for paleontological resources during the excavation of previously undisturbed deposits. •Salvage and recovery of paleontological resources by the qualified paleontologist or paleontological monitor. •Preparation (repair and cleaning), sorting, and cataloguing of recovered paleontological resources. •Donation of prepared fossils, field notes,	

DEIR Section	Impact	Level of Significance	Mitigation Measure	Level of Significance with Mitigation
			photographs, and maps to a scientific institution with permanent paleontological collections. •Completion of a final summary report that outlines the results of the mitigation **CUL-2:** Initial clearing and grading of the property (first five feet) shall be monitored by a qualified archeologist. The consulting archaeologist shall have the authority to modify and reduce the monitoring program to either periodic spot-checks or suspension of the monitoring program should the potential for cultural resources appear to be less than anticipated. **CUL-3:** Should grading and construction activities at the Project site reveal the presence of human remains, all work at the site shall be stopped and all remains shall be disposed in accordance with the California Public Resources Code Section 5097.98.	

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1.0 INTRODUCTION

This Draft Environmental Impact Report (Draft EIR; DEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) (Cal. Pub. Resources Code, Section §21000, et seq.) and the State CEQA Guidelines (14 Cal. Code Regs., Section §15000, et seq.). State CEQA requirements mandate that local government agencies consider the environmental consequences of their programs and projects. This Draft EIR therefore analyzes the potential significant environmental impacts of implementation of the proposed First Palm Springs Commerce Center Project (Project; proposed Project). The proposed Project would include the development of two (2) industrial warehouse facilities with correlated office spaces, parking, signage, lighting and landscaping. Associated mitigation measures and an identification of the possible alternatives to the proposed Project are also presented, pursuant to State CEQA Guideline Section §15123, et seq.

As defined by CEQA (Public Resources Code [PRC], Section §21067, as amended), the City of Palm Springs is the Lead Agency for the environmental review of the proposed Project evaluated herein. The City has the principal discretionary responsibility for approving the project, all associated technical analysis and the environmental evaluation of the proposed industrial development. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section §15378[a]). With respect to the proposed industrial development, the City of Palm Springs has determined that the proposed plan is a "project" within the definition of CEQA. The CEQA environmental review process, and the legal basis for preparing an EIR are described below.

This section therefore:

- provides an overview of the proposed Project;
- describes the purpose of and legal authority of the document;
- lists lead, responsible, and trustee agencies for the Draft EIR;
- summarizes the scope and content of the DEIR; and
- provides a synopsis of the environmental review process required under CEQA.

1.1 OVERVIEW OF THE PROPOSED PROJECT

The proposed Project site is an approximate 91.97-acre site (Accessor Parcel Numbers [APNs] 666-320-010, -011, -012, -015, and -019), located in the city of Palm Springs, County of Riverside. The site is located at the southwest corner of 18th Avenue and N Indian Canyon Drive.

The general local area is primarily characterized by open and vacant land. The Humane Society of the Desert, some residential and commercial uses are located to the north, a primarily undeveloped business park is located to the east of the site, some commercial and light industrial uses are located to the south, and primarily vacant land with a wind far is located to the west of the proposed Project site. N Indian Canyon Drive forms that site’s eastern boundary while Interstate 10 (I-10) is situated approximately 1925 feet from the site’s southern boundary.

The proposed Project would develop the currently vacant site with a 1,907,678 square feet (sf)fulfillment center with office spaces, truck loading, vehicle parking, landscaping, lighting and signage. The fulfillment center would comprise of two (2) buildings - Building 1 would approximate 1,516,174 square feet (sf) and Building 2 would approximate 388,530 sf. Site access would be gated and provided from N Indian Canyon

Drive, 18th Avenue and 19th Avenue as well as two (2) new internal roadways – Noble Drive and Indigo Drive. The proposed Project would provide for a total of 1,266 parking spaces with 24 handicap access stalls, 703 car parking stalls, and 539 stalls for trailer parking. 34 bicycle parking spots and 304 truck dock positions would also be provided under the proposed Project.

The proposed fulfillment center is compliant with the General Plan existing land use (Industrial with Wind Energy Overlay) and zoning designations (M-2 Manufacturing Zone) established by the City of Palm Springs (City of Palm Springs; website accessed 2024).

1.2 PURPOSE AND LEGAL AUTHROITY OF THE EIR

The City of Palm Springs acting as the lead agency, has prepared this Draft EIR to provide the public, decision makers, as well as all responsible and trustee agencies with information about the potential environmental effects of the proposed First Palm Springs Commerce Center Project. The purpose of an EIR is not to recommend approval or denial of a proposed Project; rather, an EIR is required to identify all environmental impacts and specify significant adverse environmental effects of a project to the physical environment, and to further identify measures that avoid those impacts to the extent feasible. In the event that no feasible mitigation measures or alternatives have been identified that would reduce the impact to less than significant levels, environmental impacts may be identified as significant and unavoidable. The City may still approve the Project after adopting all feasible mitigation measures if, through the adoption of CEQA findings and a statement of overriding considerations, it finds that social, economic, legal, technical or other benefits outweigh these impacts.

In accordance with Section §15125(a) of the CEQA Guidelines, an EIR must include a description of the physical environmental conditions in the vicinity of the project as they exist at the time of the Notice of Preparation (NOP). This environmental setting constitutes the baseline physical conditions by which a lead agency determines whether an impact is significant. The environmental analyses of this EIR uses the NOP dated January 8, 2024, as the baseline for the description of the physical conditions that might be affected by the proposed Project.

Also as described in CEQA Guidelines Section §15121(a), an EIR is a public informational document that assesses potential environmental effects of a proposed project and identifies mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and, where feasible, minimize environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors. Therefore, this Draft EIR embodies the City's best efforts to evaluate the potential environmental impacts of the proposed First Palm Springs Commerce Center development, as well as to identify feasible mitigation measures. It fulfills the requirements of CEQA and has been prepared in order to inform decision makers, the appropriate responsible and trustee agencies, and the general public of a proposed project and its related impacts on the built and natural environments. In accordance with Section §15121 of the CEQA Guidelines, the purpose of this EIR therefore is to serve as an informational document which:

"...will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

This EIR has been prepared as a project EIR pursuant to Section §15161 of the CEQA Guidelines. A project EIR is appropriate for a specific development project. As stated in the CEQA Guidelines:

"This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation."

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. Section §15151 of the CEQA Guidelines provides the standard of adequacy on which this document is based, which state:

"An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure."

1.3 LEAD AGENCY AND KNOW RESPONSIBILITY AND TRUSTEE AGENCIES

The CEQA Guidelines identify the lead agency as the public agency with the principal responsibility for carrying out or approving a project (CEQA Guidelines Section §15367). The City of Palm Spring therefore is the CEQA "Lead" agency for the proposed Project because it has the primary discretionary responsibility for preparing the appropriate CEQA document to support and approve the proposed Project.

The CEQA Guidelines Sections §15381 and §15386, respectively, also require the identification of responsible, and trustee agencies. A "Responsible" agency is a public agency other than the lead agency that has discretionary approval authority over the project (the CEQA Guidelines define a public agency as a State or local agency, but specifically exclude federal agencies from the definition). Potential Responsible Agencies may include, but are not limited to:

- County of Riverside (County)
- Riverside County Flood Control Board (RCFCB)
- Regional Water Quality Control Board (RWQCB) Region 7
- South Coast Air Quality Management District (SCAQMD)
- State Water Resource Control Board (SWRCB)
- Native American Heritage Commission (NAHC)
- Southern California Edison (SCE)
- Mission Springs Water District (MSWD)
- Riverside County Fire Department

A trustee agency refers to a State agency having jurisdiction by law over natural resources affected by a project. For the purpose of CEQA, a "Trustee" agency is an agency that has jurisdiction by law over natural resources that are held in trust for the people of the State of California but who do not have legal authority to approve or carry out the project (CEQA Guidelines Section §15386). For example, the California Department of Fish and Wildlife (CDFW, formerly CDFG) is a trustee agency with regard to the fish and wildlife of the state and designated rare or endangered native plants. There are no trustee agencies for the proposed Project.

1.4 ENVIRONMENTAL REVIEW PROCESS

This EIR has been prepared to meet all of the substantive and procedural requirements of CEQA (Public Resources Code [PRC] Sections §21000 et seq.), as amended, the CEQA Guidelines (CCR Title 14, Sections §15000 et seq.), and the rules, regulations and procedures for the implementation of CEQA as executed by the City of Palm Springs.

In compliance with the CEQA Guidelines, the City has provided opportunities for the public to participate in the environmental review process. The Draft EIR process includes several steps: publication of Notice of Preparation of an EIR (NOP); publication of a Draft EIR for public review and comment; preparation of responses to general public and other agency comments on the Draft EIR; and certification of the Final EIR. Thus, the review and certification process for the EIR has involved, or will involve, the following general procedural steps:

1.4.1 Notice of Preparation

Pursuant to the provision of Section §15082 of the CEQA Guidelines, the City published the NOP for a 30 day review period starting on January 8 and concluding on February 8 (see Appendix A). As required by CEQA Guidelines Section §15375, an NOP is a brief document sent by the lead agency to notify responsible agencies, trustee agencies, the Governor's Office of Planning and Research (OPR), and members of the public that the lead agency plans to prepare an EIR for a project. The purpose of the notice is to solicit guidance from those agencies and the public as to the scope and content of the environmental information to be included in the EIR and to solicit recommendations and develop information regarding the scope, focus, and content of the EIR. The NOP was circulated to trustee and responsible agencies, members of the public and relevant communities.

The City announced the availability of the NOP, through the following:

- Mailings and email announcements providing scoping period and scoping meeting information.
- Public notice in The Desert Sun - local newspaper of general circulation within the project vicinity
- Posting of the NOP in the Riverside County Clerk's office.
- City website postings: CA State Clearing House Submission to the Governor's Office of Planning Research

A public Scoping Meeting was conducted, for the proposed Project on January 17, 2024 at the City of Palm Springs City Hall. According to CEQA Guidelines Section 15082[c}, depending on the nature of an EIRi, a public scoping meeting can be either an optional or required activity under CEQA.

The City received nine (9) letters from agencies and individuals in response to the NOP during the public review period. The NOP, including the responses by interested parties, are presented in ***Appendix A*** of this Draft EIR, along with the NOP comments received. Concerns raised in response to the NOP were considered during preparation of the DEIR.

ii For projects of statewide, regional, or area-wide significance, CEQA specifies that the lead agency "shall conduct at least one scoping meetings" during which participants can assist the lead agency in determining the scope and content of the environmental information required.

1.4.2 Draft EIR

This document constitutes the Draft EIR for the First Palm Springs Commerce Center Project. The Draft EIR contains a description of the project; discussion of the environmental setting; identification of project impacts; and mitigation measures for impacts found to be significant. The Draft EIR also includes an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Public and agency review of the project will be further encouraged by the City through distribution of the Draft EIR for the required 45-day public review period.

The Draft EIR, as well as appendices and all supporting materials can be found on the City's website and at City offices 3200 E Tahquitz Canyon Way Palm Springs, CA 92262. In addition, the DEIR and appendices are available on the City's website at;
https://www.palmspringsca.gov/government/departments/planning/ceqa-documents

A public meeting will be held to present the contents of this Draft EIR and to receive written and oral comments. Any agency, organization or members of the public desiring to comment on the Draft EIR must submit their comments prior to the end of the public comment period.

Upon completion of the DEIR, the City will file the Notice of Determination (NOD) with the Governor's Office of Planning and Research (OPR) provide a public Notice of Availability (NOA) be provided to all organizations and individuals who have previously requested notification.

All materials related to the preparation of this Draft EIR are available for public review. To request an appointment to review these materials, please contact:

City of Palm Springs
Mr. Glenn Mlaker
T: 760-323-8245 x 8778
Glenn.Mlaker@palmspringsca.gov

1.4.3 Public Notice/Public Review

The City will provide public notice of the availability of the Draft EIR for public review, and invite comment from the general public, agencies, organizations, and other interested parties. Consistent with State CEQA Guidelines, the review period for this DEIR is at least forty-five (45) days. This review time will commence on December 23, 2024 and end on February 10, 2025. Public comment on the Draft EIR will be accepted both in written form and orally at public hearings. Notice of the date, time and location of the hearing will be published prior to the hearing to be held at a City location.

1.4.4 Response to Comments on the Draft EIR

Comments from all agencies and individuals are invited regarding the information contained in the Draft EIR. Such comments should explain any perceived deficiencies in the assessment of impacts, provide the information that is purportedly lacking in the Draft EIR or indicate where the information may be found. All comments on the DEIR are to be submitted to:

City of Palm Springs
Mr. Glenn Mlaker
T: 760-323-8245 x 8778
Glenn.Mlaker@palmspringsca.gov

1.4.5 Final EIR

Following the public review period, a Final EIR (FEIR) will be prepared for the proposed First Palm Springs Commerce Center Project. The FEIR will respond to written comments received during the public review period and to oral comments made at any public hearing or public meeting, if either a hearing or meeting is conducted during such review period.

1.5 CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City will review the FEIR, and if the City finds that the Final EIR is "adequate and complete", the City Council will certify the Final EIR, and will take action to approve, revise, or reject the project. A decision to approve the proposed Project, for which this FEIR identifies significant environmental effects, could only be made if accompanied by written findings in accordance with State CEQA Guidelines Section §15091 and Section §15093.

Prior to making a decision on a proposed project, the lead agency must certify that: (a) the Final EIR has been completed in compliance with CEQA; (b) the Final EIR was presented to the decision-making body of the lead agency; and (c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (CEQA Guidelines Section §15090).

1.6 FINDINGS/STATEMENT OF OVERRIDING CONSIDERATIONS

For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section §15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations (SOC) that sets forth the specific social, economic, or other reasons supporting the agency's decision.

1.7 MITIGATION MONITORING

According to PRC Section §21081.6, for projects in which significant impact would be minimized by mitigation measures, the lead agency must include a Mitigation Monitoring and Reporting Plan (MMRP). The purpose of the MMRP is to ensure compliance with required mitigation measures during implementation of the project. Public Resources Code Section §21081.6(a) requires lead agencies to adopt a MMRP to describe measures that have been adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. After the Final EIR is completed and at least 10 days prior to its certification, a copy of the response to comments on the Draft EIR will be provided or made available to all commenting parties.

1.8 NOTICE OF DETERMINATION (NOD)

An agency must file an NOD after deciding to approve a project for which an EIR is prepared. A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA challenges.

1.9 ORGANIZATION OF THE EIR

State CEQA Guideline (Sections §15122 through §15132 et. al) identify the content requirements for Draft and Final EIRs. An EIR must thus include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth inducing impacts, and cumulative impacts.

The Draft EIR is organized into sections, as identified and described below:

Executive Summary: Presents an executive summary of the environmental analysis, which includes a review of the potentially significant adverse regional environmental impacts of the proposed Project. This section also describes the alternatives and their merits as compared to the proposed Project and identifies the environmentally superior alternative among them. It describes mitigation measures that would be implanted and level of significance after mitigation (as fully described in Section 4.0, Environmental Impact Analysis).

Section 1.0 – INTRODUCTION: The Introduction section of this DEIR provides an overview describing the purpose, type, and intended use of the Draft EIR, responsible agencies, organization, and scope of the DEIR, the review and certification process, and a summary of comments received on the NOP. It describes the basic legal requirements of a program level EIR, as well as the level of analysis and the alternatives considered, how this EIR is related to other environmental documents. Presents a discussion of the purpose and use of this EIR, agency roles and responsibilities, the environmental review and CEQA process, and the scope and organization of this Draft EIR.

Section 2.0 – PROJECT DESCRIPTION: This section provides a detailed description of the proposed Project, including the location, background information, the physical setting, and technical characteristics of the project, including construction and operation. The proposed Project applicant, lead agency contact, and project location are described. This section also describes the existing site characteristics, project objectives and required approvals.

Section 3.0 - ENVIRONMENTAL SETTING: This discussion provides a general overview of the environmental setting of the proposed Project from both a regional and site-specific perspective.

Section 4.0 - *ENVIRONMENTAL ANALYSIS ASSUMPTIONS, IMPACTS AND MITIGATION MEASURES*: This discussion provides a general overview of the environmental setting of the proposed Project from both a regional and site-specific perspective. For each environmental issue listed above, this section describes the existing environmental and regulatory setting; evaluates the potential environmental impacts associated with the proposed Project, including cumulative impacts; identifies mitigation for significant impacts; and discusses the level of significance after implementation of those mitigation measures.

Section 5.0 - CUMULATIVE IMPACTS SUMMARY: This section summarizes all identified cumulative impacts associated with the proposed Project. Cumulative impacts include two or more individual impacts that when considered together are considerable or which compound or increase other adverse environmental effects. The individual impacts may be changes resulting from a single project or a program of projects. The cumulative effect from several projects is the change in the environment that results from the incremental effect of the proposed Project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor, but collectively significant, projects taking place over a period of time. As required by State CEQA Guidelines

Sections §15130 and §15065(a)(3), an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable.

Section 6.0 – ALTERNATIVES TO THE PROJECT: State CEQA Guidelines Section §15126.6 requires that an EIR describe a range of reasonable alternatives to the proposed Project that could feasibly attain the basic objectives of the proposed Project and avoid and/or lessen any significant environmental effects of the project. This alternatives analysis therefore provides a description of the alternatives that were considered, an assessment of their potential to achieve the objectives of the proposed Project, as well as a comparative analysis between the merits of each alternative. As required under CEQA, the selected environmental superior alternative has been identified. In addition, this section summarizes the alternatives that were rejected from further consideration because they did not meet project objectives or were determined to be impractical or infeasible.

Section 7.0 – OTHER CEQA REQUIRED DISCUSSIONS: This section contains discussions of issues required by CEQA that are not covered in other sections. This includes a discussion of growth inducing impacts, and irreversible environmental changes as well as analysis of various other topical issues mandated by State CEQA Guidelines Sections §15126 and §15126.2a-d. These include significant environmental effects that cannot be avoided if the project is implemented, significant irreversible environmental changes, growth-inducing impacts, and effects found not to be significant.

Section 8.0 - REPORT PREPARERS: Along with the Lead Agency, all authors and agencies that were consulted on, or who assisted in the preparation of the Draft EIR are listed here by name, title, and company or agency affiliation.

Definitions: A list of definitions have been provided to assist the reader with a comprehensive understanding of the agencies and processed involved in the preparation of this EIR.

References: This section is a bibliography with the resources and all sources of information used in this Draft EIR. These resource areas are separated by documents and reports utilized, websites accessed, and individuals contacted for specific sources of information.

Appendices: This section includes the following notices and other procedural documents pertinent to the EIR, as well as technical materials prepared to support the analysis. The following appendices are included as part of the Draft EIR.

- *Appendix A - Notice of Preparation (NOP)*
- *Appendix B – Air Quality, Global Climate Change, Health Risk Assessment (HRA), and Energy Impact Analysis*
- *Appendix C* – Biological Assessment Report
- *Appendix D – Cultural Resources and Tribal Cultural Resources Reports*
- *Appendix E – Noise Analysis*
- *Appendix F – Geology and Soils Report*
- *Appendix G – Phase I Environmental Site Analysis (ESA)*
- *Appendix H – Traffic Review and Reports*
- *Appendix I – Water Supply Assessment*

1.10 SCOPE OF THE EIR

Based on the NOP, the City determined that the preparation of a Project level EIR was appropriate, due to potentially significant environmental impacts that could result from implementing the proposed Project.

This Draft EIR evaluates the existing environmental resources on site and its vicinity, analyzes potential impacts on those resources due to the proposed Project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts.

1.11 EFFECTS FOUND TO HAVE ENVIRONMENTAL IMAPCTS

Information gathered about the environmental setting is used to define relevant issues, determine the thresholds of significance, and to evaluate potential impacts. Based on the initial analysis of environmental settings, baseline conditions, and comments on the NOP, the following issues are analyzed in this EIR:

- Aesthetics (Section 4.1)
- Air Quality (Section 4.2)
- Biological Resources (Section 4.3)
- Cultural Resources (Section 4.4)
- Energy (Section 4.5)
- Geology/Soils (Section 4.6)
- Greenhouse Gas Emissions (Section 4.7)
- Hazards and Hazardous Substances (Section 4.8)
- Hydrology/Water Quality (Section 4.9)
- Noise (Section 4.10)
- Population/Housing (Section 4.11)
- Public Services (Section 4.12)
- Recreation (Section 4.13)
- Transportation (Section 4.14)
- Tribal Cultural Resources (Section 4.15)
- Utilities/Services Systems (Section 4.16)
- Wildfire (Section 4.17)

1.12 EFFECTS NOT FOUND TO BE POTENTIALLY SIGNIFICANT

Typically, an EIR evaluates project or program effects on environmental issues listed in the Environmental Checklist Form, which is in Appendix G of the CEQA Guidelines. The NOP for the Draft EIR identified potential environmental issues that were generally consistent with those found in the Environmental Checklist. Based on evaluation associated with the proposed Project, the City has determined that the proposed Project would not have potentially significant effects in the following issue areas:

- Agriculture and Forestry Resources
- Land Use/Planning
- Mineral Resources

Issues that were scoped out from analysis in the EIR are also included under the “Effects Not Found to be Potentially Significant”.

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2.0 PROJECT DESCRIPTION

The proposed Project is the development of a fulfillment center within the city of Palm Springs, County of Riverside. As required by the State CEQA Guidelines, this Chapter of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the location, objectives, and characteristics of the proposed First Palm Springs Commerce Center project, required approvals, as well as the intended uses of this Draft EIR.

2.1 LEAD AGENCY AND CONTACT

Lead Agency

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

City Contact

Mr. Glenn Mlaker, Associate Planner
City of Plam Springs Department of Planning Services
760-323-8245 x 8778
Glenn.Mlaker@palmspringsca.gov

2.2 PROJECT APPLICANT AND CONTACT

Applicant

First Industrial Realty Trust
3536 Concours Street, Suite 340
Ontario, CA 91764

Mr. Paul Loubet, Entitlement Officer
First Industrial Realty Trust, Inc.
898 N. Pacific Coast Hwy, Suite 175
El Segundo, CA 90245

2.3 PROJECT LOCATION

The city of Palm Springs is located on the western edge of the Coachella Valley in the County of Riverside. The mountain ranges of the San Jacinto and Santa Rosa ranges form the western edge of the city, while the ranges of the Little San Bernardino Mountain ranges lie to the north and east of the city. The Pacific Ocean is approximately over 65 miles to the west of the city, while the Slaton Sea is more than 33 miles to the south of the city.

Interstate 10 (I-10) passes through the northern part of the city while State Roure (SR) 111, also known as Highway 111 transverses the central portion of the city.

The proposed Project site is located north of the I-10 and east of SR 62, in the northern portion of the city of Palm Springs, County of Riverside (see ***Exhibit 2.1: Regional Location and Exhibit 2.2: Project Location***). The site is comprised of five (5) parcels, Accessor Parcel Numbers (APNs) 666-320-010, -011, -012, -015, and -019, and is bounded by 18th Avenue to the north, North Indian Canyon Drive to the east, and 19th Avenue to the south. Karen Drive and Blair Road are to the west of the site, and the Union Pacific Railroad (UPRR) corridor is approximately one and half (1.5) miles to the south of the site. (Google Maps; 2023).

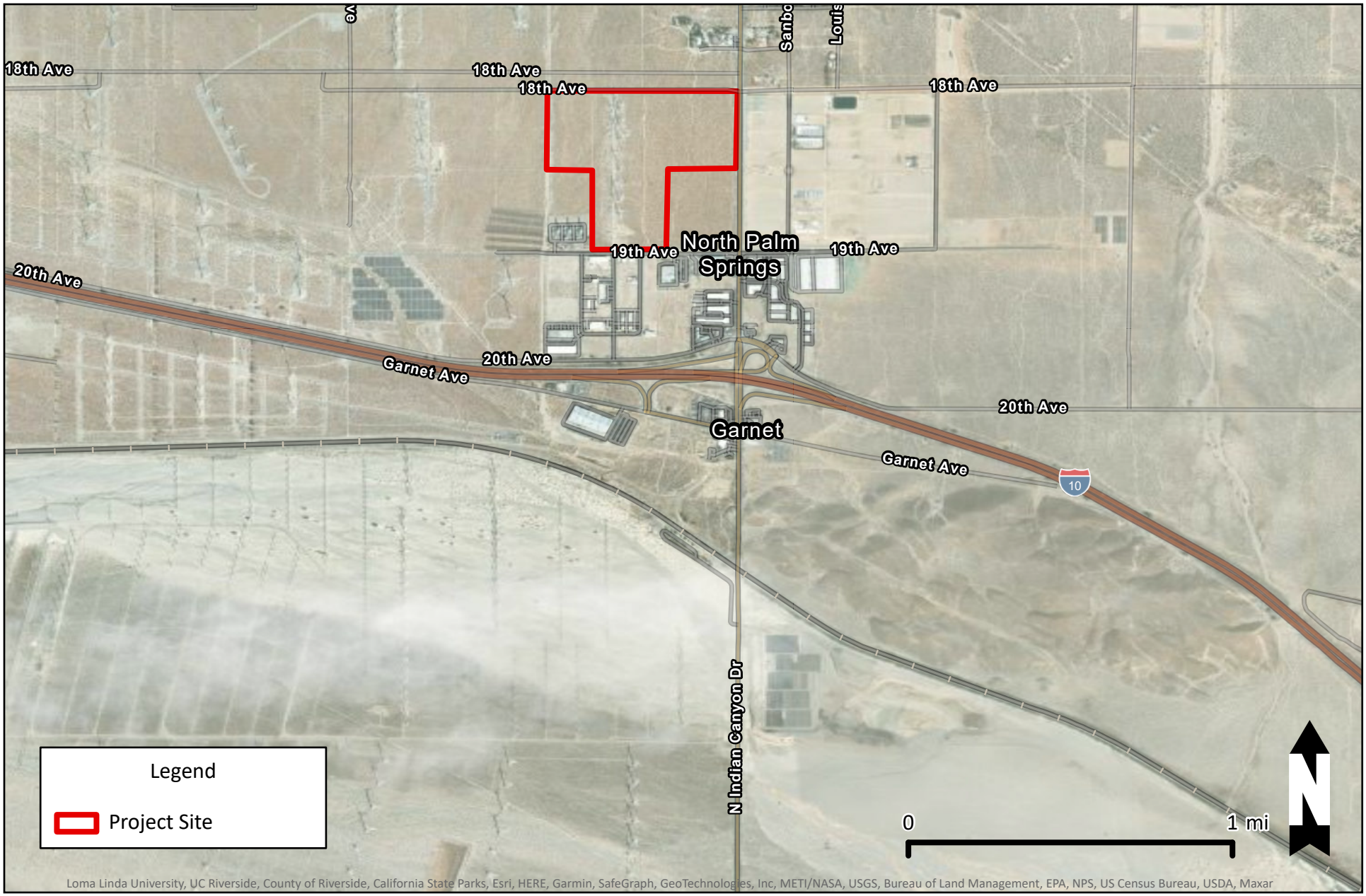
The Altum Group

Regional Location

First Palm Spring Commerce Center

Exhibit

2.1



The Altum Group

Project Location

First Palm Springs Commerce Center

Exhibit

2.2

2.4 EXISITNG SITE CONDITIONS

The proposed Project site is an approximate 91.97-acre vacant parcel with low lying shrub, small to medium sized boulders, and some shrub and low tree coverage scattered throughout. The site is generally flat with a slope from north to south.

The general local area is primarily characterized by open and vacant land. The site had historically been used as a wind farm consisting of nine (9) large wind turbines and soil conditions are disturbed and uneven across the site. Unpaved access routes for pedestrians and bicycles traverse the site from north to south.

The Humane Society of the Desert, some residential and commercial uses are located to the north, a primarily undeveloped business park is located to the east of the site, some commercial and light industrial uses are located to the south, and primarily vacant land with a wind farm is located to the west of the proposed Project site. N Indian Canyon Drive forms that site's eastern boundary while Interstate 10 (I-10) is situated approximately 1925 feet from the site's southern boundary.

There is no water feature located on site. The nearest waterway is the mostly dry channel for the Whitewater River which runs approximately two (2) miles to the southwest of the site (see ***Exhibit 2.3: Project Site)***.

2.5 PROJECT SITE LAND USE AND ZONING

The proposed Project site has a General Plan land use designation of Industrial with Wind Overlay (City of Palm Springs 2007 General Plan; 2007).

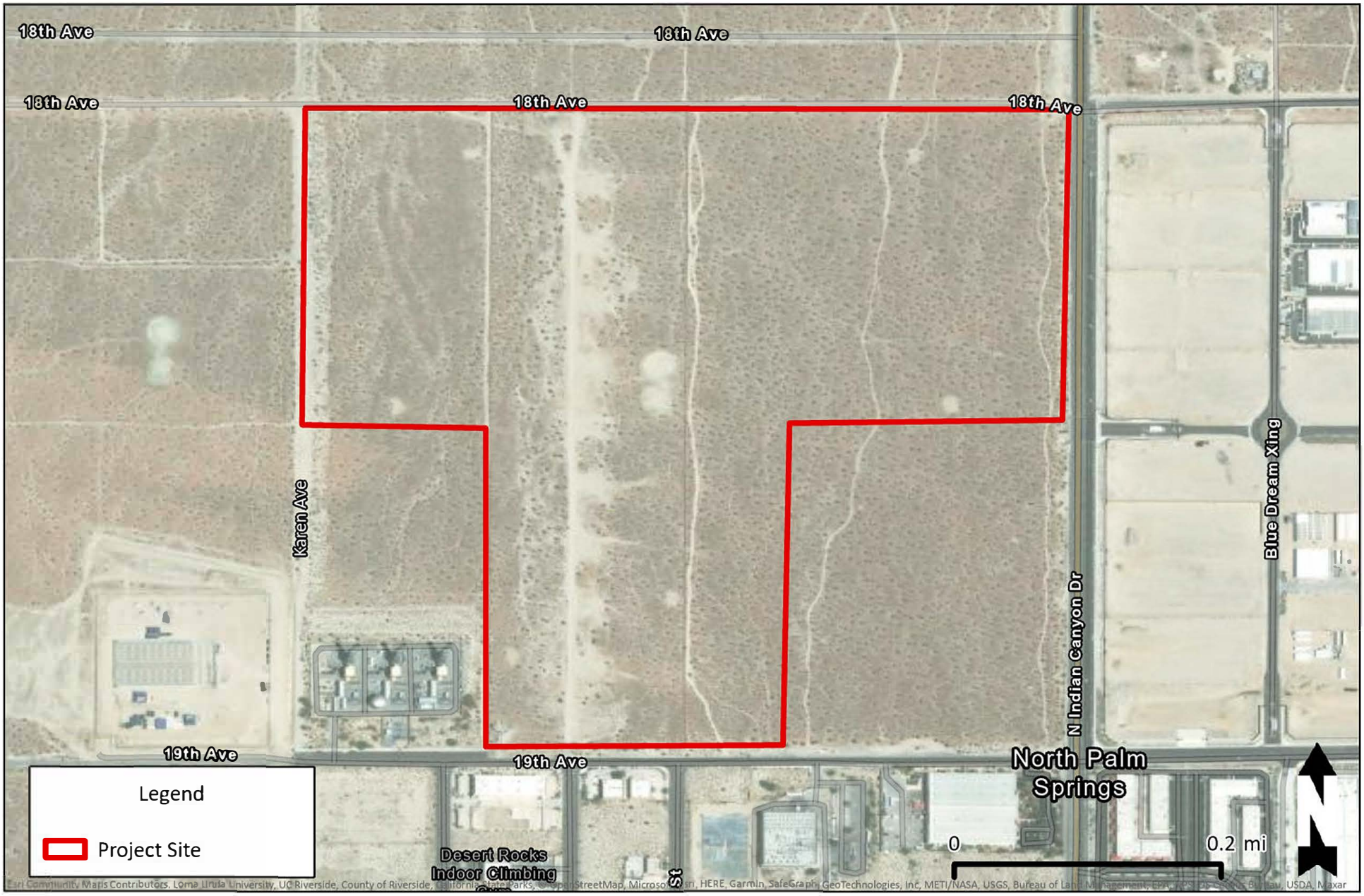
According to the City of Palm Springs Zoning Map the site is zoned zone M2-Manufacturing Zone (City of Palm Springs Zoning Map; 2007). (see ***Exhibit 2.4: General Plan Land Use*** and ***Exhibit 2.5: Zoning***).

2.6 SURROUNDING LAND USES AND ZONING

The land use and zoning for the proposed Project site are compatible for development of uses und the proposed Project. The proposed Project is not anticipated to require an amendment to the City's land use designation or zoning classification for the site. **Table 2-1: Surrounding Land Use and Zoning** denotes the land uses and zoning around the proposed Project site.

Table 2-1 Surrounding Land Use and Zoning

	General Plan Land Use	Zoning
North	**Desert with Wind Energy Overlay**	**E-I (Energy Industrial)**
South	**Regional Business Center**	**M2 (Manufacturing)**
East	**Potential Future Sphere of Influence Expansion Area**	**No zoning designation**
West	**Industrial with Wind Energy Overlay**	**EI (Energy Industrial)**



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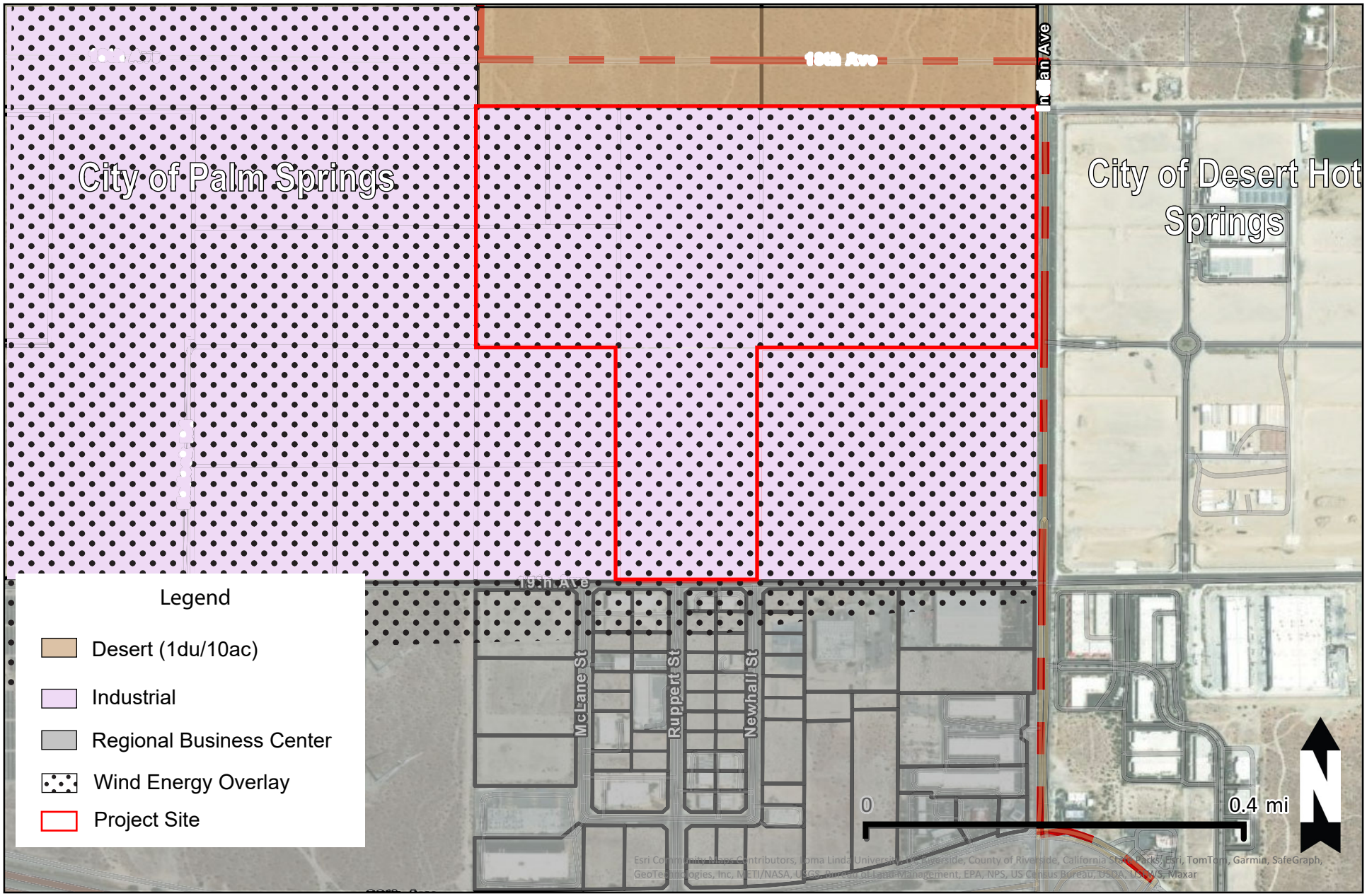
Project Site

First Palm Springs Commerce Center

Exhibit

2.3



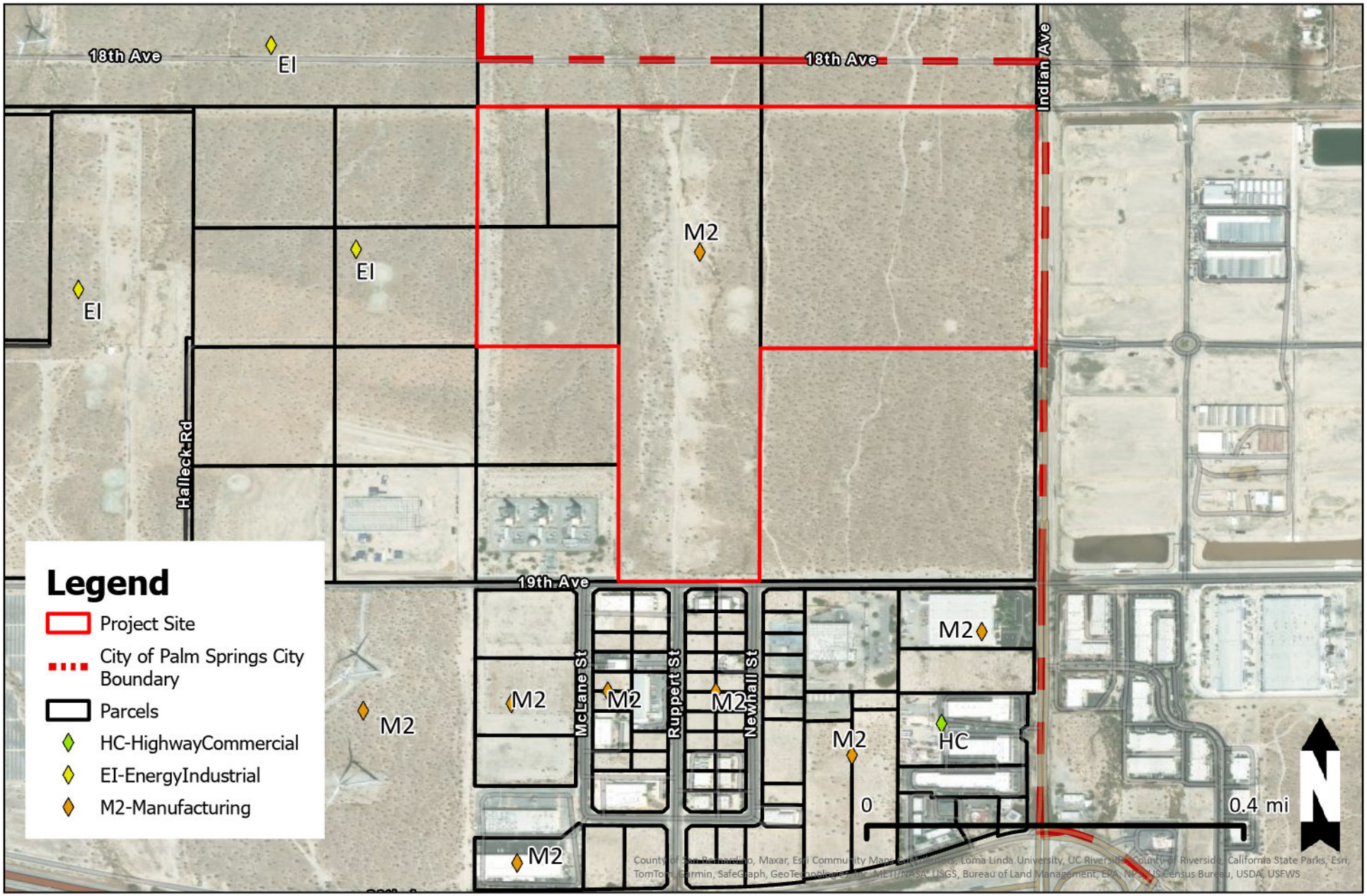
The Altum Group

General Plan Land Use Designation

First Palm Springs Commerce Center

Exhibit

2.4



The Altum Group

Zoning Map

First Palm Springs Commerce Center

Exhibit

2.5

As shown in ***Exhibit 2.2:*** **Project *Location,*** the site is located in a primarily vacant northern portion of the city and is bounded by 18th Avenue to the north, N Indian Canyon Drive to the east, 19th Avenue to the south and Karen Drive to the west. Land uses surrounding the site include primarily vacant properties with a mix of commercial and residential uses north of 18th Avenue, vacant land and industrial uses associated with the Coachillin Business Park to the east, commercial, light industrial and vacant properties to the south, and primarily vacant land with a Southern California Edison (SCE) electrical sub-station and wind turbines to the west of the site.

2.7 PROPOSED PROJECT DEVELOPMENT

The currently vacant approximate 91.97 acre site would be developed with two (2) warehouse buildings with office spaces, truck docking areas and employee parking spaces (see ***Exhibit 2.6: Proposed Site Plan*** and ***Exhibit 2.7: Proposed Building Design****)*. The site is located at the southwest corner of 18th Avenue and N Indian Canyon Drive. 19th Avenue would provide the site's southern boundary while Karen Avenue is located to the west of site.

Building 1 would approximate 1,516,174 square feet (sf), with 258 truck trailer docks, four (4) grade doors, 929 parking spaces for cars and trucks, of which 16 spaces would be for handicap parking, 25 bicycle parking areas, as well as external building and internal roadway lighting, landscaping, and trash enclosure areas. Monument signs would be provided at the site entrances at 18th Avenue, and N Indian Canyon Drive. Two (2) office areas on each side of the building would be provided along North Indian Canyon Avenue and Indigo Drive, respectively. Site access would be gated and provided from North Indian Canyon Drive to the east, and two (2) new internal roadways - Noble Drive to the south and Indigo Drive to the west (see ***Exhibit 2.8: Site Development - Building 1***).

Building 2 would approximate 388,530 sf with 42 truck trailer docks, two (2) grade doors, 302 parking spaces for cars and trucks, of which eight (8) spaces would be for handicapped parking, 14 bicycle parking areas, as well as external building and internal roadway lighting, landscaping, and trash enclosure areas. Monument signs would be provided at the site entrances at 19 Avenue, and Noble Drive. One (1) office area would be provided at the southeast corner of the building. Site access would be gated and provided from the new roadway for Noble Drive to the north and 19th Avenue to the south (see ***Exhibit 2.9: Site Development - Building 2****)*.

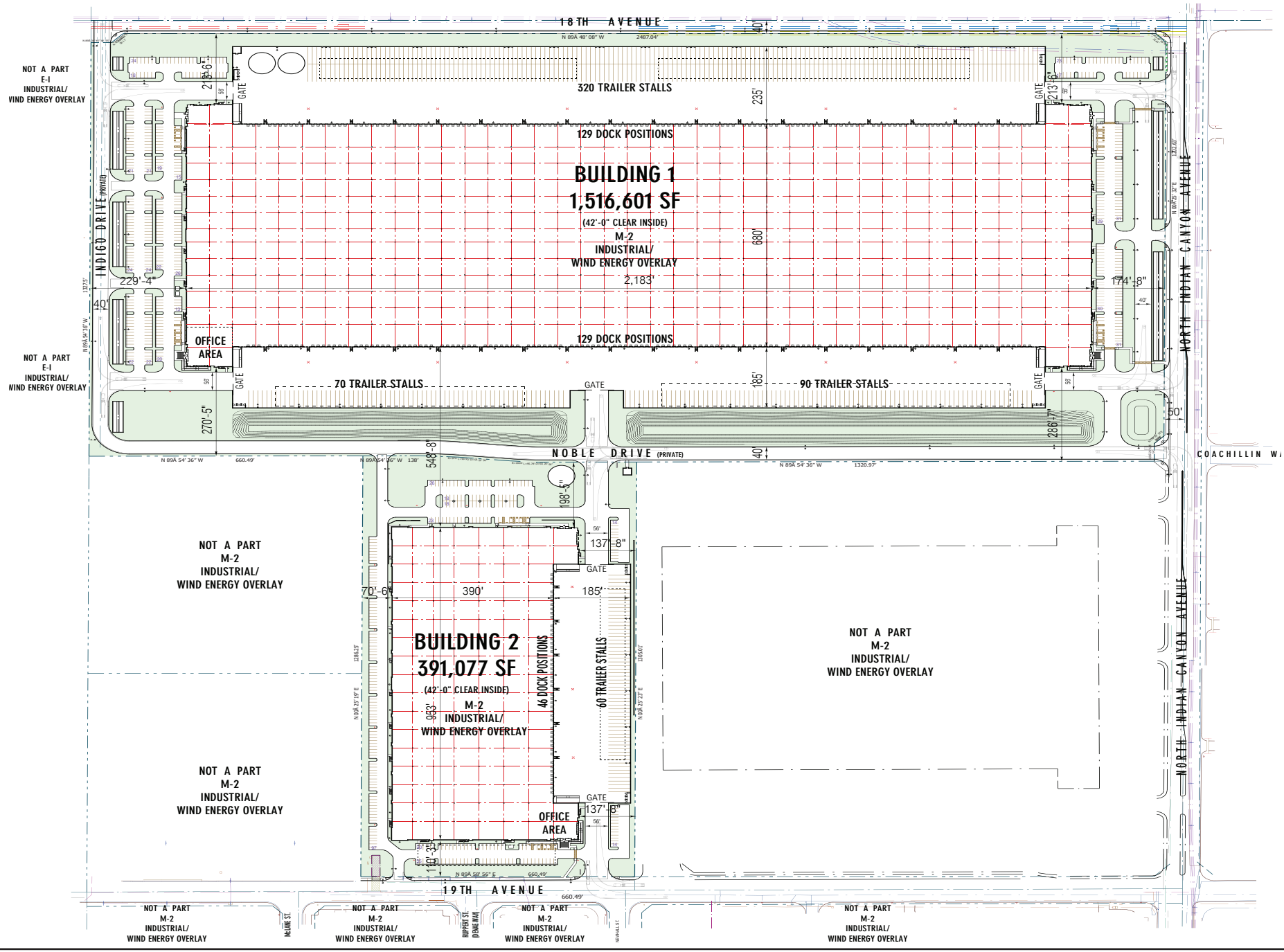
The proposed development would also incorporate the installation and use of fixed rooftop solar panel arrays on both buildings. The number of installed panels would be sufficient to generate approximately one (1) to up to five (5) kilowatt (kW) of solar power to be utilized at the site. Panel arrays could range from 60 cell to 96 cell panels that are typically sized approximately between 39 inches in width and 66 inches to height, to 41.5 inches in width and 62.6 inches in height (Google; 2024).

On-site stormwater retention basins serving the site would be constructed underground. The proposed Project would connect to existing water, wastewater, sewer and electric lines along N Indian Canyon Drive to the east and 19th Avenue to the south of the site.

2.8 PROPOSED PROJECT OBJECTIVES

The proposed Project would utilize a currently vacant site comprising of two (2) parcels with light industrial uses, in an Industrial District in the city of Palm Springs. Complementary Project Objectives include the following realistic and achievable objectives:

- Provide development of an underutilized site consistent with the goals and policies of the Palm Springs 2007 General Plan.
- Develop a state-of-the-art fulfillment center in an Industrial zone (with Wind Overlay) within the city of Palm Springs that is consistent with the goals and policies of the Palm Springs 2007 General Plan.
- Create new employment opportunities particularly within the city of Palm Springs Industrial and Regional Business Center land use zones.
- Develop industrial uses near existing roadways and freeways to reduce potential impacts related to traffic congestion, air and greenhouse gas emissions and noise.
- Establish new development that would further the City's near-term and long-range fiscal goals



The Altum Group

Site Plan

First Palm Springs Commerce Center

Exhibit

2.6

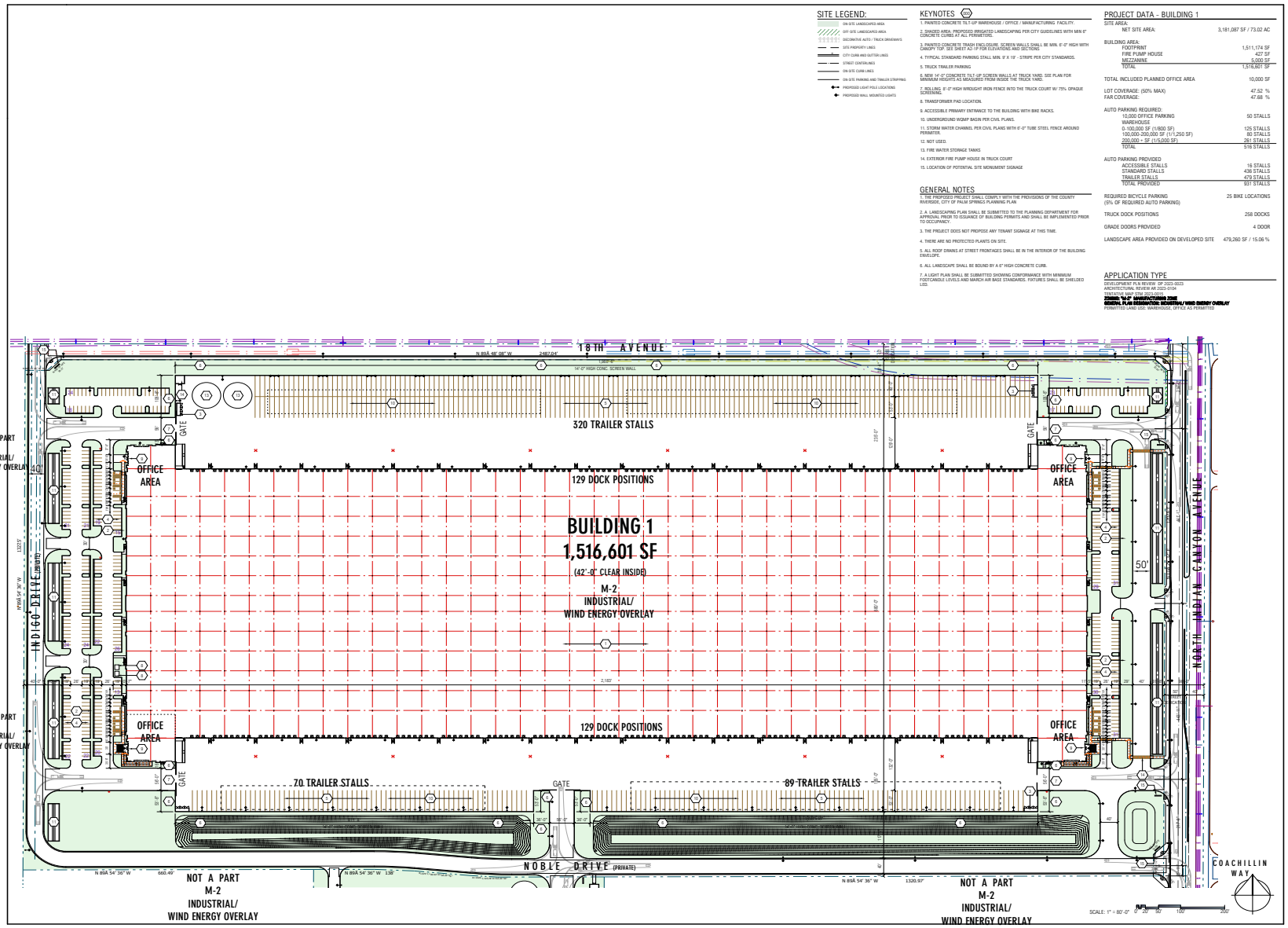
The Altum Group

Building Design

First Plam Springs Commerce Center

Exhibit

2.7



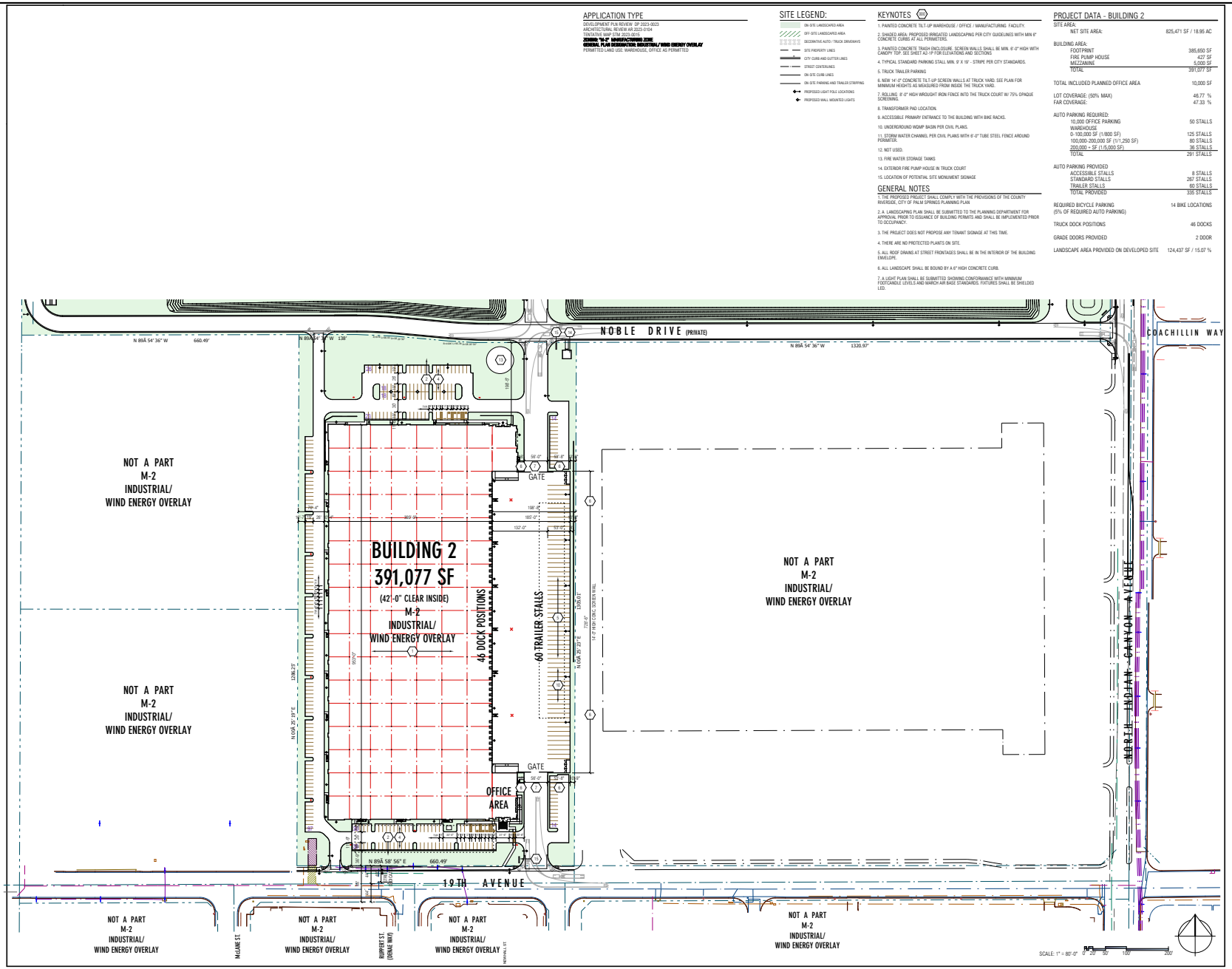
The Altum Group

Project Site Plan Building 1

First Plam Springs Commerce Center

Exhibit

2.8



The Altum Group

Project Site Plan Building 2

First Palm Springs Commerce Center

Exhibit 2.9

2.9 PROPOSED PROJECT EMPLOYMENT

The proposed Project would employ approximately between 700 and 725 employees. While portions of the site will be operational 24 hours of the day, with trucks accessing the site, the primary hours of operation for office uses will be approximately between 7:00 am and 6:00 pm.

2.10 PROPOSED PROJECT INFRASTRUCTURE

2.10.1 Circulation and Parking

The proposed Project would provide gated access and circulation primarily from N. Indian Canyon Drive and 18th and 19th Avenues. Two (2) internal roadways – Noble Drive and Indigo Drive would provide internal site access. All site access and internal roadways would be constructed with lane widths and rights-of-way adequate for access and circulation of fire trucks and emergency response vehicles, consistent with the City's Code of Ordinances and according to the standards with the Circulation Element of the City of Plam Spring's General Plan.

Site access to the northern portion of the Project would be provided from one (1) access road off 18th Avenue, and five (5) entrance/exits from N. Indian Canyon Drive, while access to the southern portion of the Project would be provided with two (2) entrance/exits from Nobel Drive and two (2) entrance/exits from 19th Avenue. Nobel Drive, a private roadway, would connect both internal portions of the Project site. Nobel Drive would turn into Indigo Drive, to the western boundary of Building 1. Two (2) gated entrances from N Indian Canyon Drive to the east, one (1) gated entrance from Noble Drive and two (2) gated entrances from Indigo Drive to the west would provide access to truck docking areas of Building 1. One (1) gated entrance from Noble Drive to the north and one (1) gated entrance from 19th Avenue to the south, would provide access to the truck docking areas of Building 2.

Employee automobile parking and bike storage would be provided in designated parking areas on the site. Truck docking positions and trailer parking would be provided along the northern and southern sides of Building 1 and along the eastern side of Building 2.

Pedestrian walkways would be located along building frontages as well along N, Indian Canyon Drive and 19th Street.

2.10.2 Landscaping

The proposed Project site is currently vacant with sparse vegetation consisting of low shrubs and trees. The proposed development would add new landscaping to the site with a mix of climate-adapted shrubs and grasses, and shade trees, in the parking areas and along building and perimeter buffers, in accordance with property development standards under the City's Code of Ordinances.

2.10.3 Lighting and Signage

Lighting on the proposed Project site would be provided by street lighting along the proposed internal roadways and along the site frontages along 18th Avenue, 19th Avenue as well as N. Indian Canyon Drive.

While each of the uses on the two (2) buildings would have their individual signage demarcating office, warehouse, and storage areas, the proposed development would install monument signs at the site entrances along N. Indian Canyon Drive as well as 18th and 19 avenues.

2.11 PROPOSED PROJECT UTILITIES

As a vacant parcel that had wind generation facilities on the site, the proposed Project does not have utility services on the site. Upon completion of site development, the following utilities would serve the proposed Project:

2.11.1 Water, Sewer, and Wastewater

The Mission Springs Water District (MSWD) provides water service to this portion of the city of Palm Springs and would provide water service to the proposed Project site. New water lines to be constructed for the proposed Project would connect to existing water infrastructure along N. Indian Canyon Drive and 19th Avenue.

MSWD would also provide sanitary sewer service to the site. The proposed Project would be required to construct new sewer lines to connect on site facilities with the City's sewer system along existing sewer lines on 19th Avenue and N. Indian Canyon Drive.

Veolia Water North America, which provides wastewater collection and treatment to the City of Palm Springs, would also provide service to the proposed Project site.

2.11.2 Drainage

The proposed Project site is relatively flat with a less than three (3) percent topographical north to south slope. Development at the site would include stormwater channels along the site's frontage along N. Indian Canyon Drive and underground retention basins to collect and store on-site and off-site storm water. The proposed drainage systems at the site would connect to existing City drainage facilities along N. Indian Canyon Drive and 10th Avenue.

2.11.3 Solid Waste and Recycling

The proposed Project would be served by the Palm Springs Disposal Services which provides solid waste disposal service to the city. Solid waste is then transported to the Edom Hills Transfer Station and then to the Lamb Canyon Sanitary Landfill.

2.11.4 Other Utilities

Southern California Edison (SCE) is the electric services provider for this area of the city. Development at the site would connect to existing electric lines on N. Indian Canyon Drive and 19th Avenue.

The proposed Project site would be serviced by the Southern California Gas Company for natural gas, Spectrum Communications for cable and Spectrum or Frontier Communications for telecommunication services.

2.12 PROPSOED PROJECT CONSTRUCTION

Following City approvals and issuance of initial building and grading utility permits, the proposed Project is scheduled to begin construction in the summer of 2024 and for total site occupancy in 2028. Site construction is estimated to last approximately 15 months.

The proposed Project construction is estimated to occur over two (2) phases and utilize at a minimum, the following equipment for each construction activity under each phase:

- Site Preparation: tractors and bulldozers;
- Site Grading: excavators, graders, scrappers, compactors, bulldozers, and tractors;

- Construction: tractors, cranes, forklifts, loaders, backhoes, excavators, and generators;
- Site Paving: pavers and other paving equipment, rollers,
- Architectural Coating: air compressors

Construction is estimated to typically occur over an eight (8) to 10 hour period during daytime hours although some activities such as pouring concrete slabs, may require additional time. Off site improvement for utility infrastructure at the site would only occur during permitted construction hours and would primarily occur along N. Indian Canyon Drive and 19th Avenue.

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3.0 ENVIRONMENTAL SETTING

Although each section of this DEIR presents the specific settings for each issue area, this chapter provides a general overview of the environmental setting for the proposed Project as well as an overview of other proposed and approved projects within the City of Palm Springs.

3.1 REGIONAL SETTING

The proposed Project site is located within the City of Palm Springs (City) in the County of Riverside (County). The ranges of the San Bernardino Mountains are located to the north, while the Santa Rosa Mountains lie to the south of the City. The San Jacinto Mountains the Little San Bernardino Mountains are to the west and east, respectively. The Salton Sea is over approximately 30 miles to the southeast, while the Pacific Ocean is over 70 miles to the southwest of the City (see ***Exhibit 2.1. Regional Location***). The City of Desert Hot Springs borders the northern portion of the City's Sphere of Influence (SOI). The City has a typical desert climate of warm winters and extremely hot summers, with less than four (4) inches of rain a year (Google; accessed 2024).

Located in the Coachella Valley Desert Region of southern California, the City of Palm Springs covers an incorporated area that encompasses about 95 square miles. It's SOI, which includes the portions of unincorporated areas within the County, comprises an additional 42 square miles (Google; accessed 2024).

Interstate 10 (I-10) traverses the City to the south, while State Route (SR) 62 cuts through the northern portion of the City. (City of Palm Desert General Plan; 2007).

3.2 PROJECT SETTING

The approximate 91.97-acre proposed Project site is located in the northeastern section of the City of Palm Springs (Google maps; accessed 2024). 18th Avenue and the City's northern limit forms the northern boundary of the site, while North (N) Indian Canyon Drive and a portion of the City's eastern limit, forms the site's eastern boundary. 19th Avenue forms the southern boundary while Karen Avenue is located to the site's western boundary (see ***Exhibit 2.2 Project Location***) The City's SOI is located to the north of the project site, while the City of Desert Hot Springs borders its eastern boundary. The site may currently be accessed from 18th and 19th avenues as well as N. Indian Canyon Drive. Although there are no internal roadways presently on the site, several manmade paths traverse the site in a north/south direction.

The proposed Project site is a currently vacant parcel surrounded by primarily vacant parcels, although there are some scattered industrial uses to the east and south, a solar facility, hotel, small restaurants and commercial uses also located south of the site, and some residential and commercial uses to the north.

3.3 RELATED CUMMULATIVE PROJECTS

State CEQA Guidelines Section §15130 requires that EIRs include an analysis of the cumulative impacts of a project when the project's incremental effect is considered cumulatively considerable. Cumulative impacts are defined as two or more individual events that, when evaluated together, are significant or would compound other environmental impacts of a project. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed Project and other nearby projects. For example, traffic impacts of two nearby projects may be inconsequential when analyzed separately but could have a substantial impact when analyzed together.

Reasonably foreseeable growth may be based on either:

- A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- A summary of projections contained in the adopted General Plan or related planning document, or in a prior environmental document that has been adopted or certified, and that described or evaluated regional or areawide conditions contributing to the cumulative impact.

For the purposes of this Draft EIR, Tables 3.1 and 3.2 below represents a list of past, present, and probable future projects in the cities of Palm Springs and Desert Hot Springs are used in the evaluation of potential cumulative impacts. All proposed, recently approved, under construction, and reasonably foreseeable projects that could produce a related or cumulative impact on the local environment when considered in conjunction with the proposed project are evaluated in an EIR. An analysis of the cumulative impacts associated with these related projects as well as those under the proposed Project is provided in the cumulative impacts discussion in Chapter 5.0.

To assess potential cumulative impacts associated with planned and pending development in the City of Palm Springs, this Draft EIR considers planned and pending projects in the proposed Project site vicinity and within incorporated areas within the City as well as the City of Desert Hot Springs and Riverside County pending projects include projects for which a building permit has been issued, for which planning approvals have been obtained, or for which planning approvals are pending. Upon construction of all of these projects, there would be an additional 103.19 acres of new residential development/redevelopment, 578.92 acres of commercial development, 21 acres or square. The individual projects for the cities of Palm Springs and Desert Hot Springs are listed in **Table 3.1** and **Table 3.2**. In general, the cumulative setting conditions considered in this Draft EIR are based on:

- Effect of Regional Conditions.
- Local Adopted General Plans.
- Consideration of Existing Development Patterns.
- Proposed and Approved Development Projects as shown below.

Each technical section in the DEIR considers whether the project's effect on anticipated cumulative setting conditions is cumulatively considerable (i.e., a significant effect). "Cumulatively considerable" means that the incremental effects of an individual project are significant, under cumulative conditions, when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (CEQA Guidelines, Section §15065(a)(3)). The determination of whether the proposed Project's impact on cumulative conditions is considerable is based on a number of factors including consideration of applicable public agency standards, consultation with public agencies, and expert opinion.

Table 3.1 City of Palm Springs Cumulative Projects

Project	Status	APN/Address	Description	Square Footage	Acres	Distance from Proposed Project
PS Canyon Development	Development Permit	666-320-018	Fulfillment Center	727,360	16.70	400 feet

Project	Status	APN/Address	Description	Square Footage	Acres	Distance from Proposed Project
First Industrial Commerce II	Pre-Application	666-360-002, 003, 004, 005	Fulfilment Center	1,000,000	22.96	2,000 feet

Source: City of Palm Springs. New Development Map. Accessed 2024.

Table 3.2 City of Desert Hot Springs Cumulative Projects

Status	APN/Address	Description	Square Footage	Acres	Distance from Proposed Project
Approved	APN:666370019 20th Avenue near I-10, Desert Hot Springs	logistics center/hotel, ancillary commercial uses	1 million	65.56	3800 ft
Building Permit Review	APN: 666370032 East Calle de Los Ramos 19th Avenue & 20th Avenue, Desert Hot Springs	Distribution warehouse	653	94.62	1 mile
Under Construction	APN: 666360017 Calle De Los Ramos and 19th Avenue, Desert Hot Springs	Warehouse	60,000	4.06	4500 ft
Building Permit Review	APN: 666300006 Southwest of Dillion Road and Thumb Road, Desert Hot Springs	15 Industrial Cannabis buildings Lounge/entertainment	253521.71	5.8	1.34 miles
Building Permit Review	APN: 665110004 16768 Little Morongo Road, Desert Hot Springs, CA	industrial business park for cannabis	1603396.94	36.81	1.70 miles
Planning Review	APN: 657280003 Palm Dr.	mixed-use residential/commercial includes 608 multi-family units, two restaurant / food service units, six (6) retail buildings, a two-story medical building, and two (2) recycling centers.	1713834.47	39.34	2.71 miles

Status	APN/Address	Description	Square Footage	Acres	Distance from Proposed Project
Planning Approved	APN: 657220003 and 657220023 Dillion Road, Desert Hot Springs	RV Storage	390080.28	9.0	2.61 miles
Planning Review	APN: 657050003 Claire Avenue and Palm Drive, Desert Hot Springs	self-storage facility and three (3) quick-service restaurants	383565.63	8.81	2.96 miles
Building Permit Review	APN: 656080014, 656080016. southwest corner of Avenida Descanso and Camino Campesino, Desert Hot Springs	Gated Community – Single-Family Residences	723624.95	16.61	3.34 miles
Under Construction	APN: 665050001, 665050002, 665050003, 665050004, and 665050006 southeast corner of Little Morongo Rd. and Palomar Ln, Desert Hot Springs	single-story industrial building for cannabis cultivation.	159849.10	3.67	2.50 miles
Planning Review	APN: 664080017 Indian Canyon Drive and Pierson Boulevard, Desert Hot Springs	Gas Station	174756.739928	4.01	3.50 miles
Under Construction	APN: 667270001 – 667270084, 667280001 – 667280085, 667280087 – 667280091, 667290001 – 667290082, 667290084 Pierson Boulevard, Tract # 32030-2	single-family dwelling units to be built within the existing Skyborne tract development	2057806.25	47.24	3.64 miles

Source: City of Desert Hot Springs, New Development Map, 202)

It should be noted that some of the related projects may not be completed by 2026 (the proposed Project's anticipated buildout year), may never be built, or may be approved and built at reduced densities. However, to provide a conservative forecast, the future baseline forecast assumes that all of the related projects will be fully built out by 2024.

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.1 Chapter Format

In accordance with Appendix G of the Guidelines for the California Environmental Quality Act (State CEQA Guidelines) (California Code of Regulations [CCR] Title 14, Chapter 3, Sections §15000–§15397), this Chapter of the Draft EIR contains 17 impact sections. As presented in sections 4.1 through 4.17 of this DERI, the assessment of each issue area includes a discussion of the environmental setting related to the issue, which is followed by the impact analysis. Each section also identifies the methodologies used and the "significance thresholds," in order to determine whether potential effects of the Project as proposed are significant, mitigation measures identified to reduce and/or avoid the potential significant impacts, and the level of significance after mitigation. "Thresholds of Significance" are a set of criteria used by the lead agency to determine at what level or "threshold" an impact would be considered significant. Significance criteria used in this DEIR include the State CEQA Guidelines; factual or scientific information; regulatory performance standards of local, state, and federal agencies; City General Plan goals and policies; and City Municipal Code requirements.

This DEIR evaluates all subject areas listed in Appendix G to the State CEQA Guidelines and evaluates each question as one of the following:

No Impact: No adverse change to the environment would occur.

Less Than Significant Impact: A less than significant impact would cause no substantial change in the environment (no mitigation required).

Less Than Significant Impact with Mitigation Incorporated: A less than significant impact with mitigation incorporated would cause (or would potentially cause) a substantial adverse change in the physical conditions of the environment, absent mitigation. Significant impacts are identified by the evaluation of project effects using specified standards of significance. Mitigation measures are identified to reduce project effects on the environment to a level of less than significant.

Cumulatively Significant Impact: A cumulative significant impact would result when the proposed Project would contribute considerably to a significant physical impact on the environment expected under cumulative conditions.

Less Than Cumulatively Considerable Impact: A less than cumulatively considerable impact would result when the proposed Project would not contribute considerably to a significant physical impact on the environment expected under cumulative conditions.

Significant and Unavoidable Impact: A significant and unavoidable impact would result in a substantial change in the environment that cannot be avoided or mitigated to a less than significant level if the proposed Project is implemented.

Each of the sections is organized into the following subsections:

- ***Introduction*** - briefly describes the topics and issues covered in the section.
- ***Existing Environmental Setting*** - describes the physical conditions at the proposed Project site that exist at the time of the issuance of the Notice of Preparation (NOP) that may influence or affect the issue under investigation.

- ***Regulatory Framework –*** which lists and discusses the federal, State of California, as well as relevant City of Palm Springs (City) laws, ordinances, regulations, plans, and policies that relate to the specific environmental topic and how they apply to the proposed Project.
- ***Methodology*** **-** describes the approach and methods employed to complete the environmental analysis for the issue under investigation.
- ***Thresholds of Significance*** **-** which sets forth the thresholds that are the basis of the conclusions regarding significance, which are primarily the criteria in Appendix G to the State CEQA Guidelines and the City of Plam Springs General Plan, or Zoning Code.
- ***Impacts Analysis*** – In accordance with State CEQA Guidelines Section §15126.2(a), an EIR is required to "identify and focus on the significant environmental effects" of the proposed Project. The magnitude, duration, extent, frequency, and range or other parameters of a potential impact are ascertained to the extent feasible to determine whether impacts may be significant. In accordance with CEQA therefore, this section describes the potential environmental changes to the existing physical conditions that may occur under implementation of the proposed Project, appropriate goals and policies under the City of Palm Springs General Plan that would apply to the proposed Project, and mitigation measures that may be required as a result of the proposed Project's impact on any of the issue areas under CEQA.

4.1 AESTHETICS

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the existing describes the existing aesthetic character of the proposed Project site and surrounding vicinity. In accordance with the California Environmental Quality Act (CEQA) (Cal. Pub. Resources Code Sections §21000, et seq.) and the State CEQA Guidelines (14 Cal. Code Regs., Section §15000, et seq.), this Draft EIR evaluates the proposed Project's related impacts to aesthetics/visual resources, as well as the appropriate General Plan Update policies and mitigation needs that can be identified in the analysis. Where applicable, mitigation measures identified in the City's certified General Plan EIR may be analyzed and adopted herein.

4.1.1 SETTING

The city of Palm Springs, located within the northwest portion of the Coachella Valley, is located over 34 miles northwest of the Salton Sea. The Salton Sea has a surface elevation of approximately 220 feet below sea level. Elevations in and around the city center range from 600 feet to over 4,600 feet. The Little San Bernardino, Hexie, Coxcomb, Pinto, Eagle, and Cottonwood mountain ranges are located between six and a half (6.5) miles to 20 miles to the east/northeast while the mountains that constitute the San Jacinto and Santa Rosa Mountains lie approximately between four (4) to seven (7) miles to the west/southwest. In general, these mountains range between about ,000 to 11,000 feet in height (City of Palm Springs General Plan update draft EIR, 2007). The City's visual character is profoundly shaped by its natural mountainous and desert surroundings, contributing essential scenic vistas to the community (City of Palm Springs General Plan update draft EIR, 2007).

Given its proximity to the Santa Rosa and San Jacinto mountains, and its distance to the mountain ranges to the west, the city has an unique geographic and visual mix of mountainous as well desert landscapes throughout its approximate 96 square miles of area. Closer to the mountain ranges to the west of the city, average slope elevations may range from 15 to 25 percent slopes that constitute an approximate gentle bowl towards the central portions of the city.

The proposed Project site is currently vacant land covered with low lying shrubs and trees, mounds of sand as well as dirt and pathway run north to south throughout the site. Mount San Jacinto is visible to the southwest of the site, situated approximately nine (9) miles away while the San Gorgonio Mountain and the San Bernardino Mountains are visible approximately 20.05 miles to the northwest of the site (see ***Exhibit 4.1.1: Site Photos***).

The site is primarily surrounded by vacant land with low shrub and isolated tree coverage, particularly to the west of the site. The City's Human Society of the Desert and the community of North Palm Springs are located to the north of the site, while the Coachillin Business Park parcels with some light industrial uses are situated to the east of the property. Some light industrial, commercial, and restaurant uses are situated south of the site, located primarily between 19th Avenue and I-10.

Interstate 10 (I-10) passes through and along the northern portion of the city State Route (SR) 111 cuts through the city in a east/west and then north/south direction along the northern and central portions of the city. Views from these highways provide a slightly downward sloping visual overview into the developed portions of the City as well as the agricultural and vacant lands of the City landscape. State Route (SR) 62, is located approximately two (2) miles to the west (City of Palm Springs 2007 General Plan, 2007). Both I-10 and SR 62 are considered Scenic Highways; with SR 62 having designation as a State Scenic Highway according to the California State Scenic Highway Program, and I-10 is designated as a County

Scenic Highway by Riverside County (California Department of Transportation [CalTrans], accessed November 15, 2023).

Indian Canyon Drive forms the eastern boundary of the site while 18th Avenue and portions of 19th Avenue form the northern and eastern site boundaries, respectively. Karen Avenue is located to the west of the proposed Project site. Views from these roadways into the site consist primarily of vacant land with minimal shrub vegetation.

Middle of the project site looking North

Middle of the project site looking South

Middle of the project site looking East

Middle of the project site looking West

The Altum Group

Site Photos

First Palm Springs Commerce Center

Exhibit

4.1-1

The portion of Whitewater River Channel between I-10 and SR 111 is a primarily dry riverbed as it crosses the northern portion of the city.

The topography of this section of the Coachella Valley trend from mountain slope areas to flat desert floors. This provides the city of Plam Springs residents and businesses with views of the surrounding mountains. The proposed Project site itself is relatively flat with a gentle slope to the south of the site. General site elevations range between 780 and 820 feet above mean sea level (MSL). The site is relatively flat and is not at risk of landslides.

Open spaces predominate the city landscape with vacant parcels, some agricultural uses and industrial as well as solar and wind farms mainly in the undeveloped portions of the city.

Since the site is vacant with sparsely vegetated with shrubs and scattered trees, there are no present sources of daytime/nighttime light or glare on the site. Street lights along Indian Canyon Road, 18th Avenue and 19th Avenue as well as vehicular traffic provide some light reflection and headlamp lighting visible from the interior of the site.

DEFINITIONS

The following defines the components of aesthetic resources used in this analysis.

Viewshed

A viewshed is an area of the landscape visible from a particular location or series of points (such as, but not limited to, a trail or overlook). A viewshed may be divided into viewing distances such as foreground (typically between 0.25 to 0.5 miles from the viewer), middle ground (three to five miles away from a viewer) and background (usually up to the visible horizon). Typically, the closer a viewer is to a certain resource, the more visually dominant it appears.

Visual Character

The visual character of a place is related to its natural and manmade landscape features such as plants, geologic and water features, trails and parks, and architectural skylines. Visual character of an area can change with the season, time of day, light, and other elements that influence the visibility of a landscape.

Visual Quality

Visual quality may be used to define the uniqueness or desirability of a visual resource within a frame of reference by viewers such as residents or visitors. Visual quality may be further defined by a site's memorability of landscape features, visual integrity of the natural and man-made environment, and visual coherence of the site as a whole.

Light and Glare

Sources of artificial light that operate during evening and nighttime hours may include streetlights, illuminated signage, vehicle headlights, and other point sources. Uses such as residences and hotels are considered light-sensitive since they are typically occupied by persons who have an expectation of darkness and privacy during evening hours and who can be disturbed by bright light sources.

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use. Activities, such as driving, and land uses, such as

parks and residences, are considered glare sensitive as the presence of glare could interfere with vision and/or result in an irritant to these activities/uses.

4.1.2 REGULATORY FRAMEWORK

FEDERAL

There are no federal regulations that would apply to aesthetics under the proposed Project site.

STATE

Caltrans Adopt-A-Highway Program

To improve and maintain the visual quality of California highways, Caltrans administers the Adopt-a-Highway program, which was established in 1989. The program provides an avenue for individuals, organizations, or businesses to help maintain sections of roadside within California's State Highway System. Groups have the option to participate as volunteers or to hire a maintenance service provider to perform the work on their behalf. Adoptions usually span a two-mile stretch of roadside, and permits are issued for five-year periods. Since 1989, more than 120,000 California residents have kept 15,000 shoulder miles of state roadways clean by engaging in litter removal, tree and flower planting, graffiti removal, and vegetation removal.

State Scenic Highways

Caltrans defines a scenic highway as any freeway, highway, road, or other public right-of-way that traverses an area of exceptional scenic quality. Suitability for designation as a State scenic highway is based on the vividness, intactness, and unity of the vista, as described in Caltrans Scenic Highway Guidelines (2008):

- Vividness is the extent to which the landscape is memorable. This is associated with the distinctiveness, diversity, and contrast of visual elements. A vivid landscape makes an immediate and lasting impression on the viewer.
- Intactness is the integrity of visual order in the landscape and the extent to which the natural landscape is free from visual intrusions (e.g., buildings, structures, equipment, grading).
- Unity is the extent to which development is sensitive to and visually harmonious with the natural landscape.

A state scenic highway changes from “eligible” to “officially designated” when the local jurisdiction adopts a scenic corridor protection program, applies to Caltrans for scenic highway approval, and receives notification from Caltrans that the roadway has been designated as a Scenic Highway.

REGIONAL

Riverside County Western Coachella Valley Area Plan

According to the Riverside County Western Coachella Valley Area Plan, Interstate 10 (I-10) is a Community Eligible Scenic Highway. I-10 is located less than approximately a half mile to the south of the proposed Project site.

Riverside County Ordinance No.655, Regulating Light Pollution

Riverside County Ordinance No. 655 restricts the permitted use of light fixtures that emit light upward into the night sky, since this may have a detrimental effect on astronomical observations and research

conducted at Mount Palomar. Zone B of the Mount Palomar Observatory places the city of Plam Springs in a restricted nighttime light zone with restrictions on direction of nighttime lighting from street and site location light poles.

LOCAL

Palm Springs 2007 General Plan

The Community Design Element and the Land Use Element of the City's 2007 General Plan contains the following Goals and Policies related t to aesthetics and visual character in the city:

Community Design Element

Goal CD1: Create a safe, aesthetically pleasing community appearance that utilizes high-quality architecture – a hallmark of Palm Springs

- Policy CD1.4: Implement appropriate review procedures that advance the aesthetic quality of the community through quality architecture, outstanding site design, and responsiveness to the desert environment,
- Policy CD1.6: Encourage the use of natural colors, materials, and textures in public and private development and streetscape improvements to complement the natural environment. Allow for the use of accent colors to complement the desert color palette.
- Policy CD1.7: Encourage design of visually attractive retention/detention basins.

Goal CD7: Use both public and private landscaping along streets, sidewalks, and property frontages to strengthen the existing City identity and ensure a pleasant environment.

- Policy CD7.1: Encourage the use of native desert plants and trees that require minimal waste and maintenance.

Goal CD12: Create active, vibrant, and attractive gathering places.

- Policy CD12.1 Integrate interactive, visually pleasing, and convenient gathering places—including plazas, pedestrian areas, and recreational open spaces—into the City's design.
- Policy CD12.2 Design public spaces with pedestrian safety and comfort in mind. CD12.3 Provide as many pedestrian amenities as feasible, including:
    - Ample shade
    - Mister systems for outdoor air conditioning
    - Fixed and movable seating
    - A central focal point, such as a fountain, piece of public artwork, historic marker, or monument feature
    - Outdoor dining, where appropriate
    - Wide paths or trails
    - Drinking fountains and toilet facilities, where appropriate
    - Decorative water features
- Policy CD12.4 Include landscaping, signage, and other design elements that reinforce the village character and design identity of the City into the design of gathering places.
- Policy CD12.8 Design plazas that contain well-defined spaces, such as those created by the sides of buildings and other structures.
- Policy CD12.9 Ensure that gathering places are at a scale appropriate to the area and intended use.

Goal CD21: It is a goal of the City of Palm Springs to create convenient, attractive, and well-designed industrial and business parks.

- Policy CD21.2: Encourage clean and distinctive industrial/office buildings with clearly visible entrances.
- Policy CD21.3: Avoid the use of long, blank walls by breaking them up with vertical and horizontal façade articulation achieved through stamping, colors, materials, modulation, and landscaping.

Land Use Element

Goal LU1: Establish a balanced between land uses that complements the pattern and character of existing uses, offers opportunities for the intensification of key targeted sites, minimizes adverse environmental impacts, and has positive economic results.

- Policy LU1.6: Encourage and support projects of exceptional design and architectural quality, societal benefit (historic or environmental sustainability), or revenue generation through incentives in the review process.
- Policy LU1.9: All development shall be sensitive to natural features, including washes, hillsides, and views of the mountains and surrounding desert areas.

Goal LU3: Attract and retain high-quality industrial and business park development.

- Policy LU3.1: Encourage well-planned research and development areas and business parks that contain coordinated design guidelines and enhanced amenities.
- Policy LU3.2: Promote opportunities for expansion and revitalization of industrial uses within the City.
- Policy LU3.3: Ensure operation of industrial uses is unobtrusive to surrounding areas and prohibit the development of manufacturing uses that operate in a manner or use materials that may impose a danger on adjacent uses or are harmful to the environment.

Goal LU9: Preserve the City's unique mountain resources for future generations.

- Policy LU9.3 Preserve the unique topographic and geologic features of the City.
- Policy LU9.12: Protect the scenic beauty of the mountains from erosion caused by development.

Goal LU12: Establish commercial, office, and industrial land uses along the I-10 Corridor that reflect the world class resort status of our city and provide a strong sense of entry and arrival into Palm Springs and the entire Coachella Valley.

- Policy LU 12.2: Promote the development of regional business center and freeway commercial uses adjacent to the freeway while maintaining high standards of design and quality of improvements to strengthen the economic vitality of the City. Strip commercial uses are discouraged along the corridor, especially in those areas adjacent to frontage roads.
- Policy LU 12.6: Require that loading and outdoor storage areas for commercial and industrial uses be screened from public streets and freeway views.
- Policy LU 12.7: Promote the development of high-quality building design, including attractive fenestration, articulated façades, clearly defined entrances, varied colors and materials, varied building sizes and configurations, and varied roof heights during project review and approval.

City of Palm Springs Municipal Code

The City of Palm Springs Municipal Code contains several provisions that are designed to identify and limit aesthetic impacts as projects are undergoing review by the City. Specifically, Chapters 91 through 93 in the City's Zoning Code that limit setbacks, building height, materials and height of fencing and walls, lot and

building dimensions, as well as lighting standards related to glare, spillage and maintenance of the City's dark skies.

4.1.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Impacts to the aesthetics of an area are considered to be significant if, except as provided in Public Resources Code Section §21099, the project would:

- Have a substantial adverse effect on a scenic vista?
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 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?.
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Methodology

The proposed Project site and surrounding areas were reviewed and analyzed with respect to existing development and land conditions. **Exhibits 4.1-2** through **4.2-3** present visual simulations of the proposed Project as it would be visible from N Indian Canyon Avenue, 19th Avenue, as well as the intersection of N Indian Canyon Avenue and 19th Avenue. Impacts affecting visual character reviewed any changes to the existing areas and the addition or elimination (such as existing open space) of any feature that has the potential to change the visual character of the Project site. Aesthetic impacts also evaluated impacts from the proposed grading and construction activities, building mass and scale, as well as lighting and landscaping features associated with site design.

The Altum Group

View of Proposed Project from North Indian Canyon and 19th Ave

Coachella Airport Business Park

Exhibit

4.1-2

The Altum Group

View of Proposed Project from 19th Ave

Coachella Airport Business Park

Exhibit

4.1-3

Impacts

Impact 4.1.1: Implementation of the proposed Project would not have a substantial effect on a scenic vista; therefore impacts would be Less than Significant.

The proposed Project site is bounded by 18th Avenue to the north, North Indian Canyon Drive to the east, and 19th Avenue to the south. Karen Avenue is located approximately 500 feet to the west of the site. Current views into the site are limited to vehicles along Indian Avenue to the east, and Avenue 19 to the south and consist of vacant and undeveloped land. Views from the interior of the site include distant views of mountain ranges to the north, east and west of the site, Indian Avenue, I-10 and SR 62 to the east, south and west of the site, respectively. The proposed Project site is primarily flat and surrounded by open areas and wind farms particularly to the west, vacant parcels with some commercial and residential uses to the north, scattered light industrial development to the east, scattered industrial and commercial uses to the south. There are no residential or commercial structures in the immediate vicinity of the proposed Project site. Existing conditions at the site provide distant views of the surrounding mountain ranges of the San Jacinto, Santa Rosa, and the San Bernardino Mountains that surround the city of Palm Springs. The San Jacinto State Park located to the west of the site and the Santa Rosa Mountains National Monument, located to the south of the city serve as scenic resources to the city of Palm Springs. Within the Sana Rosa Mountains National Monument, has designated two (2) wildlife viewing areas – the Mount San Jacinto State Park and the Palms to Pines Scenic Byway. However, However, these mountain ranges are approximately over 10 miles to the west and southeast and 25 miles to the north from the proposed Project site. Therefore, due to the distance from the proposed Project site to the viewing areas in these mountain ranges, the proposed Project would not have any impacts to the wildlife viewing areas.

Scenic vistas are natural scenic views considered to have aesthetic value into and from within a site location. Such natural vistas may be affected by man-made features such as building size and masses, landscaping, outdoor signage, lighting structures, and overhead power lines. A project should therefore consider its visual compatibility in relation to surrounding uses, vantage points, surrounding scenic views, and transportation corridors such as scenic roads that may provide vantage points for views of surrounding scenic vistas.

Development of the site consequently has the potential to partially obscure existing views of the San Jacinto, San Gorgonio, the Little San Bernardino, and the Santa Rosa mountain ranges that surround the city. However, current views of these mountains from the site are distant and partially interrupted by building structure to the south and street light poles, electric cables and wind turbines. Therefore, due to the distance of the viewing areas in the mountain ranges surrounding the city, the proposed Project would not have any impacts to the wildlife viewing areas.

As presented in **Exhibit 2.6: Building Design** and **Exhibit 2.7: Proposed Site Plan**, the proposed development would include the development of two (2) large industrial structures approximately between 842,014 square feet (sqft) and 3,359,783 sqft in size, with an average height of up to 56 feet, with associated parking, landscaping, infrastructure improvements, lighting, signage and fencing. An array of fixed rooftop solar panel arrays would be installed on both buildings. Panel arrays could range from 60 cell to 96 cell panels that are typically sized approximately between 39 inches in width and 66 inches to height, to 41.5 inches in width and 62.6 inches in height. However, these solar arrays would be centered on the middle section of the rooftop areas with rooftop parapet obscuring the panels from street level views.

Internal gates would separate the industrial and office uses from the truck docking areas for each of the industrial buildings. Primary site access would be provided from North Indian Canyon Avenue, 18th Avenue, or 19th Avenue. Since the proposed Project site is currently undeveloped, with unobscured views of the distant mountain ranges, the heights and sizing of the proposed buildings on the site would have the potential to block views of the surrounding San Jacinto, San Gorgonio, the Little San Bernardino, and the Santa Rosa mountain ranges, from pedestrians and motorists travelling along N. Indian Canyon Drive, 19th Avenue, and I-10. Building 1 would be set back approximately 174 feet to 230 feet, from the surrounding roadways, while Building 2 would be setback from between from 100 feet to 230 feet from 19th Avenue and N Indian Canyon Avenue. However, since the buildings on the site would be set back from these roadways, this will serve to reduce the scale and mass of the buildings from pedestrians and motorists. Building design and setbacks would also allow for views of the mountains from between the buildings on the site.

While the proposed Project has the potential to future limit views of the distant mountains, the Project would be required to comply with General Plan goals and policies in the Community Desing Element, particularly Goal CD1, Goal CD7, and Policies CD1.4, CD1.6, CD7.1, and CD21.3 which would require the proposed development to create aesthetically pleasing architecture that is currently available in the city, to use natural colors, materials and textures in the development of buildings, and to avoid long blank facades that would block views of existing surrounding vistas. Goal LU1 and Policies LU1.6, LU1.9, LU3.3, LU9.3, and LU9.12, would require that the proposed Project design, architectural quality and features would protect or minimize the existing unique and topographic views of this portion of the city. The propose Project's required adherence to the Polices LU12.6, LU-12.6 and LU-12-7 in the City's Land Use Element would require the proposed Project architecture, building materials and landscaping to be compatible to the area topography and views. Compliance with applicable General Plan polices would ensure that proposed Project architecture style, design and height reduce the proposed Project's impacts on existing views of nearby scenic vistas to less than significant levels.

Mitigation

No mitigation is required.

Impact 4.1.2: Implementation of the proposed Project would not have a substantially damage scenic resources and impacts therefore would be Less than Significant.

The approximate 91.95 acre Project site is currently empty land with low lying brush, located in the northeastern portion of the City of Palm Springs, in the County of Riverside. There are no existing historic buildings, trees, or rock outcroppings located on the site. Sparse low scrubs and small rock deposits are scattered throughout the site. Some light scale industrial development to the east and south of the site. An energy facility and cell facility is located to the west of the site. There are no residential or commercial structures in the vicinity of the proposed Project site. The site is not located within any scenic highways as designated by the California Department of Transportation (California State Scenic Highway Map; 2023). The closest designated State Scenic Highway is a portion of SR 62 located over two (2) miles to the west, and I-10, located about one (1) mile to the south of the site, with vacant land and developed uses located between these highways and the proposed Project site. Scenic resources from the site include the Little San Bernardino Mountains to the north, the San Jacinto and San Gorgonio Mountains to the east, and the Santa Rosa Mountains to the west. Although implementation of the proposed Project would add two (2) new industrial buildings on a currently vacant site with an average height that equals an approximate four

(4) story building,, these structures would be required to comply with the City's applicable architecture style and design for industrial uses as well as General Plan policies LU-9.3, LU-12.2 and LU1-12.7 2, such that the proposed Project would have less than significant impact to any scenic resources.

Mitigation

No mitigation is required.

Impact 4.1.3: Implementation of the proposed Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Impacts would therefore be Less than Significant.

Although located in an "urbanized area" of the city of Palm Springs, the proposed Project site is a currently vacant parcel located in a primarily non-developed area of the city of Palm Springs. The site is primarily surrounded by vacant land to the vacant land with scattered commercial uses to the north, some light industrial uses to the east, sparse industrial and commercial uses to the south, and vacant parcel to the west. Indian Canyon Avenue forms the eastern boundary of the site. Light poles and connected utility electric lines are located along 19th Avenue to the south and Indian Canyon Avenue as well as the unpaved 18th Avenue which forms the northern boundary of the site. Public views into the site are primarily from Indian Canyon Avenue and 19th Avenue. Since vehicles and travelers along these roadways currently have clear views into the currently vacant site, development of the proposed Project buildings has the potential to affect these current views of open land. However, although the proposed Project would develop a currently vacant site with the incorporation of industrial, and office buildings ranging up to 56 feet in height, building design, use of exterior building colors and materials, site signage and lighting would be required to be designed according to City design standards. Further, any building articulation would have to conform to the City's Municipal Code and General Plan Policies LU1-LU3, LU9, and LU12 as discussed above. The implementation of the proposed Project would not substantially degrade the existing visual character of public views of the site and surroundings. Impacts will be less than significant.

Mitigation

No mitigation is required.

Impact 4.1.4: Although implementation of the proposed Project would create new sources of light and glare, with site and building design, this would not adversely affect day or nighttime views in the area and impacts would be Less than Significant.

The proposed Project site is currently vacant with scattered shrubs and bush coverage over a major portion of the site. Some tree coverage and light scale industrial development are located along the eastern and southern sides of the property. In its present condition, the site does not generate any light and glare sources from the property. However, the existing light industrial and commercial uses to the south of the site do generate existing sources of daytime glare and nighttime lighting in the immediate vicinity. Vehicles travelling along Indian Canyon to the east and 19th Avenue to the south, do generate passing vehicular sources of daytime glare and nighttime lighting in the immediate vicinity of the site.

Development under the proposed Project has the potential to generate new sources of daytime glare and nighttime lighting onto and from the Project site. During site construction activities, sunlight would reflect off construction equipment such as excavator, and the site would utilize temporary light poles, temporary storage units and construction trailers in order to aid in nighttime site safety during construction. However,

these sources of daytime glare and nighttime lighting would be temporary and would be required to comply with all applicable City regulations such a, but not limited to, downward orientation of nighttime construction lighting and use of perimeter fencing, would minimize glare and light spillage.

During site operations, the proposed Project has the potential to generate glare from the glass interposed facades, as well as nighttime light from proposed building lighting and signage, parking areas and internal roadways and walkways. However, the use of building materials such as concrete and anodized aluminum, building colors, articulated facades, and building finishes in accordance with the requirements by the City's Municipal Code would ensure that daytime glare from building on site would result in less than significant impacts. The proposed development would also be required to adhere to the City of Palm Springs General Plan goals and policies under the Land Use Element Policy LU12.7 and the Community Design Element Goal CD1, CD12 and CD21, as well as Policies CD1.4, CD1.6, CD1.7, CD12.4, CD21.1, and CD21.2, which would influence the site's architecture, scale, type of building materials and exterior building colors. Land Use Element Goals LU1 would require the proposed development to maintain a balance with surrounding land uses. The proposed Project would be required to adhere to the City's Land Use Element Policies LU1.6, LU1.9, LU3.1, LU3.3, and LU12.6, thereby ensuring that building design and architectural quality utilize design appropriate to the area, and be sensitive to existing natural features while attracting industrial development designed so as not to be visually obtrusive to surrounding development by screening loading and outdoor storage areas.

The Project site will also include lighted signage and light poles ranging from 25' to 39'. However, all new development in the City is required to adhere to lighting requirements contained in the City's Municipal Code §93.21.00 which is intended to maintain ambient lighting levels as low as possible in order to enhance the city's community character and charm and maintain dark skies. These requirements are enforced by the City for the express purpose of limiting light and glare impacts from new development and the proposed Project would be required to comply with the City's lighting and signage standards prior to Project approval. Therefore, site lighting on buildings, parking areas and internal roadway would be required to adhere to standards such as, but not limited to, the height of outdoor light poles. downward orientation of light fixtures, the size of luminaries and the use of Light Emitting Diodes or LED lighting, so as to reduce amount of light spillage on adjoining properties. In addition, all light sources in the site's parking areas, walkway and on the exterior of proposed buildings would be shielded downward. This would ensure that the proposed Project site plan and lighting plan all demonstrate compliance with the City's development standards and General Plan policies, particularly LU1.6, LU1.9, LU12.6, and LU12.7. Adherence to General Plan policies and City lighting and signage standards would minimize potential light spillover through shielding, screening and landscaping. Impacts would therefore be less than significant.

Mitigation

No mitigation is required.

4.2 AIR QUALITY

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the existing air quality for the proposed Project site and the of the South Coast Quality Management District (SCAQMD), identifies relevant City of Palm Springs 2007 General Plan policies that reduce any identified impacts and evaluates potential impacts to air quality from development facilitated by the proposed Project. Additionally, this section summarizes the Air Quality analysis section of Air Quality, Energy, Greenhouse Gas Emissions and Health Risk Assessment Impact Analysis (***Appendix B*** of this Draft EIR). The technical report analyzes the potential air quality impacts of proposed project construction and operation activities to nearby sensitive receptors. Mitigation measures are proposed to reduce significant impacts, as needed.

4.2.1 SETTING

The City of Palm Springs is situated within the Salton Sea Air Basin (SSAB), which encompasses the Coachella Valley portion of Riverside County and the entire County of Imperial. The SSAB is characterized as having a desert climate, featuring low precipitation, hot summers, mild winters, low humidity, and strong temperature inversions. Throughout the SSAB, the annual average temperature remains relatively stable, ranging from the low 40s to the high 100s in degrees Fahrenheit (°F). The Western Regional Climate Center, responsible for historical climate information in the western U.S., including the city of Palm Springs, monitors the closest meteorological station within the city (Station ID No. 046635). According to this source, the average maximum temperature in the local vicinity is recorded at 108.3°F in July, while the average minimum temperature stands at 42.1°F in December and January.

SSAB-portion of Riverside County is separated from the South Coast Air Basin region by the San Jacinto Mountains and from the Mojave Desert Air Basin to the east by the Little San Bernardino Mountains. During the summer, the SSAB is generally influenced by a Pacific Subtropical High Cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The SSAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these systems are weak and diffuse by the time they reach the desert. Most desert moisture arrives from infrequent warm, moist and unstable air masses from the south. The SSAB averages between three and seven inches of precipitation per year.

The Coachella Valley region is currently impacted by significant air pollution levels caused by the transport of pollutants from coastal air basins to the west, primarily ozone, and locally generated PM10. The mountains surrounding the region isolate the Valley from coastal influences and create a hot and dry low-lying desert. As the desert heats up it draws cooler coastal air through the narrow San Gorgonio Pass, generating strong and sustained winds that cross the fluvial (water caused) and aeolian (wind) erosion zones in the Valley. These strong winds suspend and transport large quantities of sand and dust, reducing visibility, damaging property, and constituting a significant health threat.

The South Coast Air Quality Management District (SCAQMD) oversees air quality management in the Riverside County portion of the SSAB. Bounded by the San Jacinto Mountains to the west, the Riverside County section of the SSAB extends eastward to the Palo Verde Valley. Many air quality impacts that derive from dispersed mobile sources, which are the dominate pollution generators in the SSAB, often occurs hours later and miles away after photochemical processes have converted primary exhaust pollutants into secondary contaminants such as ozone.

The SSAB, along with the adjacent Mojave Desert Air Basin, was previously part of a larger air basin called the Southeast Desert Air Basin. However, on May 30, 1996, the California Air Resources Board (CARB)

subdivided this larger basin into the two separate air basins that exist today. Air quality conditions in this portion of the County, although in the SSAB, are also administered by the SCAQMD. The SCAQMD is responsible for the development of the regional Air Quality Management Plan and efforts to regulate pollutant emissions from a variety of sources.

The incremental regional air quality impact of an individual project is generally very small and difficult to measure. Therefore, the SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than on actual ambient air quality because the direct air quality impact of a project is not quantifiable on a regional scale.

The proposed Project is located within the city of Palm Springs and is within the Salton Sea Air Basin (SSAB). The middle part of Riverside County (between San Gorgonio Pass and Joshua Tree National Monument) is included in the Salton Sea Air Basin (SSAB). Air quality conditions in this portion of the County, although in the SSAB, are also administered by the SCAQMD. The SCAQMD is responsible for the development of the regional Air Quality Management Plan and efforts to regulate pollutant emissions from a variety of sources.

The city, in relation to other areas in Southern California, has good air quality. In the past few decades, however, noticeable deterioration of air quality has occurred due to increased development and population growth, traffic, construction activity, and various site disturbances. It is apparent that although air pollution is emitted from various sources in the Coachella Valley, substantial degradation of air quality may be attributed primarily to sources outside of the Valley.

The temperature and precipitation levels for the city is shown below in Table 4.2-1: Monthly Local Climate Data, which shows that July is typically the warmest month and December is typically the coolest month. Rainfall in the project area varies considerably in both time and space. Almost all the annual rainfall comes from the fringes of mid- latitude storms from late November to early April, with summers being almost completely dry.

Table 4.2-1: Monthly Local Climate Data

Descriptor	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Avg. Max. Temperature	70.6	74	80.6	87.7	95.6	103.4	108	107	101.5	91.1	76	69.8
Avg. Min. Temperature	45.3	48	52.3	57.5	64.4	71	77.3	77.4	71.5	62.4	50.3	44.8
Avg. Total Precipitation (in.)	1.17	1.04	0.52	0.08	0.02	0.03	0.13	0.29	0.21	0.26	0.32	0.92

Source: Data from the Palm Springs, CA station (046635).
https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca6635 Data from the Palm Springs, CA station (046635).

Project-related construction air emissions may have the potential to exceed the State and Federal air quality standards in the site vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the South Coast Air Basin. In order to assess local air quality impacts the SCAQMD has developed Localized Significance Thresholds (LSTs) to assess the project-related air emissions in the project vicinity. The SCAQMD has also provided Final Localized Significance Threshold Methodology

(LST Methodology), June 2003, which details the methodology to analyze local air emission impacts. The Localized Significance Threshold Methodology found that the primary emissions of concern are NO2, CO, PM10, and PM2.5.

The significance thresholds for the local emissions of NO2 and CO are determined by subtracting the highest background concentration from the last three years of these pollutants that are outlined in the Localized Significance Thresholds. Table 4.2-2: SCAQMD Air Quality Significance Thresholds shows the ambient air quality standards for NO_2, CO, and PM_{10} and $PM_{2.5}$.

Table 4.2-2: SCAQMD Air Quality Significance Thresholds

Mass Daily Thresholds1		
Pollutant	**Construction (lbs/day)**	**Operation (lbs/day)**
NOx	100	55
VOC	75	55
PM10	150	150
PM2.5	55	55
SOx	150	150
CO	550	550
Lead	3	3
Toxic Air Contaminants (TACs), Odor and GHG Thresholds		
TACs (including carginogens and non- carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to South Coast AQMD Rule 402	
GHG	10,000 MT/yr CO2e for industrial facilities	
Ambient Air Quality Standards for Criteria Pollutants[2]		
NO2 1-hour average annual arithmetic mean	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.03 ppm (state) & 0.0534 ppm (federal)	
PM10 24-hour average annual average	 10.4 µg/m^3 (construction)3 & 2.5 ug/m^3 (operation) 1.0 ug/m^3	
PM2.5 24-hour average	 10.4 µg/m^3 (construction)3 & 2.5 µg/m^3 (operation)	
SO2 1-hour average 24-hour average	 0.25 ppm (state) & 0.075 ppm (federal – 99th percentile) 0.04 ppm (state)	
Sulfate 24-hour average	 25 µg/m^3 (state)	

CO 1-hour average 8-hour average	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) & 35 ppm (federal) 9 ppm (state/federal)
Lead 30-day average Rolling 3-month average	 1.5 µg/m^3 (state) 0.15 µg/m^3 (federal)

Source: http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook
Source: South Coast AQMD CEQA Handbook (South Coast AQMD, 1993)
Ambient air quality thresholds for criteria pollutants based on South Coast AQMD Rule 1303, Table A-2 unless otherwise stated. Ambient air quality threshold based on South Coast AQMD Rule 403

DEFINITIONS

Pollutants

Pollutants are generally classified as either criteria pollutants or non-criteria pollutants. Federal ambient air quality standards have been established for criteria pollutants, whereas no ambient standards have been established for non-criteria pollutants. For some criteria pollutants, separate standards have been set for different periods. Most standards have been set to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of nuisance conditions).

Criteria Pollutants

The criteria pollutants consist of: ozone, nitrogen dioxide, carbon monoxide, sulfur dioxide, lead, and particulate matter. These pollutants can harm your health and the environment, and cause property damage. The US Environmental Protection Agency (EPA) calls these pollutants “criteria” air pollutants because it regulates them by developing human health-based and/or environmentally-based criteria for setting permissible levels. The following provides descriptions of each of the criteria pollutants.

Nitrogen Dioxides

Nitrogen Oxides (NOx) is the generic term for a group of highly reactive gases which contain nitrogen and oxygen. While most NOx are colorless and odorless, concentrations of nitrogen dioxide (NO2) can often be seen as a reddish-brown layer over many urban areas. NOx form when fuel is burned at high temperatures, as in a combustion process. The primary manmade sources of NOx are motor vehicles, electric utilities, and other industrial, commercial, and residential sources that burn fuel. NOx reacts with other pollutants to form, ground-level ozone, nitrate particles, acid aerosols, as well as NO2, which cause respiratory problems. NOx and the pollutants formed from NOx can be transported over long distances, following the patterns of prevailing winds. Therefore, controlling NOx is often most effective if done from a regional perspective, rather than focusing on the nearest sources.

The Palm Springs Station did not record an exceedance of the State or Federal NO2 standards for the last three years.

Ozone

Ozone (O_3) is not usually emitted directly into the air but at ground-level is created by a chemical reaction between NOx and volatile organic compounds (VOC) in the presence of sunlight. Motor vehicle exhaust, industrial emissions, gasoline vapors, chemical solvents as well as natural sources emit NOx and VOC that help form ozone. Ground-level ozone is the primary constituent of smog. Sunlight and hot weather cause ground- level ozone to form with the greatest concentrations usually occurring downwind from urban areas. Ozone is subsequently considered a regional pollutant. Ground-level ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and can cause substantial damage to vegetation and other materials. Since NOx and VOC are ozone precursors, the health effects associated with ozone are also indirect health effects associated with significant levels of NOx and VOC emissions.

The SCAQMD Palm Springs monitoring station shows that the city has exceeded the Federal ozone standards between 35 and 49 days, each year for the past three (3) years.

Carbon Monoxide

Carbon monoxide (CO) is a colorless, odorless gas that is formed when carbon in fuel is not burned completely. It is a component of motor vehicle exhaust, which contributes about 56 percent of all CO emissions nationwide. In cities, 85 to 95 percent of all CO emissions may come from motor vehicle exhaust. Other sources of CO emissions include industrial processes (such as metals processing and chemical manufacturing), residential wood burning, and natural sources such as forest fires. Woodstoves, gas stoves, cigarette smoke, and unvented gas and kerosene space heaters are indoor sources of CO. The highest levels of CO in the outside air typically occur during the colder months of the year when inversion conditions are more frequent. The air pollution becomes trapped near the ground beneath a layer of warm air. CO is described as having only a local influence because it dissipates quickly. Since CO concentrations are strongly associated with motor vehicle emissions, high CO concentrations generally occur in the immediate vicinity of roadways with high traffic volumes and traffic congestion, active parking lots, and in automobile tunnels. Areas adjacent to heavily traveled and congested intersections are particularly susceptible to high CO concentrations.

CO is a public health concern because it combines readily with hemoglobin and thus reduces the amount of oxygen transported in the bloodstream. The health threat from lower levels of CO is most serious for those who suffer from heart disease such as angina, clogged arteries, or congestive heart failure. For a person with heart disease, a single exposure to CO at low levels may cause chest pain and reduce that person's ability to exercise; repeated exposures may contribute to other cardiovascular effects. High levels of CO can affect even healthy people. People who breathe high levels of CO can develop vision problems, reduced ability to work or learn, reduced manual dexterity, and difficulty performing complex tasks. At extremely high levels, CO is poisonous and can cause death.

The Palm Springs monitoring station does not indicate the city and surrounding area's exceedance of State or Federal NO_2 standards for the last three years

Sulfur Dioxide

Sulfur Oxide (SOx) gases (including sulfur dioxide [SO2]) are formed when fuel containing sulfur, such as coal and oil is burned, and from the refining of gasoline. SOx dissolve easily in water vapor to form acid and interacts with other gases and particles in the air to form sulfates and other products that can be harmful to people and the environment.

Lead

Lead (Pb) is a metal found naturally in the environment as well as manufactured products. The major sources of lead emissions have historically been motor vehicles and industrial sources. Due to the phase out of leaded gasoline, metal processing is now the primary source of lead emissions to the air. High levels of lead in the air are typically only found near lead smelters, waste incinerators, utilities, and lead-acid battery manufacturers. Exposure of fetuses, infants and children to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased lead levels are associated with increased blood pressure.

Particulate Matter

Particulate matter (PM) is the term for a mixture of solid particles and liquid droplets found in the air. Particulate matter is made up of a number of components including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. The size of particles is directly linked to their potential for causing health problems. Particles that are less than 10 micrometers in diameter (PM10) are the particles that generally pass through the throat and nose and enter the lungs. Once inhaled, these particles can affect the heart and lungs and cause serious health effects. Particles that are less than 2.5 micrometers in diameter (PM2.5) have been designated as a subset of PM10 due to their increased negative health impacts and its ability to remain suspended in the air longer and travel further.

According to the EPA, some people are much more sensitive than others to breathing fine particles (PM10 and PM2.5). People with influenza, chronic respiratory and cardiovascular diseases, and the elderly may suffer worsening illness and premature death due to breathing these fine particles. People with bronchitis can expect aggravated symptoms from breathing in fine particles. Children may experience decline in lung function due to breathing in PM10 and PM2.5. Other groups considered sensitive are smokers and people who cannot breathe well through their noses. Exercising athletes are also considered sensitive, because many breathe through their mouths during exercise.

The Federal 24-hour standard for $PM_{2.5}$ was not exceeded over the last three years at the Palm Springs station.

Reactive Organic Gases

Although not a criteria pollutant, reactive organic gases (ROGs), or volatile organic compounds (VOCs), are defined as any compound of carbon—excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate—that participates in atmospheric photochemical reactions. Although there are slight differences in the definition of ROGs and VOCs, the two terms are often used interchangeably. Indoor sources of VOCs include paints, solvents, aerosol sprays, cleansers, tobacco smoke, etc. Outdoor sources of VOCs are from combustion and fuel evaporation. A reduction in VOC emissions reduces certain chemical reactions that contribute to the formulation of ozone. VOCs are transformed into organic aerosols in the atmosphere, which contribute to higher PM10 and lower visibility.

Toxic Air Contaminants

In addition to the above-listed criteria pollutants, toxic air contaminants (TACs) are another group of pollutants of concern. Sources of toxic air contaminants include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Cars and trucks release at least forty different toxic air contaminants. The most

important of these toxic air contaminants, in terms of health risk, are diesel particulates, benzene, formaldehyde, 1,3- butadiene, and acetaldehyde. Public exposure to toxic air contaminants can result from emissions from normal operations as well as from accidental releases. Health effects of toxic air contaminants include cancer, birth defects, neurological damage, and death.

TACs are less pervasive in the urban atmosphere than criteria air pollutants, however they are linked to short- term (acute) or long-term (chronic or carcinogenic) adverse human health effects. There are hundreds of different types of TACs with varying degrees of toxicity. Sources of toxic air contaminants include industrial processes, commercial operations (e.g., gasoline stations and dry cleaners), and motor vehicle exhaust.

According to the 2013 California Almanac of Emissions and Air Quality, the majority of the estimated health risk from toxic air contaminants can be attributed to relatively few compounds, the most important of which is diesel particulate matter (DPM). DPM is a subset of PM2.5 because the size of diesel particles are typically 2.5 microns and smaller. The identification of DPM as a TAC in 1998 led the California Air Resources Board (CARB) to adopt the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-fueled Engines and Vehicles in September 2000. The plan's goals are a 75-percent reduction in DPM by 2010 and an 85- percent reduction by 2020 from the 2000 baseline. Diesel engines emit a complex mixture of air pollutants, composed of gaseous and solid material. The visible emissions in diesel exhaust are known as particulate matter or PM, which includes carbon particles or "soot". Diesel exhaust also contains a variety of harmful gases and over 40 other cancer-causing substances. California's identification of DPM as a TAC was based on its potential to cause cancer, premature deaths, and other health problems. Exposure to DPM is a health hazard, particularly to children whose lungs are still developing and the elderly who may have other serious health problems. Overall, diesel engine emissions are responsible for the majority of California's potential airborne cancer risk from combustion sources.

Asbestos

Asbestos is listed as a TAC by the CARB and as a Hazardous Air Pollutant by the EPA. Asbestos occurs naturally in mineral formations and crushing or breaking these rocks, through construction or other means, can release asbestiform fibers into the air. Asbestos emissions can result from the sale or use of asbestos- containing materials, road surfacing with such materials, grading activities, and surface mining. The risk of disease is dependent upon the intensity and duration of exposure. When inhaled, asbestos fibers may remain in the lungs and with time may be linked to such diseases as asbestosis, lung cancer, and mesothelioma. The nearest likely locations of naturally occurring asbestos, as identified in the General Location Guide for Ultramafic Rocks in California prepared by the California Division of Mines and Geology, is located at Asbestos Mountain in the San Jacinto Mountains, approximately 20 miles southeast of the project site. Due to the distance to the nearest natural occurrences of asbestos, the project site is not likely to contain asbestos.

4.2.2 REGULATORY FRAMEWORK

Federal

Clean Air Act

The Federal Clean Air Act of 1970 (CAA) was enacted to protect and improve the nation's air quality and has been amended numerous times since. The CAA establishes federal air quality standards (National

Ambient Air Quality Standards [NAAQS]) for criteria air pollutants: O3 (ozone), CO (Carbon Monoxide), NOx (Nitrogen Oxide), SO_2 (Sulfur Dioxide), PM_{10} (Particulate Matter 10 microns in diameter or less), $PM_{2.5}$ (Particulate Matter 2.5 microns in diameter or less), and lead, and specifies dates for achieving compliance. The CAA also mandates the preparation, approval, and enactment of State Implementation Plans (SIPs) for local areas not meeting these standards. SIPs must include pollution control measures that demonstrate how the standards will be met.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most relevant to the proposed development include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions were established with the goal of attaining the NAAQS for the following criteria pollutants:

O_3, NO_2, SO_2, PM_{10}, CO, $PM_{2.5}$, and Pb. The NAAQS were amended in July 1997 to include an additional standard for O_3 and to adopt a NAAQS for $PM_{2.5}$. Mobile source emissions from cars and trucks are regulated in accordance with Title II provisions that require the use of cleaner burning fuels. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and NOx, which is a collective term that includes all forms of nitrogen oxides emitted as byproducts of the combustion process.

United States Environmental Protection Agency

The United States Environmental Protection Agency (USEPA) is responsible for establishing the National Ambient Air Quality Standards (NAAQS) and enforcing the federal Clean Air Act (CAA). The USEPA also regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, certain types of ships, and locomotives.

The EPA and the CARB designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered “unclassified.” National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards. Each standard has a different definition, or ‘form’ of what constitutes attainment, based on specific air quality statistics. For example, the Federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring values exceeds the threshold per year. In contrast, the Federal annual $PM_{2.5}$ standard is met if the three-year average of the annual average PM2.5 concentration is less than or equal to the standard.

As part of its enforcement responsibilities, the EPA requires each state with federal nonattainment areas to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the national standards. The State Implementation Plan (SIP) must integrate federal, state, and local components and regulations to identify specific measures to reduce pollution, using a combination of performance standards and market-based programs within the timeframe identified in the State Implementation Plan (SIP).

National Ambient Air Quality Standards

The CAA Amendment of 1971 established National Ambient Air Quality Standards (NAAQS), which specify the levels of air pollutants considered safe, with an adequate margin of safety, to protect the public health and welfare. The NAAQS were designed with the flexibility to allow states the option to adopt more

stringent standards or to include other pollution species. The NAAQS are designed to protect those "sensitive receptors" most susceptible to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse health effects are observed.

STATE

Assembly Bill 617 Nonvehicular air pollution: criteria air pollutants and toxic air contaminants

Assembly Bill (AB) 617l requires the state board to develop a uniform statewide system of annual reporting of emissions of criteria air pollutants and TACs for use by certain categories of stationary sources. The bill requires those stationary sources to report their annual emissions of criteria air pollutants and TACs, as specified. This bill required the state board, by October 1, 2018, to prepare a monitoring plan regarding technologies for monitoring criteria air pollutants and TACs and the need for and benefits of additional community air monitoring systems, as defined. The bill requires the state board to select, based on the monitoring plan, the highest priority locations in the state for the deployment of community air monitoring systems. The bill requires an air district containing a selected location, by July 1, 2019, to deploy a system in the selected location. The bill would authorize the air district to require a stationary source that emits air pollutants in, or that materially affect, the selected location to deploy a fence-line monitoring system, as defined, or other specified real-time, on-site monitoring. The bill authorizes the state board, by January 1, 2020, and annually thereafter, to select additional locations for the deployment of the systems. The bill would require air districts that have deployed a system to provide to the state board air quality data produced by the system. By increasing the duties of air districts, this bill would impose a state-mandated local program. The bill requires the state board to publish the data on its Internet Web site.

California Air Resources Board

The California Air Quality Resources Board (CARB) is a part of the California EPA responsible for ensuring implementation of the California Clean Air Act (CCAA), meeting the state requirements under the federal CAA in establishing ambient air quality standards (AAQS). CARB is also responsible for setting vehicle emission standards, fuel inspections, and regulating emission sources from other sources such as consumer products and certain types of mobile equipment (e.g., lawn and garden equipment, industrial forklifts, etc.). In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, develops suggested control measures, provides oversight of local programs, and prepares the State Implementation Plan (SIP). The California Ambient Air Quality Standards (CAAQS) for criteria pollutants are shown in Table 2. In addition, the CARB establishes emission standards for motor vehicles sold in California, consumer products (e.g., hairspray, aerosol paints, and barbeque lighter fluid), and various types of commercial equipment. Furthermore, the motor vehicle emission standards established by CARB include compliance with the Safer Affordable Fuel-Efficient Vehicles (SAFE) Rule, issued by NHTSA and EPA in March 2020 (published on April 30, 2020 and effective after June 29, 2020). The SAFE Rule sets fuel economy and carbon dioxide standards that increase 1.5 percent in stringency each year from model years 2021 through 2026, and apply to both passenger cars and light trucks. CARB. It also sets fuel specifications to further reduce vehicular emissions.

The Salton Sea Air Basin has been designated by the CARB as a nonattainment area for ozone and PM_{10}. Currently, the Salton Sea Air Basin is in attainment with the ambient air quality standards for CO, lead, SO_2, N_2, and sulfates and is unclassified for visibility reducing particles ($PM_{2.5}$) and Hydrogen Sulfide.

On June 20, 2002, the CARB revised the PM10 annual average standard to 20 µg/m3 and established an annual average standard for $PM_{2.5}$ of 12 µg/m3. These standards were approved by the Office of Administrative Law in June 2003 and are now effective. On September 27, 2007 CARB approved the South Coast Air Basin and the Coachella Valley 2007 Air Quality Management Plan for Attaining the Federal 8-hour Ozone and $PM_{2.5}$ Standards. The plan projected attainment for the 8-hour Ozone standard by 2024 and the $PM_{2.5}$ standard by 2015.

On December 12, 2008 the CARB adopted Resolution 08-43, which limits NOx, PM_{10} and $PM_{2.5}$ emissions from on-road diesel truck fleets that operate in California. On October 12, 2009 Executive Order R-09-010 was adopted that codified Resolution 08-43 into Section 2025, Title 13 of the California Code of Regulations. This regulation requires that by the year 2023 all commercial diesel trucks that operate in California shall meet model year 2010 (Tier 4) or latter emission standards. In the interim period, this regulation provides annual interim targets for fleet owners to meet. This regulation also provides a few exemptions including a one time per year three day pass for trucks registered outside of California.

The CARB is also responsible for regulations pertaining to TACs. The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly) was enacted in 1987 as a means to establish a formal air toxics emission inventory risk quantification program. AB 2588, as amended, establishes a process that requires stationary sources to report the type and quantities of certain substances their facilities routinely release into the South Coast Air Basin. The data is ranked by high, intermediate, and low categories, which are determined by: the potency, toxicity, quantity, volume, and proximity of the facility to nearby receptors.

REGIONAL

South Coast Air Quality Management District

The South Coast Air Quality Management District (SCAQMD) develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines, when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. It has responded to this requirement by preparing a sequence of Air Quality Management Plans (AQMPs)

Air Quality Management Plan

On June 21, 2002, the SCAQMD adopted the 2002 Coachella Valley PM_{10} State Implementation Plan (CVSIP). The 2002 CVSIP, which included a request for extension of the PM_{10} deadline and met all applicable federal Clean Air Act requirements, including a Most Stringent Measures analysis, control measures, and attainment demonstration. U.S. EPA approved the 2002 CVSIP on April 18, 2003. At the time of adoption, the AQMD committed to revising with the 2002 CVSIP with the latest approved mobile source emissions estimates, planning assumptions and dust source emission estimates, when they became available.

The 2003 CVSIP updates those elements of the 2002 CVSIP; the control strategies and control measure commitments have not been revised and remain the same as in the 2002 CVSIP. The 2003 CVSIP contains updated emissions inventories, emission budgets, and attainment modeling. It requests that U.S. EPA

replace the approved transportation conformity budgets in the 2002 CVSIP with those in the 2003 CVSIP. U.S. EPA approved these budgets on March 25, 2004 with an effective date of April 9, 2004.

In May 2022, the SCAQMD completed the 2022 Draft AQMP. The 2022 Draft AQMP is focused on attaining the 2015 8-hour ozone standard (70 parts per billion [ppb]) for the South Coast Air Basin and Coachella Valley. The Draft 2022 AQMP builds upon measures already in place from previous AQMPs. It also includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emission technologies, when cost-effective and feasible, and low NOx technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other CAA measures to achieve the 2015 8-hour ozone standard. The 2022 AQMP was adopted December 2, 2022, by SCAQMD Governing Board. The 2022 AQMP was approved and adopted by CARB on January 26, 2023.The 2022 AQMP strategy includes the following:

- Wide adoption of zero emissions technologies anywhere available.
- Low NOx technologies where zero emissions aren't feasible.
- Federal Action.
- Zero emissions technologies for residential and industrial sources such as water and space heaters in buildings and homes regionwide.
- Incentive funding in environmental justice areas.
- Prioritize benefits on the most disadvantaged communities.

The SCAQMD CEQA Handbook states that any project in the South Coast Air Basin with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact.

SCAQMD Rules and Regulations

During construction and operation, the project must comply with applicable rules and regulations. The following are the rules that the project may be required to comply with, either directly, or indirectly:

SCAQMD Rule 402

This Rule prohibits a person from discharging from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

SCAQMD Rule 403

This Rule governs emissions of fugitive dust during construction and operation activities. Compliance with this rule is achieved through application of standard Best Management Practices, such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph, and establishing a permanent ground cover on finished sites.

Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Applicable dust suppression techniques from Rule 403 are

summarized below. Implementation of these dust suppression techniques can reduce the fugitive dust generation (and thus the PM10 component). Compliance with these rules would reduce impacts on nearby sensitive receptors. Rule 403 measures may include but are not limited to the following:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
- Water active sites at least three times daily. (Locations where grading is to occur will be thoroughly watered prior to earthmoving.)
- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 meters (2 feet) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code section §23114.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.
- Suspension of all grading activities when wind speeds (including instantaneous wind gusts) exceed 25 mph.
- Bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.
- Replanting disturbed areas as soon as practical.
- During all construction activities, construction contractors shall sweep on-site and off-site streets if silt is carried to adjacent public thoroughfares, to reduce the amount of particulate matter on public streets. All sweepers shall be compliant with SCAQMD Rule 1186.1, Less Polluting Sweepers.

SCAQMD Rule 403.1 is supplemental to Rule 403 requirements and shall apply only to fugitive dust sources in the Coachella Valley.

General Requirements of 403.1

Any person who is responsible for any active operation, open storage pile, or disturbed surface area, and who seeks an exemption pursuant to Rule 403, paragraph (g)(2) shall be required to determine when wind speed conditions exceed 25 miles per hour. The wind speed determination shall be based on either District forecasts or through use of an on-site anemometer as described in subdivision (g).

Any person involved in active operations in the Coachella Valley Blowsand Zone shall stabilize new man-made deposits of bulk material within 24 hours of making such bulk material deposits. Stabilization procedures shall include one or more of the following:

- Application of water to at least 70 percent of the surface area of any bulk material deposits at least 3 times for each day that there is evidence of wind driven fugitive dust; or
- Application of chemical stabilizers in sufficient concentration so as to maintain a stabilized surface for a period of at least 6 months; or

Installation of wind breaks of such design so as to reduce maximum wind gusts to less than 25 miles per hour in the area of the bulk material deposits. (3) Any person involved in active operations in the Coachella Valley Blowsand Zone shall stabilize new deposits of bulk material originating from off-site undisturbed natural desert areas within 72 hours.

Stabilization procedures shall include one or more of the following: (A) Application of water to at least 70 percent of the surface area of any bulk material deposits at least 3 times for each day that there is evidence of wind driven fugitive dust; or (B) Application of chemical stabilizers in sufficient concentration so as to maintain a stabilized surface for a period of at least six months.

A person who conducts or authorizes the conducting of an active operation shall implement at least one of the control actions specified in Rule 403, Table 2 for the source category "Inactive Disturbed Surface Areas" to minimize wind driven fugitive dust from disturbed surface areas at such time when active operations have ceased for a period of at least 20 days.

Any person involved in agricultural tilling or soil mulching activities shall cease such activities when wind speeds exceed 25 miles per hour. The wind speed determination shall be based on either District forecasts or through use of an on-site anemometer as described in subdivision (g).

Fugitive Dust Control Plan and Other Requirements for Construction Projects/Earth-Moving Activities

Any person who conducts or authorizes the conducting of an active operation with a disturbed surface area of more than 5,000 square feet shall not initiate any earth-moving activities unless a fugitive dust control plan is prepared and approved by the Executive Officer in accordance with the requirements of subdivision (f) and the Rule 403.1 Implementation Handbook. These provisions shall not apply to active operations exempted by paragraph (i)(4).

Any operator required to submit a fugitive dust control plan under paragraph (e)(1) shall maintain a complete copy of the approved fugitive dust control plan on-site in a conspicuous place at all times and the fugitive dust control plan must be provided upon request.

Any operator required to submit a fugitive dust control plan under paragraph (e)(1) shall install and maintain signage with project contact information that meets the minimum standards of the Rule

403.1 Implementation Handbook prior to initiating any type of earth-moving activities.

Any operator required to submit a fugitive dust control plan under paragraph (e)(1) for a project with a disturbed surface area of 50 or more acres shall have an Dust Control Supervisor that:

- is employed by or contracted with the property owner or developer; and
- is on-site or is available to be on-site within 30 minutes of initial contact; and
- has the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance with all Rule 403 and 403.1 requirements; and
- has completed the AQMD Coachella Valley Fugitive Dust Control Class and has been issued a valid Certificate of Completion for the class.

Failure to comply with any of the provisions of an approved fugitive dust control plan shall be a violation of this rule.

SCAQMD Rule 445

Prohibits permanently installed wood burning devices into any new development. A wood burning device means any fireplace, wood burning heater, or pellet-fueled wood heater, or any similarly enclosed, permanently installed, indoor or outdoor device burning any solid fuel for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.

Applies to all spray painting and spray coating operations and equipment. The rule states that a person shall not use or operate any spray painting or spray coating equipment unless one of the following conditions is met:

The spray coating equipment is operated inside a control enclosure, which is approved by the Executive Officer. Any control enclosure for which an application for permit for new construction, alteration, or

change of ownership or location is submitted after the date of adoption of this rule shall be exhausted only through filters at a design face velocity not less than 100 feet per minute nor greater than 300 feet per minute, or through a water wash system designed to be equally effective for the purpose of air pollution control.

Coatings are applied with high-volume low-pressure, electrostatic and/or airless spray equipment.

An alternative method of coating application or control is used which has effectiveness equal to or greater than the equipment specified in the rule.

SCAQMD Rule 1108

Governs the sale, use, and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt used in the South Coast Air Basin. This rule would regulate the VOC content of asphalt used during construction. Therefore, all asphalt used during construction of the project must comply with SCAQMD Rule 1108.

SCAQMD Rule 1113

Governs the sale, use, and manufacturing of architectural coating and limits the VOC content in paints and paint solvents. This rule regulates the VOC content of paints available during construction. Therefore, all paints and solvents used during construction and operation of the project must comply with SCAQMD Rule 1113.

SCAQMD Rule 1143

Governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content. This rule regulates the VOC content of solvents used during construction. Solvents used during the construction phase must comply with this rule.

SCAQMD Rule 1186

Limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, county, agency or special district such as water, air, sanitation, transit, or school district.

SCAQMD Rule 1303

Governs the permitting of re-located or new major emission sources, requiring Best Available Control Measures and setting significance limits for PM10 among other pollutants.

SCAQMD Rule 1401

New Source Review of Toxic Air Contaminants, specifies limits for maximum individual cancer risk, cancer burden, and non-cancer acute and chronic hazard index from new permit units, relocations, or modifications to existing permit units, which emit TACs.

Asbestos Emissions from Demolition/Renovation Activities, specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM).

SCAQMD Rule 2202

On-Road Motor Vehicle Mitigation Options, is to provide employers with a menu of options to reduce mobile source emissions generated from employee commutes, to comply with federal and state Clean Air Act requirements, Health & Safety Code Section 40458, and Section 182(d)(1)(B) of the federal Clean Air Act. It applies to any employer who employs 250 or more employees on a full or part-time basis at a worksite for a consecutive six-month period calculated as a monthly average.

SCAQMD Rule 2305

The Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program aims to reduce nitrogen oxide and diesel emissions associated with warehouses, help meet federal standards and improve public health. The WAIRE Program is an indirect source rule that regulates warehouse facilities to reduce emissions from the goods movement industry. Owners and operators of warehouses that have 100,000 square feet or more of indoor floor space in a single building must comply with the WAIRE Program. WAIRE is a menu-based point system in which warehouse operators are required to earn a specific number of points every year. The yearly number of points required is based on the number of trucks trips made to and from the warehouse each year, with larger trucks such as tractors or tractor-trailers multiplied by 2.5. Warehouse operators may be exempt from parts of the rule if they operate less than 50,000 square feet of warehousing activities, if the number of points required is less than 10, or if the WAIRE menu action chosen under performs due to circumstances beyond the operator's control, such as a manufacturer defect. SCAQMD Rule 316 establishes fees to fund Rule 2305 compliance activities.

Air Quality Guidance Documents

SCAQMD CEQA Handbook

Although the SCAQMD is responsible for regional air quality planning efforts, it does not have the authority to directly regulate air quality issues associated with plans and new development projects throughout the South Coast Air Basin. Instead, this is controlled through local jurisdictions in accordance with the California Environmental Quality Act (CEQA). In order to assist local jurisdictions with air quality compliance issues the CEQA Air Quality Handbook (SCAQMD CEQA Handbook) prepared by the SCAQMD (1993) with the most current updates found at http://www.aqmd.gov/ceqa/hdbk.html, was developed in accordance with the projections and programs of the AQMP. The purpose of the SCAQMD CEQA Handbook is to assist Lead Agencies, as well as consultants, project proponents, and other interested parties in evaluating a proposed project's potential air quality impacts. Specifically, the SCAQMD CEQA Handbook explains the procedures that the SCAQMD recommends be followed for the environmental review process required by CEQA. The SCAQMD CEQA Handbook provides direction on how to evaluate potential air quality impacts, how to determine whether these impacts are significant, and how to mitigate these impacts. SCAQMD is in the process of developing an "Air Quality Analysis Guidance Handbook" to replace the CEQA Air Quality Handbook approved by the AQMD Governing Board in 1993. The 1993 CEQA Air Quality Handbook is still available but not online. In addition, there are sections of the 1993 Handbook that are obsolete. In order to assist the CEQA practitioner in conducting an air quality analysis while the new Handbook is being prepared, supplemental information regarding: significance thresholds and analysis, emissions factors, cumulative impacts emissions analysis, and other useful subjects, are available at the SCAQMD website3. The SCAQMD CEQA Handbook and supplemental information is used in this analysis.

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino and Imperial Counties and addresses regional issues relating to transportation, the economy, community development and the environment. SCAG is the Federally designated metropolitan planning organization (MPO) for the majority of the southern California region and is the largest MPO in the nation. With respect to air quality planning, SCAG has prepared the Regional Transportation Plan and Regional Transportation Improvement Plan (RTIP), which addresses regional development and growth forecasts. These plans form the basis for the land use and transportation components of the AQMP, which are utilized in the preparation of air quality forecasts and in the consistency, analysis included in the AQMP. The Regional Transportation Plan, Regional Transportation Improvement Plan, and AQMP are based on projections originating within the City and County General Plans.

On April 7, 2016, SCAG's Regional Council adopted the 2016-2040 Regional Transportation Plan/ Sustainable Communities Strategy (2016 RTP/SCS or Plan). The Plan is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. The Plan charts a course for closely integrating land use and transportation – so that the region can grow smartly and sustainably. It outlines more than $556.5 billion in transportation system investments through 2040. The Plan was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura. In June 2016, SCAG received its conformity determination from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) indicating that all air quality conformity requirements for the 2016 RTP/SCS and associated 2015 Federal Transportation Improvement Program (FTIP) Consistency Amendment through Amendment 15-12 have been met.

On September 3, 2020, SCAG's Regional Council unanimously voted to approve and fully adopt Connect SoCal (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy), and the addendum to the Connect SoCal Program Environmental Impact Report. Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal outlines more than

$638 billion in transportation system investments through 2045. It was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura.

Coachella Valley Model Dust Control Ordinance (see also SCAQMD Rule 403.1)

The Coachella Valley Dust Control Ordinance was designed to establish minimum requirements for construction and demolition activities and other specified sources in order to reduce man-made fugitive dust and the corresponding PM10 emissions. The Ordinance establishes following rules associated with reducing the fugitive dust emissions associated with the project:

Section 400 Control Requirements

<u>410. Work Practices – All Fugitive Dust Sources</u>

No operator shall conduct any potential dust-generating activity on a site unless the operator utilizes one or more Coachella Valley Best Available Control Measures, as identified in the Coachella Valley. Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met.

Any operator involved in any potential dust-generating activity on a site with a disturbed surface area greater than one acre shall, at a minimum, operate a water application system as identified in the Coachella Valley Fugitive Dust Control Handbook, if watering is the selected control measure.

Performance Standards and Test Methods

No person subject to the requirements contained in Section 410.1 shall cause or allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from the origin of a source, or cross any property line.

420. Construction and Demolition Activities

Any operator applying for a grading permit, or a building permit for an activity with a disturbed surface area of more than 5,000 square feet, shall not initiate any earth-moving operations unless a Fugitive Dust Control Plan has been prepared pursuant to the provisions of the Coachella Valley Fugitive Dust Control Handbook and approved by the City (County).

A complete copy of the approved Fugitive Dust Control Plan must be kept on-site in a conspicuous place at all times and provided to the City (County) and AQMD upon request.

Any operator involved in earth-moving operations shall implement at least one of the following short-term stabilization methods during non-working hours:

- maintaining soils in a damp condition as determined by sight or touch; or
- establishment of a stabilized surface through watering; or
- application of a chemical dust suppressant in sufficient quantities and concentrations to maintain a stabilized surface.

Within 10 days of ceasing activity, an operator shall implement at least one of the following long- term stabilization techniques for any disturbed surface area where construction activities are not scheduled to occur for at least 30 days:

- revegetation that results in 75 percent ground coverage provided that an active watering system is in place at all times; or
- establishment of a stabilized surface through watering with physical access restriction surrounding the area; or,
- use of chemical stabilizers to establish a stabilized surface with physical access restriction surrounding the area.
- Any operator shall remove all bulk material track-out from any site access point onto any paved road open to through traffic:
- within one hour if such material extends for a cumulative distance of greater than 25 feet from any site access point; and
- at the conclusion of each workday.

Any operator of a project with a disturbed surface area of five or more acres or of any project that involves the import or export of at least 100 cubic yards of bulk material per day shall install and maintain at least

one of the following control measures at the intersection of each site entrance and any paved road open to through traffic with all vehicles exiting the site routed over the selected device(s):

- pad consisting of minimum one-inch washed gravel maintained in a clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long; or
- paved surface extending at least 100 feet and at least 20 feet wide; or
- wheel shaker / wheel spreading device consisting of raised dividers (rails, pipe, or grates) at least three inches tall and at least six inches apart and 20 feet long.
- Any operator required to submit a Fugitive Dust Control Plan under Section 420.1 shall install and maintain project contact signage that meets the minimum standards of the Coachella Valley Fugitive Dust Control Handbook, including a 24-hour manned toll-free or local phone number, prior to initiating any type of earth-moving operations.
- Any operator of a project with a disturbed surface area of 50 or more acres shall have an Environmental Observer on the site or available on-site within 30 minutes of initial contact that:
- is hired by the property owner or developer; and
- has dust control as the sole or primary responsibility; and
- has successfully completed the AQMD Coachella Valley Fugitive Dust Control Class and has been issued a Certificate of Completion for the class; and
- is identified in the approved Fugitive Dust Control Plan as having the authority to immediately employ sufficient dust mitigation 24-hours per day, seven days a week and to ensure compliance with this ordinance, the approved Fugitive Dust Control Plan, and AQMD regulations.

Performance Standards and Test Methods

No operator required to submit a Fugitive Dust Control Plan under Section 420.1 shall cause or allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from the origin of a source, or cross any property line.

- Exceedance of the visible emissions prohibition in Section 420.10 occurring due to a high-wind episode shall constitute a violation of Section 420.10, unless the operator demonstrates to City (County) all the following conditions:
- all Fugitive Dust Control Plan measures or applicable Coachella Valley Best Available Control Measures were implemented and maintained on-site; and
- the exceedance could not have been prevented by better application, implementation, operation, or maintenance of control measures; and
- appropriate recordkeeping was compiled and retained in accordance with the requirements in Section 420.12 through 420.15; and
- documentation of the high-wind episode on the day(s) in question is provided by appropriate records.

Reporting / Recordkeeping

Before Construction

The operator of a project with ten acres or more of earth-moving operations shall:

- forward two copies of a Site-Specific, Stand Alone [8½ by 11 inch] Fugitive Dust Control Plan to the AQMD within ten days after approval by the City (County). [Note: A separate AQMD approval will not be issued]; and
- notify the City (County) and the AQMD at least 24-hours prior to initiating earth-moving operations. During Construction.

- Any operator involved in earth-moving operations shall compile and maintain for a period of not less than three years, daily self-inspection recordkeeping forms in accordance with the guidelines contained in the Coachella Valley Fugitive Dust Control Handbook.
- Any operator involved in earth-moving operations that utilizes chemical dust suppressants for dust control on a site shall compile records indicating the type of product applied, vendor name, and the method, frequency, concentration, quantity and date(s) of application and shall retain such records for a period of not less than three years.

After Construction

- Any operator subject to the provisions of Section 420.12 shall notify the City (County) and the AQMD within ten days of the establishment of the finish grade or at the conclusion of the finished grading inspection.

430. Disturbed Vacant Lands / Weed Abatement Activities

- Owners of property with a disturbed surface area greater than 5,000 square feet shall within 30 days of receiving official notice by the City (County) prevent trespass through physical access restriction as permitted by the City (County).
- In the event that implementation of Section 430.1 is not effective in establishing a stabilized surface within 45 days of restricting access, the owner shall implement at least one of the following long term stabilization techniques within an additional 15 days, unless the City (County has determined that the land has been restabilized:
- uniformly apply and maintain surface gravel or chemical dust suppressants such that a stabilized surface is formed; or
- begin restoring disturbed surfaces such that the vegetative cover and soil characteristics are similar to adjacent or nearby undisturbed native conditions. Such restoration control measure(s) must be maintained and reapplied, if necessary, such that a stabilized surface is formed within 8 months of the initial application.
- Any operator conducting weed abatement activities on a site that results in a disturbed surface area of 5,000 or more square feet shall:
- apply sufficient water before and during weed abatement activities such that the applicable performance standards are met.
- ensure that the affected area is a stabilized surface once weed abatement activities have ceased.

Performance *Standards and Test Methods*

- No person subject to the provisions of Sections 430.1 through 430.3 shall cause or allow visible fugitive dust emissions to exceed 20 percent opacity, or extend more than 100 feet either horizontally or vertically from a source, or cross any property line, and shall either:
- maintain a stabilized surface; or
- maintain a threshold friction velocity for disturbed surface areas corrected for non-erodible elements of 100 centimeters per second or higher.
- Reporting / Recordkeeping
- Within 90 days of ordinance adoption, operators of property with disturbed surface area of 5,000 or more square feet shall notify the City (County) of the location of such lands and provide owner contact information.
- Any person subject to the provisions of Sections 430.1 through 403.3 shall compile, and retain for a period of not less than three years, records indicating the name and contact person of all firms

contracted with for dust mitigation, listing of dust control implements used on-site, and invoices from dust suppressant contractors/vendors.

460. Public or Private Paved Roads

Any owner of paved roads shall construct, or require to be constructed all new or widened paved roads in accordance with the following standards:

curbing in accordance with the American Association of State Highway and Transportation Officials guidelines or as an alternative, road shoulders paved or treated with chemical dust suppressants or washed gravel in accordance with the performance standards included in Section 440.4 with the following minimum widths:

Average Daily Trips	Minimum Shoulder Width 500 - 3,000	4 feet
	Minimum Shoulder Width 3,000 or greater	8 feet

Section 500 Administrative Requirements

- Any operator preparing a Fugitive Dust Control Plan shall complete the AQMD Coachella Valley Fugitive Dust Control Class and maintain a current valid Certificate of Completion.
- At least one representative of each construction or demolition general contractor and subcontractor responsible for earth-movement operations shall complete the AQMD Coachella Valley Fugitive Dust Control Class and maintain a current valid Certificate of Completion.
- All reporting / recordkeeping required by Section 420 shall be provided to the City (County) and AQMD representatives immediately upon request.
- All reporting / recordkeeping required by Section 430 through Section 460 shall be provided to the City (County) and AQMD representatives within 24-hours of a written request.

Health Risk Assessment (HRA)

As defined by SCAQMD, a Health Risk Assessment (HRA) is a technical study that evaluates how toxic emissions are released from a facility and is important in understanding how emissions may disperse throughout the community and potentially impact human health on a local level. Proximity to sources of toxics is critical to determining the impact. In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on California Air Resources Board (CARB) and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center.

The Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis was approved by SCAQMD to include all relevant and appropriate procedures presented by the United States Environmental Protection Agency (U.S. EPA), California EPA and SCAQMD for undertaking analyses of the health risks associated with toxic air contaminants (TAC).

Cancer risk is expressed in terms of expected incremental incidence per million population. The SCAQMD has established an incidence rate of ten (10) persons per million as the maximum acceptable incremental cancer risk due to TAC exposure from a project. This threshold serves to determine whether or not a given project has a potentially significant development-specific and cumulatively considerable impact.

The AQMD has published a report on how to address cumulative impacts from air pollution: White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution. In this report the AQMD states:

> "…the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis.

The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."

Coachella Valley PM_{10} State Implementation Plan

The SSAB is designated as a serious nonattainment area for PM_{10}. The attainment date for serious nonattainment areas to achieve the PM_{10}10 NAAQS was 2001. However, after years of demonstrating attainment of the PM_{10} standards prior to 1999, PM_{10} levels during the last three years exceeded the NAAQS. Under the CAA, an area can request an extension of up to five years to attain the NAAQS for PM_{10} if certain requirements are met, including creation of a SIP that demonstrates expeditious attainment of the standards. Thus, the SCAQMD established additional strategies for the control of PM_{10} in the Coachella Valley PM_{10} State Implementation Plan (CVSIP), which was most recently updated in 2003. The 2003 CVSIP updates the emission inventories, emission budgets, and attainment modeling for the SSAB.

LOCAL

City of Palm Springs 2007 General Plan

The Air Quality Element of the Palm Springs General Plan (GP) includes various goals and policies designed to address air quality issues related to the proposed Project:

Air Quality Element

Goal AQ1 - Improve regional air quality to protect the health of the community.

- Policy AQ1.1: Work to attain ozone, nitrogen dioxide, carbon monoxide, lead, particulate matter, and sulfate standards as enforced by SCAQMD.
- Policy AQ1.8: Support and implement the provisions of the Coachella Valley Dust Control Ordinance, Handbook, and Memorandum of Understanding.

Goal AQ2 - Control suspended particulate matter emissions from human activity or from erosion of soil by wind.

- Policy AQ2.1: Require those projects meeting specialized criteria as identified in the Zoning Ordinance to submit a Fugitive Dust Control Plan prior to the issuance of grading or building permits.
- Policy AQ2.2: Encourage the use of landscaping, vegetation, and other natural materials to trap particulate matter or control other pollutants. Establish windbreaks immediately downwind of large open spaces. Tree species used for windbreaks should be drought tolerant.
- Policy AQ2.6: Prohibit the transport of earth/soil through the City when wind gusts exceed 25 miles per hour per the City's PM10 Ordinance.
- Policy AQ2.7: Require the planting of vegetative ground covers as soon as possible on construction sites.
- Policy AQ2.9 Phase mass grading in a way that minimizes, to the greatest extent possible, the exposure of large expanses of graded areas to wind that causes blowing sand.
- Policy AQ2.10 Encourage that landscape plans submitted with new development take into consideration drought tolerance and pollen generation through the selection of appropriate plantings.

Goal AQ3 - Protect people and land uses that are sensitive to air contaminants from sources of air pollution to the greatest extent possible.

- Policy AQ3.1: Discourage the development of land uses and the application of land use practices that contribute significantly to the degradation of air quality.

Goal AQ4 - Reduce vehicular emissions.

- Policy AQ4.1: Encourage the use of mass transit, carpooling, and other transportation options, including alternative-fuel vehicles and bicycles, to reduce vehicular trips.
- Policy AQ4.4 Encourage walking or bicycling for short-distance trips through the creation of pedestrian-friendly sidewalks and street crossings and efficient and safe bikeways.
- Policy AQ4.5 Integrate land use and transportation planning to the greatest extent possible.

City of Palm Springs Fugitive Dust Control Ordinance

Chapter 8.50 (Fugitive Dust Control) of the Palm Springs Municipal Code has been enacted to establish the minimum requirements for construction and demolition activities and other specified sources in order to reduce man-made fugitive dust and the corresponding PM10 emissions. The performance standards are based upon the methodologies included in the Coachella Valley Dust Control Handbook, prepared in accordance with SCAQMD Rules 403 and 403.1.

Under the City's Code, a Fugitive Dust Control Plan (FDCP) must be prepared and approved prior to any grading, earth-moving, demolition, or building operation with a disturbed surface area of more than five thousand (5,000) square feet. Consistent with SCAQMD Rules 403 and 403.1, implementation of the Fugitive Dust Control Plan is required to occur under the supervision of an individual with training on Dust Control in the Coachella Valley. The FDCP is also required to include methods to prevent sediment track-out onto public roads, visible dust emissions from exceeding a 20-percent opacity, and emission of visible dust from extending more than 100 feet (vertically or horizontally from the origin of a source) from site boundaries.

4.2.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Air Quality impacts are considered to be significant if implementation of the proposed Project considered would result in any of the following:

- Conflict with or obstruct implementation of the applicable air quality plan?
- 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?
- Expose sensitive receptors to substantial pollutant concentrations?
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Methodology

Appendix B of this EIR includes the detailed methodology used to calculate regional construction air emissions and an analysis of the proposed Project's short-term construction and operation emissions for the criteria pollutants and GHGs. Proposed Project emissions were estimated using the CalEEMod (Version 2022.1.1.22) software, which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions from a variety of land use projects. The model is considered to be an accurate and comprehensive tool for quantifying air quality and GHG impacts from land use projects throughout California and is recommended by the SCAQMD. The CalEEMod program uses the EMFAC2021 computer program to calculate the emission rates specific for the southwestern portion of Riverside County for construction-related employee vehicle trips and the OFFROAD2017 computer program to calculate emission rates for heavy truck operations. EMFAC2021 and OFFROAD2017 are computer programs generated by CARB that calculates composite emission rates for vehicles. Detailed construction equipment lists, construction scheduling, and emission calculations are provided in Appendix B.

Daily regional emissions during construction are forecasted by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile source and fugitive dust emissions factors. The input values used in this analysis were adjusted to be project-specific for the construction schedule and the equipment used was based on CalEEMod defaults. The CalEEMod program uses the EMFAC2021 computer program to calculate the emission rates specific for the southwestern portion of Riverside County for construction-related employee vehicle trips and the OFFROAD2017 computer program to calculate emission rates for heavy truck operations. EMFAC2021 and OFFROAD2017 are computer programs generated by CARB that calculates composite emission rates for vehicles. Emission rates are reported by the program in grams per trip and grams per mile or grams per running hour. Daily truck trips and CalEEMod default trip length data were used to assess roadway emissions from truck exhaust. The maximum daily emissions are estimated values for the worst-case day and do not represent the emissions that would occur for every day of project construction. The maximum daily emissions are compared to the SCAQMD daily regional numeric indicators. Detailed construction equipment lists, construction scheduling, and emission calculations are provided in Appendix B of this DEIR.

The phases of the construction activities include:

1. grading and off-site improvements,
2. building construction,
3. paving, and
4. application of architectural coatings.

The proposed Project would be required to comply with existing SCAQMD rules for the reduction of fugitive dust emissions. Compliance with these rules is achieved through application of standard best management practices in construction and operation activities. SCAQMD's Rule 403 and 403.1 establish minimum requirements that would ensure that the application of the best available dust control measures are used for all grading operations and include the application of water or other soil stabilizers in sufficient quantity to prevent the generation of visible dust plumes. Compliance with Rules 403 and 403.1 would require the use of water trucks during all phases where earth moving operations would occur. Compliance with Rule 403 has been included in the CalEEMod modeling for the proposed Project.

In addition, any operator applying for a grading permit, or a building permit for an activity with a disturbed surface area of more than 5,000 square feet, would not be allowed to initiate any earth-moving operations unless a Fugitive Dust Control Plan has been prepared pursuant to the provisions of the Coachella Valley Fugitive Dust Control Handbook and approved by the City. It is anticipated that this proposed Project will obtain and prepare the required Fugitive Dust Control Plan.

Impacts

Impact 4.2.1: Implementation of the proposed Project would conflict with or obstruct implementation of the applicable air quality plan. Impacts would be Significant and Unavoidable.

The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a proposed project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed project includes the SCAQMD Air Quality Management Plan (AQMP). The proposed Project site is located within the SSAB and is subject to SCAQMD's 2022 AQMP and the 2003 CV PM_{10} SIP. The SCAQMD is principally responsible for air pollution control, and works directly with SCAG, county transportation commissions, local governments, as well as state and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet state and federal ambient air quality standards.

In December 2022, the SCAQMD released the Final 2022 AQMP (2022 AQMP). The 2022 AQMP continues to evaluate current integrated strategies and control measures to meet the CAAQS, as well as explore new and innovative methods to reach its goals. The 2022 AQMP incorporates scientific and technological information and planning assumptions, including the Southern California Association of Governments (SCAG's) Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy), a planning document that supports the integration of land use and transportation to help the region meet the federal CAA requirements.

The proposed Project's consistency with the AQMP was determined using the 2022 AQMP since the proposed project would be developed in accordance with all applicable rules and regulations contained in that plan. The purpose of this discussion is to set forth the issues regarding consistency with the assumptions and objectives of the AQMP and discuss whether the proposed Project would interfere with the region's ability to comply with Federal and State air quality standards. If the decision-makers determine

that the proposed project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP". Strict consistency with all aspects of the plan is usually not required. A significant air quality impact could occur if the project is not consistent with the applicable Air Quality Management Plan (AQMP) or would obstruct the implementation of the policies or hinder reaching the goals of that plan. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

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

Whether the project will exceed the assumptions in the AQMP in 2022 or increments based on the year of project buildout and phase.

Both of these criteria are evaluated in the following sections.

Criteria 1 – Increase in the Frequency or Severity of Violations

Based on the air quality modeling analysis contained in the air quality analysis conducted for the proposed Project (see ***Appendix B***), with incorporation of mitigation, short- term construction impacts will not result in significant impacts based on the SCAQMD regional and local thresholds of significance. The Air Quality analysis report (see ***Appendix B*** of this DEIR) also found that, even with incorporation of mitigation, long-term operations impacts will result in significant impacts based on the SCAQMD regional thresholds of significance.

Therefore, the proposed Project is projected to contribute to the exceedance of air pollutant concentration standards and is found to be inconsistent with the AQMP for the first criterion. Therefore, a potentially significant and unavoidable impact would occur, even with the proposed Project's incorporation of mitigation measures **AIR-1, AIR-2, AIR-3,** and **AIR-4.**

Criteria 2 – Exceed Assumptions in the AQMP

Consistency with the AQMP assumptions was determined by performing an analysis of the proposed Project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the proposed project are based on the same forecasts as the AQMP. Connect SoCal includes chapters on: the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth, as well as applicable responses to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. Growth projections from local general plans adopted by jurisdictions in the district are provided to SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. For the proposed Project, the City of Palm Springs Land Use Plan defines the assumptions that are represented in the AQMP. Development consistent with the growth projections in the City of Palm Springs General Plan is considered to be consistent with the AQMP.

The proposed Project site has a Land Use Designation in the City of Palm Springs General Plan of Industrial with a Wind Energy Overlay and zoned Manufacturing (M-2). The Project proposes to develop the site with two speculative industrial buildings with Building 1 being approximately 1,500,000 square feet and Building 2 being approximately 395,000 square feet. Therefore, the proposed Project is consistent with the City's land use designation.

The proposed Project is not anticipated to exceed the AQMP assumptions for the site and is found to be consistent with the AQMP for the second criterion.

Mitigation

AIR-1: The proposed Project shall adhere to SCAQMD Rules 403 and 403.1 and shall be required to obtain and prepare a Fugitive Dust Control Plan prior to Project approval.

AIR-2: Architectural coatings shall be applied to project buildings are to be limited to 20 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AIR-3: The proposed Project shall utilize Tier 4 Final equipment for all construction equipment.

AIR-4*:* Under both construction and operation activities, the proposed Project shall utilize low flow water fixtures in all areas that would require water at the site.

Impact 4.2.2: Implementation of the proposed 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. Impacts would be Significant and Unavoidable.

Construction Related Regional Impacts

The maximum unmitigated construction-related criteria pollutant emissions from the proposed Project are shown below in **Table 4.2-3: Unmitigated Construction Related Regional Pollutant Emissions.** This shows that the proposed Project's ROG and NOx emissions have the potential to exceed regional thresholds and result in potentially significant impacts.

Table 4.2-3: Unmitigated Construction Related Regional Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG4	NOx	CO	SO2	PM10	PM2.5
Maximum Daily Emissions1,2	151.00	116.00	129.00	0.50	23.80	9.05
Off-Site Improvements Maximum Daily Emissions1,3	1.56	14.10	15.50	0.02	2.62	1.51
Total Emissions	152.56	130.10	144.50	0.52	26.42	10.56
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	Yes	Yes	No	No	No	No

Source: CalEEMod Version 2022.1.1.22.
(1) Includes on-site and off-site emissions. On-site grading PM-10 and PM-2.5 emissions show compliance with SCAQMD Rule 403 for fugitive dust.
(2) Construction, painting and paving phases may overlap.
(3) Construction of off-site improvements have been assumed to occur during grading and may overlap with the grading phase of the proposed project.
(4) SCAQMD Rule 1113 limits architectural coatings for buildings to 50 g/L VOC and parking lot striping to 100 g/L VOC.

Although on-site grading PM_{10} and $PM_{2.5}$ emissions show compliance with SCAQMD Rule 403 for fugitive dust, construction, painting and paving phases may overlap. In addition, construction of off-site improvements have been assumed to occur during grading and may overlap with the grading phase of the proposed project.

SCAQMD Rule 1113 limits architectural coatings for buildings to 50 grams per litre (g/L) VOC and parking lot striping to 100 g/L VOC.

However, as indicated in **Table 4.2-4: Mitigated Construction Related Regional Pollutant Emissions**, with incorporation of mitigation limiting architectural coating for buildings to 20 grams per liter VOC and utilizing Tier 4 Final equipment, none of the project's emissions will exceed regional thresholds. Therefore, with incorporation of mitigation, a less than significant regional air quality impact would occur from construction of the proposed Project.

Table 4.2.4: Mitigated Construction Related Regional Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG4	**NOx**	**CO**	**SO2**	**PM10**	**PM2.5**
Maximum Daily Emissions1,2	68.20	78.20	133.00	0.50	22.10	7.49
Off-Site Improvements Maximum Daily Emissions1,3	1.17	2.27	15.20	0.02	2.02	0.97
Total Emissions	69.37	80.47	148.20	0.52	24.12	8.46
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1.1.22.
(1) Includes on-site and off-site emissions. On-site grading PM-10 and PM-2.5 emissions show compliance with SCAQMD Rule 403 for fugitive dust.
(2) Construction, painting and paving phases may overlap.
(3) Construction of off-site improvements have been assumed to occur during grading and may overlap with the grading phase of the proposed project.
(4) SCAQMD Rule 1113 limits architectural coatings for buildings to 50 g/L VOC and parking lot striping to 100 g/L VOC.

Construction, painting and paving phases may overlap.

Construction of off-site improvements have been assumed to occur during grading and may overlap with the grading phase of the proposed project.

SCAQMD Rule 1113 limits architectural coatings for buildings to 50 g/L VOC and parking lot striping to 100 g/L VOC.

Construction Related Local Impacts

Construction-related air emissions may have the potential to exceed the State and Federal air quality standards in the vicinity of the proposed Project. However, these pollutant emissions may not be significant enough to create a regional impact to the Salton Sea portion of the SCAB. The proposed Project

was evaluated for the potential local air quality impacts created from: construction-related fugitive dust and diesel emissions; from toxic air contaminants; and from construction-related odor impacts.

Local Air Quality Impacts from Construction

The SCAQMD has published a "Fact Sheet for Applying CalEEMod to Localized Significance Thresholds" (South Coast Air Quality Management District 2011b). CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily disturbance activity possible for each piece of equipment. In order to compare CalEEMod reported emissions against the localized significance threshold lookup tables, the CEQA document should contain the following parameters:

The off-road equipment list (including type of equipment, horsepower, and hours of operation) assumed for the day of construction activity with maximum emissions.

The maximum number of acres disturbed on the peak day.

Any emission control devices added onto off-road equipment.

Specific dust suppression techniques used on the day of construction activity with maximum emissions.

The CalEEMod output results provided in ***Appendix B*** of this DEIR therefore show the equipment used for this analysis.

As shown in **Table 4.2.5: Maximum Number of Acres Disturbed Per Day** the maximum number of acres disturbed under grading activities on the site in one day, would be 6.5 acres. The local air quality emissions from construction were analyzed using the SCAQMD's Mass Rate Localized Significant Threshold Look-up Tables for the daily emissions of CO, NOx, PM_{10}, and $PM_{2.5,}$ under the methodology described in Localized Significance Threshold Methodology prepared by SCAQMD (revised July 2008). The emission thresholds were calculated based on the Coachella Valley source receptor area (SRA) 30 and a disturbance value of five acres per day, to be conservative.

Table 4.2-5: Maximum Number of Acres Disturbed Per Day

Activity	Equipment	Number	Acres/8hr-day	Total Acres
Off-Site Improvements				
Grading	Rubber Tired Dozers	1	1	1
	Graders	1	0.5	0.5
	Crawler Tractors[1]	2	0.5	1
	Phase Total	-	-	2.5
Proposed Project				
Grading	Rubber Tired Dozers	2	0.5	1
	Graders	2	0.5	1
	Scrapers	3	1.0	3.0
	Crawler Tractors[1]	3	0.5	1.5
Total for phase		**-**	**-**	**6.5**

Source: South Coast AQMD, Fact Sheet for Applying CalEEMod to Localized Significance Thresholds, 2011b.

(1) Tractor/loader/backhoe is a suitable surrogate for a crawler tractor per SCAQMD staff.

Tractor/loader/backhoe is a suitable surrogate for a crawler tractor per SCAQMD staff.

According to LST Methodology, any receptor located closer than 25 meters (82 feet) are to be based on the 25-meter thresholds. The nearest sensitive receptor to the proposed Project site is the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the SCAQMD Look-up Tables for 100 meters was used, as shown in **Table 4.2-6: Local Unmitigated Construction Emissions at Nearest Receptors** below, which present the on-site emissions from the CalEEMod model for the different construction phases and the LST emissions thresholds.

Table 4.2-6: Local Unmitigated Construction Emissions at Nearest Receptors

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5
Grading1	64.70	62.60	9.26	5.34
Building Construction	19.60	22.80	0.78	0.72
Paving	9.51	13.00	0.43	0.40
Architectural Coating	1.71	2.27	0.05	0.04
SCAQMD Thresholds2	425	5,331	67	19
Exceeds Threshold?	No	No	No	No

Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 5 acres at a distance of 100 m, to be conservative, in SRA 30 Coachella Valley.

1) It is assumed that off-site improvements will occur during the grading phase; therefore, to be conservative, the maximum emissions from the off-site improvements (grading phase) have been added to the grading phase of the proposed project.
2) The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the 100 meter threshold was used.

Note: The project will disturb up to a maximum of 6.5 acres a day during grading of the project and 2.5 acres a day for grading of off-site improvements (see Table 7).

It is assumed that off-site improvements will occur during the grading phase; therefore, to be conservative, the maximum emissions from the off-site improvements (grading phase) have been added to the grading phase of the proposed Project.

The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the 100 meter threshold was used.

As indicated in **Table 4.2-5**, the proposed Project will disturb up to a maximum of 6.5 acres a day during grading of the project and 2.5 acres a day for grading of off-site improvements. This Table 4.2-5 indicates that none of the analyzed criteria pollutants would exceed the local emissions thresholds at the nearest sensitive receptors. Since mitigation would already be required to lower regional construction-related emissions, as shown under **Table 4.2-7 Local Unmitigated Construction Emissions at Nearest Receptors**. the proposed Project's emissions will be lowered with incorporation of mitigation. Therefore, a less than significant local air quality impact would occur from construction of the proposed Project.

Table 4.2-7 Local Mitigated Construction Emissions at Nearest Receptors

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5
Grading[1]	14.20	68.90	6.96	3.24
Building Construction	7.39	26.10	0.21	0.20
Paving	2.75	13.80	0.04	0.04
Architectural Coating	1.29	1.93	0.01	0.01
SCAQMD Thresholds[2]	425	5,331	67	19
Exceeds Threshold?	No	No	No	No

Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 5 acres at a distance of 100 m, to be conservative, in SRA 30 Coachella Valley.

(1) *It is assumed that off-site improvements will occur during the grading phase; therefore, to be conservative, the maximum emissions from the off-site improvements (grading phase) have been added to the grading phase of the proposed project.*

(2) *The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the 100 meter threshold was used.*

Note: The project will disturb up to a maximum of 6.5 acres a day during grading of the project and 2.5 acres a day for grading of off-site improvements (see Table 7).

It is assumed that off-site improvements will occur during the grading phase; therefore, to be conservative, the maximum emissions from the off-site improvements (grading phase) have been added to the grading phase of the proposed project.

The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the 100 meter threshold was used.

Note: The project will disturb up to a maximum of 6.5 acres a day during grading of the project and 2.5 acres a day for grading of off-site improvements (see Table 7).

Long-Term Operational Emissions

The on-going operation of the proposed Project would result in a long-term increase in air quality emissions due to emissions from project-generated vehicle trips and through operational emissions at the site.

Operations-Related Regional Air Quality Impacts

The potential operations-related air emissions have been analyzed below for the criteria pollutants and cumulative impacts (see ***Appendix B*** of this DEIR).

Operations-Related Criteria Pollutants Analysis

The operations-related criteria air quality impacts that would be created at the site have been analyzed through the use of the CalEEMod model (Appendix ??). The operating emissions were based on the year 2026, which is the anticipated opening year per the First Palm Springs Commerce Center Traffic Impact Analysis (TIA) prepared by Ganddini Group, Inc. (April 22, 2024).

Mobile Sources

Mobile sources at the site would include emissions from the additional vehicle miles generated by the proposed Project. The vehicle trips associated with the proposed Project have been analyzed by inputting the project-generated vehicular trips (trip generation rate) from the TIA into the CalEEMod Model. The TIA

estimated that the proposed project would create approximately 3,451 vehicle trips per day (non-PCE) and 4,130 vehicle trips per day (PCE) with a trip generation rate of 1.81 trips per thousand square foot per day. As indicated in **Table 4.2-8: Vehicular Mix Parameters**, the TIA also estimated that the proposed Project would create 3,012 automobile round trips, 72 2-axle truck round trips 92 3-axle truck round trips, and 275 4+-axle truck round trips per day (non-PCE). Due to the proposed Project location and proposed land uses, the average customer based trip length was increased to 40 miles per SCAQMD recommendation, while all other trip lengths were based on the urban default values.

Table 4.2-8: Vehicular Mix Parameters

CalEEMod Vehicle Type	Vehicle Mix from Traffic Analysis	CalEEMod Default Mix[1]		CalEEMod Revised Mix[2]	
		Ratio	Number of Vehicles	Ratio	Number of Vehicles
Light Auto	Automobile	0.464	1600	0.439	1515
Light Truck < 3750 lbs	Automobile	0.041	141	0.039	134
Light Truck 3751-5750 lbs	Automobile	0.236	816	0.224	772
Med Truck 5751-8500 lbs	Automobile	0.162	560	0.154	530
Lite-Heavy Truck 8501-10,000 lbs	2-Axle Truck	0.027	93	0.016	55
Lite-Heavy Truck 10,001-14,000 lbs	2-Axle Truck	0.008	28	0.005	17
Med-Heavy Truck 14,001-33,000 lbs	3-Axle Truck	0.011	37	0.027	92
Heavy-Heavy Truck 33,001-60,000 lbs	4+-Axle Truck	0.026	89	0.080	275
Other Bus	--	0.001	2	0.000	0
Urban Bus	--	0.000	2	0.000	0
Motorcycle	Automobile	0.018	64	0.017	60
School Bus	--	0.001	5	0.000	0
Motor Home	--	0.004	15	0.000	0
Total		**1.0**	**3,451**	**1.0**	**3,451**

Source: CalEEMod Version 2022.1.1.22 default values for Opening year of 2026.
(2) Revised per the vehicle mix provided in the Traffic Impact Analysis (Ganddin Group, Inc., April 22, 2024) of 87.27% Autos, 2.09% 2-Axle Trucks, 2.67% 3-Axle Trucks and 7.97% 4+ Axle Trucks.

Area Sources

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

Energy Usage

Energy usage includes emissions from the generation of electricity and natural gas used on-site. No changes were made to the default energy usage parameters.

The maximum daily pollutant emissions created by the proposed Project's long-term operations are shown below in **Table 4.2-9: Unmitigated Regional Long-Term Operational Emissions from proposed Project** below. The results show that ROG and NOx emissions will exceed the SCAQMD regional thresholds. As indicated in **Table 4.2-10: Mitigated Regional Long-Term Operational Emissions from proposed Project**, even with the incorporation of applicable mitigation measures, the proposed Project's emissions for ROG and NOx would exceed regional thresholds. Therefore, the proposed Project would result in a significant and unavoidable impact, even with the incorporation of mitigation measures **AIR-1** and **AIR-4**.

Table 4.2-9: Unmitigated Regional Long-Term Operational Emissions from proposed Project
Unmitigated Regional Operational Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO2	PM10	PM2.5
Maximum Daily Emissions	75.90	64.50	424.00	1.13	79.70	21.60
SCAQMD Thresholds	55	55	550	150	150	55
Exceeds Threshold?	Yes	Yes	No	No	No	No

Source: CalEEMod Version 2022.1.1.22; the higher of either summer or winter emissions.
Table 4.2-10: Mitigated Regional Long-Term Operational Emissions from oposed Project

Table 4.2-10 Mitigated Construction Emissions at the Nearest Receptors

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5
Grading[1]	14.20	68.90	6.96	3.24
Building Construction	7.39	26.10	0.21	0.20
Paving	2.75	13.80	0.04	0.04
Architectural Coating	1.29	1.93	0.01	0.01
SCAQMD Thresholds[2]	425	5,331	67	19
Exceeds Threshold?	No	No	No	No

Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 5 acres at a distance of 100 m, to be conservative, in SRA 30 Coachella Valley.

(1) *It is assumed that off-site improvements will occur during the grading phase; therefore, to be conservative, the maximum emissions from the off-site improvements (grading phase) have been added to the grading phase of the proposed project.*

(2) *The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the 100 meter threshold was used. Note: The project will disturb up to a maximum of 6.5 acres a day during grading of the project and 2.5 acres a day for grading of off-site improvements (see Table 7).*

Operations-Related Local Air Quality Impacts

Project-related air emissions may have the potential to exceed the State and Federal air quality standards in the site vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the SCAB. The proposed Project was analyzed for the potential local CO emission

impacts from the project-generated vehicular trips and from the potential local air quality impacts from on-site operations.

Operational impacts from the proposed Project would be significant and unavoidable, since the majority of the operational emissions come from mobile sources. Mobile sources are regulated at the State level. ***Appendix B*** of this EIR states that the CARB Air Toxics Control Measure (ACTM) already limit truck idling to no more than 5 minutes at any location. The operational analysis had concluded that local operational emissions and impacts to sensitive receptors closest to the proposed Project site are less than significant. However, even with the incorporation of mitigation measures **AIR-1** and **AIR-4**, regional air quality impacts would remain significant and unavoidable.

Local Carbon Oxide (CO) Emission Impacts from Project-Generated Vehicular Trips

CO is the pollutant of major concern along roadways since motor vehicles are the primary source of these emissions. For this reason, CO concentrations are typically utilized as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing future without and with project CO levels to the State and Federal CO standards. Therefore, a sensitivity analysis is typically conducted to determine the potential for CO "hot spots" at a number of intersections in a general project vicinity. Due to reduced speeds and vehicle queuing, "hot spots" potentially can occur at high traffic volume intersections with a Level of Service E or worse.

The analysis for CO attainment in the SCAB area by SCAQMD are typically used to assist in evaluating the potential for CO exceedances in the South Coast Air Basin. For the proposed Project, CO attainment was thoroughly analyzed as part of the SCAQMD's 2003 AQMP and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan). Peak CO concentrations in the SCAM are usually due to unusual meteorological and topographical conditions, and not due to the impact of particular intersections. Considering the Riverside County region's unique meteorological conditions and the increasingly stringent CO emissions standards, CO modeling was performed as part of 1992 CO Plan and subsequent plan updates and air quality management plans.

As discussed above, the TIA undertaken for the proposed Project indicated that the proposed Project would generate a maximum of approximately 3,451 daily vehicle trips. The intersection with the highest traffic volume is located at Indian Canyon Drive and 20th Avenue and has an Opening Year (2026) With Project PM peak hour volume of 1,579 vehicles. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. Therefore, as the intersection volume falls far short of 100,000 vehicles per day, no CO "hot spot" modeling was performed and no significant long-term air quality impact is anticipated to local air quality with the on-going use of the proposed Project.

Local Air Quality Impacts from On-Site Operations

Project-related air emissions from on-site sources such as architectural coatings, landscaping equipment, on- site usage of natural gas appliances as well as the operation of vehicles on-site may have the potential to exceed the State and Federal air quality standards in the site vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Salton Sea portion of the South Coast Air Basin. The nearest sensitive receptors that may be impacted by the proposed Project are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the site.

The local air quality emissions of CO, NOx, PM_{10}, and $PM_{2.5}$, from on-site Project operations were analyzed according to the methodology prepared by SCAQMD in its Localized Significance Threshold Methodology (SCAQMD, revised July 2008). Per SCAQMD staff, the 5-acre Look-up Table, which is the largest site available, can be used as a conservative screening analysis for on-site operational emissions to determine whether more-detailed dispersion modeling would be necessary. The proposed Project was analyzed based on the Coachella Valley source receptor area (SRA) 30 and, as the site is approximately 92 acres, used the thresholds for a five-acre project site.

Table 4.2-11: Unmitigated Regional Long-Term Operational Emissions from Proposed shows the on-site emissions from the CalEEMod model that includes natural gas usage, landscape maintenance equipment, and vehicles operating on-site and the calculated emissions thresholds.

Table 4.2-11: Unmitigated Local Operational Emissions at Nearest Receptors

On-Site Pollutant Emissions (pounds/day)[1]				
On-Site Emission Source	**NOx**	**CO**	**PM10**	**PM2.5**
Area Sources[2]	0.70	83.00	0.15	0.11
Energy Usage[3]	9.79	8.22	0.74	0.74
Vehicle Emissions[4]	5.47	33.30	7.89	2.07
Total Emissions	**15.96**	**124.52**	**8.78**	**2.92**
SCAQMD Thresholds[5]	425	5,331	16	5
Exceeds Threshold?	No	No	No	No

Source Appendix B

Notes:

(1) Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 5 acres in SRA 30.
(2) Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
(3) Energy usage consists of emissions from on-site natural gas usage.
(4) On-site vehicular emissions based on 1/10 of the gross vehicular emissions and road dust.

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

Energy usage consists of emissions from on-site natural gas usage

On-site vehicular emissions based on 1/10 g/L of the gross vehicular emissions and road dust.

The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the proposed Project site; therefore, to be conservative, the 100 meter threshold was used.

Table 4.2-12: Mitigated Local Operational Emissions at Nearest Receptors

On-Site Pollutant Emissions (pounds/day)[1]				
On-Site Emission Source	**NOx**	**CO**	**PM10**	**PM2.5**
Area Sources[2]	0.70	83.00	0.15	0.11
Energy Usage[3]	9.79	8.22	0.74	0.74
Vehicle Emissions[4]	5.47	33.30	7.89	2.07
Total Emissions	**15.96**	**124.52**	**8.78**	**2.92**
SCAQMD Thresholds[5]	425	5,331	16	5
Exceeds Threshold?	No	No	No	No

Source Appendix B
Notes:
(1) Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 5 acres in SRA 30.
(2) Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
(3) Energy usage consists of emissions from on-site natural gas usage.
(4) On-site vehicular emissions based on 1/10 of the gross vehicular emissions and road dust.
(5) The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the 100 meter threshold was used.

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

Energy usage consists of emissions from on-site natural gas usage

On-site vehicular emissions based on 1/10 g/L of the gross vehicular emissions and road dust.

The nearest sensitive receptors are the existing single-family residential uses located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the project site; therefore, to be conservative, the 100 meter threshold was used.

As indicated in **Table 4.2-12: Mitigated Local Operational Emissions at Nearest Receptors,** above, the on-going operations at the proposed Project site would not exceed SCAQMD local operational thresholds of significance. However, mitigation is required to lower regional operational- related emissions, and the proposed Project will require incorporation of mitigation measures **AIR-1** and **AIR-4** since the proposed Project's emissions for ROG and NOx would exceed regional thresholds. Therefore, the proposed Project would result in a significant and unavoidable impact, even with the incorporation of mitigation measures **AIR-1** and **AIR-4**.

Mitigation

AIR-1: The proposed Project shall adhere to SCAQMD Rules 403 and 403.1 and shall be required to obtain and prepare a Fugitive Dust Control Plan prior to Project approval.

AIR-2: Architectural coatings shall be applied to project buildings are to be limited to 20 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AIR-3: The proposed Project shall utilize Tier 4 Final equipment for all construction equipment.

AIR-4: Under both construction and operation activities, the proposed Project shall utilize low flow water fixtures in all areas that would require water at the site.

Impact 4.2.3: Implementation of the proposed Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be Less than Significant with Mitigation Incorporated.

Construction-Related Health Impacts

Applicable significance thresholds for construction related health impact from a project are established for regional compliance with the state and federal ambient air quality standards. This ensures that public health is protected from both acute and long-term health impacts, depending on the potential effects of the pollutant. Since regional and local emissions of criteria pollutants during construction of the proposed Project would be below the applicable thresholds, it would not contribute to long-term health impacts related to nonattainment of the ambient air quality standards. In addition, with incorporation of mitigation measures **AIR-1** and **AIR-4**, adverse acute health impacts from proposed Project construction would be less than significant.

Construction-Related Toxic Air Contaminant Impacts

SCAQMD's Health Risk Assessment Guidance for analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD, August 2003) was utilized to determine if the proposed Project would have a significant impact related to hazardous air pollutants (HAP). SCAQMD recommends that if a project creates hazardous air pollutants at a site, then the proximity of the nearest receptors to the source of the hazardous air pollutants and the toxicity of the hazardous air pollutants should be analyzed through a comprehensive facility-wide health.

According to the SCAQMD CEQA Handbook, any project that has the potential to expose the public to TACs in excess of the following thresholds would be considered to have a significant air quality impact:

If the Maximum Incremental Cancer Risk is 10 in one million or greater; or TACs from the proposed project would result in a Hazard Index increase of 1 or greater.

Typically, the greatest potential for TAC emissions is related to diesel particulate emissions associated with heavy equipment operations during construction of a project. According to the Office of Environmental Health Hazard Assessment (OEHHA) and the SCAQMD CEQA Handbook, health effects from TACs are described in terms of individual cancer risk based on a lifetime (i.e., 30-year) resident exposure duration.

Given the temporary and short-term construction schedule (approximately 18 months), the proposed Project would not result in a long-term (i.e., lifetime or 30-year) exposure as a result of project construction. Furthermore, with incorporation of mitigation measures **AIR-1** through **AIR-4,** construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any local or regional thresholds. Construction related impacts to sensitive receptors in the vicinity of the proposed Project would therefore be less than significant.

Operations-Related Health Impacts

Applicable significance thresholds for operation related health impact from a project are also established for regional compliance with the state and federal ambient air quality standards. According to SCAQMD, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer, based on the use of revised Office of Environmental Health Hazard Assessment (OEHHA) risk-assessment methodology. A health risk assessment requires the completion and interaction of four general steps:

Quantify project-generated TAC emissions

Identify nearby ground-level receptor locations that may be affected by the emissions (including any special sensitive receptor locations such as residences, schools, hospitals, convalescent homes, and daycare centers).

Perform air dispersion modeling analyses to estimate ambient pollutant concentrations at each receptor location using project TAC emissions and representative meteorological data to define the transport and dispersion of those emissions in the atmosphere.

Characterize and compare the calculated health risks with the applicable health risk significance thresholds.

Since regional and local emissions of criteria pollutants during operation of the proposed Project would exceed the applicable thresholds, it would contribute to long-term health impacts related to

nonattainment of the ambient air quality standards. It was estimated that site operations under the proposed Project would generate toxic air contaminant emissions from diesel trucks at the site. Therefore, operation of the proposed Project has the potential to result in adverse acute health impacts, and a Health Risk Assessment was therefore conducted for the proposed Project (***Appendix B***).

TAC Emissions under the proposed Project

The TIA showed the proposed Project is expected to generate approximately 3,451 (non-passenger car equivalents) vehicle trips per day. Of those vehicle trips, 3,012 are automobile round trips, 72 are 2-axle truck round trips, 92 are 3-axle truck round trips, and 275 are 4+-axle truck round trips per day (non-passenger car equivalents).

DPM emissions from the various sources were calculated using information derived from the project description, and mobile source emission factors from the CARB EMFAC2021 emissions factor model. Truck mix information was obtained from the First Palm Springs Commerce Center (TIA) prepared by Ganddini Group, Inc. (***Appendix B***). The DPM emission factors for the various vehicle types were derived from the CARB EMFAC2021 mobile source emission model. The emissions factors were derived for Riverside County for the opening year (2026). Emissions factors were estimated to establish the emissions generated while the vehicles travel off-site, along travel links from the entrance to the loading docks, and while idling at the loading dock during loading or unloading materials (see **Table 4.2-13: DPM Emissions Factors for the proposed Project**). All vehicles on the site were assumed to travel on-site at a speed of 10 miles per hour. Off-site, the speeds along the roads were anticipated to average 35 miles per hour. Delivery vehicles were assumed to idle for a maximum of 15 minutes per vehicle per day (5 minutes per location: at the facility entrances for each building, at the loading docks for each building, and at the facility exits), in keeping with the CARB Air Toxic Control Measure (ATCM), which regulates truck idling time (CARB 2005).

Table 4.2-13: DPM Emissions Factors for the proposed Project

Vehicle Class	1-Year Average (Opening Year 2026)		
	On-Site Travel (g/mi)	Off-Site Travel (g/mi)	Idling (g/hr)
Light Heavy Duty Truck 2	0.04702	0.01946	0.77754
Medium Heavy Duty Truck	0.02675	0.00660	0.04976
Heavy Heavy Duty Truck	0.01146	0.00773	0.01392

Source: EMFAC2021.

Notes: It should be noted that the DPM emissions under operation of the proposed Project generally decline beyond 2026 for all vehicle classes and in particular the heavy-heavy- duty truck class (the 4+ axle "big rig" trucks). This is due to the CARB emissions' requirements on heavy-duty trucks that call for either the replacement of older trucks with cleaner trucks or the installation of diesel particulate matter filters on the truck fleet.

Emission Source Characterization

Each of the emission source types described above also requires geometrical and emission release specifications for use in the air dispersion model. An average truck height of 13.5 feet and average truck width of 8.5 feet were entered into the haul road calculator in AERMOD in order to calculate the plume height and release height for the line sources. **Table 4.2-14: Summary of Emission Configurations** provides a summary of the assumptions used to configure the various emission sources.

Table 4.2-14: Summary of Emission Configurations

Emission Source Type	Geometric Configuration	Relevant Assumptions
Off-Site Diesel Truck Traffic	Line Sources	Stack release height: 3.5 m
		Vehicle speed: 35 mph
		Length of the line sources from the I-10 freeway along N. Indian Canyon Dr, 19th Avenue, 18th Avenue, and Indigo Drive
		Vehicle types: heavy-heavy-duty, medium-heavy-duty and light-heavy- duty diesel delivery trucks
		Emission factor: CARB EMFAC2021
On-Site Diesel Truck Traffic	Line Sources	Stack release height: 3.5 m
		Vehicle speed: 10 mph
		Length of the line sources (from the northern driveway around the building and the southern driveway of building 1 and along Noble Drive along the eastern side of building 2)
		Vehicle types: heavy-heavy-duty, medium-heavy-duty and light-heavy- duty diesel delivery trucks
		Emission factor: CARB EMFAC2021
On-Site Diesel Truck Idling	Point Sources located at loading docks and at entrance/exit gates	Stack release height: 3.5 m
		Stack release characteristics
		> Stack diameter: 0.1 meter (0.3 feet)
		> Stack velocity: 51.9 mps (170 feet/sec)
		> Stack temperature: 366 °k (200° F)
		Idle time: 15 minutes per truck per day
		Vehicle types: heavy-heavy-duty, medium-heavy-duty and light-heavy- duty diesel delivery trucks
		Emission factor: CARB EMFAC2021

Source: Appendix B

The following definitions are used to characterize the emission source geometrical configurations referred to in **Table 4.2-14** above.

Point source: A single, identifiable, local source of emissions; it is approximated in the AERMOD air dispersion model as a mathematical point in the modeling region with a location and emission characteristics such as height of release, temperature, etc., for example, a truck idle location where emissions are sourced from the truck's exhaust stack while the vehicle is stationary.

Line source: A series of volume sources along a path, for example, vehicular traffic volumes along a roadway.

Receptor Network

The nearest sensitive receptors are existing single-family residential uses with the nearest property lines located approximately 563 feet (~172 meters) and 725 feet (~221 meters) to the northeast of the site boundaries (see ***Appendix B***). Residential receptors are shown as orange triangles labeled 1 through 4.

The direction of on-site and off-site truck travel were obtained from the site plan, TIA, and City truck routes. The assessment requires that a network of receptors be specified where the impacts can be computed at the various locations surrounding the proposed Project. Receptors were located at existing sensitive receptors surrounding the proposed Project. In addition, the identified sensitive receptor locations were supplemented by the specification of a modeling grid that extended around the proposed Project to identify other potential locations of impact.

Dispersion Modeling

An air dispersion model and representative meteorological data were used to calculate impacts at the various receptor locations (Appendix ??).

The USEPA AERMOD Model, which is the air dispersion model accepted by the SCAQMD for assessing air quality and health risk impacts from pollutant emissions related to the proposed Project. AERMOD predicts pollutant concentrations from point, area, volume, line, and flare sources with variable emissions in terrain from flat to complex with the inclusion of building downwash effects from buildings on pollutant dispersion. It captures the essential atmospheric physical processes and provides reasonable estimates over a wide range of meteorological conditions and modeling scenarios. (***Appendix B***)

Meteorological data from the Air District's Palm Springs Airport monitoring site was for the model using five (5) full years of sequential meteorological data collected at the site from January 1, 2012 to December 31, 2016 by the SCAQMD (***Appendix B***).

A summary of Emission Configurations is shown in Table 4.3-13 above and the basic options used in the dispersion modeling are summarized in **Table 4.2-15: General AEROMOD Assumptions** below.

Table 4.2-15: General AEROMOD Assumptions

Feature	Option Selected
Terrain processing	AERMAP - NED GEOTIFF 30 m
Emission source configuration	See Table 13
Regulatory dispersion options	Default
Land use	Urban
Coordinate system	UTM, Zone 11 north
Building downwash	Included in calculations
Receptor height	0 meters above ground (per OEHHA methodology)
Meteorological data	SCAQMD Palm Springs Meteorological Data

Source : Appendix B

As indicated in **Table 4.2-15** above, the analysis takes into account the effects of building downwash on the dispersion of emissions from the various sources located on the site. Building downwash occurs when the aerodynamic turbulence, induced by nearby buildings, causes pollutants emitted from an elevated source to be mixed rapidly toward the ground (downwash), resulting in potentially higher ground-level concentrations than if the buildings were not present. The AERMOD dispersion model contains algorithms to account for building downwash effects. The required information includes the location of the emission source; the location of adjacent buildings; and the building geometry in terms of length, width, and height. For purposes of this analysis, the emission source and building locations were taken from the project site plan. The proposed building geometries were obtained from the project plans, assuming a building height of approximately 42 feet for both of the buildings.

Estimation of Health Risks

Health risks from diesel particulate matter are twofold. First, diesel particulate matter is a carcinogen according to the State of California. Second, long-term chronic exposure to diesel particulate matter can cause health effects to the respiratory system. Each of these health risks is discussed below.

Cancer Risks

According to the Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, released by the Office of Environmental Health Hazard Assessment (OEHHA) in February 2015 and formally adopted in March 2015, the residential inhalation dose for cancer risk assessment should be calculated using the following formula:

[Dose-air (mg/(Kg-day)]*Cancer Potency*[1x10-6] = Potential Cancer Risk Where:

Cancer Potency Factor = 1.1

Dose-inh = (C¬air * DBR * A * EF * ED *ASF*FAH* 10-6) / AT
Where:

Cair [Concentration in air (µg/m3)] = (Calculated by AERMOD Model)

DBR [Daily breathing rate (L/kg body weight – day)] = 261 for adults, 572 for children, and 1,090 for infants, and 361 for 3rd trimester per SCAQMD Permit Application Package "N" Table 4.1 D guidance.

A [Inhalation absorption factor] = 1

EF [Exposure frequency (days/year)] = 350

ED [Exposure duration (years)] = 30 for adults (for an individual who is an adult at opening year), 14 for children (from 2-16 years), 14 for adults (from 16-30 years), 2 for infants, and 1 for 3rd Trimester

ASF [Age sensitivity factor) = 10 for 3rd trimester to 2 years of age, 3 for 2 to 16 years of age, and 1 for 16 to 30 years of age

FAH [Fraction of time spent at home] = 1 for 3rd trimester to 2 years of age, 1 for 2 to 16 years of age, and 0.73 for 16 to 30 years of age

106 [Micrograms to milligrams conversion]

AT [Average time period over which exposure is averaged in days] = 25,550

The model run results are shown in ***Appendix B*** of this DEIR, which also provides the cancer risk to the most affected age- group, children (2-16 years).

Table 4.2-16: Carcinogenic and Non-Carcinogenic Risk at 3rd Trimester shows the cancer risk for the unborn child during the 3rd trimester, **Table 4.2-17: Carcinogenic and Non-Carcinogenic Risk – (0-3 years)** shows the cancer risk to infants (0-3 years), and **Table 4.2-18: Carcinogenic and Non-Carcinogenic Risk – (2-16 years)** shows the cancer risk to children ages 2 to 16 years and Table 4.3-18 shows the cancer risk as that child becomes an adult (years 16-30).

Table 4.2-16: Carcinogenic and Non-Carcinogenic Risk at 3rd Trimester

Receptor ID (a)	Maximum Concentration		Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards		Noncarcinogenic Hazards		
	(ug/m3) (b)	(mg/m3) (c)			CPF (mg/kg/day) (f)	RISK (per million) (g)	REL (ug/m3) (h)	RfD (mg/kg/day) (i)	Index (j)
1	0.00045	4.5E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
2	0.00027	2.7E-07	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0001
3	0.00036	3.6E-07	1.00E+00	DPM	1.1E+00	0.00	5.0E+00	1.4E-03	0.0001
4	0.00066	6.6E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake:

Exposure Frequency (days/year)	*350*
Exposure Duration (years)	*0.25*
Daily Breathing Rate	*361*
Age Sensitivity Factor	*10*
Fraction of Time At Home (FAH)	*1*
Averaging Time (cancer) (days)	*25550*
Averaging Time (non-cancer) (days)	*91.25*

E= 10X, i.e. E-02 = 10-2

Table 4.2-17: Carcinogenic and Non-Carcinogenic Risk 0-2 years

Receptor ID (a)	Maximum Concentration		Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards		Noncarcinogenic Hazards		
	(ug/m3) (b)	(mg/m3) (c)			CPF (mg/kg/day) (f)	RISK (per million)	REL (ug/m3) (h)	RfD (mg/kg/day) (i)	Index (j)
1	0.00045	4.5E-07	1.00E+00	DPM	1.1E+00	0.15	5.0E+00	1.4E-03	0.0001
2	0.00027	2.7E-07	1.00E+00	DPM	1.1E+00	0.09	5.0E+00	1.4E-03	0.0001
3	0.00036	3.6E-07	1.00E+00	DPM	1.1E+00	0.12	5.0E+00	1.4E-03	0.0001
4	0.00066	1.9E-04	1.00E+00	DPM	1.1E+00	0.22	5.0E+00	1.4E-03	0.0001

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake

Exposure Frequency (days/year)	*350*
Exposure Duration (years)	*2*
Daily Breathing Rate	*1090*
Age Sensitivity Factor	*10*
Fraction of Time At Home (FAH)	*1*
Averaging Time (cancer) (days)	*25550*
Averaging Time (non-cancer) (days)	*730*

E= 10X, i.e. E-02 = 10-2

Table 4.2-18: Carcinogenic and Non-Carcinogenic Risk 2-16 years

Receptor ID (a)	Maximum Concentration		Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards		Noncarcinogenic Hazards		
	(ug/m3) (b)	(mg/m3) (c)			CPF (mg/kg/day) (f)	RISK (per million)	REL (ug/m3) (h)	RfD (mg/kg/da	Index (j)
1	0.00045	4.5E-07	1.00E+00	DPM	1.1E+00	0.16	5.0E+00	1.4E-03	0.0001
2	0.00027	2.7E-07	1.00E+00	DPM	1.1E+00	0.10	5.0E+00	1.4E-03	0.0001
3	0.00036	3.6E-07	1.00E+00	DPM	1.1E+00	0.13	5.0E+00	1.4E-03	0.0001

4	0.00066	6.6E-07	1.00E+00	DPM	1.1E+00	0.24	5.0E+00	1.4E-03	0.0001

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake

Exposure Frequency (days/year)	*350*
Exposure Duration (years)	*14*
Daily Breathing Rate	*572*
Age Sensitivity Factor	*3*
Fraction of Time At Home (FAH)	*1*
Averaging Time (cancer) (days)	*25550*
Averaging Time (non-cancer) (days)	*5110*

E= 10X, i.e. E-02 = 10-2

Table 4.2-19: Carcinogenic and Non-Carcinogenic Risk 16-30 years

Receptor ID (a)	Maximum Concentration		Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards		Noncarcinogenic Hazards		
	(ug/m3) (b)	(mg/m3) (c)			CPF (mg/kg/day) (f)	RISK (per million)	REL (ug/m3) (h)	RfD (mg/kg/day) (i)	Index (j)
1	0.00045	4.5E-07	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0001
2	0.00027	2.7E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
3	0.00036	3.6E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
4	0.00066	6.6E-07	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0001

Notes:

OEHHA 95th percentile Exposure factors used to calculate TAC intake

Exposure Frequency (days/year)	350
Exposure Duration (years)	14
Daily Breathing Rate	261
Age Sensitivity Factor	1
Fraction of Time At Home (FAH)	0.73
Averaging Time (cancer) (days)	25550
Averaging Time (non-cancer) (days)	5110

E= 10X, i.e. E-02 = 10-2

The highest cancer risk for the most-affected group, children 2-16 years, is at receptor 4, with a maximum risk of 0.24 in one million. The maximum 3rd trimester (0.25-year) cancer risk is at receptors 1 and 4; with a maximum cancer risk of 0.01 in a million. The highest infant (0-2 years) cancer risk is at receptor 4; with a maximum risk of 0.22 in one million and the highest adult (16-30 years) cancer risk is also at receptor 4; with a maximum risk of 0.03 in one million. Therefore, no children, infants, or adults are exposed to cancer risks in excess of 10 in a million.

The assessment of cancer-related health risk to sensitive receptors within the project vicinity is based on the following most-conservative scenario:

An unborn child in its 3rd trimester is potentially exposed to DPM emissions (via exposure of the mother) during the opening year. That child is born opening year and then remains at home for the entire first two years of life. From age 2 to 16, the child remains at home 100 percent of the time. From age 16 to 30, the child continues to live at home, growing into an adult that spends 73 percent of its time at home and lives there until age 30.

These are ultra-conservative assumptions as the 3rd trimester scenario, is based on an exposure of a pregnant woman being home, every day (365 days a year, 24 hours a day), the 0-2 year infant exposure scenario is also based on the infant being at home 365 days a year, 24 hours a day; 100% of time at home), same holds true for the Child exposure scenario (2-16 years). The exposure only reduces for the adult exposure scenario (16-30 years) where the "adult" is expected to be at home less (73% of the time). This assumption is also based on the assumption that the impacted individual will be in the home as a fetus in the womb, be born, stay in the home 100% of the time until they reach 16 years old, then they will be at that same home 73% of the time until they reach 30 years old

Based on the above, ultra-conservative assumptions, the 30.25-year, cumulative carcinogenic health risk (3rd trimester [-0.25 to 0 years] + infant [0-2 years] + child [2-16 years] + adult [16-30 years]) to an individual born during the opening year of the project, and located in the project vicinity for the entire 30-year duration, is a maximum of 0.49 in a million at receptor location 4 (the closest sensitive use to the project site) (see ***Appendix B***) Therefore, as the maximum incremental cancer risk (MICR) does not exceed 10 in a million at any sensitive receptor location, and with the implementation of mitigation measures **AIR-1, AIR-2,** and **AIR-4** the on-going operation of the proposed Project would result in a less than significant impact due to the cancer risk from diesel emissions created by the proposed Project.

Non-Cancer Risks

The relationship for non-cancer health effects is given by the equation: HIDPM = CDPM/RELDPM

Where,

HIDPM	=	Hazard Index; an expression of the potential for non-cancer health effects.
CDPM	=	Annual average diesel particulate matter concentration in µg/m3.
RELDPM	=	Reference Exposure Level (REL) for diesel particulate matter; the diesel particulate matter concentration at which no adverse health effects are anticipated.

The non-carcinogenic hazards to adult, child and infant receptors are also detailed in **Tables 4.2-16** through **4.2-19** column (j). The RELDPM is 5 µg/m3. The Office of Environmental Health Hazard Assessment as

protective for the respiratory system has established this concentration. Using the maximum DPM concentration from opening year (2026), the resulting Hazard Index is: HIDPM = 0.00066/5 = 0.0001

The criterion for significance is a Hazard Index increase of 1.0 or greater. However, with implementation of mitigation measures, **AIR-1, AIR-2,** and **AIR-4** the on-going operations of the proposed Project would result in a less than significant impact due to the non-cancer risk from diesel emissions created by the proposed Project.

Mitigation

AIR-1. The proposed Project shall adhere to SCAQMD Rules 403 and 403.1 and shall be required to obtain and prepare a Fugitive Dust Control Plan prior to Project approval.

AIR-2 Architectural coatings shall be applied to project buildings are to be limited to 20 grams per liter VOC and traffic paints shall be limited to 100g/L VOC content.

AIR-4: Under both construction and operation activities, the proposed Project shall utilize low flow water fixtures in all areas that would require water at the site.

Impact 4.2.3: ***Implementation of the proposed Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and impacts would be Less than Significant.***

In general, land uses typically associated with odor or other noxious emissions may include agricultural and dairy uses, refineries, food processing, chemical, and wastewater treatment plants, landfills and composting operations. Although the proposed Project is a light industrial facility with office uses, truck loading, and vehicular parking areas, these uses typically do not emit objectionable odors during project operation. Any potential odor sources associated with the proposed Project construction may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities.

Construction-Related Odor Impacts

Potential sources that may emit odors during construction activities include construction vehicle truck diesel exhaust, the application of materials such as asphalt pavement, and VOCs emitted during construction. However, objectionable odors that may be produced during the construction process are short-term in nature. Typically, exhaust emissions disperse rapidly and do not reach objectionable level at nearest sensitive receptors. Also, odor emissions generally cease upon the drying or hardening of the odor producing materials. Construction odor emissions would therefore be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction. Due to the short-term nature and limited amounts of odor producing materials being utilized, there impacts related to odors that could occur during construction of the proposed Project would be less than significant.

Operation-Related Odor Impacts

Potential sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from the intermittent diesel delivery truck emissions and trash storage areas. Due to the distance of the nearest receptors from the project site and through compliance with SCAQMD's Rule 402 no significant impact related to odors would occur during the on-going operations of the

proposed project. Also, the proposed Project would be required to comply with the City's Municipal Code requirements for project-generated refuse be stored in designated trash enclosures and removed at regular intervals in compliance with the City's solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed project construction and operations would be less than significant

Mitigation

No mitigation is required.

4.3 BIOLOGICAL RESOURCES

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the biological setting at the proposed Project site and analyzes the potential physical environmental effects of proposed Project implementation. The analysis presented in this section is based on the technical analysis for biological resources prepared by BLUE Consulting Group on August 2023 and included as ***Appendix C*** of this Draft EIR. This section also identifies appropriate mitigation measures to lessen the identified impacts, if necessary, and identifies the applicable City of Palm Springs 2007 General Plan Update goals policies that reduce any identified impacts.

4.3.1 SETTING

The city of Palm Springs and its Sphere of Influence (SOI) encompasses approximately 137 square miles in the western section of the Coachella Valley, which in itself is an arid region of the Colorado Desert. The city is bordered by Interstate 10 (I-10) to the north, the cities of Cathedral City and Rancho Mirage to the east, and the San Jacinto and Santa Rosa mountains to the south and west. The city is bounded by Mount San Jacinto State Park, San Jacinto Wilderness and San Jacinto Mountains Reserve along its northwestern boundary and a portion of the Magnesia Springs Ecological Reserve along its southeastern boundary. A number of biological preserves and conservation areas are located within or near the city, including the Coachella Valley Mountains Conservancy, the Whitewater Preserve of the Coachella Valley Preserve System, and Santa Rosa and San Jacinto Mountains National Monument.

Geological features and land conditions in the city allow for a variety of animal and plant habitat, particularly in the mountain and canyons of the city and SOI area, such as Sonoran Creosote Bush Scrub and Sonoran Mixed Woody and Succulent Scrub, Semidesert Chaparral, Interior Live Oak Chaparral, and Red Shank Chaparral. The city and its SOI areas support various habitat types such as the Sonoran Cottonwood-Willow Riparian Forests, Southern Sycamore-Alder Riparian Woodlands, and Desert Fan Palm Oasis Woodlands. The valley floor of the city and its SOI area support Desert Dry Wash Woodlands, and Active Desert Dunes, Active Sand Fields, Ephemeral Desert Sand Fields, as well as Stabilized and Sheilds Sand Fields (City of Palm Springs General Plan EIR, 2007).

Wildlife species in the city and its SOI areas include: the side-blotched lizard *(Uta stansburiana*), western whiptail *(Cnemidophorus tigris*), desert horned lizard *(Phrynosoma platyrhinos*), and coachwhip (*Masticiphis flagellum*).

Common avian species in the city and SOI areas also comprise of mourning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), common raven (*Corvus corax*), rock wren *(Salpinctes obsoletus*), Gambel's quail (*Callipepla gambelii*), black-tailed gnatcatcher (*Poliptila melanura*), greater roadrunner (*Geococcyx californianus*), yellow warbler, yellow-breasted, hooded oriole, and red-tailed hawk (*Buteo jamaicensis*).

Mammal species that may be in the city and SOIs include the white-tailed antelope squirrel (*Ammospermophiluleucurus*), desert cottontail (*Sylvilagus audubonii*), Merriam kangaroo rat (*Dipodomys merriam*i), coyote (*Canis latrans*), mule deer *(Odocoileus hemionus*), mountain lion (*Felis concolor*), raccoon (*Procyon lotor*), and striped skunk (*Mephitis mephitis*) (City of Palm Springs General Plan EIR, 2007).

Tribal reservation lands for the Aqua Caliente Tribe of Indians are located within and near the city of Palm Springs. These lands provide habitat for numerous plant and animal species native to the mountains and canyons of this portion of Riverside County.

The city and its SOI area also provide habitat for a wide range of vegetation communities and significant biological resources, some of which have been designated by federal and state government resource agencies as threatened or endangered. Species listed as threatened are those whose numbers have dropped to such low levels, or whose populations are so isolated that the continuation of the species could be jeopardized. Endangered species are those with such limited numbers or subject to extreme circumstances that they are considered in imminent danger of extinction. Other government agencies and resource organizations identify sensitive species as those that are naturally rare and that have been locally depleted and put at risk by human activities.

While not in imminent danger of jeopardy or extinction, sensitive species are considered vulnerable and can become candidates for future listing as threatened or endangered. Such plant species include:; Chaparral sand-verbena, Johnston's rock cress, salton milk-vetch, Coachella Valley milk-vetch, Triple-ribbed milk-vetch, Parish's brittlescale, Ayenia, Arixona spurge, Flat-seeded spurge, White-bracted spineflower, Ribbed cryptantha, Winged cryptantha, Glandular ditaxis, Cliff spurge, California barrel cactus, shaggy-haired alumroot, Parish's alumroot, San Jacinto prickly phlox, Little San Bernardino Mountains linanthus (gilia), Slender wooly heads, Latimer's woodland gilia, slender woolly heads, Latimer's woodland gilia, Desert spike-moss, Purple stemodia, Southern jewel-flower, Sonoran maiden fern (City of Palm Springs General Plan, 2007):

Sensitive animal species within the city and its SOI include Casey's June beetle, Pratt's (dark aurora) blue butterfly, Coachella giant sand-treader cricket, Coachella Valley grasshopper, Coachella Valley Jerusalem cricket, San Gabriel slender salamander, California red-legged frog, Arroyo southwestern toad (California toad), Mountain yellow-legged frog, Silvery legless lizard, Northern red-diamond rattlesnake, Desert tortoise, Flat-tailed horned lizard, Coachella Valley fringe-toed lizard, cooper's hawk, Sharp-shinned hawk, olden eagle, Long-eared owl, Burrowing owl, Ferruginous hawk, Northern harrier, Black swift, Yellow warbler, Southwestern willow flycatcher, Merlin, Prairie falcon, American peregrine falcon, Yellow breasted chat, Summer tanager, Black-tailed gnatcatcher, Crissal thrasher, LeConte's thrasher, Least Bell's vireo, Gray vireo, Northwestern San Diego pocket mouse, Pallid San Diego pocket mouse, Southern yellow bat, Colorado Valley woodrat, Big free-tailed bat, Nelson's Desert bighorn sheep, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel (City of Palm Springs General Plan, 2007).

Wildlife corridors that provide movement areas for animals species typically exist in the western and southern portions of the city and its SOI areas (City of Palm Springs General Plan, 2007). However, none such corridors occur on the proposed Project site. The Whitewater River and its tributaries within the city and its SOI areas jurisdictional wetland areas and therefore riparian plant, animal and avian habitat within portions of the city and its SOIs (City of Palm Springs General Plan, 2007).

The proposed Project site is located on a number of currently vacant parcels, southwest of the intersection of Karen Avenue and 18th Avenue in the City of Palm Springs. A portion of the site was previously utilized as a wind power generation farm; however, the wind turbines were removed prior to performance of the onsite biological assessment. Although the proposed Project site is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), the site is not located within any CVMSHCP

designed Criteria Areas or Subunits. There are no riparian habitat or aquatic resources located on or in the immediate vicinity of the site.

Although currently a vacant and disturbed site, there are various plant and animal species within the site and surrounding areas. However, these plant and animal species are typical of developed/disturbed areas and consist mainly of Sonoran creosote scrub and perennial plants. Plant species observed on the proposed Project site included Russian Thistle *(Salsola tragus*), Red Brome *(Bromus Madritensis*), Barley (*Hordeum Murinum*), Oats (*Avena fatua*), Summer Mustard (*Hirschfeldia incana*), Creosote Bush (*Larrea tridentata*). No special status plan species were observed at the site.

Several special status species have the potential to exist in the area surrounding the proposed Project site (see ***Appendix C***). These include: Coachella Valley fringe-toed lizard *(Uma inornate*), desert tortoise (*Goperhus agassizi*), flat-tailed horned lizard (*Phrynosoma mcallii*), loggerhead shrike *(Lanius ludovicianus*), burrowing owl (*Athene cunicularia*), Palm Springs Ground Squirrel *(Spermophilus tereticaudus*) and Crotch's bumble bee *(Bombus crotchii*). However, none were observed or recorded in the area. Due to a lack of observations and appropriate environmental conditions, these species are not expected to occur on the proposed Project site.

Although no burrowing owls were observed onsite during biological resources field surveys, the proposed Project site supports the potential for the burrows and habitat for burrowing owls.

4.3.2 REGULATORY FRAMEWORK

FEDERAL

Clean Water Act, Section 404

Section 404 of the Clean Water Act (CWA) regulates the discharge of dredged material, placement of fill material, or excavation within "waters of the U.S." and authorizes the Secretary of the Army, through the Chief of Engineers, to issue permits for such actions. "Waters of the U.S." are defined by the CWA as "rivers, creeks, streams, and lakes extending to their headwaters and any associated wetlands." Wetlands are defined by the CWA as "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions." The permit review process entails an assessment of potentially adverse impacts to United States Army Corps of Engineers (USACE) jurisdictional "waters of the U.S." and wetlands. In response to the permit application, the USACE will also require conditions amounting to mitigation measures. Where a Federally-listed species may be affected, they will also require an Endangered Species Act Section 7 consultation with the United States Fish and Wildlife Service (USFWS). Through this process, potentially significant adverse impacts within the Federal jurisdictional limits could be mitigated to a level that is less than significant.

Clean Water Act, Section 401

The mission of the California Regional Water Quality Control Board (RWQCB) is to develop and enforce water quality objectives and implement plans that will best protect the beneficial uses of the State's waters, recognizing local differences in climate, topography, geology, and hydrology. The California RWQCB is responsible for implementing compliance not only with State codes such as the California Water Code, but also Federal acts such as Section 401 of the Federal Clean Water Act (CWA) which requires that: Any applicant for a Federal permit for activities that involve a discharge to waters of the State shall provide the

Federal permitting agency a certification from the State in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the Federal Clean Water Act. On April 6, 2022 United States Supreme Court decision that stayed a Northern District of California Court decision that both remanded and vacated United States Environmental Protection Agency (USEPA) Trump-era rules regarding water quality certification of projects under Clean Water Act Section 401. The California District Court in 2021 in Clean Water Act Rulemaking, 2021 WL 4924844 (2021), vacated the Trump-era Clean Water Act 401 Certification Rule. Before the USACE will issue a CWA Section 404 permit, applicants must apply for and receive a Section 401 water quality certification from the RWQCB. A complete application for 401 Certification will include a detailed Water Quality Management Plan that addresses the key water quality features of the project to ensure the integrity of water quality in the area during and post-construction. Under separate authorities granted by State law (i.e., the Porter- Cologne Water Quality Control Act), a RWQCB may choose to regulate discharges of dredge or fill materials by issuing or waiving (with or without conditions) Waste Discharge Requirements (WDRs), a type of State discharge permit, instead of taking a water quality certification action. Processing of a WDR is similar to that of a Section 401 certification; however, the RWQCB has slightly more discretion to add conditions to a project under Porter-Cologne than under the Federal CWA.

Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973, as amended, was promulgated to protect and conserve any species of plant or animal that is endangered or threatened with extinction, and the habitats in which these species are found. "Take" of endangered species is prohibited under Section 9 of the FESA. "Take," as defined under the FESA, means to "harass, harm, pursue, hunt, wound, kill, trap, capture, collect, or attempt to engage in any such conduct." Section 7 of the FESA requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) on proposed federal actions which may affect any endangered, threatened, or proposed (for listing) species or critical habitat that may support the species. Section 4(a) of the FESA requires that critical habitat be designated by the USFWS "to the maximum extent prudent and determinable, at the time a species is determined to be endangered or threatened." Critical habitat is formally designated by USFWS to provide guidance for planners/managers and biologists with an indication of where suitable habitat may occur and where high priority of preservation for a particular species should be given. Section 10 of the FESA provides the regulatory mechanism that allows the incidental take of a listed species by private interests and nonfederal government agencies during lawful activities. Habitat conservation plans (HCPs) for the impacted species must be developed in support of incidental take permits for nonfederal projects to minimize impacts to the species and develop viable mitigation measures to offset the unavoidable impacts.

Migratory Bird Treaty Act

Under provisions of the Migratory Bird Treaty Act (MBTA), which prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service, and Section 9(a)(1)(B) of the FESA, unless properly permitted, it is unlawful to "take" any listed species.

STATE

California Endangered Species Act

The California Endangered Species Act (CESA) generally parallels the main provisions of the FESA and is administered by the CDFG. Its intent is to prohibit and protect state-listed endangered and threatened species of fish, wildlife, and plants. Unlike its federal counterpart, the CESA also applies the take prohibitions to species petitioned for listing (state candidates). Under certain conditions, the CESA has provisions for take through a 2081 permit or Memorandum of Understanding (MOU).

California Native Plant Society

As previously discussed, the CNPS has compiled an inventory comprised of the information focusing on geographic distribution and qualitative characterization of rare, threatened, or endangered vascular plant species of California which classifies plant species into categories of rarity. Informally listed species are not protected but warrant consideration in the preparation of biological assessments.

California Fish and Game Code, Section 1600

Section 1600 of the California Fish and Game Code requires that a project proponent notify the California Department of Fish and Game (CDFG) of any proposed alteration of streambeds, rivers, and lakes. The intent is to protect habitats that are important to fish and wildlife. CDFG may review a project and place conditions on the project as part of a Streambed Alteration Agreement (SAA). The conditions are intended to address potentially significant adverse impacts within CDFG's jurisdictional limits.

California Fish and Game Code 1602

Section 1602 of the California Fish and Game Code requires any entity (e.g., person, state or local government agency, or public utility) who proposes a project that will substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake to notify the CDFW of the proposed project. In the course of this notification process, the CDFW will review the proposed project as it affects streambed habitats within the project area. The CDFW may then place conditions in Section 1602 Streambed Alteration Agreement to avoid, minimize, and mitigate any potentially significant adverse impacts within CDFW jurisdictional limits.

California Fish and Game Code 3503

Sections 3503, 3503.5, and 3513 of the California Fish and Game Code as they pertain to nesting birds. Section 3503: "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." Section 3503.5: "It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3513: "It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act."

REGIONAL

Coachella Valley Multiple Species Habitat Conservation Plan

The Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (CVMSHCP/NCCP) is a regional multi-agency conservation plan that provides for the long-term conservation of ecological diversity in the Coachella Valley region of Riverside County. The CVMSHCP includes an area of approximately 1.1 million acres in the Coachella Valley region. A major amendment to the Plan, completed in 2016, added 770 acres to the Plan's Conservation Areas.

The plan area boundaries were established to incorporate the watersheds of the Coachella Valley within the jurisdictional boundaries of Coachella Valley Association of Governments (CVAG) and within Riverside County. Indian Reservation Lands are not included in the CVMSHCP although coordination and collaboration with tribal governments has been ongoing.

The Coachella Valley Conservation Commission (CVCC) is the agency responsible for CVMSHCP implementation. The CVCC is comprised of elected representatives of the Local Permittees including Riverside County, the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage, the Coachella Valley Water District, Mission Springs Water District, and the Imperial Irrigation District. The Riverside County Flood Control and Water Conservation District (County Flood Control), Riverside County Regional Park and Open Space District (County Parks), and Riverside County Waste Resources Management District (County Waste) are also Local Permittees.

Other Permittees include three state agencies, the California Department of Parks and Recreation (State Parks), the Coachella Valley Mountains Conservancy (CVMC), and the California Department of Transportation (CalTrans). The CVMSHCP involves the establishment of an MSHCP Reserve System to ensure the conservation of the covered species and conserved natural communities in perpetuity. Existing conservation lands managed by local, state, or federal agencies, or non-profit conservation organizations form the backbone of the MSHCP Reserve System (CVMSHCP Annual Report, 2019).

LOCAL

The City of Palm Spring 2007 General Plan contains the following Goals and Policies related to biological resources:

Recreation, Open Space and Conservation Element

Goal RC7 ***Support the preservation and protection of biological resources, especially sensitive, rare, threatened, or endangered species, wildlife, or habitats.***

- *Policy RC7.6 Create and implement appropriate regulatory tools that help to minimize the impacts that new and intensified development may have in habitat and wildlife.*
- *Policy RC7.7* Actively encourage and promote the understanding and appreciation of the natural environment and sensitive biological resources in and around Palm Springs.

4.3.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Impacts to biological resources are considered to be significant if implementation of the proposed Project would:

- 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?
- 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?
- 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?
- 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?
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Methodology

The proposed Project site was assessed through a Biological Assessment Report (BAR) by BLUE Consulting Group on February 20, 2023, which is included as ***Appendix C*** of this DEIR.

The survey was completed by senior biologist Michael Jefferson between 09:15am and 2:30pm. Skies were clear, winds 5-10mph and temps between 86F-99F. The Report included results of a general field survey, a literature review to determine locations and types of biological resources, and various databases were queried for records of occurrence of special-status species and habitats within the proposed Project site and general vicinity.

Prior to beginning the general field survey, a literature review was completed to determine locations and types of biological resources having the potential to exist within the region (USFWS Critical Habitat Mapper and File data [USFWS 2019a], USFWS Information for Planning and Conservation (IPaC) [USFWS closed and not accessible], CDFW California Natural Diversity Database (CNDDB), and CNPS Inventory of Rare and Endangered Plants [CNPS]). CNDDB and CNPS file data were queried for records of occurrence of special-status species and habitats within the California Topographical quadrangle. The CVMSHCP Transportation and Land Management Agency Geographic Information Services Database, Coachella Valley Conservation Commission (CVCC) website and Geographic Information System (GIS) data bank were also reviewed (County of Riverside, 2023).

In addition to utilizing on-line databases and mapping tools, the Desert Hot Springs topographic map was reviewed to determine the locations of any potential special aquatic resource areas (e.g., wetlands or other Waters of the United States or Waters of the State) under regulatory jurisdiction of the US Army

Corps of Engineers (USACE), CDFW, and Regional Water Quality Control Board (RWQCB), and Riparian/Riverine habitats prior to beginning field surveys of the Biological Survey Area (BSA).

Additionally, the United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) on-line Web Soil Survey tool (NRCS 2015) was reviewed to determine the types and percent cover of soils within the BSA.

Lands within the BSA that were potentially suspected of being potential special aquatic resource and Riparian/Riverine habitats were then assessed by visual observation during the field survey. Potential special aquatic resource areas and riparian/riverine habitats were further evaluated by determining the presence of definable channels and/or hydrophytic vegetation, riparian habitat, and hydrologic regime.

The general field Biological Survey Area (BSA) includes the entire Property (five parcels), and a surrounding 500-foot buffer area. Reconnaissance level surveys were conducted by BLUE Consulting Group senior biologist Michael Jefferson on February 20th, 2023. Reconnaissance survey activities included a pedestrian-based biological survey to observe, document, and evaluate plant and wildlife resources and determine the potential for occurrence of special-status plant and wildlife species. Approximately 100-foot-wide meandering transects were utilized to provide visual coverage of the BSA. Palm Springs 2007 General Plan.

Vegetation community type descriptions were based on observed dominant vegetation composition and derived from the criteria and definitions of vegetation classification systems (Holland, 1986; Sawyer and Keeler-Wolf, 1995; Sawyer et al., 2009). Plants were identified in the field to the lowest taxonomic level sufficient to determine positive identity and status. Plants of uncertain identity were subsequently identified using taxonomic keys, and scientific and common species names were recorded according to Baldwin (2012).

The presence of a wildlife species was based on direct observation or wildlife sign (e.g., tracks, burrows, nests, scat, or vocalization). Field data compiled for wildlife species included scientific name, common name, and evidence of sign when no direct observations were made. Wildlife of uncertain distinctiveness was documented and subsequently identified from field guides and related literature (Burt and Grossenheider, 1980; Halfpenny, 2000; Sibley, 2000; Elbroch, 2003; and Stebbins, 2003).

The BSA was also assessed for its potential to support special-status species, based on habitat suitability comparisons with reported occupied habitats.

The following definitions were used to determine the need for subsequent surveys and to assess project-related effects to special-status species:

- Absent (A): No habitat occurs within the survey area and no further surveys are necessary
- Habitat Present (HP): Habitat is present within the survey area
- Present (P): The species was observed within the survey area during the survey
- Critical Habitat (CH): The survey area is located within designated critical habitat

Focused BUOW surveys were completed in accordance with CVMSHCP burrowing owl survey requirements to locate suitable owl habitat and potential nesting substrates. The habitat assessment followed the Burrowing Owl Survey Instructions for the Coachella Valley CVMSHCP Area (County of Riverside 2008), the recommendations of the California Burrowing Owl Consortium, Santa Cruz Predatory Bird Research Group Burrowing Owl Survey Protocol (1993), and the California Department of Fish and Wildlife (CDFW) Staff Report on Burrowing Owl Mitigation (updated, 2012).

For the completed protocol BUOW surveys, the entire Project and a surrounding 500-foot buffer area, were assessed on foot by BLUE senior biologist Michael Jefferson on three (3) additional occasions .(April 3rd, April 10th and April 14th, 2023). Per protocol, conditions for the surveys were appropriate, as follows:

- On April 3, 2023 - beginning at 9:30 and ending at 2:30. Weather conditions during the surveys included 50% clear skies, with temperatures ranging from 66° to 73° Fahrenheit, and winds from 5-7 miles per hour.
- On April 10, 2023 - beginning at 9:15 and ending at 2:30. Weather conditions during the surveys included 40% clear skies, with temperatures ranging from 69° to 75° Fahrenheit, and winds from 1-5 miles per hour.
- On April 13, 2023 - beginning at 9:30 and ending at 2:30. Weather conditions during the surveys included 60% clear skies, with temperatures ranging from 64° to 71° Fahrenheit, and winds from 5-7 miles per hour.

Transects were spaced no more than 30 meters to ensure 100 percent coverage. Rodent burrows were thoroughly examined for presence of sign (i.e., pellets, white wash, feathers, or prey remains), and suitable perches were inspected for BUOW pellets.

Impacts

Impact 4.3.1: The proposed Project would not have a substantial adverse effect on candidate, sensitive, or special status species as identified in local or regional plans, policies, or regulations. Impacts would be Less than Significant with Mitigation Incorporated,

The proposed Project would develop a currently vacant site with light industrial and office uses related to two (2) warehouse facilities. Due to the vacant and disturbed site conditions, the proposed Project site shows no support for sensitive and special plant and animal species common to this area of Riverside County ***(Appendix C***) Although the proposed Project site is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), the site is not located within any CVMSHCP designed Criteria Areas or Subunits.

Private property owners inside the conservation area Criteria Areas or Subunits have the option to pursue development consistent with the Plan or offer their land for sale at fair market value.

The BAR for the First Palm Springs Commerce Center Project conducted by Blue Consulting Group in August 22, 2023 ***(Appendix C***), determined that the proposed Project site does not support any sensitive and/or special status habitats for wildlife and plants species. Sonoran creosote bush scrub is the only dominant plant type on site.

Several sensitive plant species may potentially exist on the site. As per the U.S. Fish and Wildlife Service, "special-status species" encompass any species that has been officially designated as threatened or endangered by the U.S. Fish and Wildlife Service under the regulations of the Endangered Species Act (ESA) or is in the process of being considered for such listing. Additionally, special-status species include any species protected by state statute in a manner indicating potential vulnerability or risk of extinction.

The California Department of Fish and Wildlife defines "special-status species" as species that meet at least one of the following conditions:

- Species listed as threatened or endangered under the ESA or under consideration for possible future listing under the ESA;

- Species listed or under consideration for listing by the State of California as threatened or endangered under the California ESA;
- Plant species designated as rare under the California Native Plant Protection Act;
- Species meeting the criteria of endangered, rare, or threatened species as outlined in CEQA Guidelines section 15380, subdivision (b) and (d); and,
- Plants deemed locally significant due to their rarity within a specific local context, such as a county or region.

The State of California Natural Resources Agency Department of Fish and Wildlife, Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities requires that botanical surveys be conducted in a manner that maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. The general field surveys conducted for the proposed Project were completed during a time when many sensitive plant species that could occur on the site could be detected. The species and the likelihood of the species to occur onsite are discussed below:

Special-Status Species Summary

Plants

The Glandular ditaxis (*Ditaxis clariana*), which is a species that is a perennial herb that blooms from December through March. It is restricted to sandy environments in the Sonoran Desert and has been found in the Coachella Valley at elevations like those found on the proposed Project site. The site can be considered suitable habitat for this species. The biological survey was conducted in the Fall when perennial plant species are more likely to be detected if present. The *Glandular ditaxis* is a perennial but was not detected and therefore is presumed to not occur onsite. The *Glandular ditaxis* is not listed as rare, threatened, or endangered by either the state or federal governments nor is it proposed to be listed at this time. No additional surveys are recommended.

Ribbed cryptantha (*Johnstonella costata*) is a species that is an uncommon ephemeral known to occur on sandy soils in the Coachella Valley. The proposed Project site can be considered suitable habitat for this species. It was not detected; however, the surveys were conducted in November and early December when it is unlikely that this winter- and spring-blooming species would be detected. The ribbed cryptantha is not listed as rare, threatened, or endangered by either the state or federal governments nor is it proposed to be listed at this time. Additionally, no records exist on or near the proposed Project site. For these reasons, no additional surveys are recommended.

Flat-seeded spurge (*Chamaesyce platysperma*), a species that is an uncommon ephemeral herb known to occur on sandy soils in the Sonoran Desert. There has been at least one specimen found in the Coachella Valley. The species was not detected on or near the proposed Project site, but the surveys were done in November when many ephemerals would not be in evidence. The flat-seeded spurge is not listed as rare, threatened, or endangered by state or federal governments nor is it proposed to be listed. Additionally, there are no records of its presence on or adjacent to the proposed Project site. For these reasons, no additional surveys for this species are recommended.

The Coachella Valley milk vetch (*Astragalus lentiginosus coachellae*) is a species that is an uncommon, spring blooming perennial herb that is known to occur on sandy soils in the Coachella Valley. No individuals were detected on or near the project site. This subspecies has been found less than a mile from the proposed Project site in similar habitat. Seeds of this species may, therefore, occur on the project site. The

milk vetch is listed as endangered by the U.S. Fish & Wildlife. The Coachella Valley milk vetch is a covered species under the CVMSHCP. Payment of the Local Development Mitigation Fee (LDMF) mitigates impact to the Coachella Valley milk vetch. Therefore, no further action is necessary. White-bracted spineflower (*Chorizanthe xanti var. leucotheca*): This species is a small ephemeral found on sand or gravel plains at middle elevations primarily west of SR 62. A handful of specimens have been found in the northwestern Coachella Valley. It was not detected during surveys at the site, but would not be in bloom and unlikely to be detected in November or early December. It is not listed by state or federal government nor is it a candidate for listing. In addition, it has never been found on, or immediately adjacent to, the proposed Project site. Therefore, no additional surveys for this species are recommended.

The Slender cottonheads (*Nemacaulis denudate gracilis*) is a small ephemeral found primarily in the northwestern Coachella Valley. It is not known to be in bloom and was not in evidence at the proposed Project site in November and early December when the field surveys were conducted. The species usually occurs on sandy benches adjoining washes, a habitat not found within, or immediately adjacent to, the project site. It is not officially listed by either state or federal governments though it is considered a species of special concern by the state. It is a covered species under the CVMSHCP. No other actions are required.

The Little San Bernardino Mountains Linanthus *(Linanthus maculatus*) is a small ephemeral found across the Sonoran Desert of California. Several individuals have been found in the Coachella Valley though all were found south of the proposed Project site. No records exist for its presence on, or immediately adjacent to the site boundaries. The subspecies is not officially listed by either the state or federal government nor is it a candidate for listing. For these reasons, no additional surveys for this species are recommended.

Arthropods

Two (2) insect species known to occur within the Coachella Valley have been placed on the California Department of Fish and Game's Special Animals list. These species are the Coachella giant sand treader cricket (*Macrobaenetes valgum*) and Coachella Valley Jerusalem cricket (*Stenopelmatus cahuilaensis*).

The USFWS has listed as endangered a third insect species, Casey's June beetle, (*Dinacoma caseyi)*. However, none of these three insect species were found during the surveys. The former two would not be found within the site boundaries because they prefer areas of windblown sand, a habitat not found in the immediate area. Casey's June beetle is a federally listed species but has never been found north of Vista Chino Road in the city of Palm Springs. Therefore, no further action is necessary, and no impact to special-status arthropod species would occur.

Reptiles

No special-status amphibian species were found during the surveys conducted for the proposed Project, and none are expected.

No individuals of the officially threatened Coachella Valley fringe-toed lizard (*Uma inornate*) were observed, detected, or expected due to the absence of areas of loose, windblown sand. Therefore, no impact would occur to Coachella Valley fringe-toed lizards.

No flat-tailed horned lizard *(Phrynosoma mcallii*) was observed, and no evidence or sign (scat, tracks) was found. The lizard requires areas of loose windblown sand, a habitat not found within the project boundaries. California considers the flat-tailed horned lizard a Species of Special Concern. The lizard is a

covered species under the CVMSHCP. Therefore, no further action is necessary, and there would be no impact to special-status reptile species.

No desert tortoise (*Goperhus agassiz*i) was observed, and no evidence of any kind (shell fragments, scat, tracks, burrows) was found nor direct observations made. It is concluded this species does not occur within the proposed Project site and immediate vicinity at this time and no additional surveys for this species are recommended since the proposed Project would have no impact to desert tortoise.

Birds

In regard to special-status bird species, no observations or calls of LeConte's thrasher (*Toxostoma lecontei*) were recorded during the surveys. In the Coachella Valley, this resident species is strongly associated with golden cholla in which it nests. The golden cholla cacti within the proposed Project boundaries are considered too small (less than two [2] feet in height) to provide nesting or roosting sites for the thrasher. The LeConte's thrasher is a covered species under the CVMSHCP.

Two (2) special-status, avian species potentially occurring within the project boundaries are the loggerhead shrike (*Lanius ludovicianus)* and burrowing owl (*Athene cunicularia*). Loggerhead Shrike (*Lanius ludovicianus*) nest in dense shrubs or trees that are at least three to four feet in height. No such plants exist within or immediately adjacent to the proposed Project site. The shrike is a non-covered species and considered a Species of Special Concern by the state of California. No shrikes were observed at the project site. Due to the lack of suitable nesting sites for the shrike, no spring breeding surveys for this species are recommended. Therefore, there would be no on loggerhead shrikes.

Although no burrowing owls were observed at the site during the field surveys, the site has the potential to attract and provide habitat for burrowing owls.

No evidence of habitat or occurrence for the LeConte's thrasher (*Toxostoma lecontei*) were found at the proposed Project site or its immediate vicinity due to the lack of appropriate habitat. Casey's June beetle, *(Dinacoma casey*i) is a federally listed species but has never been found north of Vista Chino Road in the city of Palm Springs and therefore on or adjacent to the proposed Project site. Therefore, no impacts would occur to this species. As discussed above, no sensitive or special-status plant species were found to occur on the proposed Project site during the biological surveys. The Palm Springs Ground Squirrel, a covered species under the CVMSHCP, has the potential to occur on site due to burrows being detected within the site boundaries during the biological field survey. However, no Palm Springs Ground Squirrels were observed at the site during the field surveys.

Local Development Mitigation Fees

The Local Development Mitigation Fee (LDMF) is a component of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) to provide fund of the acquisition and long-term management of conservation land within the CVMSHCP boundary. The Coachella Valley Conservation Commission (CVCC) administers the LDMF program and conserves land on behalf of the CVMSHCP's local signatories. The LDMF, like all impact fees, is authorized through California's Mitigation Fee Act, government code §66000-66025.

Payment of the LDMF is commonly due ahead of issuing either a building permit or a certificate of occupancy. Current Fee Schedule.

Table 4.3-1 Current Fee Schedule

Current Fee Schedule*		
LDMF Category	**Assessment Unit**	**Current Rate***
Commercial/Industrial	Acre	$7,485
Residential 0-8 units per acre	Dwelling unit	$1,685
Residential 8.1–14 units per acre	Dwelling unit	$700
Residential 14+ units per acre	Dwelling unit	$310

*Notes:*Last Updated July 1, 2024. Rates may change to keep pace with inflation or to reflect an updated Nexus Report.*
Source: Appendix C.

The implementation of the LDMF in relation to the proposed Project and included as mitigation measure **BIO-3,** ensures that effects to the species are reduced to less than significant levels.

Migratory birds occurring in the project area are covered by the MBTA. Pre-construction nesting bird surveys in compliance with the MBTA would mitigate any potential project-related impacts to these species; therefore, a pre-construction survey for nesting birds is required in mitigation measure **BIO-1,** and would then reduce impacts to less than significant levels.

Though the site does not currently indicate the presence burrowing owls, the area does provide suitable habitat for burrowing owls. As such, mitigation measure **BIO-1** is recommended to mitigate for potential burrowing owl habitation on the site to ensure that any potential impacts to burrowing owls would be reduced to less than significant.

Therefore, mitigation measure **BIO-2** is recommended to ensure that potential Project impacts to nesting birds are ensured to be less than significant with mitigation incorporated.

Mitigation

BIO-1: A pre-construction protocol survey for burrowing owls in accordance with the Coachella Valley Multiple Species Conservation Plan Area shall be conducted. This mitigation measure requires a clearance survey be conducted not more than 14 days prior to grubbing, grading, or other surface disturbances to determine whether the species still occurs on the site. A final clearance survey must be conducted 24 hours prior to ground disturbance. If the owl is present during the breeding season (February 15 through September 15), a qualified biologist will establish a buffer area (a no disturbance zone) around the active burrow. When it is determined that all young owls have permanently left the burrow (fledged), the buffer area may be abandoned, and the adult owls captured and relocated. All these activities must be governed by a plan approved by CDFW. If an owl is present, regardless of the presence of young, a qualified biologist must develop either an avoidance or a relocation plan for review and approval by the CDFW, approved under permit.

BIO-2: In accordance with the Migratory Bird Treaty Act and all applicable section of the California Fish and Game Code, ground disturbance and vegetation clearance shall take place before typical avian nesting seasons of February 1 and August 31.

BIO-3*:* In accordance with the CVMHCP, payment of the LDMF fee, as determined by the City of Palm Springs.

Impact 4.3.2: Implementation of the proposed would not have a substantial adverse effect on riparian habitats or sensitive natural communities as identified in local or regional plans, policies, or regulations. There would be No Impact.

The CVMSHCP defines riparian habitat as "lands which contain habitat dominated by trees, shrubs, persistent emergent, or emergent mosses and lichens, which occur close to, or which depend upon soil moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year." Riparian habitat in the portion of the Coachella Valley is composed predominantly of Sonoran Cottonwood-Willow Riparian Forest, Southern Sycamore-Alder Riparian Woodland, Desert Fan Palm Oasis Woodland, and Desert Dry Wash Woodland. These habitat are typically characterized by tall, broad leaved forest usually found in and around streambed forests or the washes and canyons in the San Jacinto, Santa Rosa, and San Bernardino mountains. (City of Palm Spring General Plan EIR 2007)

The BAR conducted on August 22, 2023 (see ***Appendix C***) did not indicate the presence of any riparian habitat on the Project site. Therefore, implementation of the proposed Project would have no impact on riparian habitat or other sensitive natural community as identified in local or regional plans, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Mitigation

No mitigation is required.

Impact 4.3.3: Implementation of the proposed Project would not have a substantial adverse effect on state or federally protected wetlands and there would be No Impact.

In the northern portion of the city, several drainage channels spring from the San Jacinto Mountains and flow as dry river beds through areas in the city. The nearest aquatic feature to the proposed Project site is a dry riverbed located over three (3) miles to the south of the site. The BRA conducted did not indicate the presence on the Project site of any special aquatic resource area such as wetlands or other Waters of the United States or Waters of the State (***Appendix C***). Therefore, the proposed Project would have no impact on state or federally protected wetlands.

Mitigation

No mitigation is required.

Impact 4.3.4: Implementation of the proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or wildlife nursery sites. Impacts would be Less than Significant with Mitigation Incorporated.

The proposed Project site are currently vacant lots that had been utilized as an energy wind power generation farm site in the past. According to the BAR (***Appendix C***), no special animal or plant species have been identified on the site. No wildlife movement corridors or native wildlife nursery sites were

observed on the site. There are no waster bodies on the site or on the immediate properties surrounding the site; therefore no fish species or aquatic flora and fauna exist on the proposed Project site.

However, the site does have some Sonoran creosote shrub and provides suitable nesting habitat for the breeding, foraging and dispersing of nesting birds and burrowing owls. Although no burrowing owls were observed at the site and its immediate environs, there is a potential for burrowing owls to occur at the site. The proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or wildlife nursery sites. Therefore, through implementation of mitigation measures **BIO-1** and **BIO-2,** potential impacts would be reduced to less than significant levels.

Mitigation

BIO-1: A pre-construction protocol survey for burrowing owls in accordance with the Coachella Valley Multiple Species Conservation Plan Area shall be conducted. This mitigation measure requires a clearance survey be conducted not more than 14 days prior to grubbing, grading, or other surface disturbances to determine whether the species still occurs on the site. A final clearance survey must be conducted 24 hours prior to ground disturbance. If the owl is present during the breeding season (February 15 through September 15), a qualified biologist will establish a buffer area (a no disturbance zone) around the active burrow. When it is determined that all young owls have permanently left the burrow (fledged), the buffer area may be abandoned, and the adult owls captured and relocated. All these activities must be governed by a plan approved by CDFW. If an owl is present, regardless of the presence of young, a qualified biologist must develop either an avoidance or a relocation plan for review and approval by the CDFW, approved under permit. Mitigation Measure BIO- 1 would ensure that impacts to burrowing owls would be less than significant.

BIO-2: Due to the presence of shrubs and the potential for avian nesting sites.in accordance with the Migratory Bird Treaty Act and all applicable section of the California Fish and Game Code, ground disturbance and vegetation clearance shall take place before typical avian nesting seasons of February 1 and August 31

Impact 4.3.5: Implementation of the proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. There would be No Impact.

According to the City's 2007 General Plan (City of Palm Springs; 2007), the city of Palm Springs is not covered by an adopted Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). Based on research conducted by BLUE Consulting in August 2023 (see ***Appendix C***), the proposed Project site is located outside any of the Coachella Valley Multiples Species Habitat Conservation Plan (CVMSHCP) Criteria Cells or Cell Groups. Nor does the site include any CVMSHCP Conserved Lands or Public/Quasi-Public Lands. Therefore, the proposed Project would not conflict with any adopted habitat conservation plans and there would be no impact.

Mitigation

No mitigation is required.

Impact 4.3.6: Implementation of the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan and there would be No Impact.

According to the City's 2007 General Plan (City of Palm Springs; 2007), the city of Palm Springs is not covered by an adopted Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). Based on research conducted by BLUE Consulting in August 2023 (Appendix C), the proposed Project site is located outside any of the Coachella Valley Multiples Species Habitat Conservation Plan (CVMSHCP) Criteria Cells or Cell Groups. Nor does the site include any CVMSHCP Conserved Lands or Public/Quasi-Public Lands. Therefore, the proposed Project would not conflict with any adopted habitat conservation plans and there would be no impact.

Mitigation

No mitigation is required.

4.4 CULTURAL RESOURCES

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the existing cultural and historical resources within the proposed Project site as well as the city of Palm Springs. The analysis presented in this section is based on the Phase 1 Cultural Resources Survey for the First Palm Springs Commerce Center Project and a Paleontological Assessment for the First Palm Springs Commerce Center Project that were conducted by BFSA Environmental Services, on August 2023 and included as ***Appendix D*** of this Draft EIR. This section also identifies appropriate mitigation measures to lessen the identified impacts, if necessary, and identifies the applicable City of Palm Springs 2007 General Plan Update goals policies that reduce any identified impacts.

4.4.1 SETTING

The proposed project site is located in the Peninsular Ranges Geologic Province of southern California. The Peninsular Range lies in a northwest-to-southeast trend from western Los Angeles County to the southern tip of Baja California.

Prehistoric Setting

Prehistorically, the proposed Project site was situated along the Whitewater River, which drained from ancient Lake Cahuilla and covered much of the Salton Basin. Based upon stratigraphic studies, complemented by radiocarbon (14C) dating, basin flooding and the creation of an inland freshwater lake occurred several times during the latter half of the Holocene Epoch. Flooding of the enclosed Salton Basin occurred multiple times during the late Pleistocene and early Holocene, subsequent to the blockage of the natural drainage pattern to the Gulf of California by the development of the Colorado River fan. The last versions of the lake existed as late as during the first half of the seventeenth century and during the middle of the eighteenth century (Ross 2020).

Paleo Indian, Archaic Period Milling Stone Horizon, and the Late Prehistoric Takic groups are the three general cultural periods represented in Riverside County. The cultural history of Riverside County is tied to the San Dieguito Complex, Encinitas Tradition, Milling Stone Horizon, La Jolla Complex, Pauma Complex, and San Luis Rey Complex, since these culture sequences have been used to describe archaeological manifestations in the region. The Late Prehistoric component present in the Riverside County area was primarily represented by the Cahuilla, Gabrielino, and Luiseño Indians; however, the project also falls within an area likely occupied by the Serrano.

Late Prehistoric Period

The Late Prehistoric component present in the Riverside County area was primarily represented by the Cahuilla, Gabrielino, and Luiseño Indians.

Archaeological and anthropological data, however, proposes a scientific/archaeological perspective suggesting that, at approximately 1,350 Years Before Present (YBP), Takic speaking groups from the Great Basin region moved into Riverside County, marking the transition to the Late Prehistoric Period. An analysis of the Takic expansion by Sutton (2009) indicates that inland southern California was occupied by "proto-Yuman" populations before 1,000 YBP. It is believed that Takic expansion occurred starting around 3,500 YBP moving toward southern California, with the Gabrielino language diffusing south into neighboring Yuman (Hokan) groups around 1,500 to 1,000 YBP, possibly resulting in the Luiseño dialect.

Based upon Sutton's model, the final Takic expansion would not have occurred until about 1,000 YBP, resulting in Vanyume, Serrano, Cahuilla, and Cupeño dialects. This period is characterized by higher population densities and elaborations in social, political, and technological systems. Economic systems diversified and intensified during this period with the continued elaboration of trade networks, the use of shell-bead currency, and the appearance of more labor-intensive, yet effective, technological innovations. Technological developments during this period included the introduction of the bow and arrow between A.D. 400 and 600 and the introduction of ceramics. Atlatl darts were replaced by smaller arrow darts, including Cottonwood series points. Other hallmarks of the Late Prehistoric Period include extensive trade networks as far-reaching as the Colorado River Basin and cremation of the dead.

Ethnohistoric and ethnographic evidence indicates that primarily three Takic-speaking groups occupied Riverside County: the Cahuilla, the Gabrielino, and the Luiseño. The geographic boundaries between these groups in pre- and proto-historic times are difficult to place. These groups were a seasonal hunting and gathering people with cultural elements that were very distinct from Archaic Period peoples.

According to Charles Handley (1967), the primary settlements of Late Prehistoric Luiseño Indians in the San Jacinto Plain were represented by Ivah and Soboba near Soboba Springs, Jusipah near the town of San Jacinto, Ararah in Webster's Canyon in route to Idyllwild, Pahsitha near Big Springs Ranch southeast of Hemet, and Corova in Castillo Canyon. These locations share features such as the availability of food and water resources. Features of this land use include petroglyphs and pictographs, as well as widespread milling, which is evident in bedrock and portable implement.

Ethnological Setting

The historic background of the region began with the Spanish colonization of Alta California. The first Spanish colonizing expedition reached southern California in 1769 and by the late eighteenth century, a large portion of southern California was colonized by the Spanish and overseen at Mission San Luis Rey (San Diego County), Mission San Juan Capistrano (Orange County), and Mission San Gabriel (Los Angeles County (Chapman 1921).

Through the mission system, the Spanish gained power through the support of a large, subjugated Native American workforce. As the missions grew, livestock holdings increased and became increasingly vulnerable to theft. In order to protect their interests, the southern California missions began to expand inland to try and provide additional security (Beattie and Beattie 1939; Caughey 1970). The indigenous groups who occupied these lands were recruited by missionaries, converted, and put to work in the missions (Pourade 1961). Throughout this period, the Native American populations were decimated by introduced diseases, a drastic shift in diet resulting in poor nutrition, and social conflicts due to the introduction of an entirely new social order (Cook 1976).

In 1852, the Native Americans of southern Riverside County signed two treaties with the United States: - the Treaty of Temecula on January 5, 1852 with the Cahuilla, Cupeño, Luiseño, and Serrano and the Treaty of Santa Ysabel on January 7, 1852 with the Kumeyaay (Milanovich 2021). However, Congress never ratified these treaties, and, as a result, Native Americans were evicted from their lands (Phillips 2014; Milanovich 2021; Brigandi 1998).

Historical Setting

The earliest residents of the Coachella Valley, which includes the city of Palm Springs, were the Cahuilla Indians, who settled in the palm-lined mountain canyons around the valley in the summers and moved to thatched shelters near the mineral hot springs during the winters. In the early 1860s, the Bradshaw stagecoach line passed through the city on a route between Banning, California, and the Arizona territories; during this time, the area was referred to as "Agua Caliente" (hot water).

In 1893, an unusually heavy rain season caused flooding that completely destroyed the city's' fields and orchards, followed by 11 years of drought which entirely dried up the area's water sources in Whitewater and Tahquitz canyons.

During World War I, the city, with its mineral hot springs and sweeping desert views, began attracting wealthy American tourists who were unable to travel to Europe due to the war. By the late 1920s, the city became a favored weekend retreat for the film industry with its proximity to Los Angeles, warm winter weather, and the privacy it provided. (Historic Resources Group 2018).

Throughout the twentieth century, the city developed its own character with respect to the specific climatological, topographical, cultural, and economic foundation. In the same vein as regional architectural trends, structures were mostly designed in historical revival styles, such as Spanish Colonial Revival, adobe, Ranch, and Modern. Modernism was particularly popular, as the role of the city of Palm Springs as a luxury resort community had an influence on the architectural designs, emphasizing the leisure and recreational aspects of the style. While the development of the city continued into the 1970s, it started to slow down as "down valley" communities, such as Cathedral City, Rancho Mirage, La Quinta, and Palm Desert, started to develop (Historic Resources Group 2018).

Local Setting

The proposed Project site is located in the Peninsular Ranges Geologic Province within the northern portion of the city of Palm Springs along the base of the mountains in the Coachella Valley. The site and majority of the proposed Project area contains a relatively flat desert topography associated with the wide erosional fan emanating from the higher elevations to the north. Geologically, the surficial sediments in the area are all very young (late Holocene) alluvial outwash sands and gravels derived from the mountainous areas to the north and northwest (San Bernardino and Little San Bernardino Mountains) and deposited across the upper Coachella Valley along distributary channels of Mission Creek, Garnet Wash, and Morongo Wash. (City of Palm Springs General Plan EIR, 2007). The site is generally a wide, gently sloping desert wash topography with elevations ranging between approximately 815 to 770 feet above mean sea level. The closest natural sources of water are the Whitewater River and seasonal Garnet Wash to the west and southwest. Vegetation across the site consists of Sonoran creosote bush scrub. Mammals within the region potentially include mule deer, pronghorn antelopes, bighorn sheep, coyotes, bobcats, mountain lions, rabbits, hares, ground squirrels, kangaroo rats, and a variety of other small rodents and lizards; birds include raptors, quail, mourning doves, geese and ducks, heron, crows, finches, and sparrows.

Ethnic groups in the vicinity of the proposed Project site, include the Cahuilla and the Gabrielino. The Cahuilla are a Takic-speaking people and differ from the Luiseño and Gabrielino in that their religion is more similar to the Mohave tribes of the eastern deserts than the Chingichngish religious group of the Luiseño and Gabrielino. (Bean 1978; Kroeber 1976).

An archaeological records search for the proposed Project site and the surrounding area within a one (1)-mile radius was completed in March 2023, by BFSA (Appendix D). The Eastern Information Center (EIC) search conducted under this report identified 54 resources (eight prehistoric and 46 historic) within one (1) mile of the site (**Table 4.4-1: Cultural Resources Constructed within One Mile of the proposed Project Site**). Of the 54 resources, two (2) of the historic resources are recorded within the eastern portion of the proposed Project site. One resource site is the historic Dillion Highway; the resource was evaluated in 2015 as not eligible for the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR) (Smallwood 2015). The second resource recorded within the subject property is a historic trash scatter that was found during grading monitoring of the parcel on the east side of North Indian Canyon Drive. This resource was eventually removed during the development of the adjacent property (Rodriguez and Harvey 2017). As such, the recorded resources within the proposed Project site either have been removed or have already been evaluated as neither NRHP nor CRHR eligible and, therefore, do not require any further study. Of the remaining recorded resources not located within the subject property, the prehistoric resources consist of two (2) ceramic scatters, one (1) lithic scatter, and five (5) isolates. The remaining historic resources consist of a series of foundations with an associated trash scatter, a railroad alignment, 12 additional trash scatters, 22 isolates, two (2) transmission lines, five (5) additional roads, and one (1) substation (***Appendix D***).

Table 4.4-1: Cultural Resources Recorded Within One Mile of the proposed Project Sites

Site	Description
P-33-001808 and P-33-019935	Prehistoric ceramic scatter
P-33-028014	Prehistoric lithic scatter
P-33-018094, P-33-026706, P-33-028969, P-33-028970, and P-33-029418	Prehistoric isolate
P-33-003441	Historic foundations and associated trash scatter
P-33-009498	Historic Southern Pacific Railroad/Union Pacific Railroad alignment
P-33-018169, P-33-018186, P-33-024715, P-33-024848, P-33-028015*, P-33-028574, P-33-028591, P-33-028592, P-33-028595, P-33-028598, P-33-029139, P-33-029326, and P-33-029740	Historic trash scatter
P-33-015035 and P-33-029140	Historic transmission line
P-33-024716	Historic substation
P-33-012922, P-33-015298, P-33-018665, P-33-018666, P-33-024717, P-33-026707, P-33-026872, P-33-026873, P-33-026874, P-33-026875, P-33-028585, P-33-028586, P-33-028587, P-33-028593, P-33-028594, P-33-028596, P-33-028597, P-33-028599, P-33-028600, P-33-029331, P-33-029333, and P-33-029417	Historic isolate
P-33-008410*, P-33-024705, P-33-024713, P-33-024714, P-33-029420, and	Historic road

P-33-029421	
* Recorded within study area	

Source Appendix D.

The records search also identified 59 previously conducted studies within one mile of the proposed Project site, eight (8) of which overlap portions of the study area (Bass 2001; Bodmer et al. 2008; Daniels 2011; Eckhardt et al. 2015; Hogan 1992; Mason 2005; Tang 2016; Tang and Quinn 2008).

Field Investigation

BFSA Archaeologist Brian F. Smith conducted the archaeological surveys between February and March 2023. Vegetation across the site consisted primarily of Sonoran creosote scrub (see ***Appendix D***). The archaeological surveys of the site consisted of a series of parallel survey transects spaced at 15-meter intervals. Although the entire site was accessible, access to some portions of the site were limited by existing fences, late twentieth-century structures discussed within the historic photograph review, and other associated access impediments.

During the survey, visible signs of modern trash dumping, and fragments of wind turbine blades and housing were encountered within the property. Although some isolated cans were noted at the site, no prehistoric resources were identified during the survey. The site survey did identify what appears to be an ephemeral camp or limited historic dump site consisting of two concentrations of wooden boards surrounded by a sparse scatter of historic trash and building materials recorded as Site Temp-1. The site was evaluated as not eligible for the CRHR (see ***Appendix D***).

The Phase I archaeological assessment survey resulted in the identification of one (1) marginal historic site, documented as Site Temp-1. However, Site Temp-1 consists of a small scatter of historic material and lacks context and integrity. Therefore, the site is evaluated as not eligible for the CRHR. Further, despite Sites P-33-008410 and P-33-028015 being recorded within the study area, these resources either have been removed or have already been evaluated as not NRHP or CRHRs eligible.

4.4.2 REGULATORY FRAMEWORK

FEDERAL

National Historic Preservation Act

The National Historic Preservation Act (NHPA) (54 USC 300101 et seq.) instituted a multifaceted program administered by the Secretary of the Interior, to encourage sound preservation policies of the nation's cultural resources at the federal, State and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP), established the position of the State Historic Preservation Officer (SHPO), and provided for the designation of State Review Boards. The NHPA also set up a mechanism to certify local governments to carry out the goals of the NHPA and created the Advisory Council on Historic Preservation (ACHP). Section 106 of the NHPA (54 USC 306108) states that federal agencies with direct or indirect jurisdiction over federally funded, assisted, or licensed undertakings must take into account the effect of the understanding on any historic property that is included or eligible to be in the NRHP.

National Register of Historic Places

First authorized by the Historic Sites Act of 1935, the National Register of Historic Places (National Register) was established by the National Historic Preservation Act (NHPA) of 1966, as "an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation's historic resources and to indicate what properties should be considered for protection from destruction or impairment" (Code of Federal Regulations [CFR] 36 Section 60.2). The National Register recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

STATE

The State of California implements the NHPA through its statewide comprehensive cultural resources surveys and preservation programs. The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation, implements the policies of the NHPA on a statewide level. The OHP also maintains the California Historic Resources Inventory. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the State's jurisdiction.

California Register of Historical Resources

The California Register of Historical Resources (California Register) is "an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change." (California Public Resources [PRC] Code Section 5024.1[a]). The criteria for eligibility for the California Register are based upon National Register criteria (California Public Resources Code Section 5024.1[b]). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register of Historic Places. To be eligible for the California Register of Historical Resources, a prehistoric or historical-period property must be significant at the local, State, and/or federal level under one or more of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must meet one of the criteria of significance described above and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register of Historic Places and those formally Determined Eligible for the National Register of Historic Places.

- California Registered Historical Landmarks from No. 770 onward.
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.
- Other resources that may be nominated to the California Register include:
- Historical resources with a significance rating of Category 3 through 5 (Those properties identified as eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and/or a local jurisdiction register).
- Historical resources contributing to historic districts.
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as a historic preservation overlay zone.

California Public Resources Code

California Public Resources (PRC) Code 5097.9.-5097.998 provides protection to Native American historical and cultural resources and sacred sites, prohibits interfering with Native American religion, and identifies the powers and duties of the Native American Heritage Commission (NAHC). It makes the destruction, looting, or vandalizing of archaeological sites on public land a misdemeanor. It also requires notification of discoveries of Native American human remains to the NAHC and provides for treatment and disposition of human remains and associated grave goods.

Section 5097.5 of the PRC states that “No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological, or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor”.

As used in this PRC section, 'public lands' means lands owned by, or under the jurisdiction of, the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC 5097.5 for their activities including construction and maintenance as well as for permit actions (e.g., encroachment permits) undertaken by others.

California Environmental Quality Act (CEQA)

The proposed Project would be subject to compliance with the California Environmental Quality Act (CEQA), as amended. Compliance with CEQA statutes and guidelines requires both public and private projects with financing or approval from a public agency to assess the project’s impact on cultural resources (Public Resources Code Section 21082, 21083.2 and 21084 and California Code of Regulations 10564.5). The first step in the process is to identify cultural resources that may be impacted by the project and then determine whether the resources are “historically significant” resources.

Cultural resources are buildings, sites, humanly modified landscapes, traditional cultural properties, structures, or objects that may have historical, architectural, cultural, or scientific importance. CEQA states that if a project will have a significant impact on important cultural resources, deemed “historically significant,” then project alternatives and mitigation measures must be considered.

CEQA defines historically significant resources as “resources listed or eligible for listing in the California Register of Historical Resources (CRHR)” (Public Resources Code Section 5024.1). A cultural resource may be considered historically significant if the resource is 45 years old or older, possesses integrity of location,

design, setting, materials, workmanship, feeling, and association, and meets any of the following criteria for listing on the CRHR:

- Is associated with events that have made a significant contribution to the broad patterns of
- California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or, has yielded, or may be likely to yield, information important in prehistory or history (Public Resources Code Section 5024.1).

LOCAL

Palm Springs 2007 General Plan

The City of Palm Spring 2007 General Plan contains the following Goals and Policies related to cultural resources that are applicable to the proposed Project:

Recreation, Open Space and Conservation Element

Goal RC10 Support, encourage, and facilitate the preservation of significant archaeological, historic, and cultural resources in the community.

- Policy RC10.1 Support the preservation and protection of historically, architecturally, or archaeologically significant sites, places, districts, structures, landforms, objects, native burial sites and other features.
- Policy RC10.4 Require site assessment conducted by qualified specialists whenever information indicates that a site proposed for development may contain paleontological, historic, or archeologic resources.
- Policy RC10.5 Actively encourage and promote the understanding, appreciation, and preservation of archaeological, historic, and cultural resources.
- Policy RC10.6 Maintain active communication and cooperation with the Tribal Historic Preservation Office, the Palm Springs Historic Society and other historic preservation entities.

City of Palm Springs Municipal Code

The City's Municipal Code, Title 8, Chapter 8.05, Historic Preservation, establishes the definition of a historic structure, site, or district. The code established the City's requirements for historic and cultural preservation and created the historic-site preservation board. Additionally, Chapter 92.24.00, "H" Historic Preservation Combining Zone, creates a zoning code designed to preserve historic sites and neighborhoods that represent important elements of Palm Springs' past or contribute to the community's identity or educational resources.

City of Palm Springs Historic Preservation Ordinance

The City's Historic Preservation Ordinance is designed to preserve areas and specific buildings that reflect elements of its cultural, social, economic, political, architectural and archaeological history. It also establishes a Historic Site Preservation Board to maintain and update the City's Historic Resources Inventory, prepare local nominations for historic registers, monitor progress in preservation and promote community awareness and participation in historic preservation.

The Agua Caliente Band of Cahuilla Indians' Tribal Historic Preservation Office

The Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office and its designated officer has jurisdiction over historic resources on tribal reservation lands. The Tribal Historic Preservation Officer (THPO) is responsible for the management of cultural resources of significance to the Tribe. Such resources typically include, but are not limited to archeological sites, burial sites, trails, buildings or other structures, plant and mineral resources gathering areas, and sacred places such as springs, hills, forested areas. Pursuant to the NHPA, the Agua Caliente Band of Cahuilla Indians THPO has assumed functions of the SHPO on its reservation. The THPO reviews proposed development projects in order to assess potential impacts on historic and cultural resources important to the Tribe and/or eligible for the Tribal Register, CRHR, or the NRHP. The THPO has the authority to consult and coordinate with State and federal agencies such as the Bureau of Land Management (BLM), the National Park Services (NPS), and the United States Forest Service (USFS), for compliance and consultation, monitoring construction and archaeological excavations, protecting burial sites and resources, and for maintaining all archival databases.

4.4.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Impacts to cultural resources are considered to be significant if implementation of the proposed Project would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- Disturb any human remains, including those interred outside of dedicated cemeteries?

Methodology

The proposed Project site was assessed through field surveys, records and Sacred Lands searches, coordination with Native American tribes with jurisdiction in the area, and background information researched and compiled by BFSA Environmental Services, a Perennial Company, between March 2023 and September 2024 and are included in ***Appendix D*** of this DEIR. Archaeological assessments were conducted by BFSA in order to locate and record any cultural resources present within the project in compliance with the California Environmental Quality Act (CEQA). Record searches were also conducted at the Eastern Information Center (EIC), University of California, Riverside, in order to review previous archaeological investigations as well as to identify previously recorded archaeological resources at the site and surrounding the proposed Project site. BFSA also conducted consultations with the NAHC in order to obtain a list of specific Native American tribal representatives who could provide additional information regarding cultural resources on the proposed Project site and general vicinity (see ***Appendix D***).

Impacts

Impact 4.4.1: Implementation of the proposed Project may cause a substantial adverse change in the significance of historical and archeological resources pursuant to in § 15064.5. However, impacts would be Less than Significant Impact with Mitigation Incorporated.

Historic resources may be defined as structures, objects and sites of historical significance to an area. Such resources are typically over 50 years or more of age. Archaeological resources, often located along ridgelines and creek areas, are usually the artifacts of past human settlements and activities that may be historic or prehistoric in origin. Paleontological resources are typically fossilized remains of plant and animals and sometime human remains (City of Palm Springs General Plan EIR, 2007).

While the city of Palm Springs lists numerous historical and archeological resources within the broader city limits, records searches for the proposed Project site does not indicate the presence of such resources on the proposed Project site. However, a records search for the surrounding one (1) mile area around the Project site, conducted in 2023 identified 54 resources, eight (8) of which are prehistoric and 46 are historic resources The records search also identified 59 previously conducted studies within one (1) mile of the project, eight (8) of which overlap portions of the proposed Project site and surrounding area (see ***Appendix D***).

Due to the age of the geological formation at the site, there is a low potential for the presence of paleontological resources at the site. While no CRHR eligible historic, paleontological, or archaeological resources were identified on the site, since such resources have been found within one (1) mile of the site, the potential exists that site clearing and grading activities at the proposed Project site may unearth previously undiscovered resources. Also, the city's General Plan Environmental Impact Report (EIR) acknowledges that all areas within the city and its Sphere of Influence (SOI) have the potential for historic and prehistoric archeological resources. The proposed Project would therefore be required to adhere applicable policies in the City's Recreation, Open Space and Conservation Element of its General Plan. In particular, Goal RC10 which supports and facilitates the preservation of significant archaeological, historic, and cultural resources such as sites, places, districts, structures, landforms, objects, native burial sites and other features in the community, through policies RC10.1, RC10.4, and RC10.5. The General Plan Policy RC10.6 would ensure that the development at the proposed Project site coordinate with the THPO and other historic preservation entities during site construction and Project operation. Therefore, the proposed Project's potential impacts to historic and archeological resources may be potentially significant and require the mitigation measure **CUL -1 through CUL-3**.

Mitigation

CUL-1: Should paleontological resources be discovered at the proposed Project site, the area of the discovery shall be cordoned off and a Riverside County qualified paleontologist shall be consulted to determine the significance of the finds. If the discovery is determined to be significant by the qualified paleontologist, a Paleontological Resource Impact Program (PRIMP) shall be required for the proposed Project prior to approval by the City of Palm Springs to reduce adverse impacts to paleontological resources to a level below significant. The PRIMP shall follow the guidelines of the City of Palm Springs, the County of Riverside, and the recommendations of the Society of Vertebrate Paleontology (2010). The PRIMP shall include methods for:

Attendance by a qualified paleontologist at the preconstruction meeting to consult with the grading and excavation contractors.

On-site presence of a paleontological monitor to inspect for paleontological resources during the excavation of previously undisturbed deposits.

Salvage and recovery of paleontological resources by a qualified paleontologist or paleontological monitor.

Preparation (repair and cleaning), sorting, and cataloguing recovered paleontological resources.

Donation of prepared fossils, field notes, photographs, and maps to a scientific institution with permanent paleontological collections.

Completion of a final summary report that outlines the results of the mitigation

CUL-2: Initial clearing and grading of the property (first five feet) shall be monitored by a qualified archeologist. The consulting archaeologist shall have the authority to modify and reduce the monitoring program to either periodic spot-checks or suspension of the monitoring program should the potential for cultural resources appear to be less than anticipated.

CUL-3: Should grading and construction activities at the Project site reveal the presence of human remains, all work at the site, shall be stopped and all remains shall be disposed in accordance with the California Public Resources Code Section 5097.98.

Impact 4.4.2: Implementation of the proposed Project may disturb any human remains, including those interred outside of dedicated cemeteries. However, impacts would be Less than Significant Impact with Mitigation Incorporated.

Records searches conducted for the proposed Project site did not reveal any known human remains at the site. However, the city of Palm Springs and its SOI areas are located in an area determined to have high cultural sensitivity for the Agua Caliente Band of Cahuilla Indians Traditional Use Area. Therefore, the potential does exist for the discovery of human remains during site clearing and construction activities associated with the proposed Project. However, development under the proposed Project would be required to conform to the goals and policies of the City General Plan's Recreation, Open Space and Conservation Element, particularly Goal RC10 and policies RC10.1 and RC10.4. Therefore, with implementation of mitigation measures **CUL-2** and **CUL-3**, proposed Project impacts would be less than significant.

Mitigation

CUL-2: Initial clearing and grading of the property (first five feet) shall be monitored by a qualified archeologist. The consulting archaeologist shall have the authority to modify and reduce the monitoring program to either periodic spot-checks or suspension of the monitoring program should the potential for cultural resources appear to be less than anticipated.

CUL-3: Should grading and construction activities at the Project site reveal the presence of human remains, all work at the site shall be stopped and all remains shall be disposed in accordance with the California Public Resources Code Section 5097.98.

4.5 ENERGY

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the potential impacts to energy resources from implementation of the proposed Project per Appendix G of the CEQA Guidelines which require that an EIR discuss the potential energy impacts of proposed projects, with emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. This section therefore discusses the existing conditions in the area, the regulatory framework for energy impacts from a project, and discloses estimated energy use during the construction and operational phases of the proposed Project. The technical analysis conducted for energy resources, use and consumption are included as ***Appendix B*** of the DEIR

4.5.1 SETTING

California is one of the nation's leading energy-producing states, and California per capita energy use is among the nation's most efficient. Given the nature of the proposed project, the remainder of this discussion will focus on the three sources of energy that are most relevant to a project — namely, electricity and natural gas for building uses, and transportation fuel for vehicle trips associated with the proposed Project.

As of 2022, the State's estimated energy use included:

- Approximately 287,220 gigawatt hours of electricity;
- Approximately 2,056,267 million cubic feet of natural gas per year; and
- Approximately 23.2 billion gallons of transportation fuel (for the year 2015).

California's electricity in-state generation system generates approximately 203,257 gigawatt-hours each year. In 2022, California produced approximately 71 percent of the electricity it uses; the rest was imported from the Pacific Northwest (approximately 12 percent) and the US Southwest (approximately 17 percent). Natural gas is the main source for electricity generation at approximately 47.46 percent of the total in-state electric generation system power (**Table 4.5-1: Total Electric Power for State of California**).

"U.S. Energy Information Administration, California State Profile and Energy Estimates, Quick Facts" excerpted below, indicates, that:

- In 2022, California was the seventh-largest producer of crude oil among the 50 states, and, as of January 2022, the state ranked third in crude oil refining capacity.
- California is the largest consumer of jet fuel and second-largest consumer of motor gasoline among the 50 states.
- In 2020, California was the second-largest total energy consumer among the states, but its per capita energy consumption was less than in all but three other states.
- In 2022, renewable resources, including hydroelectric power and small-scale, customer-sited solar power, accounted for 49% of California's in-state electricity generation. Natural gas fueled another 42%. Nuclear power supplied almost all the rest.
- In 2022, California was the fourth-largest electricity producer in the nation. The state was also the nation's third-largest electricity consumer, and additional needed electricity supplies came from out-of-state generators.

California is one of the nation's leading energy-producing states, and California per capita energy use is among the nation's most efficient. Given the nature of the proposed project, the remainder of this

discussion will focus on the three sources of energy that are most relevant to the proposed Project — namely, electricity and natural gas for building uses, and transportation fuel for vehicle trips associated with the proposed Project.

Table 4.5-1: Total Electric Power for State of California

Fuel Type	California In- State Generation (GWh)	Percent of California In- State Generation	Northwest Imports (GWh)	Southwest Imports (GWh)	Total Imports (GWh)	Total California Energy Mix (GWh)	Total California Power Mix
Coal	273	0.13%	181	5,716	5,897	6,170	2.15%
Natural Gas	96,457	47.46%	44	7,994	8,038	104,495	36.38%
Oil	65	0.03%	-	-	-	65	0.02%
Other (Waste Heat/Petroleum Coke)	315	0.15%	-	-	-	315	0.11%
Unspecified Sources of Power	-	0.00%	12,485	7,943	20,428	20,428	7.11%
Total Thermal and Unspecified	97,110	47.78%	12,710	21,653	34,363	121,473	45.77%
Nuclear	17,627	8.67%	397	8342	8739	26,366	9.18%
Large Hydro	14,607	7.19%	10,803	1,118	11,921	26,528	9.24%
Biomass	5,366	2.64%	771	25	797	6,162	2.15%
Geothermal	11,110	5.47%	253	2,048	2,301	13,412	4.67%
Small Hydro	3,005	1.48%	211	13	225	3,230	1.12%
Solar	40,494	19.92%	231	8,225	8,456	48,950	17.04%
Wind	13,938	6.86%	8,804	8,357	17,161	31,099	10.83%
Total Non-GHG and Renewables	106,147	52.22%	21,471	28,129	49,599	155,747	54.23%
Total Energy	203,257	100%	34,180	49,782	83,962	287,220	100%

Source: Appendix B.

Electricity

Electricity would be provided to the proposed Project site by Southern California Edison (SCE). SCE provides electric power to more than 15 million persons, within a service area that encompasses approximately 50,000 square miles.39 SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers.

Table 4.5-2: SCE Power Content Mix – 2022 identifies SCE's specific proportional shares of electricity sources in 2022. As shown in Table 4.5.2, the 2022 SCE Power Mix has renewable energy at 33.2 percent of the overall energy resources, of which biomass and waste is at 0.1 percent, geothermal is at 5.7 percent, eligible hydroelectric is at 0.5 percent, solar energy is at 17 percent, and wind power is at 9.8 percent; other energy sources include large hydroelectric at 3.4 percent, natural gas at 24.7 percent, nuclear at 8.3 percent, other at 0.1 percent, and unspecified sources of power at 30.3 percent.

Table 4.5-2: SCE Power Content Mix 2022

Energy Resources	2022 SCE Power Mix
Eligible Renewable	33.2%
Biomass & Biowaste	0.1%
Geothermal Eligible Hydroelectric	5.7%
Solar	0.5%
Wind	17.0%
	9.8%
Coal	0.0%
Large Hydroelectric	3.4%
Natural Gas	24.7%
Nuclear	8.3%
Other	0.1%
Unspecified Sources of power*	30.3%
Total	100%

Source: Appendix B

According to the Edison International 2019 Sustainability Report, SCE delivered an estimated 48 percent carbon-free electricity to customers. This is an increase from the 46 percent renewable energy portfolio that SCE achieved in 2018.

Each year, SCE allocates capital funds for the purposes of converting overhead electric distribution lines. In addition, SCE provides a variety of energy conservation programs to the City, including:

- Rebates, incentives and saving tips including a Summer Discount Plan, Mobile Home Upgrade Program, Budget Assistant and Time-of-Use Plans.
- Incentives for using electric vehicles including the Clean Fuel Reward Program and the Charge Ready Home Installation rebate.
- Energy Management Center introduces new energy management products, programs, rebates.

Natural Gas

Natural gas would be provided to the proposed Project site by Southern California Gas (SoCal Gas). The California Public Utilities Commission (CPUC) regulates the California utilities' natural gas rates and natural gas services, including in-state transportation over the utilities' transmission and distribution pipeline systems, storage, procurement, metering and billing/ The CPUC also regulates natural gas utility service for approximately 11 million customers that receive natural gas from Pacific Gas and Electric (PG&E), Southern California Gas (SoCal Gas), San Diego Gas & Electric (SDG&E), Southwest Gas, independent storage operators, and several smaller investor-owned natural gas utilities.

The vast majority of California's natural gas customers are residential and small commercial customers, referred to as "core" customers. Larger volume gas customers, like electric generators and industrial customers, are called "noncore" customers. Although very small in number relative to core customers, noncore customers consume about 65% of the natural gas delivered by the state's natural gas utilities, while core customers consume about 35%.

Most of the natural gas used in California comes from out-of-state natural gas basins. In 2017, for example, California utility customers received 38% of their natural gas supply from basins located in the US Southwest, 27% from Canada, 27% from the US Rocky Mountain area, and 8% from production located in California."

Transportation Energy Resources

The proposed Project would attract additional vehicle trips with resulting consumption of energy resources, predominantly gasoline and diesel fuel. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the project patrons and employees via commercial outlets.

The most recent data available shows the transportation sector emits 38 percent of the total greenhouse gases in the state and about 84 percent of smog-forming oxides of nitrogen (NOx). About 27 percent of total United States energy consumption in 2022 was for transporting people and goods from one place to another. In 2022, petroleum comprised about 90 percent of all transportation energy use, excluding fuel consumed for aviation and most marine vessels. In 2022, about 135.06 billion gallons (or about 3.22 billion barrels) of finished motor gasoline were consumed in the United States, an average of about 370 million gallons (or about 8.81 million barrels) per day.

4.5.2 REGULATORY FRAMEWORK

FEDERAL

Corporate Average Fuel Economy (CAFE) Standards

First established by the U.S. Congress in 1975, the Corporate Average Fuel Economy (CAFE) standards reduce energy consumption by increasing the fuel economy of cars and light trucks. The National Highway Traffic Safety Administration (NHTSA) and U.S. Environmental Protection Agency (USEPA) jointly administer the CAFE standards. The U.S. Congress has specified that CAFE standards must be set at the "maximum feasible level" with consideration given for: (1) technological feasibility; (2) economic practicality; (3) effect of other standards on fuel economy; and (4) need for the nation to conserve energy.

Issued by NHTSA and EPA in March 2020 (published on April 30, 2020 and effective after June 29, 2020), the Safer Affordable Fuel-Efficient Vehicles Rule would maintain the CAFE and CO_2 standards applicable in model year 2020 for model years 2021 through 2026. The estimated CAFE and CO_2 standards for model year 2020 are 43.7 mpg and 204 grams of CO_2 per mile for passenger cars and 31.3 mpg and 284 grams of CO_2 per mile for light trucks, projecting an overall industry average of 37 mpg, as compared to 46.7 mpg under the standards issued in 2012. This Rule also excludes CO_2- equivalent emission improvements associated with air conditioning refrigerants and leakage (and, optionally, offsets for nitrous oxide and methane emissions) after model year 2020.

On May 12, 2021, the National Highway Traffic Safety Administration (NHTSA) published a notice of proposed rulemaking in the Federal Register, proposing to repeal "The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program," published Sept. 27, 2019 (SAFE I Rule), in which NHTSA codified regulatory text and made additional pronouncements regarding the preemption of state and local laws related to fuel economy standards. Specifically, this document proposed to fully repeal the regulatory text and appendices promulgated in the SAFE I Rule. In addition, this document proposed to repeal and withdraw the interpretative statements made by the Agency in the SAFE I Rule preamble, including those regarding the preemption of particular state Greenhouse Gas (GHG) Emissions standards or Zero Emissions Vehicle (ZEV) mandates. As such, this document proposed to establish a clean slate with respect to NHTSA's regulations and interpretations concerning preemption under the Energy Policy and Conservation Act (EPCA) concerning preemption under the Energy Policy and Conservation Act (EPCA). This action is effective as of January 28, 2022.

Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission (FERC) is an independent agency that regulates the transmission and sale of electricity, natural gas, and oil in interstate commerce, licensing of hydroelectric projects, and oversight of related environmental matters. The setting and enforcing of interstate transmission sales is also regulated by FERC.

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Federal Energy Policy and Conservation Act (FEPCA) to serve the nation's energy demands and promote feasibly attainable conservation methods. This act established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National

Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

Intermodal Surface transportation Efficiency Act of 1991 (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of intermodal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

The Transportation Equity Act of the 21st Century (TEA-21)

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

Energy Policy Act of 2005

The Energy Policy Act of 2005 addresses energy production in the United States, including energy efficiency; renewable energy; oil and gas; coal; tribal energy; nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (hydrogen; electricity; energy tax incentives; hydropower and geothermal energy; and climate change technology. The Act includes provisions such as increasing the amount of biofuel that must be mixed with gasoline sold in the United States and loan guarantees for entities that develop or use innovative technologies that avoid the by-production of GHGs.

Energy Independence and Security Act of 2007

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the EISA includes other provisions related to energy efficiency and requires ever-increasing levels of renewable fuels to replace petroleum. The US EPA is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The EISA also address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green” jobs.

STATE

Assembly Bill 32

As discussed in Section 4 of this report, in 2006 the California State Legislature adopted Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 requires CARB, to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable California Building Standards Commission (CBSC).

Assembly Bill 1493/Pavley Regulations

As discussed in Section 4 of this report, California Assembly Bill 1493 enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. In 2005, the CARB submitted a “waiver” request to the EPA from a portion of the federal Clean Air Act in order to allow the State to set more stringent tailpipe emission standards for CO2 and other GHG emissions from passenger vehicles and light duty trucks. On December 19, 2007 the EPA announced that it denied the “waiver” request. On January 21, 2009, CARB submitted a letter to the EPA administrator

regarding the State's request to reconsider the waiver denial. The EPA approved the waiver on June 30, 2009.

Senate Bill 100

Senate Bill 100 (SB 100) requires 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. SB 100 was adopted September 2018. The interim thresholds from prior Senate Bills and Executive Orders would also remain in effect. These include Senate Bill 1078 (SB 1078), which requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. Senate Bill 107 (SB 107) which changed the target date to 2010. Executive Order S-14-08, which was signed on November 2008 and expanded the State's Renewable Energy Standard to 33 percent renewable energy by 2020. Executive Order S-21-09 directed the CARB to adopt regulations by July 31, 2010 to enforce S-14-08. Senate Bill X1-2 codifies the 33 percent renewable energy requirement by 2020.

Senate Bill 350

Senate Bill 350 (SB 350) was signed into law October 7, 2015, SB 350 increases California's renewable electricity procurement goal from 33 percent by 2020 to 50 percent by 2030. This will increase the use of Renewables Portfolio Standard (RPS) eligible resources, including solar, wind, biomass, geothermal, and others. In addition, SB 350 requires the state to double statewide energy efficiency savings in electricity and natural gas end uses by 2030. To help ensure these goals are met and the greenhouse gas emission reductions are realized, large utilities will be required to develop and submit Integrated Resource Plans (IRPs). These IRPs will detail how each entity will meet their customers resource needs, reduce greenhouse gas emissions and ramp up the deployment of clean energy resources.

Seante Bill 375/Sustainable Communities Strategy

The Sustainable Communities and Climate Protection Act of 2008, or Senate Bill 375 (SB 375), coordinates land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction mandates established in AB 32.

As previously stated in Section 4 of this report, Senate Bill 375 (SB 375) was adopted September 2008 and aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPO) to adopt a sustainable communities strategy (SCS) or alternate planning strategy (APS) that will prescribe land use allocation in that MPOs Regional Transportation Plan (RTP). CARB, in consultation with each MPO, will provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets will be updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction strategies to achieve the targets. CARB is also charged with reviewing each MPO's sustainable communities strategy or alternate planning strategy for consistency with its assigned targets.

The proposed Project is located within the Southern California Association of Governments (SCAG) jurisdiction, which has authority to develop the SCS or APS. For the SCAG region, the targets set by CARB are at eight percent below 2005 per capita GHG emissions levels by 2020 and 19 percent below 2005 per capita GHG emissions levels by 2035. These reduction targets became effective October 2018.

Executive Order S-1-07/Low Carbon Fuel Standard

As discussed in Section 4 of this report, Executive Order S-1-07 was issued in 2007 and proclaims that the transportation sector is the main source of GHG emissions in the State, since it generates more than 40 percent of the State's GHG emissions. It establishes a goal to reduce the carbon intensity of transportation fuels sold in the State by at least ten percent by 2020. This Order also directs CARB to determine whether this Low Carbon Fuel Standard (LCFS) could be adopted as a discrete early-action measure as part of the effort to meet the mandates in AB 32.

On April 23, 2009 CARB approved the proposed regulation to implement the low carbon fuel standard. The low carbon fuel standard is anticipated to reduce GHG emissions by about 16 million metric tons (MMT) per year by 2020. The low carbon fuel standard is designed to provide a framework that uses market mechanisms to spur the steady introduction of lower carbon fuels. The framework establishes performance standards that fuel producers and importers must meet each year beginning in 2011. Separate standards are established for gasoline and diesel fuels and the alternative fuels that can replace each. The standards are "back-loaded", with more reductions required in the last five years, than during the first five years. This schedule allows for the development of advanced fuels that are lower in carbon than today's fuels and the market penetration of plug-in hybrid electric vehicles, battery electric vehicles, fuel cell vehicles, and flexible fuel vehicles. It is anticipated that compliance with the low carbon fuel standard will be based on a combination of both lower carbon fuels and more efficient vehicles.

Reformulated gasoline mixed with corn-derived ethanol at ten percent by volume and low sulfur diesel fuel represent the baseline fuels. Lower carbon fuels may be ethanol, biodiesel, renewable diesel, or blends of these fuels with gasoline or diesel as appropriate. Compressed natural gas and liquefied natural gas also may be low carbon fuels. Hydrogen and electricity, when used in fuel cells or electric vehicles are also considered as low carbon fuels for the low carbon fuel standard.

Integrated Energy Policy Report (IEPR)

Senate Bill 1389 requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the State's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety. The Energy Commission prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report.

The 2022 Integrated Energy Policy Report (2022 IEPR) was adopted in February 28, 2023. The 2022 IEPR provides updates on a variety of energy issues facing California. These issues will require action if the state is to meet its climate, energy, air quality, and other environmental goals while maintaining reliability and controlling costs. The 2022 IEPR also discusses the California Energy Commission's equity and environmental justice efforts, its development of a more easily navigable online data platform via the California Energy Planning Library, and an update to the California Energy Demand Forecast. The report also provides information on emerging topics related to energy reliability, western electricity integration, hydrogen, gasoline prices, gas transition, and distributed energy resources. The 2023 Integrated Energy Policy Report (2023 IEPR) discusses speeding connection of clean resources to the electricity grid, the potential use of clean and renewable hydrogen, and the California Energy Demand Forecast to 2040. The report also provides updates on topics such as gas decarbonization, energy efficiency, the Clean

Transportation Program, Assembly Bill 1257 (Bocanegra, Chapter 749, Statutes of 2013), and publicly owned utilities' progress toward peak demand reserves and margins.

2022 Climate Change Scoping Plan

- CARB adopted the 2022 Scoping Plan for Achieving Carbon Neutrality on November 16, 2022. The 2022 Scoping Plan lays out the sector-by-sector roadmap for California, the world's fifth largest economy, to achieve carbon neutrality by 2045 or earlier, outlining a technologically feasible, cost-effective, and equity-focused path to achieve the state's climate target. The Plan addresses recent legislation and direction from Governor Newsom and extends and expands upon earlier plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045. The plan also takes the unprecedented step of adding carbon neutrality as a science-based guide and touchstone for California's climate work. Specifically, this plan:
- Identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030.
- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels.
- Focuses on strategies for reducing California's dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.
- Integrates equity and protecting California's most impacted communities as driving principles throughout the document.
- Incorporates the contribution of natural and working lands (NWL) to the state's GHG emissions, as well as their role in achieving carbon neutrality.
- Relies on the most up-to-date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration, as well as direct air capture.
- Evaluates the substantial health and economic benefits of taking action.
- Identifies key implementation actions to ensure success.

State of California Energy Plan

The California Energy Commission (CEC) is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.

California Code of Regulations Title 13, Section 2449(d)(3) and 2485

The California Air Resources Board (CARB) is responsible for enforcing California Code of Regulations (CCR) Title 13 Sections 2449(d)(3) and 2485, which limit idling from both on-road and off-road diesel powered equipment

California Building Energy Efficiency Standards (Title 24, Part 6)

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were adopted to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The

current California Building Energy Efficiency Standards (Title 24 standards) are the 2022 Title 24 standards, which became effective on January 1, 202351 and build upon the 2019 Standards. The core focus of the building standards has been efficiency, but the 2019 Energy Code ventured into onsite generation by requiring solar PV on new homes, providing significant GHG savings. The 2022 update builds off this progress with expanded solar standards and the move to onsite energy storage that will help Californians save on utility bills while bolstering the grid. The 2022 Energy Code update focuses on four key areas in new construction of homes and businesses:

- Encouraging electric heat pump technology and use, which consumes less energy and produces fewer emissions than traditional HVACs and water heaters.
- Establishing electric-ready requirements when natural gas is installed, which positions owners to use cleaner electric heating, cooking and electric vehicle (EV) charging options whenever they choose to adopt those technologies.
- Expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available onsite and complement the state's progress toward a 100 percent clean electricity grid.
- Strengthening ventilation standards to improve indoor air quality.

The 2022 Energy Code affects homes by establishing energy budgets based on efficient heat pumps for space or water heating to encourage builders to install heat pumps over gas-fueled Heating, Ventilation and Air Conditioning (HVAC) units; requiring homes to be electric-ready, with dedicated 240-volt outlets and space (with plumbing for water heaters) so electric appliances can eventually replace installed gas appliances; increasing minimum kitchen ventilation requirements so that fans over cooktops have higher airflow or capture efficiency to better exhaust pollution from gas cooking and improve indoor air quality; and allowing exceptions to existing solar PV standards when roof area is not available (such as for smaller homes). In addition, the effect on businesses includes establishing combined solar PV and battery standards for select businesses with systems being sized to maximize onsite use of solar energy and avoid electricity demand during times when the grid must use gas-powered plants; establishing new efficiency standards for commercial greenhouses (primarily cannabis growing); and improving efficiency standards for building envelope, various internal.

California Building Energy Efficiency Standards (Title 24, Part 11)

The 2019 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, went into effect on January 1, 2020. The 2019 CALGreen Code includes mandatory measures for non-residential development related to site development; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality.

The Department of Housing and Community Development (HCD) updated CALGreen through the 2019 Triennial Code Adoption Cycle. HCD modified the best management practices for stormwater pollution prevention adding Section 5.106.2 for projects that disturb one or more acres of land. This section requires projects that disturb one acre or more of land or less than one acre of land but are part of a larger common plan of development or sale must comply with the postconstruction requirement detailed in the applicable National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities issued by the State Water Resources Control Board. The NPDES permits require postconstruction runoff (post-project hydrology) to match the preconstruction runoff pre-project hydrology) with installation of postconstruction stormwater management measures.

HCD added sections 5.106.4.1.3 and 5.106.4.1.5 in regard to bicycle parking. Section 5.106.4.1.3 requires new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility. In addition, Section 5.106.4.1.5 states that acceptable bicycle parking facility for Sections 5.106.4.1.2 through 5.106.4.1.4 shall be convenient from the street and shall meeting one of the following: (1) covered, lockable enclosures with permanently anchored racks for bicycles; (2) lockable bicycle rooms with permanently anchored racks; or (3) lockable, permanently anchored bicycle lockers.

- HCD amended section 5.106.5.3.5 allowing future charging spaces to qualify as designated parking for clean air vehicles.
- HCD updated section 5.303.3.3 in regard to showerhead flow rates. This update reduced the flow rate to 1.8 GPM.
- HCD amended section 5.304.1 for outdoor potable water use in landscape areas and repealed sections 5.304.2 and 5.304.3. The update requires nonresidential developments to comply with a local water efficient landscape ordinance or the current California Department of Water Resource's' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent. Some updates were also made in regard to the outdoor potable water use in landscape areas for public schools and community colleges.
- HCD updated Section 5.504.5.3 in regard to the use of MERV filters in mechanically ventilated buildings. This update changed the filter use from MERV 8 to MERV 13. MERV 13 filters are to be installed prior to occupancy, and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.
- The 2022 California Green Building Standards Code became effective on January 1, 202352 and builds upon the 2019 Standards.
- HCD amended Section 5.106.5.3 in regard to increasing the EV capable space percentages and adding a new requirement for installed Level 2 DCFC chargers.
- HCD under Section 5.106.5.4 added new regulation for electric vehicle charging readiness requirements for new construction of warehouse, grocery stores, and retail stores with planned off-street loading spaces. 53

California Air Resources Board (CARB)

CARB's Advanced Clean Cars Program

Closely associated with the Pavley regulations, the Advanced Clean Cars emissions control program was approved by CARB in 2012. The program combines the control of smog, soot, and GHGs with requirements for greater numbers of zero-emission vehicles for model years 2015–2025.15 The components of the Advanced Clean Cars program include the Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the Zero-Emission Vehicle (ZEV) regulation, which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric vehicles (PHEV) in the 2018 through 2025 model years.

In addition, the Advanced Clean Cars II was effective as of November 30, 2022. This regulation takes the state's already growing zero-emission vehicle market and robust motor vehicle emission control rules and augments them to meet more aggressive tailpipe emissions standards and ramp up to 100 percent zero-emission vehicles. The Advanced Clean Cars II regulations will rapidly scale down light-duty passenger car, pickup truck and SUV emissions starting with the 2026 model year through 2035. The regulations are two-pronged. First, it amends the Zero-emission Vehicle Regulation to require an increasing number of zero-

emission vehicles, and relies on currently available advanced vehicle technologies, including battery-electric, hydrogen fuel cell electric and plug-in hybrid electric-vehicles, to meet air quality and climate change emissions standards. These amendments support Governor Newsom's 2020 Executive Order N-79-20 that requires all new passenger vehicles sold in California to be zero emissions by 2035. Second, the Low-emission Vehicle Regulations were amended to include increasingly stringent standards for gasoline cars and heavier passenger trucks to continue to reduce smog-forming emissions. In October 2023, CARB staff launched a new effort to consider potential amendments to the Advanced Clean Cars II regulations, including updates to the tailpipe greenhouse gas emission standard and limited revisions to the Low-emission Vehicle and Zero-emission Vehicle regulations.

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

The Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, California Code of Regulations, Division 3, Chapter 10, Section 2435) was adopted to reduce public exposure to DPM and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. This section applies to diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. Reducing idling of diesel-fueled commercial motor vehicles reduces the amount of petroleum-based fuel used by the vehicle.

Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen, and other Criteria Pollutants, form In-Use Heavy-Duty Diesel-Fueled Vehicles

The Regulation to Reduce Emissions of DPM, Oxides of Nitrogen and other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles (Title 13, California Code of Regulations, Division 3, Chapter 1, Section 2025) was adopted to reduce emissions of DPM, oxides of nitrogen (NOX) and other criteria pollutants from in-use diesel-fueled vehicles. This regulation is phased, with full implementation by 2023. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. The newer emission-controlled models would use petroleum-based fuel in a more efficient manner.

LOCAL

City of Palm Springs 2007 General Plan

The Recreation, Open Space and Conservation Element as well as the Community Design Element of the Palm Springs General Plan (GP) includes various goals and policies designed to address energy issues related to the proposed Project:

Recreation, Open Space and Conservation Element

Goal RC8: Employ the efficient, sustainable, and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.

- Policy RC8.2 Support and encourage the use of alternative energy sources, such as cogeneration, solar, wind, ethanol and natural gas, fuel cell technologies, and other alternative and sustainable fuel sources and generating industries to provide more reliability in the supply of electricity to the City and to promote the development of clean, sustainable,
- and alternative energy industries in the City. The use of alternative energy sources should also be encouraged in the construction of new buildings and retrofit of existing buildings.

- Policy RC8.3 Encourage and support the incorporation of energy efficiency and conservation practices in land use, transportation demand management, subdivision, and building design.
- Policy RC8.4 Encourage "green technologies," renewable energy, and related activities as a business development goal and to attract this type of business activity to Palm Springs.
- Policy RC8.5 Work with the Coachella Valley Association of Governments to develop a regional energy policy and foster the development of associated energy industries in the Coachella Valley.

Community Design Element

Goal CD29: Establish the City as a leader in energy efficient and environmentally sustainable development and planning practices.

- Policy CD29.1 Require the use of energy-efficient and green building practices that are appropriate to the desert climate. Developers should identify energy and resource saving measures that they have incorporated into their project.
- Policy CD29.4 Require landscaping practices that increase energy efficiency and conserve natural resources, such as drought-tolerant landscaping, seasonally and locationally appropriate tree plantings, and natural drainage systems. These practices could include things such as desert-friendly landscaping on medians and other public lands.
- Policy CD29.6 Encourage the use of solar energy systems and energy- and water-conserving appliances.
- Policy CD29.7 Encourage infill development to make efficient use of existing land.
- Policy CD29.8 Encourage on-site design practices that reduce stormwater runoff, including on-site retention, permeable paving, and increased native landscaping.

City of Palm Springs Climate Action Plan

The City of Palm Springs adopted both the City of Palm Springs Climate Action Plan (CAP) and the City of Palm Springs Energy Action Plan in May 2013. The City's CAP acts as a framework for the development and implementation of policies and programs to reduce the City's emissions. This plan sets forth goals to reduce emissions to achieve the targets of AB 32. The Climate Action Plan identifies that the community will have to implement emissions reductions of 4,263 tonnes to achieve the AB 32 target by 2020. This reduction equates to just one percent of the forecasted 2020 level. Further, in order to fulfill the Kyoto Protocol target of seven percent below 1990 levels, the City will have to reduce projected emissions by a total of 324,513 tonnes or a 7.9 percent emissions reduction. These CAP targets were based on a predicted population growth rate of 18% between 2010 and 2020. The City of Palm Spring's CAP has identified 78 measures to be implemented over the course of an eight-year period, beginning in 2013, in order to achieve their emission reduction goals. The measures represent 75,984 tonnes of annual CO2e savings, which is larger than that needed for the City to be incompliance with both AB 32 levels and the Kyoto Protocol.

In addition, the City's Climate Action Roadmap was provided on October 28, 2021. Per the Climate Action Roadmap, the updated targets for the City include 1990 levels (15 percent below 2010 levels) by 2020 (495,720 $MTCO_2e$), 40 percent below 1990 levels by 2030 (297,430 $MTCO_2e$), and 80 percent below

1990 levels by 2050 (99,140 $MTCO_2e$).

City of Palm Springs Municipal Code

The City's Municipal Code includes provisions that encourage the use of alternative transportation means that reduce the use of non-renewable energy and the use of energy efficient appliances and building design standards. The following list includes some of these provisions:

- 8.04.065, Adoption of the California Energy Code, designates that the California Energy Code, including appendices, tables and indices, are adopted by reference as the Palm Springs Energy Code.
- 8.40, Transportation Demand Management, is intended to protect the public health, safety and welfare by reducing air pollution, traffic congestion and energy consumption attributable to vehicle trips and vehicle miles traveled.

4.5.3 IMPACT ANALYSIS

Thresholds of Significance

The following thresholds or criteria are derived from Appendix G of the CEQA Guidelines and are used to determine the level of potential effect. The significance determination is based on the recommended criteria set forth in Section 15064 of the CEQA Guidelines. Pursuant to Appendix G of the CEQA Guidelines, for analysis purposes, development of the project would have a significant effect on energy resources if it is determined that the project will:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

In addition, Appendix F of the State CEQA Guidelines states that the means of achieving the goal of energy conservation includes the following:

- Decreasing overall per capita energy consumption;
- Decreasing reliance on fossil fuels such as coal, natural gas and oil; and
- Increasing reliance on renewable energy sources.

Methodology

Information from the CalEEMod 2022.1.1.22 Output contained in ***Appendix B*** of this Draft EIR, utilized for air quality and greenhouse gas analyses in Sections 2 and 4 of this report, were also utilized for this analysis. The CalEEMod outputs detail project related construction equipment, transportation energy demands, and facility energy demands.

Impacts

Impact 4.5.1: Implementation of the proposed Project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. However, impacts would be Less than Significant.

Proposed Project Construction Energy Demands

Construction of the proposed Project is anticipated to occur no sooner than the beginning mid-2025, taking approximately 18 months, and be completed in one phase. Staging of construction vehicles and equipment will occur on-site. Electrical service to the site would be provided by Southern California Edison.

Construction Equipment Electricity Usage Estimates

Based on the 2021 National Construction Estimator, Richard Pray (2021), the typical power cost per 1,000 square feet of building construction per month is estimated to be $2.37. The proposed Project plans to develop the site with a 1,906,824 square foot warehouse building. Based on **Table 4.5-3: Project Construction Power Cost and Electricity Usage**, the total power cost of the on-site electricity usage during the construction of the proposed Project is estimated to be approximately $81,345.11. As shown in **Table 4.5-3**: Project Construction Power Cost and Electricity Usage, the total electricity usage from construction related activities is estimated to be approximately 539,424 kil watt hours (kWh).

Table 4.5-3: Project Construction Power Cost and Electricity Usage

Power Cost (per 1,000 square foot of building per month of construction)	Total Building Size (1,000 Square Foot)	Construction Duration (months)	Total Project Construction Power Cost
$2.37	1,906.824	18	$81,345.11
Cost per kWh	**Total Project Construction Electricity Usage (kWh)**		
$0.15	539,424		

*Note: *Assumes the project will be under the GS-1 General Service rate under SCE. Rate is from the effective date as of March 1, 2024 from* https://www.sce.com/regulatory/tariff-books/rates-pricing-choices.

Source: Appendix B.

Construction Equipment Fuel Estimates

Fuel consumed by construction equipment would be the primary energy resource expended over the course of proposed Project construction activities. Fuel consumed by construction equipment was evaluated with the following assumptions:

- Construction schedule of 18 months
- All construction equipment was assumed to run on diesel fuel
- Typical daily use of 8 hours, with some equipment operating from ~6-7 hours
- Aggregate fuel consumption rate for all equipment was estimated at 18.5 hp-hr/gallon (from CARB's 2017 Emissions Factors Tables and fuel consumption rate factors as shown in Table D-21 of the Moyer Guidelines:
    - (https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017_gl_appendix_d.pdf).
- Diesel fuel would be the responsibility of the equipment operators/contractors and would be sources within the region.
- Project construction represents a "single event" for diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources during long term operation.

Using the CalEEMod data input for the proposed Project, all Project's construction phases would consume electricity and fossil fuels as a single energy demand, that is, once construction is completed their use would cease. CARB's 2017 Emissions Factors Tables show that on average, aggregate fuel consumption

(gasoline and diesel fuel) would be approximately 18.5 hp-hr- gal. Table 4.5-4: Construction Equipment Fuel Consumption Estimates for Proposed Project shows the results of the analysis of construction equipment. Proposed Project construction activities would consume an estimated 106,552 gallons of diesel fuel. As stated previously, project construction would represent a "single event" diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose.

Construction Worker Fuel Estimates

It is assumed that construction worker trips at the proposed Project site would mainly be from light duty autos (LDA), light duty truck 1 (LDT1), and light duty truck 2 (LDT2) at a mix of 25 percent/50 percent/25 percent, respectively, along area roadways.58 With respect to estimated vehicle miles travelled (VMT), the construction worker trips would generate an estimated 5,110,893 VMT. Data regarding project related construction worker trips were based on CalEEMod 2022.1.1.22 model defaults.

Vehicle fuel efficiencies for construction workers were estimated in the air quality and greenhouse gas analyses sections of this DEIR, using information generated using CARB's 2021 EMFAC model (see Appendix B for details). An aggregate fuel efficiency of 26.6 miles per gallon (mpg) was used to calculate vehicle miles traveled for construction worker trips. Table 4.5-4: Construction Equipment Fuel Consumption Estimates for Proposed Project indicates that an estimated 192,247 gallons of fuel would be consumed for construction worker trips.

Construction Vendor/Hauling Fuel Estimates

Table 4.5-5: Construction Vendor Fuel Estimates for Proposed Project and Table 4.5-6: Construction Hauling Fuel Consumption Estimates (HHD Truck) indicate the estimated fuel consumption for vendor and hauling during building construction. With respect to estimated VMT, the vendor and hauling trips would generate an estimated 2,154,180 VMT. Data regarding project related construction worker trips were based on CalEEMod 2022.1.1.22 model defaults.

For the architectural coatings it is assumed that the contractors would be responsible for bringing coatings and equipment with them in their light duty vehicles. Therefore, vendors delivering construction material or hauling debris from the site during grading and building construction would use medium to heavy duty vehicles with an average fuel consumption of 7.87 mpg for medium heavy-duty trucks and 6.15 mpg for heavy- duty trucks (see ***Appendix B*** of this DEIR). **Tables 4.5-6** and **4.5-7** indicate that an estimated 329,448 gallons of fuel would be consumed for vendor and hauling trips under all proposed Project construction activities.

Table 4.5-4: Construction Equipment Fuel Consumption Estimates for Proposed Project

Phase	Number of Days	Offroad Equipment	Amount	Usage Hours	Horse Power	Load Factor	HP hrs/day	Total Fuel Consumption (gal diesel fuel)[1]
Off-Site Improvements								
Grading	15	Graders	1	8	148	0.41	485	394
	15	Rubber Tired Dozers	1	8	367	0.4	1,174	952
	15	Tractors/Loaders/ Backhoes	2	7	84	0.37	435	353

Phase	Number of Days	Offroad Equipment	Amount	Usage Hours	Horse Power	Load Factor	HP hrs/day	Total Fuel Consumption (gal diesel fuel)[1]
Paving	25	Cement and Mortar Mixers	1	8	10	0.56	45	61
	25	Pavers	1	8	81	0.42	272	368
	25	Paving Equipment	1	8	89	0.36	256	346
	25	Rollers	2	8	36	0.38	219	296
	25	Tractors/Loaders/ Backhoes	1	8	84	0.37	249	336
Architectural Coating	25	Air Compressors	1	6	37	0.48	107	144
Proposed Project								
Grading	65	Excavator	3	8	36	0.38	328	1,154
	65	Graders	2	8	148	0.41	971	3,411
	65	Rubber Tired Dozers	2	8	367	0.4	2,349	8,253
	65	Scrapers	3	8	423	0.48	4,873	17,121
	65	Tractors/Loaders/ Backhoes	3	8	84	0.37	746	2,621
	327	Cranes	2	7	367	0.29	1,490	26,337
	327	Forklifts	4	8	82	0.	525	9,276
Building Construction Paving	327	Generator Sets	3	8	14	0.74	249	4,395
	327	Tractors/Loaders/ Backhoes	4	7	84	0.37	870	15,382
	327	Welders	3	8	46	0.45	497	8,253
	65	Pavers	3	8	81	0.42	816	2,869
	65	Paving Equipment	2	8	89	0.36	513	1,801
	65	Rollers	3	8	36	0.38	328	1.154
Architectural Coating	65	Air Compressor	2	6	37	0.48	213	749
CONSTRUCTION FUEL DEMAND (gallons of diesel fu3el)								**106,552**

Notes:
Using Carl Moyer Guidelines Table D-21 Fuel consumption rate factors (bhp-hr/gal) for engines less than 750 hp. (Source: https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017_gl_appendix_d.pdf
Source: Appendix B

Table 4.5-5: Construction Worker Fuel Estimates for Proposed Project

Phase	Number of Days	Worker Trips/Day	Trip Length (miles)[1]	Vehicle Miles Traveled[1]	Average Vehicle Fuel Economy (mpg)[2]	Estimated Fuel Consumption (gallons)
Off-Site Improvements						
Grading	15	10	18.5	2,775	26.6	104
Paving	25	15	18.5	6,938	26.6	261
Architectural Coating	25	0	18.5	0	26.6	0
Proposed Project						
Grading	65	32.5	18.5	39,081	26.6	1,470
Building Construction	327	801	18.5	4,845,650	26.6	182,270
Paving	65	20	18.5	24,050	26.6	905
Architectural Coating	65	160	18.5	192,400	26.6	7,237
Total Construction Worker Fuel Consumption						**192,247**

Notes:
Assumptions for the worker trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.1.22 defaults.
Per CalEEMod User's Guide Appendix C (April 2022), CalEEMod assumes that construction work trips are made by a fleet consisfing of 25 percent light-duty auto (or passenger car), 50 percent light-duty truck type 1 (LDT1), and 25 percent light duty truck type 2 (LDT2).
Source: Appendix B

Table 4.5-6: Construction Vendor Fuel Estimates for Proposed Project

Phase	Number of Days	Vendor Trips/Day	Trip Length (miles)[1]	Vehicle Miles Traveled[1]	Average Vehicle Fuel Economy (mpg)[2]	Estimated Fuel Consumption (gallons)
Off-Site Improvements						
Grading	15	0	10.2	0	7.0	0
Paving	25	0	10.2	0	7.0	0
Architectural Coating	25	0	10.2	0	7.0	0
Proposed Project						
Grading	65	0	10.2	0	7.0	0
Building Construction	327	313	10.2	1,043,980	7.0	148,927
Paving	65	0	10.2	0	7.0	0
Architectural Coating	65	0	10.2	0	7.0	0
Total Construction Vendor Fuel Consumption						**148,927**

Notes:
Assumptions for the vendor trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.1.22 defaults.
Per CalEEMod User's Guide Appendix C (April 2022), CalEEMod assumes vendor trips are made by a fleet consisting of 50 percent medium trucks (MHDT) and 50 percent heavy trucks (HHDT).
Source: Appendix B

Table 4.5-7: Construction Hauling Fuel Consumption Estimates (HHD Trucks

Phase	Number of Days	Hauling Trips Per Day	Trip Length (miles)[1]	Vehicle Miles Traveled[1]	Average Vehicle Fuel Economy (mpg)[2]	Estimated Fuel Consumption (gallons)
Off-Site Improvements						
Grading	15	0	20	0	6.2	0
Paving	25	0	20	0	6.2	0
Architectural Coating	25	0	20	0	6.2	0
Proposed Project						
Grading	65	854	20	1,110,200	6.15	180,520
Building Construction	327	0	20	0	6.15	
Paving	65	0	20	0	6.15	0
Architectural Coating	65	0	20	0	6.15	0
Total Construction Vendor Fuel Consumption						**148,927**

Notes:
Assumptions for the hauling trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.22 defaults.

Construction Energy Efficiency/Conservation Measures

Construction equipment used over the approximately eighteen-month construction phase for the proposed Project would conform to CARB regulations and California emissions standards and is evidence of related fuel efficiencies. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in the construction of the proposed Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

The proposed Project would utilize construction contractors which practice compliance with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to DPM and other TACs. 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, section 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 County building officials, and/or in response to citizen complaints.

Proposed Project Operational Energy Demands

Energy consumption in support of or related to project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

Transportation Fuel Consumption

Using the CalEEMod output from the air quality and greenhouse gas analyses for this DEIR, it is assumed that an average trip for autos and light trucks was assumed to be 30.2 miles and 2, 3 and 4-axle trucks were assumed to travel an average of 40 miles. Since the proposed Project includes the development of the site with industrial uses; therefore, in order to present a worst-case scenario, it was assumed that vehicles would operate 365 days per year. **Table 4.5-8: Estimated Vehicle Operations Fuel Consumption** shows the estimated annual fuel consumption for all classes of vehicles from autos to heavy-heavy trucks.61

The proposed Project is estimated to generate 3,451 trips per day. The vehicle fleet mix was used from the CalEEMod output. Table 4.5-8 shows that an estimated 2,056,354 gallons of fuel would be consumed per year for the operation of the proposed Project.

Trip generation and VMT generated by the proposed Project are consistent with other similar industrial uses of similar scale and configuration as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021). That is, the proposed Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. Furthermore, the state of California consumed approximately 3.1 billion gallons of diesel and 13.6 billion gallons of gasoline in 2022.Therefore, the increase in fuel consumption from the proposed Project is less than significant in comparison to the State's demand. Therefore, transportation energy consumption related to the proposed Project would not be considered inefficient, wasteful, or otherwise unnecessary.

Table 4.5-8: Estimated Vehicle Operations Fuel Consumption

Vehicle Type	Vehicle Mix	Number of Vehicles	Average Trip (miles)1	Daily VMT	Average Fuel Economy (mpg)2	Total Gallons per Day	Total Annual Fuel Consumption (gallons)
Light Auto	Automobile	1,515	30.2	45,748	33.51	1365.20	498,298
Light Truck	Automobile	134	30.2	4,041	25.58	157.99	57,667
Light Truck	Automobile	772	30.2	23,325	25.64	909.71	332,044
Light Heavy Truck	2-Axle Truck	55	40	2,217	16.47	134.58	49,122
Light Heavy Truck 10,000 lbs +	2-Axle Truck	17	40	669	15.61	42.83	15,631
Motorcycle	Automobile	60	30.2	1,822	41.79	43.61	15,916
Medium Truck	Automobile	530	30.2	16,016	21.01	762.33	278,249
Motor Home	--	0	30.2	0	5.78	0.00	0
Medium Heavy Truck	3-Axle Truck	92	40	3,686	8.01	460.13	167,949
Other Bus	--	0	30.2	0	6.29	0.00	0
School Bus	--	0	30.2	0	6.55	0.00	0

Vehicle Type	Vehicle Mix	Number of Vehicles	Average Trip (miles)1	Daily VMT	Average Fuel Economy (mpg)2	Total Gallons per Day	Total Annual Fuel Consumption (gallons)
Urban Bus	--	0	30.2	0	3.53	0.00	0
Heavy Heavy Truck	4-Axle Truck	275	40	11,002	6.26	1757.47	641,478
Total		**3,451**	**--**	**108,525**	**-**	**5,633.85**	**--**
Total Annual Fuel Consumption							**2,056,354**

Notes:Based on the size of the site and relative trips were assumed to be local rather than regional. Based on EMFCA2021 emission rates for opening year of 2026.
Source: Appendix B

Facility Energy Demands (Electricity and Natural Gas)

Under the proposed Project, building operation and site maintenance (including landscape maintenance) would result in the consumption of electricity (to be provided by Southern California Edison) and natural gas (to be provided by Southern California Gas Company). The annual natural gas and electricity demands were provided per the CalEEMod output from the air quality and greenhouse gas analyses for this DEIR. As indicated in Table 4.5-9, the estimated electricity demand for the proposed Project is approximately 10,094,252 kWh per year, **See Table 4.5-9**. In 2022, the non-residential sector of the County of Riverside consumed approximately 8,720 million kWh of electricity.64 In addition, the estimated natural gas consumption for the proposed project is approximately 36,405,430 kBTU per year. In 2022, the non-residential sector of the County of Riverside consumed approximately 147 million therms of gas. Therefore, the increase in both electricity and natural gas demand from the proposed Project is less than significant compared to the County's 2022 non-residential sector demand.

Table 4.5-9: Annual Operational Energy Demand for Proposed Project

Natural Gas Demand	kBTU/year1
Unrefrigerated Warehouse - No Rail	36,405,430
General Light Industry2	36,680
Total	36,405,430
Electricity Demand	kWh/year
Unrefrigerated Warehouse - No Rail	8,775,874
Parking Lot	1,318,378
General Light Industry2	8,172
Total	10,094,252

Notes:
(1) Taken from the CalEEMod 2022.1.1.22 output (Appendix B of this report).
(2) The proposed project includes an 845 square foot fire pump house. This building has been modeled as general light industry.
Source: Appendix B

Energy use in buildings is typically divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building such as in plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building energy use, or "plug-in" energy use can be further subdivided by specific end-use (refrigeration, cooking, appliances, etc.). The proposed Project would be required to comply with Title 24 standards.

Furthermore, the proposed Project energy demands in total would be comparable to other non-residential projects of similar scale and configuration.

Project Construction and Operational Energy Demand Conclusions

The proposed Project does not include any unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities. Although an industrial project, it is not proposing any additional features that would require a larger energy demand than other industrial projects of similar scale and configuration. The energy demands of the proposed Project are anticipated to be accommodated within the context of available resources and energy delivery systems. The proposed Project would therefore not cause or result in the need for additional energy producing or transmission facilities. Nor would it engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California. Therefore, the proposed Project will not have any long-term effects on an energy provider's future energy development or future energy conservation strategies and the proposed Project construction and operations would not result in the inefficient, wasteful or unnecessary consumption of energy. Impacts would be less than significant.

Mitigation

No mitigation is required.

Impact 4.5.2: Implementation of the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. And impacts would be Less than Significant.

Based on federal transportation regulation guidelines, the proposed Project site is located in a transportation developed area. federal transportation regulations, the project site is located in an already developed area and access to/from the site is from existing roads. These roads are already in place so the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the ISTEA because SCAG is not planning for intermodal facilities in is area of the City of Palm Springs.

Regarding the State's Energy Plan and compliance with Title 24 CCR energy efficiency standards, the applicant is required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by Southern California Edison and Southern California Gas Company.

Equipment used during proposed Project construction activities would be required to conform to CARB regulations and California emissions standards as a common industry standard and project condition of approval. Contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment, idling times and emission regulations for construction vehicles. Such required compliance would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy.

Regarding Pavley (AB 1493) regulations, an individual project does not have the ability to comply or conflict with these regulations because they are intended for agencies and their adoption of procedures and protocols for reporting and certifying GHG emission reductions from mobile sources. However, the

vehicles associated with the proposed Project would be required to comply with federal and state fuel efficiency standards.

Regarding the State's Renewable Energy Portfolio Standards, the project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CALGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The proposed Project would also be consistent with the applicable goals of the City of Palm Springs CAP and Climate Action Roadmap, particularly in the City's Recreation, Open Space and Conservation Element Goal RC8 and Policy RC8.2 that would ensure that the Project facilities make use of alternative energy sources, Policy RC8.3 that encourages the use of energy efficient practices in building design. The proposed Project would also be required to conform to the City's Community Design Element, Goal CD29 and Policy CD 29.1 which would require the proposed Project to utilize energy-efficient and green building practices; Policy CD29.4 which would require the proposed Project to incorporate drought-tolerant landscaping, seasonally and locationally appropriate tree plantings, and natural drainage systems; Policy CD29.6 which encourages the use of solar energy systems and energy- and water-conserving appliances; Policy CD29.7 which promotes infill development; and, Policy CD29.8 which encourages on-site design practices that reduce stormwater runoff, on-site retention, permeable paving, and increased native landscaping.

Since the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency (i.e., AB 1493 and CARB standards), therefore, impacts would be less than significant

Mitigation

No mitigation is required.

4.6 GEOLOGY AND SOILS

This section of the Draft Environmental Impact Report (Draft EIR) discusses the geologic and soil conditions at the proposed Project site, analyzes the potential physical environmental effects of the proposed Project related to geologic and seismic hazards, underlying soil characteristics, slope stability, erosion, and paleontological resources, evaluates potential impacts to geology and soils from development facilitated by the proposed Project, and provides mitigation measures, as appropriate. This section also identifies the appropriate City of Palm Springs General Plan Update 2007 policies that reduce any identified impacts.

4.6.1 SETTING

The city of Palm Springs, located within the northwest portion of the Coachella Valley, is located over 34 miles northwest of the Salton Sea. The Salton Sea has a surface elevation of approximately 220 feet below sea level. Elevations in and around the city center range from 600 feet to over 4,600 feet. The Little San Bernardino, Hexie, Coxcomb, Pinto, Eagle, and Cottonwood mountain ranges are located between six and a half (6.5) miles to 20 miles to the east/northeast while the mountains that constitute the San Jacinto and Santa Rosa Mountains lie approximately between four (4) to seven (7) miles to the west/southwest. In general, these mountains range between about 3,000 to 11,000 feet in height (City of Palm Springs General Plan update draft EIR, 2007). The City's visual character is profoundly shaped by its natural mountainous and desert surroundings, contributing essential scenic vistas to the community (City of Palm Springs General Plan update draft EIR, 2007).

The city of Palm Springs and this region of the Coachella Valley has numerous active faults present in the area. The Banning Pass, Garnet Hill faults in the most northeastern portion of the city, the San Andreas fault to the east outside of the city limits which stretches to the Salton Sea, and the San Gorgonio fault to the northwest of the city, and the South Pass further to the west along State Route (SR) 111 within the city of Palm Springs, as part of the Pacific and North American tectonic Plates (City of Palm Springs 2007 General Plan).

The proposed project site is located in the Coachella Valley in the city of Palm Springs within the County of Riverside. The Coachella Valley is located within the Colorado Desert. The city of Palm Springs itself is located within the northern portion of the Colorado Desert Geomorphic Province (CDGP) and the Salton Trough, a large north-west-trending structural basin that extends approximately 180 miles from the San Gorgonio Mountains to the east to the Pacific Ocean to the west of the city.

Topography

The site slopes gently to the south with elevations of between 780 and 820 feet above mean sea level (MSL). The site is relatively flat and is not at risk of landslides. Although Garnet Hill and Whitewater Hill are the closest landmarks that contain unstable soil types, these areas would not affect the proposed Project site if slope failure were to occur since the general area surrounding the site is relatively flat.

Soils

The regional geologic map of the city of Palm Springs area indicates that Holocene to Late Pleistocene young alluvial fan deposits are mapped underlying the project property. These deposits are described as unconsolidated to slightly consolidated, undissected to slightly dissected boulder, cobble, gravel, sand, and silt deposits issued from a confining valley or canyon. Near-surface compressible native soils underlying

undocumented fill soils are also present at the project site. Such materials consist of surficial topsoil/colluvium/alluvium (City of Palm Springs General Plan Update EIR; 2007).

According to the United States Department of Agriculture Web Soil Survey, the native soil contained on the site is Caristas soil. Carsitas soil is characterized by gravelly sand in the first foot below the surface, with more gravelly coarse sand up to 5 feet underground (USDA; 2024). This type of soil is typical of soils present in the city. Particular to the proposed Project site, this Carsitas soils is made up of Carsitas gravelly sand (CdC) with zero (0) to nine (9) percent slopes, on approximately 1.3 acres or about 1.2% of the site, Carsitas cobbly sand (ChC) with two (2) to nine (9) percent slopes on approximately 42 acres or 39.1% of the site, and of Carsitas fine sand (CkB) with zero (0) to five (5) percent slopes on the remaining approximate 65 acres or 59.7 percent of the site.

Hydrology

The proposed Project site is located within Garnet Hill Hydrologic Subarea of the Coachella Hydrologic Area under the Whitewater Hydrologic Unit. There are no known substantial hydrologic features at the site such as major storm drain inlets or obvious drainages, channels, or surface waters. Infiltration of rain water at the proposed Project site is expected to be significant and any excess water would appear to flow as surface runoff to the south and streets/roadways and surrounding areas of lower elevation.

Seismic Hazards

Southern California is subject to seismic hazards of varying degrees depending on the proximity, degree of activity, and capability of nearby faults. These hazards can be primary or secondary. Primary hazards are directly related to the energy release of an earthquake (such as surface rupture and ground shaking), while secondary hazards relate to the effect of earthquake energy on the physical world (i.e., liquefaction or ground lurching).

Faults generally produce seismic damage in two ways: surface rupture and seismically induced ground shaking. Surface rupture is limited to areas very near the fault while ground shaking can affect a wide area. The U.S. Geological Survey defines active faults as those that have had surface displacement within Holocene time (about the last 11,000 years). Surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and saddles, the alignment of depressions, sag ponds, and the existence of steep mountain fronts. Potentially active faults are those that have had surface displacement during the last 1.6 million years. Inactive faults have not had surface displacement within the last 1.6 million years (City of Coachella General Plan EIR; 2014).

Potential earthquake activity may be measured by Richter and Mercalli scales; the former is typically used to measure the magnitude of an earthquake while the latter measures the actual impact of an earthquake to any given area. The Richter scale rates earthquakes on magnitude between 1 and 9.9, with 1designated as minor magnitude and 9.9 as extreme magnitude. Three (3) major earthquakes of magnitudes between 6.0 and 6.8 occurred in the area of the proposed Project site between 1918 and 1948. These include the San Jacinto Earthquake in 1918, the North San Jacinto Fault Earthquake in 1923, and the Desert Hot Springs Earthquake in 1948. These have all rated VI in terms of intensity on the Modified Mercali Intensity (MMI) Scale. The MMI Scale rates earthquakes on intensities between I and X, with I designated for low intensity earthquakes that can only be felt under very specific conditions, to X which signify extreme shaking and foundation destruction of most masonry and frame structures, bent rails and destruction of wooden structures (USGS website; accessed 2024).

Regional Faults and Ground Shaking

Two designated Alquist-Priolo Earthquake fault zones traverse the section of southern California, in which the city of Palm Springs is located. The seismically active San Andreas and San Jacinto fault zones occur in the north and south of the Valley, respectively, trending in a northwest to southeast direction and extend from the Salton Sea to the northern California coast and eventually to the Pacific Ocean. The location of these fault zones expose this area to ground shaking during earthquakes, even though ground movement during an earthquake can vary depending on the overall magnitude, distance to the fault, focus of earthquake energy, and type of geologic material. Areas underlain by bedrock typically experience less severe ground shaking than those underlain by loose, unconsolidated materials. Potential earthquakes may also result in surface ruptures which typically occur when movement on a fault deep within the earth breaks through to the surface following preexisting zones of weakness.

There are two active faults, the Banning Pass and the Garnet Hill fault, that extend throughout portions of the city. The South Pass Fault is an inactive fault zone is located farther west of the city. The Banning Pass fault runs through the city touching the most norther corner of the proposed Project site at 18th Avenue and North Indian Canyon Drive and the Garnet Hill fault is to the south of I-10 and the site, approximately one (1) mile from the proposed project site. The South Pass Fault is an inactive fault zone. Although the South Pass fault is located farther west of the city runs along side a portion of SR 111 within the city. These two active faults have the potential to cause surface rupture within the city of Palm Springs, thus the City has assigned an Alquist-Priolo Earthquake Fault Zone to the extent of the Banning Pass fault and the San Gorgonio Pass fault. An Alquist-Priolo Earthquake Fault Zone are zones surrounding the surface traces of active faults. A surface trace more commonly referred to has a fault line, is the intersection of a fault plan with the earth's surface. In 1993 the Alquist-Priolo Earthquake Fault Zoning Act was implemented into Law indicating that the locations of structures for human occupancy may not be placed over the trace of an active fault and must be 50 from the fault (Alquist-Priolo Earthquake Fault Zoning Act, 1993).

The Garnet Hill fault segment traversing the city has been designated as a Riverside County Fault Management Hazard Zone. Despite not being categorized as an Alquist-Priolo fault zone, Riverside County has implemented Fault Management Hazard Zones specifically for the Garnet Hill fault. This initiative mandates subsurface investigations over time to assess the activity of fault traces. By designating the Garnet Hill fault in this manner, the City of Palm Springs has authority to regulate and oversee future development activities occurring along the fault trace (City of Palm Springs General Plan Update Draft EIR, 2007).

Earthquake-Included Settlement and Ruptures

During strong shaking, soil grains undergo compaction as voids and pore spaces collapse, reducing the thickness of the soil column. Settlement of the ground surface can be accelerated and accentuated by earthquakes due to the rapid compacting and settling of subsurface soils. During strong shaking, soil grains undergo compaction as voids and pore spaces collapse, reducing the thickness of the soil column. This type of ground failure is typically observed in loose-granular, cohesionless soils and can happen in both wet and dry conditions. Unconsolidated young alluvial deposits are particularly vulnerable to this hazard, and artificially filled areas may also experience seismically induced settlement. Damage commonly occurs due to localized differential settlements, while regional settlement can impact pipelines by altering the flow gradient on water and sewer lines. During the prolonged ground shaking of an earthquake, settlement can occur as a result of the relatively rapid compaction and settling of subsurface materials (particularly

loose, uncompacted, and variable sandy sediments above the water table) due to the rearrangement of soil particles. Settlement can occur uniformly or occur differentially within the same land segment. Areas underlain by improperly compacted artificial fill would be susceptible to this type of settlement (City of Coachella 2035 General Plan Environmental Impact Report; 2014). The city of Palm Springs in general and the proposed Project site in particular, may be susceptible to seismically induced settlement are those underlain by late Quaternary unconsolidated sediments (City of Palm Springs General Plan Update Draft EIR, 2007).

Surface rupture may typically occur when movement on a fault breaks through to the surface. Fault rupture typically follows preexisting fault lines since they are zones of weakness. Rupture may occur suddenly during an earthquake or slowly in the form of fault creep. Sudden displacements are more damaging to structures because they are accompanied by shaking. However, not all earthquakes result in surface rupture (City of Palm Springs Fulfillment Center EIR; 2024).

Liquefaction

Liquefaction is a hazard typically associated with intense ground shaking that occurs when water-saturated loose, soft, unconsolidated, or sandy soils experience ground vibrations during a seismic event. The significant shaking of the ground causes these soils to lose their strength and transform into a liquid-like state. This phenomenon can lead to structural distress or failure as a result of ground settling or a reduction in the strength of the soils beneath structures, loss of load bearing, settlement and tilting of structures, flotation and buoyancy of buried structures and fissuring of the ground surface. A common surface manifestation of liquefaction is the formation of sand boils – short-lived fountains of soil and water that emerge from fissures or vents and leave freshly deposited, usually conical mounds of sand or silt on the ground surface. Liquefaction is generally associated with shallow groundwater conditions and the presence of loose and sandy soils or alluvial deposits. Soils that are most susceptible to liquefaction are loose to moderately dense, saturated granular soils with poor drainage. The important factors that affect the potential for soil liquefaction are duration (as indicated by earthquake magnitude) and intensity (as indicated by peak-ground acceleration).

When soils undergo liquefaction, structures situated on them are susceptible to sinking, tilting, and significant structural damage. The consequences of liquefaction encompass a reduction in bearing strength, ground oscillations, lateral spreading, and flow failures or slumping. Excess water pressure is relieved through the expulsion of material upward through cracks and fissures. This process gives rise to distinctive features known as "sand boils," "sand blows," or "sand volcanoes," where a mixture of water and soil bubbles onto the ground surface. It is imperative to rely on site-specific geotechnical studies as they represent the only practical and reliable method for determining the liquefaction potential of a given site. Liquefaction risk at the proposed Project site is considered low based on groundwater levels exceeding 200 feet below ground surface, according to subsurface investigations conducted in 2022. Additionally, the site is underlain by Caristas gravelly sand, with silt and clay content measured at less than 10%, well below the 30% threshold associated with liquefaction susceptibility. Lateral spreading is similarly unlikely due to the site’s low slope angles, which range between 0.3% and 1.5%, and the lack of loose, saturated soils. (City of Palm Springs General Plan Update Draft EIR, 2007).

Landslide and Slope Failure

Typically, landslides occur as a result of seismic ground shaking, secondary effects such as slope failures, rockfalls and landslides may occur in an area. Landslides involve the movement of relatively large landmasses, either as nearly intact bedrock blocks or as jumbled mixes of bedrock blocks, fragments, debris, and soils. Landslides often occur along pre-existing zones of weakness within bedrock and have the potential to occur on over-steepened slopes, especially where weak layers, such as thin clay layers, are present and dip out-of-slope. Slope instability is a condition that can be pre-existing and can pose a negative condition for a project. Local folding of bedrock or fracturing due to faulting can add to the potential for slope failure.

The materials involved in landslides are often porous and highly weathered in the upper portions and along the margins of the slide, frequently exhibiting open fractures and joints. The mountain ranges, particularly those with steep slopes, in the vicinity of the city of Palm Springs, may be susceptible to slope failures, particularly during or after periods of intense rainfall or in response to strong seismic shaking. In the portion of Riverside County where the proposed Project site within the city of Palm Springs is located, the foothills and mountains with steep slopes are susceptible to slope failures, particularly during or after periods of intense rainfall or in response to strong seismic shaking. Areas with high topographic relief, such as steep canyon walls, are most prone to experiencing rockfalls, rockslides, soil slips, and, to a lesser extent, large landslides (City of Palm Springs General Plan Update Draft EIR, 2007).

The City's General Plan Safety Element identifies landslide deposits in the areas around the San Jacinto and Santa Rosa Mountains, in proximity to the city. The proposed Project site is located approximately 10 miles to the east of the San Jacinto Mountains and over 15 miles to the north of the Santa Rosa Mountains (Google; 2024). However the lower slopes of mountain ranges to the east and west of the site, such as Edom and Gernet Hill are within five (5) miles of the proposed Project area (Google; 2024). Failed slopes may pose risks for potential landslides and other associated hazards, such as compressible soils. Failed slopes exist in the northwestern area of the City as a result of the 1986 North Palm Springs Earthquake (Palms Spring Fulfilment Center EIR; 2024). In addition, the foothills and mountains adjacent to the city have steep slopes susceptible to landslides and other slope failures in response to seismic shaking. Areas with high topographic relief, such as steep canyon walls, are most prone to experiencing rockfalls, rockslides, soil slips, and, to a lesser extent, large landslides (City of Palm Springs General Plan Update Draft EIR, 2007).

Soil Erosion

Potential soil hazards related to existing geologic conditions include erosion, and collapsible and expansive soils.

Erosion, runoff, and sedimentation are processes influenced by various factors such as climate, topography, soil and rock types, and vegetation. Human activities often accelerate natural erosion processes. Grading, in particular, heightens the risk of erosion and sedimentation by removing protective vegetation, altering natural drainage patterns, compacting the soil, and creating cut-and-fill slopes that may be more susceptible to erosion than the original landscape. Urban development further diminishes the surface area available for water infiltration, resulting in increased flooding and sedimentation downstream of most typical projects.

The potential for hazards related to soil erosion is typically high in areas with moderately steep to steep slopes (greater than 15 percent), loose to unconsolidated soils and sediments, little or no vegetation cover,

and uncontrolled surface water runoff. Changes in any of these conditions can increase erosion potential, and an increase in erosion can increase downstream sediment loads. Erosion, runoff, and sedimentation are processes influenced by various factors such as climate, topography, soil and rock types, and vegetation. Human activities often accelerate natural erosion processes. Grading, in particular, heightens the risk of erosion and sedimentation by removing protective vegetation, altering natural drainage patterns, compacting the soil, and creating cut-and-fill slopes that may be more susceptible to erosion than the original landscape. Development typically further decreases surface area available for water infiltration, resulting in increased flooding and sedimentation downstream (City of Palm Springs General Plan Update Draft EIR, 2007).

Climate, topography, soil and rock types, and vegetation are all factors that influence erosion, runoff, and sedimentation. Soil erosion typically results from concentrated runoff on unprotected slopes and from wind erosion occurring in flat, bare areas, dry sandy soils or anywhere sand is loose and finely granulated. High wind areas such as those within Coachella Valley in general and the city and proposed Project site with its proximity to mountain ranges, have a high susceptibility to wind erosion. The site is also located within the one-mile buffer zone of the Coachella Valley Blowsand Zone according to Flood & Blowsand Risk Assessment and Improvement Plan for Western Coachella Valley prepared for Coachella Valley Association of Governments in 2020 (City of Palm Springs General Plan Update Draft EIR, 2007).

The city and this region of Riverside County face significant challenges related to erosion and sedimentation due to its extreme topographic relief between the valley and surrounding mountains. The fractured nature of the bedrock in the mountains, coupled with rapid geologic uplift and occasional intense winter storms, contributes to elevated erosion rates (City of Palm Springs General Plan Update Draft EIR, 2007).

Collapsible Soils

Collapsible soils are low density, silty to very fine-grained, predominantly granular soils containing very small pore spaces and voids. When saturated, these soils undergo a rearrangement of their grains and a loss of cementation, resulting in substantial and rapid settlement under relatively low loads. Collapsible soils generally are the result of rapid deposition of sediment near the source that has not absorbed enough moisture to compact the soil. Most collapsible soils are associated with arid and semi-arid environments which has a moderate to high potential for collapsible soils (City of Coachella General Plan EIR; 2014).

Hydroconsolidation, or soil collapse, typically affects recently deposited Holocene-age soils in arid or semiarid environments. This hazard is commonly associated with wind-deposited sands and silts, as well as sediments from alluvial fan and debris flows resulting from flash floods. The susceptible soils, characterized by dry conditions and minute pores, are prevalent in the City due to the granular nature of the frequently deposited alluvial soils and the generally dry upper soil layers. Mitigating this hazard in new developments would require specific measures (City of Palm Springs General Plan Update Draft EIR, 2007).

Expansive Soils

Expansive soils, also referred as swelling soils, are soils that have a tendency to increase in volume with an increase in the moisture content. These typically fine grained soils swell when water is added to them and shrink when they dry out. Foundations with swelling soils can ultimately lead to the failure of foundations and structures. Fine-grained soils like silts and clays, containing expansive clay minerals, can undergo significant volumetric changes with varying moisture content. In the Whitewater River floodplain, deposits may locally be moderately to highly expansive, especially in argillic soil profiles within older fan deposits.

Faults and shear zones in granitic and metamorphic rocks may have clays with expansive minerals, and engineered fills may cause damage if expansive soils are near the surface. Mitigation measures are necessary for new development if this hazard is present (City of Palm Springs General Plan Update Draft EIR, 2007).

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Ground Subsidence

Subsidence is the process of gradual sinking or settling of the earth's surface with minimal or no horizontal movement, and may also be caused by liquefaction, groundwater withdrawal, or oil withdrawal and appear in the form of earth fissures, sinkholes or depressions, and disruption of surface drainage. During very large earthquakes, it is possible for subsidence or seismically induced settlement to occur in loose granular soils in flat or gently sloped areas as the result of intense ground shaking. The city is located in an area of active subsidence, which can be a long-term hazard to existing and future development and Riverside County has documented subsidence in various deep, alluvium-filled valleys, primarily attributed to declining groundwater levels. Subsidence tends to be widespread in over-drafted valleys, with noticeable differential displacement and fissures occurring predominantly at or near the valley margins (City of Palm Springs General Plan Update Draft EIR, 2007). The city is also located within the Indio Subbasin of the Coachella Valley Groundwater Basin and the Mission Creek Subbasin which are the subbasins managed by various water service agencies in the region.

Seiche and Tsunami

A seiche is defined as "an occasional and sudden oscillation of the closed water body (enclosed water body, lake, bay, estuary, etc.) producing fluctuations in the water level." There are many causes of seiches, for example, wind, earthquakes, and changes in barometric pressure. The seiche hazard in this portion of the Coachella Valley and proposed Project site includes above-ground water reservoirs, golf course lakes and other impoundments. Domestic water reservoirs in the valley have been constructed to resist the effects of ground shaking that could compromise the integrity of these structures.

A tsunami is typically a sea wave that results from large-scale seafloor displacement caused by a large earthquake, major submarine slide, or exploding volcanic island. There are no water bodies, lakes or reservoirs in the vicinity of the proposed Project.

Paleontological Resources

Geologic Setting

The proposed Project site and immediate surrounding area is in the Colorado Desert Geomorphic Province of California, which extends from the Mojave Desert to the north, the Colorado River on the east, the Peninsular Ranges on the west, and south into Mexico. Dominant features within the Colorado Desert Province include the Salton Trough, the Colorado River, and the Orocopia, Chocolate, Palo Verde, and Chuckwalla mountains (Norris and Webb, 1976). Yje Colorade Desert Province itself is a low-lying basin

extending from the San Gorgonio Pass to the Mexican border. This flat valley floor, a narrow tectonic depression called the Salton Trough encompasses the city of Palm Springs and most of the Coachella Valley. The Salton Trough, a large structural depression that extends from the San Gorgonio Pass in the north to the Gulf of Mexico in the south (Norris and Webb, 1976). The section north of the Salton Sea is identified as the Coachella Valley or Indio region, while the portion south is known as the Imperial Valley.

Starting in the Pleistocene Epoch (2.58 million years ago to 11,700 years ago), the freshwater Lake Cahuilla periodically occupied the Salton Trough. The lake formed, drained, and reformed between approximately 37,000 and 300 years ago due to the fluctuations in the course of the Colorado River and the subsequent diversion of its mouth from the Gulf of California to the Salton Trough (Norris, 1999). Ancient Lake Cahuilla reached a maximum depth of 300 ft, 105 mi long, and 35 mi across during its last high stand.

Site Specific Geology and Paleontology

The geology of the proposed Project site and surrounding area is mapped by Dibblee and Minch (2008) at a scale of 1:62,500 (Figure 3 of Appendix D.b – Paleontological Resources Addendum). A portion of this broader area is underlain by surficial sedimentary deposits composed of alluvial sand and clay deposited in valley areas (Qa) and fluvial sand and gravel deposited by the Whitewater River (Qg), during the Holocene Epoch (11,700 years ago to present) (Dibblee and Minch, 2008). Holocene sedimentary deposits are typically too young to have accumulated or preserved significant biological material but may overlie older Pleistocene deposits with significant paleontological resources.

Holocene lacustrine silt deposits of ancient Lake Cahuilla shallowly underlie surficial sedimentary deposits in the southern Coachella Valley. These Holocene Lake Cahuilla deposits grade into older Pleistocene deposits of ancient Lake Cahuilla deposits at depth (Waters, 1983; Whistler et al., 1995; Norris, 1999; Alles, 2011). The depth of the contact between the Holocene-age and Pleistocene-age Lake Cahuilla deposits in the Project area is unknown; however, radiocarbon dating derived from an exposure of Lake Cahuilla deposits located approximately 5 miles south of Indio indicated that lacustrine silt sediments at a depth of 20 ft below ground surface (bgs) have an age of approximately 4,000 years B.P. (Waters, 1983). The Pleistocene- to Holocene-age Lake Cahuilla deposits are generally composed of weakly consolidated, shallow-to-moderately deep lacustrine sands, silts, and clays with tufa and travertine rock coatings (Waters, 1983; Norris, 1999). The Lake Cahuilla sediments range from several feet deep at the margin of the Coachella Valley to as much as 300 ft thick in the center of the Salton Trough (Arnal, 1961; Norris and Webb, 1976).

Lacustrine deposits derived from ancient Lake Cahuilla have yielded scientifically significant mollusk shells within the Salton Trough (Whistler et al., 1995), and Holocene-age, nonmineralized mollusk shells have also been found in the Lake Cahuilla silt deposits (Norris and Webb, 1976). A paleontological assessment documented four fossil localities from Lake Cahuilla deposits approximately seven (7) miles west of the Project area that produced material from bighorn sheep (Ovis canadensis), small terrestrial vertebrates, fish, freshwater bivalves, freshwater gastropods, diatoms, spores, pollen, land plants, sponges, and ostracods as noted in Appendix D Paleontological Resources Addendum.

Paleontological Resource Definition

The Society of Vertebrate Paleontology (SVP) broadly defines significant paleontological resources as:

- Fossils and fossiliferous deposits which are generally fossils of large or small identifiable vertebrates.

- Paleontological resources are typically older than recorded human history (i.e., older than about 5,000 radiocarbon years). (SVP, 2010 as cited in Paleontological Resources Addendum Report, Appendix C of EIR ***Appendix G***).

Paleontological Resource Potential

Absent specific agency guidelines, most professional paleontologists in California adhere to the guidelines set forth by SVP (2010) to determine the course of paleontological mitigation for a given project. These guidelines establish protocols for the assessment of the paleontological resource potential of underlying geologic units.

High Potential (Sensitivity)

Rock units from which significant vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered have a high potential for containing significant nonrenewable fossiliferous resources. These units include but are not limited to sedimentary formations and some volcanic formations that contain significant nonrenewable paleontological resources and sedimentary rock units.

Low Potential (Sensitivity)

Sedimentary rock units that are potentially fossiliferous but have not yielded fossils in the past or contain common and widespread invertebrate fossils of well-documented and understood species, and habitat ecology are considered to have a low potential for containing significant nonrenewable fossiliferous resources. The County of Riverside Land Information System ranks the Holocene alluvium at the site as having a "Low" paleontological sensitivity (County of Riverside Land Information System 2023). The category "Low" indicates that fossils are unlikely to be encountered during excavation activities and, therefore, there is a low potential for paleontological resources at the proposed Project site.

Undetermined Potential (Sensitivity)

Specific areas underlain by sedimentary rock units for which little information is available have undetermined fossiliferous potentials.

No Potential

Rock units of metamorphic or igneous origin are commonly classified as having no potential for containing significant paleontological resources.

4.6.2 REGULATORY FRAMEWORK

FEDERAL

Disaster Mitigation Act

The Disaster Mitigation Act (DMA) of 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need for state, local, and Indian Tribal entities to closely coordinate mitigation planning and implementation efforts. The requirement for a state mitigation plan is required as a condition of disaster assistance, adding incentives for increased coordination and integration of mitigation activities at the state level through the establishment of requirements for two different levels of state plans. DMA 2000 also established a new requirement for local mitigation plans and authorized up

to seven percent of Hazard Mitigation Grand Program funds available to a state for development of state, local, and Indian Tribal mitigation plans.

STATE

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act of 1972 was passed into law following the destructive February 9, 1971, magnitude 6.6 San Fernando earthquake. The Act provides a mechanism for reducing losses from surface fault rupture on a Statewide basis. The Act groups faults into active, potentially active, and inactive categories. Historic and Holocene age faults are considered active, Late Quaternary and Quaternary age faults are considered potentially active, and pre-Quaternary age faults are considered inactive.

The Act contains two requirements: (1) it prohibits the location of most structures for human occupancy across the trace of active faults; and (2) it establishes Earthquake Fault Zones and requires geologic/seismic studies of most proposed development within 50 feet of the zone. The Earthquake Fault Zones are delineated and defined by the State Geologist and identify areas where potential surface rupture along a fault could occur.

Seismic Hazards Mapping Act

In 1990, the California State Legislature passed the Seismic Hazard Mapping Act (Act) to protect the public from the effects of strong shaking, liquefaction, landslides, or other ground failure, and other hazards caused by earthquakes. The program and actions mandated by the Seismic Hazards Mapping Act closely resemble those of the Alquist-Priolo Earthquake Fault Zoning Act.

The Act addresses non-surface fault rupture earthquake hazards, including liquefaction and seismically induced landslides. Specifically, the maps identify areas where soil liquefaction and earthquake-induced landslides are most likely to occur. The Act directs cities, counties, and state agencies to use the maps in their land use planning and permitting processes. The Act requires the State Geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones. Before a development permit is granted for a site within a seismic hazard zone, a geotechnical investigation of the site must be conducted, and appropriate mitigation measures incorporated into the project design.

State Water Resources Control Board

NPDES permitting authority is administered in California by the State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs). Individual projects within the City that disturb more than one acre would be required to obtain NPDES coverage under the California General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit).

The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) describing best management practices (BMPs) the discharger would use to prevent and retain storm water runoff and to prevent soil erosion. The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must list BMPs the discharger would use to protect

storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body.

California Department of Transportation (Caltrans)

The California Department of Transportation (Caltrans) has jurisdiction over State and interstate routes within California. Any work undertaken within the right-of-way of a federal or State transportation corridor is subject to Caltrans regulations. Caltrans standards incorporate the CBC, and contain numerous additional rules and regulations to protect the public from seismic hazards such as surface fault rupture, and ground shaking. In addition, Caltrans standards require that projects be constructed to minimize potential hazards associated with cut and fill operations, grading, slope instability, and expansive or corrosive soils, as described in the Caltrans Highway Design Manual (HDM).

California Building Code

The purpose of the Uniform Building Code (UBC) is to provide minimum standards to preserve public peace, health, and safety by regulating the design, construction, quality of materials, equipment, location, grading, use, occupancy, and maintenance of all buildings and structures. UBC standards address foundation design, shear wall strength, and other structurally related conditions. In addition to the requirements of the Uniform Building Code, California Code of Regulations, Title 24, also known as the California Building Standard Code or the California Building Code (CBC), establishes further guidance for foundation design, shear wall strength, and other structurally related concerns. The CBC is administered by the California Building Standards Commission, which, by law, is responsible for coordinating all building standards.

The CBC modified national UBC regulations for specific conditions found in California, and therefore requires structures to be built to withstand ground shaking in areas of high earthquake hazards and the placement of strong motion instruments in larger buildings, to monitor and record the response of the structure and the site of seismic activity. Compliance with CBC regulations ensures the adequate design and construction of building foundations to resist soil movement. The CBC also contains drainage requirements in order to control surface drainage and to reduce seasonal fluctuations in soil moisture content.

The provisions of the CBC apply to the construction, alteration, movement, replacement, and demolition of every building or structure throughout California. The earthquake design requirements are used to determine a Seismic Design Category (SDC) for a project. The SDC is a classification system that combines the occupancy categories with the level of expected ground motions at the site and ranges from A (very small seismic vulnerability) to E/F (very high seismic vulnerability and near a major fault).

California Health and Safety Code

Section §19100 et seq. of the California Health and Safety Code establishes the State’s regulations for earthquake protection. This section of the code requires structural designs to be capable of resisting likely stresses produced by strong winds and earthquakes.

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California Public Resources Code

California Public Resources Code (PRC) Section 5097.5 states "no person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface" any "vertebrate paleontological site" on public lands without the "permission of the public agency having jurisdiction over such lands". Violation of this section is a misdemeanor.

As used in this PRC section, "public lands" means lands owned by or under the jurisdiction of the State or any City, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

South Coast Air Quality Management District

South Coast Air Quality Management District (SCAQMD) is the regulatory agency responsible for improving air quality for parts of southern California, including Orange County and portions of Los Angeles, San Bernardino, and Riverside counties, including the Coachella Valley. SCAQMD is responsible for controlling emissions primarily from stationary sources of air pollution, including grading and construction sites. The main source of pollution from grading and construction activities is fugitive dust, which is particulate matter that is suspended in the air by direct or indirect human activities and relates directly to soil erosion caused by wind. Two South Coast AQMD rules were adopted with the purpose of reducing the amount of fugitive dust entrained as a result of human activities. Rule 403 applies to any activity capable of generating fugitive dust. Rule 403.1 is supplemental to Rule 403 and applies only to fugitive dust sources in Coachella Valley.

Rule 403 requires the implementation of best available dust control measures (BACM) during active operations capable of generating fugitive dust. This rule also requires activities defined as "large operations" to notify the South Coast AQMD by submitting specific forms. A large operation is definedas any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 5,000 cubic yards, three times during the most recent 365-day period. The project would be subject to Rule 403.

Rule 403.1 is a supplemental rule to Rule 403 and is applicable to man-made sources of fugitive dust in the Coachella Valley. The purpose of this rule is to reduce fugitive dust and resulting PM10 emissions from man-made sources. Rule 403.1 requires a Fugitive Dust Control Plan approved by South Coast AQMD or an authorized local government agency prior to initiating any construction/earth-moving activity. These requirements are applicable to construction projects with 5,000 or more square feet of surface area disturbance.

LOCAL

City of Palm Springs 2007 General Plan

The City of Palm Springs General Plan contains the following Goals and Policies related to geology and soils in the city:

Safety Element

Goal SA1: Reduce, to the greatest extent possible, the physical and environmental effects of seismic hazards within the City.

- Policy SA1.1: Minimize the risk to life and property through the identification of potentially hazardous areas, adherence to proper construction design criteria, and provision of hazards information to all residents and business owners.
- Policy SA1.2: Require geologic and geotechnical investigations in areas of potential seismic hazards such as fault rupture, seismic shaking, liquefaction, and slope failure, as part of the environmental and/or development review process for all structures and enforce structural setbacks from faults that are identified through those investigations in accordance with the Seismic Hazards Mapping Act. Require subsurface investigations of the Garnet Hill fault if and as that area of northern Palm Springs is developed.
- Policy SA1.4: Enforce the requirements of the California Seismic Hazards Mapping and Alquist-Priolo Earthquake Fault Zoning Acts when siting, evaluating and constructing new projects within the City.
- Policy SA1.13: Require liquefaction assessment studies in those areas identified as having susceptibility to liquefaction.

Goal SA2: Reduce, to the greatest extent possible, the physical and environmental effects of geologic hazards within the City.

- Policy SA2.1: Minimize grading and otherwise changing the natural topography to protect public safety and reduce the potential for property damage as a result of geologic hazards.
- Policy SA2.2: Require geologic and geotechnical investigations in areas of potential geologic hazards as part of the environmental and/or development review process for all structures.
- Policy SA2.5: In the areas of Palm Springs susceptible to slope instability, require geotechnical investigations that include engineering analyses of slope stability, surface and subsurface drainage specifications, and detailed recommendations for fill placement and excavation.
- Policy SA2.8: Require that new construction and significant alterations to structures located within potential landslide areas be evaluated for site stability, including the potential impact to other properties, during project design and review.
- Policy SA2.9: In areas susceptible to rockfalls or landslides, erect protective devices such as barriers, rock fences, retaining structures or catchment areas.
- Policy SA2.10: Participate in regional programs designed to protect groundwater resources and the regional groundwater basin from the hazard of regional ground subsidence.
- Policy SA2.16: Provide protection for roadways and utility lines from erosion and sedimentation.
- Policy SA2.17: Encourage the incorporation of wind barriers, architectural design or features and drought resistant ground coverage in new development site designs to mitigate the impacts from erosion and wind-blown sand.

Goal SA8.5: Reduce the risk to life, property, and essential facilities through emergency preparedness and public awareness.

- Policy SA8.1: Take measures to reduce the level of death, injury, property damage, economic and social dislocation, and disruption of vital services that would result in the event of a major disaster.
- Policy SA8.2: Ensure, to the fullest extent possible, that in the event of a major disaster, essential structures and facilities remain safe and functional.
- Policy SA8.3: Require that proposed essential, sensitive and high-occupancy facilities come under careful standards of seismic review prior to any approvals and that earthquake survival and efficient post-disaster functioning be a primary concern in the siting, design and construction standards for essential facilities.
- Policy SA8.5: Prohibit the location of new essential, sensitive, and high-occupancy facilities within 100 feet of an active or potentially active fault or require compensating design characteristics where fault identification is not feasible.
- Policy SA8.6: Conduct earthquake and disaster response exercises at least once a year using the adopted emergency man*agement system.*

The City of Palm Springs Municipal Code

§8.70.100 On-Site Stormwater Retention (Ord. 1543 § 1, 1997; Ord. 1768 § 1, 2010). the applicant shall submit hydrology and hydraulic calculations, and drainage area maps to the City, to determine the quantity of stormwater runoff generated by a site or tributary to it, as well as its effects on the site, and to upstream or downstream properties. Erosion and sediment transfer studies, and other supporting data may be required as determined by the City Engineer. A required on-site stormwater retention system shall have sufficient capacity to contain the volume of stormwater runoff representing the difference between the existing (undeveloped) condition and the proposed (developed) condition resulting from the most conservative duration (1-hour, 3-hour, 6-hour, or 24-hour) 100-year storm (hereafter defined as the "project storm"). This volume of stormwater runoff is defined as the "incremental volume of stormwater runoff".

The City of Palm Springs Municipal Code (Title 8 – Buildings and Construction)

Building, construction, and grading activities for the project would be subject to Title 8 of the Palm Springs Municipal Code, which governs the conditions, construction, and maintenance of all property, buildings, and structures within the City. Title 8 is based on the most recent CBC, which sets minimum design and standards for construction of buildings and structures that must also meet minimum seismic design standards.

4.6.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Impacts to the geology and soils of an area are considered to be significant if, except as provided in Public Resources Code Section §21099, the project would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 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;
  - Strong seismic ground shaking;
  - Seismic-related ground failure, including liquefaction; and Landslides.

- Result in substantial soil erosion or the loss of topsoil?
- 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?
- 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?
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Methodology

The proposed Project site and surrounding areas were reviewed and analyzed with respect to geologic impacts and soils as well as applicable regulations and guidelines. The analyses included the potential for seismic activity to affect people and structures, as well as the necessary protection from seismic hazards. Consideration is given to erosion associated with future development, related construction activities, as well as potential geologic hazards posed by liquefaction, ground shaking, and underlying geologic materials. In order to reduce potential hazards from earthquakes or other local geologic hazards, the proposed Project is required to be in compliance with local and State regulations, as well as the applicable City of Palm Springs 2007 General Plan goals and policies.

Impacts

Impact 4.6.1: Implementation of the proposed Project has the potential to directly or indirectly cause potential substantial adverse geologic effects, including the risk of loss, injury, or death involving earthquake fault ruptures, strong seismic ground shaking and ground failure, as well as liquefaction and landslides. Impacts would therefore be Less than Significant with Mitigation Incorporated.

As discussed above, the City of Palm Springs has numerous active faults present in the area. Regional faults, including the San Andreas and San Jacinto faults, have the potential to generate strong ground shaking in the city and surrounding area. The Banning Pass, Garnet Hill faults in the most northeastern portion of the city, the San Andreas fault to the east outside of the city limits which stretches to the Salton Sea, and the San Gorgonio fault to the northwest of the city, and the South Pass further to the west along SR-111 within the City of Palm Springs (City of Palm Springs 2007 General Plan; 2007).

There are two active faults, the Banning Pass and the Garnet Hill fault, that extend throughout portions of the city. The Banning Pass fault runs through the city touching the most norther corner of the proposed Project site at 18th Avenue and North Indian Canyon Drive and the Garnet Hill fault is located approximately one (1) mile to the south of the proposed Project site and I-10. These two faults are part of an Alquist-Priolo Earthquake Fault Zone and if rupture of these faults occurs there is a potential risk of damage injury, or death involving earthquake fault ruptures, strong seismic ground shaking and ground failure (Alquist-Priolo Earthquake Fault Zoning Act, 1993). Historically, the proposed Project site and its vicinity have been subjected to past ground shaking, with three major earthquakes of magnitude 6.0 to 6.8 occurring between 1918 and 1948. Based on USGS seismic hazard mapping, the expected peak ground acceleration (PGA) for the site is 0.6g, which is associated with a 10% probability of exceedance in 50 years. According to the City's General Plan Safety Element, the Garnet Hill and Banning Fault branches have a 27% probability of generating a magnitude 6.7 or greater earthquake in the next 30 years (City of Palm

Springs 2007 General Plan; 2007). Therefore, it is expected that the proposed Project site will experience seismic ground shaking in the future. Structures on the site and offsite improvements will be designed and constructed to resist the effects of strong ground motion in accordance with the 2022 California Building Code (2022 CBC). These codes include building standards to ensure that the design and construction of new structures are engineered to withstand the expected ground acceleration that may occur at this site. Therefore, through compliance with the applicable building codes, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Compliance with the 2022 CBC would ensure exterior and interior components of the buildings would be secure during an earthquake. The buildings on the site would be constructed in a manner that reduces the risk of seismic hazards consistent with Title 24, California Code of Regulations.

In addition, the proposed Project would be required to comply with the City's General Plan policies in the Safety Element, particularly Polices SR1.2, SR1.3, SR1.4 and SR2.1 which would require the proposed Project to conduct geotechnical investigations in accordance with the Seismic Hazard Mapping Act and to provide for safety measures, Policies SA8.1, SA8.2, and SA8.6 which would ensure that proper emergency preparedness, awareness and annual safety trainings are conducted at all facilities on the site. Although the proposed Project has the potential to result in potentially significant impacts related to geology, with the implementation of mitigation measures **GEO-1** through **GEO5** and compliance with the applicable policies of the City of Palm Springs General Plan Safety Element: Disaster Preparedness, Response and Recovery., impacts would be less than significant.

Mitigation

GEO-1 The proposed Project shall comply with all the applicable grading and excavation codes of the City of Palm Springs and shall be in compliance with all applicable provisions of the 2022 California Building Code (2022 CBC), as reviewed and approved by the City Engineer.

GEO-2 The proposed Project shall be required to conduct a Geotechnical Investigation for the submittal of grading and building plans. The proposed Project shall also be required to conduct an on-site meeting with the proposed Project applicant(s), the geotechnical consultant, and the City Engineer to review construction work schedule, identify milestone construction activities and associated reviews by the Geotechnical and the City Engineers, ascertain geotechnical aspects of site grading,

GEO-3: Prior to the issuance of any building permits, a licensed geotechnical engineer shall evaluate the site for the presence of undocumented fill and unsuitable native soils. Any unsuitable materials identified shall be removed to a depth of at least 6 feet or until competent alluvial materials are found. The geotechnical consultant must provide written approval to the City Engineer certifying the removal of unsuitable soils prior to the placement of any fill or construction of foundations. Removal activities shall be monitored by the City Engineer or designated inspector during construction.

GEO-4: Site clearing and grading activities shall involve the removal of all trash, debris, vegetation, rocks, and boulders at the site. Any voids created by such removals shall be backfilled with engineered fill. Any buried deleterious materials from past site usage, encountered during site excavation activities, shall be removed by hand (such as with the use of a root picker) during site grading operations.

GEO-5: A qualified Geotechnical Engineer shall be retained to perform the following tasks prior to and during construction:

- Review final grading, foundation, and drainage plans;
- Review of soil type and soil expansion potential,
- Observe and advise during all grading activities, including site preparation, foundation and retaining wall excavation, and placement of fill, to confirm that suitable fill materials are placed.
- All final plans shall be reviewed and approved by the City Engineer. The City Engineer or his/her City of Palm Springs staff representative shall be present during all excavation, grading and site fill activities.

Impact 4.6.2: Implementation of the proposed Project has the potential to result in soil erosion or the potential erosion of topsoil. Impacts would therefore be Less than Significant with Mitigation Incorporated.

Typically, the severity of soil erosion and loss of top soil is a result of an area's climate, topography, soil and rock types, and amount of vegetation on any particular site. Natural erosion processes are often accelerated through human activities. Site development activities such as site clearing and grading often increases the potential for erosion and sedimentation by removing protective vegetation, altering natural drainage patterns, compacting the soil, and constructing cut-and-fill slopes, which may be more susceptible to erosion than the natural condition (City of Pam Springs General Plan EIR). The proposed Project site is situated at elevations between 780 to 820 feet above mean sea level, with the site trending lower to the south (see ***Appendix G*** of this DEIR).

Construction of the proposed Project would require grading and excavation. Grading and excavation activities would temporarily expose bare soils, which could be removed from the site and transported through wind shearing or stormwater runoff. Construction activities would disturb approximately 91.97 acres of land, with grading anticipated to move an estimated 50,000 cubic yards of soil. Given the site's slope range of 0% to 5%, the erosion potential is moderate, particularly in areas with Caristas fine sand soils, which have an erosion factor (K) of 0.15. The NPDES-compliant SWPPP will include Best Management Practices (BMPs), such as sediment basins and silt fences, to reduce soil erosion and sedimentation by at least 80%, as required by the City of Palm Springs grading permit. The SWPPP will include BMPs to reduce soil erosion and sedimentation. Additionally, because grading would exceed 50 cubic yards, a grading permit would be required. Therefore, a grading permit and inclusion of appropriate conditions, including, but not limited to, dust and rodent control, conducting pre-construction meetings with neighbors, traffic control plan, amongst other measures, would ensure that the proposed grading will have minimal impact. In addition the proposed Project would be required to develop and maintain a Fugitive Dust Control Plan, as required under Palm Springs Municipal Code Section 8.50.022 for disturbance of any area of more than five thousand square feet. The Fugitive Dust Control Plan requires the implementation of best available control measures (BACMs) such as the use of perimeter fencing, applying adhesive dust suppressant, or watering the project site. The proposed Project therefore shall implement the BACMs for on- and off-site improvements detailed within the project-specific Fugitive Dust Control Plan during construction of the project site. With mandatory implementation of the SWPPP and a Fugitive Dust Control Plan under mitigation measure **GEO-4** as well as erosion control measures, impacts of the proposed project would be less than significant.

Implementation of the proposed Project would consist of construction activities such as, excavating, grading, and filling of soils, activities that have the potential to temporarily expose loose soil increasing the possibility for wind or water related erosion and/or sedimentation transported through wind shearing or stormwater runoff. Project construction would take place on 91.97 acres of land pursuant with the State Water Resources Control Board requirements, the proposed project is required by law to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities, which involves preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Since construction activities at the proposed Project site would also require a grading permit, all construction activities would have to be reviewed and approved by the City prior to issuance of the grading permit. In the process of reviewing and approving a grading permit application, the city enforces standard conditions, encompassing measures such as dust and rodent control, pre-construction meetings with neighbors, traffic control plans, and additional provisions. These conditions would ensure that the proposed grading activities have minimal impact and adhere to established guidelines and regulations. Implementation of a SWPPP for the site would reduce soil erosion or the loss of topsoil during construction resulting from stormwater.

The proposed Project would also be required to adhere to the South Coast Air Quality Management District (SCAQMD) Rule 403, ensuring measures are in place to minimize water and windborne erosion, as well as being required to develop and execute a Water Quality Management Plan (WQMP). This plan is tailored to the site, serving as a post-construction water quality management program aimed at minimizing the release of waterborne pollutants, particularly those concerning downstream receiving waters, under long-term conditions. The WQMP also includes provisions for a post-construction implementation and maintenance plan to ensure sustained, long-term erosion protection. Compliance with the Stormwater Pollution Prevention Plan (SWPPP), WQMP, and associated erosion control measures, along with established policies, is mandatory. This will be done through mandatory on-site retention basin as 100 percent of water runoff must be contained on-site.

Additionally, the proposed Project would introduce impervious, paved areas throughout the site. The addition of such impervious surfaces would reduce the potential for erosion during operation by stabilizing the ground surface and minimizing the amount of exposed soil. These features would establish stabilized surfaces and onsite maintenance at the project site, thereby decreasing the likelihood of onsite windborne and waterborne erosion during project operation. With required implementation of mitigation measure **GEO-6**, preparation and implementation of the appropriate SWPPP, WQMP, related erosion control measures and adherence to the City's General Plan Safety Element Policies 2.1, 2.2, 2.7, 2.8, 2.10, impacts of the proposed projects are anticipated to be less than significant.

Mitigation

GEO-6 Prior to any site grading, all trash, debris, vegetation, and deleterious materials, including tree root balls, shall be removed from the site. The Geotechnical Engineer shall oversee and document the removal of unsuitable soils and certify that backfilling with engineered fill is completed in accordance with project specifications. Certification documents shall be submitted to the City Engineer for approval prior to any building construction.

Impact 4.6.3: The proposed Project has the potential to 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. Impacts would however be Less than Significant with Mitigation Incorporated.

Liquefaction and Subsidence

Liquefaction occurs when ground shaking of relatively long duration and intensity causes loose,

unconsolidated soils to act like a liquid and lose strength. As analyzed in the City's General Plan EIR, the liquefaction hazard in the city is considered low due to the groundwater depth exceeding 50 feet below ground surface. Studies and historical data suggest that loose, granular materials saturated with groundwater at depths less than 50 feet and with silt and clay contents below 30 percent are most susceptible to liquefaction. In addition, historical groundwater depths in the vicinity of the proposed Project site and the city typically exceed 200 feet below the ground surface (City of Palm Springs General Plan Update Draft EIR, 2007). Therefore, proposed Project impacts related to liquefaction would be less than significant.

Excessive groundwater withdrawal typically results in subsidence, which is the process of gradual sinking or settling of the earth's surface with minimal or no horizontal movement, and may also be caused by liquefaction, groundwater withdrawal, or oil withdrawal and appear in the form of earth fissures, sinkholes or depressions, and disruption of surface drainage. Riverside County has documented subsidence in various deep, alluvium-filled valleys, primarily attributed to declining groundwater levels. Subsidence tends to be widespread in over-drafted valleys, with noticeable differential displacement and fissures occurring predominantly at or near the valley margins (City of Palm Springs General Plan Update Draft EIR, 2007). According to aerial photographs of the proposed Project site and surrounding areas, there are no readily discernable features, such as ground fissures, linearity of depressions, radial directed drainages, etc., which would indicate subsidence or hydro-consolidation at the site. Due to the low levels of clay soil in the groundwater basin hydrogeology, land subsidence is less likely to occur in regions overlying the Garnet Hill and Mission Creek subbasins (City of Palm Springs General Plan Update Draft EIR, 2007). In addition, the Phase I Environmental Site Assessment (ESA) conducted for the proposed Project (see ***Appendix G*** of the DEIR) estimated groundwater depths at the site to be approximately 200 feet below the surface based on monitoring well data from the State of California Department of Water Resources as described in a User-provided geotechnical evaluation of the site under the Phase I ESA. Therefore, the proposed Project site has a low probability to be affected by subsidence and impacts would be less than significant.

Lateral Spreading

Lateral spreading is the horizontal movement or spreading of soil, which typically happens in areas where the groundwater table is high and where relatively soft and recent alluvial deposits exist. Lateral spreading is primarily associated with liquefaction which has the potential to turn subsurface soils softer and more fluid-like in mass. Lateral spreading often occurs on that range at least between 0.3 and 4 degrees and is exacerbated during earthquake events. Since the proposed Project site is located in an area with a low probability to be affected by subsidence or liquefaction (City of Palm Springs General Plan Update Draft EIR, 2007), impacts related to lateral spreading would be less than significant.

Landslides

Landslides involve the movement of relatively large landmasses, either as nearly intact bedrock blocks or as jumbled mixes of bedrock blocks, fragments, debris, and soils. The materials involved in landslides are

often porous and highly weathered in the upper portions and along the margins of the slide, frequently exhibiting open fractures and joints. Areas with high topographic relief, such as steep canyon walls, are most prone to experiencing rockfalls, rockslides, soil slips, and, to a lesser extent, large landslides. In the vicinity of the city of Palm Springs, the foothills and mountains with steep slopes are susceptible to slope failures, particularly during or after periods of intense rainfall or in response to strong seismic shaking. (City of Palm Springs General Plan Update Draft EIR, 2007). Although the proposed Project site is relatively flat, with a slight slope from , it is surrounded by mountain ranges that have the potential to be affected by fault ruptures that cause landslides. However, the closest mountain range is the San Jacinto Mountains and Mount San Jacinto which is located which is approximately four (4) miles to the south of the site and Garnet Hill, located south of I-10 and about one (1) mile to the southeast of the site.

The proposed Project site is primarily flat with a slope angle between zero to 10 degrees (City of Plam Springs General Plan EIR; 2007). Therefore, landslides or rockfall debris associated with the surrounding mountains would not occur at the proposed Project site and impacts related to landslides would be less than significant.

Soil Collapse

Soil collapse occurs in Holocene-age soil sediments that accumulate in an arid or semi-arid environment. Such soils are typically dry with minutes pores and voids often seen in boulder, cobble, gravel, sand, and silt deposits. Soils such as these are not typically suited for load bearing structures. However, the proposed Project would remove existing vegetation and loose soils during site grading and utilize compacted fill soil, therefore impacts due to collapse would be less than significant with the incorporation of mitigation measure **GEO-7** and **GEO-8**.

The proposed project site is not 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, or liquefaction. As determined under the Phase I ESA conducted for the proposed Project (see Appendix G of this DEIR), the site is situated at elevations between 780 to 820 feet above mean sea level with a slight slope of between zero to ten slope angle trending from north to south of the site.

Additionally, the proposed Project would be required to adhere to the City's General Plan goals and policies, specifically Safety Element SA1.10, SA1.13, SA2.1, SA2.2, SA2.5, SA2.8, SA2.9, and SA2.17 would ensure that the proposed Project development includes wind barriers, architectural design features that account for site stability, ground shaking or landslides and related geological hazards. However, impacts related to collapse would require mitigation measure **GEO-7** and **GEO-8**, adherence to which would ensure that impacts from landslides, lateral spreading, subsidence, liquefaction or collapse are less than significant.

Mitigation

GEO-7 If during excavation, soils with a blow count less than 5 per ASTM D1586 or other indications of instability are encountered, the soil must be stabilized as recommended by a licensed geotechnical engineer. The stabilization plan, including methods such as compaction or soil replacement, shall be submitted to the City Engineer for approval before any further construction occurs. All stabilization work must be monitored and certified by the geotechnical engineer.

GEO-8 The proposed Project shall comply with all grading and excavation codes of the City of Palm Desert, as well as the applicable provisions of the 2022 California Building Code (2022 CBC). At the discretion of the City Engineer, the proposed Project shall be required to periodic inspections or reports, as by the City Engineer, over all site construction activities. Compliance will be confirmed by the City Engineer through periodic inspections, including during rough grading, final grading, and prior to foundation placement. Compliance milestones shall be set at the discretion of the Coty Engineer. No permits for vertical construction shall be issued until all required grading inspections have been passed.

Impact 4.6.4: The proposed Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), such that it would create substantial direct or indirect risks to life or property. Impacts would be Less than Significant.

Expansive soils may occur in both hillside areas and low-lying alluvial basins. Such soils typically contain clay particles that experience cyclic drying and wetting as the dry and wet seasons pass. These soils typically contain a significant amount of clay particles which can give up water (shrink) or take on water (swell). Since the moisture content of the clayey soils fluctuate, these shrink/swell cycles can impact foundations and lightly loaded slabs-on-grade when not designed for the anticipated expansive soil pressures. Soil expansion potential may not manifest itself until months or years after construction. Swelling soils can cause distress to walks, structures, patio slabs, and drains, and the potential for damage to slabs-on-grade and foundations supported on expansive soils can be reduced by placing non-expansive sections underlying foundations and slabs-on-grade. The change in shrink and swell exerts stress on buildings and other loads placed on these soils, making them potentially hazardous.

Hydro-consolidation, or soil collapse, typically affects recently deposited Holocene-age soils in arid or semiarid environments. This hazard is commonly associated with wind-deposited sands and silts, as well as sediments from alluvial fan and debris flows resulting from flash floods. The susceptible soils, characterized by dry conditions and minute pores, are prevalent in the city and surrounding areas due to the granular nature of the soils, rapid deposition in the alluvial fan environment, and the generally dry upper soil layers (City of Palm Springs General Plan Update Draft EIR, 2007). Fine-grained soils like silts and clays, containing expansive clay minerals, can undergo significant volumetric changes with varying moisture content. In the Whitewater River floodplain, deposits may locally be moderately to highly expansive, especially in argillic soil profiles within older fan deposits. Faults and shear zones in granitic and metamorphic rocks may have clays with expansive minerals, and engineered fills may cause damage if expansive soils are near the surface (City of Palm Springs General Plan Update Draft EIR, 2007).

The proposed Project site is located in the San Gorgonio Pass, which is characterized by a variety of older and younger alluvial fan sediments that have been shed off the topographic highs of the San Bernardino Mountains and redeposited onto the valley floor below (Lancaster et al. 2012).The site is situated over Holocene to late Pleistocene-aged young alluvial fan deposits that are overlain by interspersed, modern wash deposits, according to mapping by Lancaster et al. (2012). These deposits consist of silt, sand, and gravel (Rogers 1965; Dibblee 2004). According to the Web Soil Survey conducted for the proposed site (Appendix N Web Soil Survey), the proposed Project site consists of consists of Carsitas fine, gravelly and cobbly sand with no clay content. Such soils are excessively drained with low runoff potential and due to the low clay content in underlying soils at the site, these near surface soils can be anticipated to have very low expansion characteristics. The site is not located in an area known for expansive soil (as defined in Table 18-1-B of the Uniform Building Code (1994)), and the potential for the proposed Project to create

substantial risks to life or property, relating to expansive soils, is very low. Although the proposed Project would have to comply with the Uniform Building Code (1994) requirements, as well as General Plan Policies SA1.2, SA1.13, SA2.2, SA2.5, and SA2.11 of the Safety Element which require all development proposals to conduct geotechnical investigations, minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures, and maintenance of an updated map of slope failures in the General Plan area. Therefore, impacts related to expansive soils would be less than significant.

Mitigation

No mitigation is required.

Impact 4.6.5 The proposed Project would not utilize septic tanks or alternative wastewater disposal systems; there would be No Impacts.

The proposed Project would not involve the use of septic tanks or any other alternative wastewater disposal systems. Sanitary sewer service will be provided by Mission Springs Water District (MSWD), with wastewater from the project site expected to generate an average daily flow of 50,000 gallons, which will be treated at the MSWD Regional Wastewater Treatment Plant. The plant has a current capacity of 5 million gallons per day (MGD), with available capacity of 2 MGD, ensuring no impacts from the project's wastewater requirements. The proposed Project would connect to the municipal wastewater system, so septic tanks or alternative wastewater disposal systems will be used at the site. The proposed Project would therefore have no impact on soil stability associated with septic tanks or alternative wastewater systems in relation to the disposal of Project related wastewater.

Mitigation

No mitigation is required.

Impact 4.6.6 Implementation of the proposed Project has the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. However impacts would be Less than Significant with Mitigation Incorporated.

On February 16, 2023, BFSA staff, led by Principal Investigator Todd A. Wirths, conducted a visual inspection of the proposed Project site under the established field methodology. The approach involved walking evenly spaced survey transects set approximately 15 meters apart, visually examining the ground surface. Thorough inspection of potentially sensitive areas where paleontological resources might be found was conducted, including close examination of rodent spoils piles for fossil evidence. The visibility of the natural ground surface was generally good on the proposed Project site. The paleontological survey conducted on February 16, 2023, covered 91.97 acres of the project site, with transects spaced 15 meters apart. Surface visibility was approximately 85%, and no fossils or significant paleontological resources were observed at the site itself or its immediate surroundings. Additionally, based on the Riverside County Land Information System, the site is classified as having a 'low sensitivity' for paleontological resources, with a probability of fossil discovery during excavation below 5%. The site mainly consists of alluvial sands, which are recent deposits and not conducive to the preservation of paleontological resources. In addition, the Riverside County General Plan EIR designates the city in general, as a low sensitivity area for paleontological resources. The “low potential” category classifies lands for which previous field surveys have found a low potential for containing significant paleontological resources.

Based on the young age of the alluvium at the site, the low potential for the presence of paleontological resources in this area, and the absence of known paleontological localities nearby, it is not recommended to conduct paleontological monitoring during earth disturbance activities. However, in the event that site grading is conducted deeper than 10 feet and paleontological resources are unexpectedly discovered, this would result in a potentially significant impact. Although mitigation measures **GEO-8** and **GEO-9** have been recommended for the proposed Project, it should be noted that mitigation measures **GEO-8** and **GEO-9** would only be triggered if grading extends beyond 10 feet, where there is a higher likelihood of encountering paleontological resources. However, the proposed Project would be required to adhere to the City’s Recreation, Conservation and Open Space Element Goal RC10 and Policies RC1, RC4, RC5 and RC6. Adherence to these applicable City of Palm Springs General Plan goals and policies as well as implementation of **GEO-9** and **GEO-10** as well as **CUL-1, CUL-2,** and **CU-L3** would therefore reduce impacts related to paleontological resources to less than significant levels.

Mitigation

GEO-9 Should site grading activities go below 10 feet, a qualified paleontological monitor shall be retained by the proposed Project applicants(s) to check for fossils. Should site grading activities lead to the discovery of paleontological resources, the proposed Project site shall be cordoned off, all work shall be halted in that area and a qualified paleontologist from Riverside County shall be consulted to assess the significance of the findings. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens.

GEO-10 Should site grading activities below 10 feet lead to the discovery of paleontological resources, the proposed Project site shall be cordoned off, and a qualified paleontologist from Riverside County shall be consulted to assess the significance of the findings. If the qualified paleontologist deems the discovery to be significant, a Paleontological Resource Impact Program

(PRIMP) shall be implemented by a qualified paleontological monitor. If paleontological resources are discovered, construction shall be halted in the area and moved to other parts of the site while the monitor determines the significance of these resources. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented as recommended by the monitor.

The PRIMP, shall include methods for:

- Attendance by a qualified paleontologist at the preconstruction meeting to consult with the grading and excavation contractors.
- On-site presence of a paleontological monitor to inspect for paleontological resources during the excavation of previously undisturbed deposits.
- Salvage and recovery of paleontological resources by the qualified paleontologist or paleontological monitor.
- Preparation (repair and cleaning), sorting, and cataloguing of recovered paleontological resources.
- Donation of prepared fossils, field notes, photographs, and maps to a scientific institution with permanent paleontological collections.
- Completion of a final summary report that outlines the results of the mitigation program.

The PRIMP shall be submitted for approval by the City of Palm Springs.

All fossils and associated data recovered during the paleontological monitoring shall be reposted in a public museum or other curation facility based upon the specific resource recovered and recommendations from the paleontological consultant.

4.7 GREENHOUSE GAS EMISSIONS

This chapter of the Draft Environmental Impact Report (Draft EIR; DEIR) provides a discussion greenhouse gas (GHG) emissions under the proposed Project, analyzes the potential impacts, and develops mitigation measures that reduce any identified impacts. This analysis herein is based the GHG emissions modeling as included as Appendix A Air Quality and Greenhouse Gas Emissions, of this Draft EIR.

4.7.1 SETTING

Constituent gases in the Earth's atmosphere, called atmospheric greenhouse gases (GHG), such as carbon dioxide (CO2), methane (CH4), ozone, water vapor, nitrous oxide (N2O), and chlorofluorocarbons (CFCs)play a critical role in the Earth's radiation amount, by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. This phenomenon, known as the Greenhouse Effect, is responsible for maintaining a habitable climate. Anthropogenic (caused or produced by humans) emissions of these greenhouse gases in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change.

Emissions of gases that induce global warming are attributable to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses. Transportation is responsible for 41 percent of the State of California's greenhouse gas emissions, followed by electricity generation.

Emissions of CO2 and nitrous oxide (NOx) are byproducts of fossil fuel combustion. Sinks of CO2, where CO2 is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean.

Methane, a potent greenhouse gas, results from off-gassing associated with agricultural practices and landfills.

Each greenhouse gas has the following global warming potential:

Water Vapor

Water vapor is the most abundant variable GHG in the atmosphere and is not considered a pollutant since it maintains a climate necessary for life. Changes in its concentration are primarily considered a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. The feedback loop in which water is involved is critically important to projecting future climate change. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). SInce the air is warmer, the relative humidity can be higher (in essence, the air is able to "hold" more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop", and the extent to which this positive feedback loop will continue is unknown.

Carbon Dioxide (CO2)

The natural production and absorption of CO2 is achieved through the terrestrial biosphere and the ocean. However, humankind has altered the natural carbon cycle by burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s, each of these activities has increased in scale and distribution. Prior to the industrial revolution, CO2 concentrations were fairly stable at 280 parts per million (ppm). The International Panel on Climate Change (IPCC Fifth Assessment Report, 2014) estimate that between 1970 and

2010, emissions of CO2 from fossil fuel combustion and industrial processes contributed about 78% of the total GHG emissions. Globally, economic and population growth continued to be the most important drivers of increases in CO2 emissions from fossil fuel combustion. The contribution of population growth between 2000 and 2010 remained roughly identical to the previous three decades, while the contribution of economic growth has risen sharply.

Methane (CH4)

Methane, also known as CH4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO2. Although its lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO2, N2O, and Chlorofluorocarbons (CFCs), CH4 has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). 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 methane. Other anthropocentric sources include fossil-fuel combustion and biomass burning.

Nitrous Oxide (N2O)

Concentrations of N2O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is also commonly used as an aerosol spray propellant, (i.e., in whipped cream bottles, in potato chip bags to keep chips fresh, and in rocket engines and in race cars).

Chlorofluorocarbons (CFC)

CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C2H6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source, but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and in 1989 the European Community agreed to ban CFCs by 2000 and subsequent treaties banned CFCs worldwide by 2010. This effort was extremely successful, and the levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years.

Hydrofluorocarbons (HFC)

HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF3), HFC-134a (CF3CH2F), and HFC-152a (CH3CHF2). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant. Concentrations of HFC-23 and HFC-134a in the atmosphere are now about 10 parts per trillion (ppt) each. Concentrations of HFC-152a are about 1 ppt. HFCs are manmade for applications such as automobile air conditioners and refrigerants. Perfluorocarbons (PFC)

Perfluorocarbons or PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are

able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF4) and hexafluoroethane (C2F6). Concentrations of CF4 in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.

Sulfur Hexafluoride (SF6)

SF6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF6 has the highest global warming potential of any gas evaluated; 23,900 times that of CO2. Concentrations in the 1990s were about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

Aerosols

Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols. Sulfate aerosols are emitted when fuel containing sulfur is burned. Black carbon (or soot) is emitted during biomass burning due to the incomplete combustion of fossil fuels. Particulate matter regulation has been lowering aerosol concentrations in the United States; however, global concentrations are likely increasing.

Global Warming Potential

The Global Warming Potential (GWP) was developed to allow comparisons of the global warming impacts of different gases. Specifically, it is a measure of how much energy the emissions of 1 ton of a gas will absorb over a given period of time, relative to the emissions of 1 ton of carbon dioxide (CO2). The larger the GWP, the more that a given gas warms the Earth compared to CO2 over that time period. The time period usually used for GWPs is 100 years. GWPs provide a common unit of measure, which allows analysts to add up emissions estimates of different gases (e.g., to compile a national GHG inventory), and allows policymakers to compare emissions reduction opportunities across sectors and gases. A summary of the atmospheric lifetime and the global warming potential of selected gases are summarized in **Table 4.7-1: Global Warming Potentials and Atmospheric Timelines** which shows that the global warming potential of GHGs ranges from 1 to 22,800.

Table 4.7-1: Global Warming Potentials and Atmospheric Timelines

Gas	Atmospheric Lifetime	Global Warming Potential[1] (100 Year Horizon)
Carbon Dioxide (CO2)	2 –	1
Methane (CH4)	12	28-36
Nitrous Oxide (NO)	114	298
Hydrofluorocarbons (HFCs)	1-270	12-14,800
Perfluorocarbons (PFCs)	2,600-50,000	7,390-12,200
Nitrogen trifluoride (NF3)	740	17,200
Sulfur Hexafluoride (SF6)	3,200	22,800

Notes:
ource: http://www3.epa.gov/climatechange/ghgemissions/gases.html Compared to the same quantity of CO2 emissions. Carbon dioxide's lifetime is poorly defined because the gas is not destroyed over time, but instead moves among different parts of the ocean–atmosphere–land system. Some of the excess carbon dioxide will be absorbed quickly (for example, by the ocean surface), but some will remain in the atmosphere for thousands of years, due in part to the very slow process by which carbon is transferred to ocean sediments.
Source: Appendix B.

4.7.2 REGULATORY FRAMEWORK

INTERNATIONAL

Kyoto Protocol

The United States participated in the UNFCCC (signed on March 21, 1994). The Kyoto Protocol is a treaty reached under the UNFCCC and was the first international agreement to regulate GHG emissions. It has been estimated that if the commitments outlined in the Kyoto Protocol are met, global GHG emissions could be reduced by an estimated 5 percent from 1990 levels during the first commitment period of 2008–2012. Although the United States is a signatory to the Kyoto Protocol, Congress has not ratified the Protocol, and the United States is not bound by the Protocol's commitments.

The goal of the Protocol was to achieve overall emissions reduction targets for six GHGs by the period of 2008 to 2012. The six GHGs regulated under the Protocol are CO2, CH4, N2O, HFCs, PFCs, and SF6. Each nation has an emissions reduction target to reduce GHG emissions a certain percentage below 1990 levels (e.g., 8 percent reduction for the European Union, 6 percent reduction for Japan). The average reduction target for nations participating in the Kyoto Protocol is approximately 5 percent below 1990 levels. Many subsequent measures are tied to these Kyoto Protocol commitments.

Montreal Protocol

In 1988, the United Nations established the Intergovernmental Panel on Climate Change (IPCC) to evaluate the impacts of global climate change and to develop strategies that nations could implement to curtail global climate change. In 1992, the United States joined other countries around the world in signing the United Nations' Framework Convention on Climate Change (UNFCCC) agreement with the goal of controlling GHG emissions. As a result, the Climate Change Action Plan was developed to address the reduction of GHGs in the United States. The plan consists of more than 50 voluntary programs.

Additionally, the Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. The Montreal Protocol stipulates that the production and consumption of compounds that deplete ozone in the stratosphere—CFCs, halons, carbon tetrachloride, and methyl chloroform—were to be phased out, with the first three by the year 2000 and methyl chloroform by 2005.

The Paris Agreement

The Paris Agreement became effective on November 4, 2016. Thirty days after this date at least 55 Parties to the United Nations Framework Convention on Climate Change (Convention), accounting in total for at least an estimated 55 % of the total global greenhouse gas emissions, had deposited their instruments of ratification, acceptance, approval or accession with the Depositary.

The Paris Agreement built upon the Convention and – for the first time – attempted to bring all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort.

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most

vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.

FEDERAL

Executive Order 13432

The President signed Executive Order 13432 on May 14, 2007, directing the USEPA, along with the Departments of Transportation, Energy, and Agriculture, to initiate a regulatory process that responds to the Supreme Court's decision.

Executive Order 13432 was codified into law by the 2009 Omnibus Appropriations Law signed on February 17, 2009. The order sets goals in the areas of energy efficiency, acquisition, renewable energy, toxics reductions, recycling, sustainable buildings, electronics stewardship, fleets, and water conservation. Light-Duty Vehicle Greenhouse Gas and Corporate Average Fuel Economy Standards.

On May 19, 2009, President Obama announced a national policy for fuel efficiency and emissions standards in the United States auto industry. The adopted federal standard applies to passenger cars and light-duty trucks for model years 2012 through 2016. The rule surpasses the prior Corporate Average Fuel Economy standards (CAFE)15 and requires an average fuel economy standard of 35.5 miles per gallon (mpg) and 250 grams of CO2 per mile by model year 2016, based on USEPA calculation methods. These standards were formally adopted on April 1, 2010. In August 2012, standards were adopted for model year 2017 through 2025 for passenger cars and light-duty trucks. By 2025, vehicles are required to achieve 54.5 mpg (if GHG reductions are achieved exclusively through fuel economy improvements) and 163 grams of CO2 per mile. According to the USEPA, a model year 2025 vehicle would emit one-half of the GHG emissions from a model year 2010 vehicle.16 In 2017, the USEPA recommended no change to the GHG standards for light-duty vehicles for model years 2022-2025.

In December 2021, the EPA finalized federal GHG emissions standards for passenger cars and light trucks for model years 2023 through 2026. The updated standards will result in avoiding more than 3 billion tons of GHG emissions through 2050. These standards set the light-duty vehicle GHG program on track to provide a strong launch point for the agency's next phase of standards for model year 2027 and beyond. On April 12, 2023, EPA announced new, more ambitious proposed standards to further reduce harmful air pollutant emissions from light-duty and medium-duty vehicles starting with model year 2027. The proposal builds upon EPA's final standards for federal greenhouse gas emissions standards for passenger cars and light trucks for model years 2023 through 2026 and leverages advances in clean car technology to unlock benefits to Americans ranging from reducing climate pollution, to improving public health, to saving drivers money through reduced fuel and maintenance costs. The proposed standards would phase in over model years 2027 through 2032.

Issued by NHTSA and EPA in March 2020 (published on April 30, 2020 and effective after June 29, 2020), the Safer Affordable Fuel-Efficient Vehicles Rule would maintain the CAFE and CO2 standards applicable in model year 2020 for model years 2021 through 2026. The estimated CAFE and CO2 standards for model year 2020 are 43.7 mpg and 204 grams of CO2 per mile for passenger cars and 31.3 mpg and 284 grams of CO2 per mile for light trucks, projecting an overall industry average of 37 mpg, as compared to 46.7 mpg under the standards issued in 2012. This Rule also excludes CO2- equivalent emission improvements associated with air conditioning refrigerants and leakage (and, optionally, offsets for nitrous oxide and methane emissions) after model year 2020.

On May 12, 2021, the National Highway Traffic Safety Administration (NHTSA) published a notice of proposed rulemaking in the Federal Register, proposing to repeal "The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program," published Sept. 27, 2019 (SAFE I Rule), in which NHTSA codified regulatory text and made additional pronouncements regarding the preemption of state and local laws related to fuel

economy standards. Specifically, this document proposed to fully repeal the regulatory text and appendices promulgated in the SAFE I Rule. In addition, this document proposed to repeal and withdraw the interpretative statements made by the Agency in the SAFE I Rule preamble, including those regarding the preemption of particular state Greenhouse Gas (GHG) Emissions standards or Zero Emissions Vehicle (ZEV) mandates. As such, this document proposed to establish a clean slate with respect to NHTSA's regulations and interpretations concerning preemption under the Energy Policy and Conservation Act (EPCA). This action is effective as of January 28, 2022.

United States Climate Policy and Actions

The United States Environmental Protection Agency (EPA) is responsible for implementing federal policy to address GHGs. The federal government administers a wide array of public-private partnerships to reduce the GHG intensity generated in the United States. These programs focus on energy efficiency, renewable energy, methane and other non-CO2 gases, agricultural practices, and implementation of technologies to achieve GHG reductions. The EPA implements numerous voluntary programs that contribute to the reduction of GHG emissions. These programs (e.g., the ENERGY STAR labeling system for energy-efficient products) play a significant role in encouraging voluntary reductions from large corporations, consumers, industrial and commercial buildings, and many major industrial sectors.

In response to the FY2008 Consolidations Appropriations Act (H.R. 2764; Public Law 110-161), EPA proposed a rule on March 10, 2009 that requires mandatory reporting of GHG emissions from large sources in the United States. The rule became effective on December 29, 2009, and it requires suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions to submit annual reports to EPA.

On December 7, 2009, the EPA Administrator signed two distinct findings under section 202(a) of the Clean Air Act. One is an endangerment finding that finds concentrations of the six GHGs in the atmosphere threaten the public health and welfare of current and future generations. The other is a cause or contribute finding, that finds emissions from new motor vehicles and new motor vehicle engines contribute to the GHG pollution which threatens public health and welfare. These actions will not themselves impose any requirements on industry or other entities. However, it is a prerequisite to finalizing the EPA's proposed GHG emission standards for light-duty vehicles, which were jointly proposed by the EPA and Department of Transportation on September 15, 2009.

Clean Air Act

On April 2, 2007, the United States Supreme Court ruled that the US EPA has the authority to regulate CO2 emissions under Section 202 of the federal Clean Air Act (CAA) to regulate GHGs. The court did not hold that the EPA was required to regulate GHG emissions; however, it indicated that the agency must decide whether GHGs cause or contribute to air pollution that is reasonably anticipated to endanger public health or welfare. On December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under Section 202(a) of the CAA. The EPA adopted a Final Endangerment Finding for the six defined GHGs (CO2, CH4, N2O, HFCs, PFCs, and SF6) on December 7, 2009. The Endangerment Finding is required before EPA can regulate GHG emissions under Section 202(a)(1) of the CAA consistently with the United States Supreme Court decision. The EPA also adopted a Cause or Contribute Finding in which the EPA Administrator found that GHG emissions from new motor vehicle and motor vehicle engines are contributing to air pollution, which is endangering public health and welfare. These findings do not, by themselves, impose any requirements on industry or other entities. However, these actions were a prerequisite for implementing GHG emissions standards for vehicles.

Energy Independence Security Act

The Energy Independence and Security Act of 2007 (EISA) facilitates the reduction of national GHG emissions by requiring the following:

- Increasing the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard (RFS) that requires fuel producers to use at least 36 billion gallons of biofuel in 2022;
- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances;
- Requiring approximately 25 percent greater efficiency for light bulbs by phasing out incandescent light bulbs between 2012 and 2014; requiring approximately 200 percent greater efficiency for light bulbs, or similar energy savings, by 2020; and
- While superseded by the EPA and NHTSA actions described above, (i) establishing miles per gallon targets for cars and light trucks and (ii) directing the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for trucks.

Additional provisions of EISA address energy savings in government and public institutions, promote research for alternative energy, additional research in carbon capture, international energy programs, and the creation of green job.

STATE

Assembly Bill 1493

California Assembly Bill 1493 enacted on July 22, 2002, required the CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. In 2005, the CARB submitted a "waiver" request to the EPA from a portion of the federal Clean Air Act in order to allow the State to set more stringent tailpipe emission standards for CO2 and other GHG emissions from passenger vehicles and light duty trucks. On December 19, 2007 the EPA announced that it denied the "waiver" request. On January 21, 2009, CARB submitted a letter to the EPA administrator regarding the State's request to reconsider the waiver denial. The EPA approved the waiver on June 30, 2009. After adopting these initial greenhouse gas standards for passenger vehicles, CARB adopted continuing standards for future model years.

Assembly Bill 32 (California Health and Safety Code, Division 25.5 – California Global Warming Solutions Act of 2006)

In 2006, the California State Legislature adopted Assembly Bill (AB) 32 (codified in the California Health and Safety Code [HSC], Division 25.5 – California Global Warming Solutions Act of 2006), which focuses on reducing GHG emissions in California to 1990 levels by 2020. HSC Division 25.5 defines GHGs as CO2, CH4, N2O, HFCs, PFCs, and SF6 and represents the first enforceable statewide program to limit emissions of these GHGs from all major industries with penalties for noncompliance. The law further requires that reduction measures be technologically feasible and cost effective. Under HSC Division 25.5, CARB has the primary responsibility for reducing GHG emissions. CARB is required to adopt rules and regulations directing state actions that would achieve GHG emissions reductions equivalent to 1990 statewide levels by 2020.

Assembly Bill 1279

Establishes a clear, legally binding, and achievable goal for California to achieve statewide carbon neutrality as soon as possible, and no later than 2045, and establishes an 85% emissions reduction target as part of that goal.

Senate Bill 32 and Assembly Bill 197

In 2016, the California State Legislature adopted Senate Bill (SB) 32 and its companion bill AB 197, and both were signed by Governor Brown. SB 32 and AB 197 amends HSC Division 25.5 and establishes a new climate pollution reduction target of 40 percent below 1990 levels by 2030 and includes provisions to ensure the benefits of state climate policies reach into disadvantaged communities.

Assembly Bill 939 and Senate Bill 1374

Assembly Bill 939 (AB 939) requires that each jurisdiction in California to divert at least 50 percent of its waste away from landfills, whether through waste reduction, recycling or other means. Senate Bill 1374 (SB 1374) requires the California Integrated Waste Management Board to adopt a model ordinance by March 1, 2004, suitable for adoption by any local agency to require 50 to 75 percent diversion of construction and demolition of waste materials from landfills.

Assembly Bill 1757 List these by AB, then SB, then the combined ones…by latest first

Requires the state to develop an achievable carbon removal target for natural and working lands.

Senate Bill32, Pavley. California Global Warming Solutions Act of 2006

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board s required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. This bill would require the state board to ensure that statewide greenhouse gas emissions are reduced to 40% below the 1990 level by 2030.

This bill would become operative only if AB 197 of the 2015–16 Regular Session is enacted and becomes effective on or before January 1, 2017. AB 197 requires that the CARB, which directs implementation of emission-reduction programs, should target direct reductions at both stationary and mobile sources. AB 197 of the 2015-2016 Regular Session was approved on September 8, 2016.

Senate Bill 1368

Senate Bill 1368 (SB 1368) is the companion Bill of AB 32 and was adopted September, 2006. SB 1368 requires the California Public Utilities Commission (CPUC) to establish a performance standard for baseload generation of GHG emissions by investor-owned utilities by February 1, 2007, and for local publicly owned utilities by June 30, 2007. These standards could not exceed the GHG emissions rate from a baseload combined-cycle, natural gas-fired plant. Furthermore, the legislation states that all electricity provided to the State, including imported electricity, must be generated by plants that meet the standards set by California Public Utilities Commission (CPUC) and California Energy Commission (CEC).

Senate Bill 97

Senate Bill 97 (SB 97) was adopted August 2007 and acknowledges that climate change is a prominent environmental issue that requires analysis under CEQA. SB 97 directed the Governor's Office of Planning and Research (OPR), which is part of the State Natural Resources Agency, to prepare, develop, and transmit to the CARB guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA, by July 1, 2009. The Natural Resources Agency was required to certify and adopt those guidelines by January 1, 2010.

Pursuant to the requirements of SB 97 as stated above, on December 30, 2009, the Natural Resources Agency adopted amendments to the state CEQA guidelines that address GHG emissions. The CEQA Guidelines Amendments changed 14 sections of the CEQA Guidelines and incorporate GHG language throughout the Guidelines. However, no GHG emissions thresholds of significance were provided and no specific mitigation measures were identified. The GHG emission reduction amendments went into effect on March 18, 2010, and are summarized below:

Climate action plans and other greenhouse gas reduction plans can be used to determine whether a project has significant impacts, based upon its compliance with the plan.

Local governments are encouraged to quantify the greenhouse gas emissions of proposed projects, noting that they have the freedom to select the models and methodologies that best meet their needs and circumstances. The section also recommends consideration of several qualitative factors that may be used in the determination of significance, such as the extent to which the given project complies with state, regional, or local GHG reduction plans and policies. OPR does not set or dictate specific thresholds of significance. Consistent with existing CEQA Guidelines, OPR encourages local governments to develop and publish their own thresholds of significance for GHG impacts assessment.

When creating their own thresholds of significance, local governments may consider the thresholds of significance adopted or recommended by other public agencies, or recommended by experts.

New amendments include guidelines for determining methods to mitigate the effects of greenhouse gas emissions in Appendix F of the CEQA Guidelines.

OPR is clear to state that "to qualify as mitigation, specific measures from an existing plan must be identified and incorporated into the project; general compliance with a plan, by itself, is not mitigation".

OPR's emphasizes the advantages of analyzing GHG impacts on an institutional, programmatic level. OPR therefore approves tiering of environmental analyses and highlights some benefits of such an approach.

Environmental impact reports (EIRs) must specifically consider a project's energy use and energy efficiency potential.

Senate Bill 100

Senate Bill 100 (SB 100) requires 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. SB 100 was adopted September 2018.

The interim thresholds from prior Senate Bills and Executive Orders would also remain in effect. These include Senate Bill 1078 (SB 1078), which requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable

sources by 2017. Senate Bill 107 (SB 107) which changed the target date to 2010. Executive Order S-14-08, which was signed on November 2008 and expanded the State's Renewable Energy Standard to 33 percent renewable energy by 2020. Executive Order S-21-09 directed the CARB to adopt regulations by July 31, 2010 to enforce S-14-08. Senate Bill X1-2 codifies the 33 percent renewable energy requirement by 2020.

Senate Bill 375

Senate Bill 375 (SB 375) was adopted September 2008 and aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPO) to adopt a sustainable communities strategy (SCS) or alternate planning strategy (APS) that will prescribe land use allocation in that MPOs Regional Transportation Plan (RTP). The CARB, in consultation with each MPO, will provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets will be updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction strategies to achieve the targets. The CARB is also charged with reviewing each MPO's sustainable communities strategy or alternate planning strategy for consistency with its assigned targets.

The proposed Project would be located within the Southern California Association of Governments (SCAG) jurisdiction, which has authority to develop the SCS or APS. For the SCAG region, the targets set by the CARB are at eight percent below 2005 per capita GHG emissions levels by 2020 and 19 percent below 2005 per capita GHG emissions levels by 2035. These reduction targets became effective October 2018.

Senate Bill X7-7

Senate Bill X7-7 (SB X7-7), enacted on November 9, 2009, mandates water conservation targets and efficiency improvements for urban and agricultural water suppliers. SB X7-7 requires the Department of Water Resources (DWR) to develop a task force and technical panel to develop alternative best management practices for the water sector. In addition, SB X7-7 required the DWR to develop criteria for baseline uses for residential, commercial, and industrial uses for both indoor and landscaped area uses. The DWR was also required to develop targets and regulations that achieve a statewide 20 percent reduction in water usage.

Senate Bill 350

Signed into law October 7, 2015, SB 350 increases California's renewable electricity procurement goal from 33 percent by 2020 to 50 percent by 2030. This will increase the use of Renewables Portfolio Standard (RPS) eligible resources, including solar, wind, biomass, geothermal, and others. In addition, SB 350 requires the state to double statewide energy efficiency savings in electricity and natural gas end uses by 2030. To help ensure these goals are met and the greenhouse gas emission reductions are realized, large utilities will be required to develop and submit Integrated Resource Plans (IRPs). These IRPs will detail how each entity will meet their customers resource needs, reduce greenhouse gas emissions and ramp up the deployment of clean energy resources.

Senate Bill 1137

Establishes a setback distance of 3,200 feet between any new oil well and homes, schools, parks or businesses open to the public. Ensures comprehensive pollution controls for existing oil wells within 3,200 feet of these facilities.

Senate Bill 1020

Creates clean electricity targets of 90 percent by 2035 and 95 percent by 2040 with the intent of advancing the state's trajectory to the existing 100 percent clean electricity retail sales by 2045 goal.

Senate Bill 905

Establishes a clear regulatory framework for carbon removal and carbon capture, utilization and sequestration. Bans the practice of injecting carbon dioxide for the purpose of enhanced oil recovery.

Executive Order S-3-05

The California Governor issued Executive Order S-3-05, GHG Emission, in June 2005, which established the following reduction targets:

- By 2010, California shall reduce GHG emissions to 2000 levels;
- By 2020, California shall reduce GHG emissions to 1990 levels; and
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

The Executive Order directed the secretary of the California Environmental Protection Agency (CalEPA) to coordinate a multi-agency effort to reduce GHG emissions to the target levels. To comply with the Executive Order, the secretary of CalEPA created the California Climate Action Team (CAT), made up of members from various state agencies and commissions. The team released its first report in March 2006. The report proposed to achieve the targets by building on the voluntary actions of businesses, local governments, and communities and through State incentive and regulatory programs.

Executive Order S-1-07

Executive Order S-1-07 was issued in 2007 and proclaims that the transportation sector is the main source of GHG emissions in the State, since it generates more than 40 percent of the State's GHG emissions. It establishes a goal to reduce the carbon intensity of transportation fuels sold in the State by at least ten percent by 2020. This Order also directs the CARB to determine whether this Low Carbon Fuel Standard (LCFS) could be adopted as a discrete early-action measure as part of the effort to meet the mandates in AB 32.

On April 23, 2009 CARB approved the proposed regulation to implement the low carbon fuel standard and began implementation on January 1, 2011. The low carbon fuel standard is anticipated to reduce GHG emissions by about 16 MMT per year by 2020. CARB approved some amendments to the LCFS in December 2011, which were implemented on January 1, 2013. In September 2015, the Board approved the re-adoption of the LCFS, which became effective on January 1, 2016, to address procedural deficiencies in the way the original regulation was adopted. In 2018, the Board approved amendments to the regulation, which included strengthening and smoothing the carbon intensity benchmarks through 2030 in-line with California's 2030 GHG emission reduction target enacted through SB 32, adding new crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

The LCFS is designed to encourage the use of cleaner low-carbon transportation fuels in California, encourage the production of those fuels, and therefore, reduce GHG emissions and decrease petroleum dependence in the transportation sector. Separate standards are established for gasoline and diesel fuels and the alternative fuels that can replace each. The standards are "back-loaded", with more reductions required in the last five years, than during the first five years. This schedule allows for the development of

advanced fuels that are lower in carbon than today's fuels and the market penetration of plug-in hybrid electric vehicles, battery electric vehicles, fuel cell vehicles, and flexible fuel vehicles. It is anticipated that compliance with the low carbon fuel standard will be based on a combination of both lower carbon fuels and more efficient vehicles.

Reformulated gasoline mixed with corn-derived ethanol at ten percent by volume and low sulfur diesel fuel represent the baseline fuels. Lower carbon fuels may be ethanol, biodiesel, renewable diesel, or blends of these fuels with gasoline or diesel as appropriate. Compressed natural gas and liquefied natural gas also may be low carbon fuels. Hydrogen and electricity, when used in fuel cells or electric vehicles are also considered as low carbon fuels for the low carbon fuel standard.

Executive Order B-30-15

On April 29, 2015, Governor Brown issued Executive Order B-30-15. Therein, the Governor directed the following:

- Established a new interim statewide reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030.
- Ordered all state agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets.
- Directed CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

Executive Order B-29-15

Executive Order B-29-15, mandates a statewide 25 percent reduction in potable water usage. EO B-29-15 signed into law on April 1, 2015.

Executive Order B-37-16

Executive Order B-37-16, continuing the State's adopted water reductions, was signed into law on May 9, 2016. The water reductions build off the mandatory 25 percent reduction called for in EO B-29-15.

Executive Order N-79-20

Executive Order N-79-20 Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new zero emission vehicles (ZEVs) "towards the target of 100 percent." The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

California Air Resources Board (CARB)

CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, CARB conducts research, sets state ambient air quality standards (California Ambient Air

Quality Standards [CAAQS]), compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions.

In 2004, the CARB adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to DPM and other TACs (Title 13 California Code of Regulations [CCR], Section 2485). The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings greater than 10,000 pounds that are licensed to operate on highways, regardless of where they are registered. This measure generally does not allow diesel-fueled commercial vehicles to idle for more than 5 minutes at any given location with certain exemptions for equipment in which idling is a necessary function such as concrete trucks. While this measure primarily targets diesel particulate matter emissions, it has co-benefits of minimizing GHG emissions from unnecessary truck idling.

In 2008, CARB approved the Truck and Bus regulation to reduce particulate matter and nitrogen oxide emissions from existing diesel vehicles operating in California (13 CCR, Section 2025, subsection (h)). CARB has also promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower such as bulldozers, loaders, backhoes and forklifts, as well as many other self-propelled off-road diesel vehicles. The regulation, adopted by the CARB on July 26, 2007, aims to reduce emissions by installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. While these regulations primarily target reductions in criteria air pollutant emission, they have co-benefits of minimizing GHG emissions due to improved engine efficiencies.

The State currently has no regulations that establish ambient air quality standards for GHGs. However, the State has passed laws directing CARB to develop actions to reduce GHG emissions.

California Code of Regulations (CCR) Title 24, Part 6

CCR Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24) were first 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. Although it was not originally intended to reduce GHG emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

The Energy Commission adopted 2008 Standards on April 23, 2008, and Building Standards Commission approved them for publication on September 11, 2008. The 2016 residential standards were estimated to be approximately 28 percent more efficient than the 2013 standards, whereas the 2019 residential standards are estimated to be approximately 7 percent more efficient than the 2016 standards. Furthermore, once rooftop solar electricity generation is factored in, 2019 residential standards are estimated to be approximately 53 percent more efficient than the 2016 standards. Under the 2019 standards, nonresidential buildings are estimated to be approximately 30 percent more efficient than the 2016 standards. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas emissions.

Per Section 100 Scope, the 2019 Title 24, Part 6 Building Code now requires healthcare facilities, such as assisted living facilities, hospitals, and nursing homes, to meet documentation requirements of Title 24, Part 1 Chapter 7 – Safety Standards for Health Facilities. A healthcare facility is defined as any building or

portion thereof licensed pursuant to California Health and Safety Code Division 2, Chapter 1, Section 1204 or Chapter 2, Section 1250.

Section 120.1 Ventilation and Indoor Air Quality included both additions and revisions in the 2019 Code. This section now requires nonresidential and hotel/motel buildings to have air filtration systems that use forced air ducts to supply air to occupiable spaces to have air filters. Further, the air filter efficiency must be either MERV 13 or use a particle size efficiency rating specific in the Energy Code AND be equipped with air filters with a minimum 2-inch depth or minimum 1-inch depth if sized according to the equation 120.1-A. If natural ventilation is to be used the space must also use mechanical unless ventilation openings are either permanently open or controlled to stay open during occupied times. The 2019 version of the Code also completely revised the minimum ventilation requirements including DVC airflow rates within Section 120.1 Table 120.1–A. Table 120.1-A now includes air classification and recirculation limitations, these are based on either the number of occupants or the CFM/ft2 (cubic feet per minute per square foot), whichever is greater.

Section 120.1 Ventilation and Indoor Air Quality also included additions for high-rise residential buildings. Requirements include that mechanical systems must provide air filters that and that air filters must be MERV 13 or use a particle size efficiency rating specified in the Energy Code. Window operation is no longer a method allowed to meet ventilation requirements, continuous operation of central forced air system handlers used in central fan integrated ventilation system is not a permissible method of providing the dwelling unit ventilation airflow, and central ventilation systems that serve multiple dwelling units must be balanced to provide ventilation airflow to each dwelling unit. In addition, requirements for kitchen range hoods were also provided in the updated

Section 120.1. Per Section 120.1(a) healthcare facilities must be ventilated in accordance with Chapter 4 of the California Mechanical Code and are NOT required to meet the ventilations requirements of Title 24, Part 6.

Section 140.4 Space Conditioning Systems included both additions and revisions within the 2019 Code. The changes provided new requirements for cooling tower efficiency, new chilled water-cooling system requirements, as well as new formulas for calculating allowed fan power. Section 140.4(n) also provide a new exception for mechanical system shut-offs for high-rise multifamily dwelling units, while Section 140.4(o) added new requirements for conditioned supply air being delivered to space with mechanical exhaust.

Section 120.6 Covered Processes added information in regards to adiabatic chiller requirements that included that all condenser fans for air-cooled converseness, evaporative-cooled condensers, adiabatic condensers, gas coolers, air or water fluid coolers or cooling towers must be continuously variable speed, with the speed of all fans serving a common condenser high side controlled in unison .Further, the mid-condensing setpoint must be 70 degrees Fahrenheit for all of the above mentioned systems.

New regulations were also adopted under Section 130.1 Indoor Lighting Controls. These included new exceptions being added for restrooms, the exception for classrooms being removed, as well as exceptions in regard to sunlight provided through skylights and overhangs.

Section 130.2 Outdoor Lighting Controls and Equipment added automatic scheduling controls which included that outdoor lighting power must be reduced by 50 to 90 percent, turn the lighting off during unoccupied times and have at least two scheduling options for each luminaire independent from each

other and with a 2- hour override function. Furthermore, motion sensing controls must have the ability to reduce power within 15 minutes of area being vacant and be able to come back on again when occupied. An exception allows for lighting subject to a health or life safety statute, ordinance, or regulation may have a minimum time-out period longer than 15 minutes or a minimum dimming level above 50% when necessary to comply with the applicable law.

The 2022 Building Energy Efficiency Standards became effective on January 1, 2023. 22 The core focus of the building standards has been efficiency, but the 2019 Energy Code ventured into onsite generation by requiring solar PV on new homes, providing significant GHG savings. The 2022 update builds off this progress with expanded solar standards and the move to onsite energy storage that will help Californians save on utility bills while bolstering the grid. The 2022 Energy Code update focuses on four key areas in new construction of homes and businesses:

- Encouraging electric heat pump technology and use, which consumes less energy and produces fewer emissions than traditional HVACs and water heaters.
- Establishing electric-ready requirements when natural gas is installed, which positions owners to use cleaner electric heating, cooking and electric vehicle (EV) charging options whenever they choose to adopt those technologies.
- Expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available onsite and complement the state's progress toward a 100 percent clean electricity grid.
- Strengthening ventilation standards to improve indoor air quality.

The 2022 Energy Code affects homes by establishing energy budgets based on efficient heat pumps for space or water heating to encourage builders to install heat pumps over gas-fueled HVAC units; requiring homes to be electric-ready, with dedicated 240-volt outlets and space (with plumbing for water heaters) so electric appliances can eventually replace installed gas appliances; increasing minimum kitchen ventilation requirements so that fans over cooktops have higher airflow or capture efficiency to better exhaust pollution from gas cooking and improve indoor air quality; and allowing exceptions to existing solar PV standards when roof area is not available (such as for smaller homes). In addition, the effect on businesses includes establishing combined solar PV and battery standards for select businesses with systems being sized to maximize onsite use of solar energy and avoid electricity demand during times when the grid must use gas-powered plants; establishing new efficiency standards for commercial greenhouses (primarily cannabis growing); and improving efficiency standards for building envelope, various internal systems, and grid integration equipment, such as demand-responsive controls to buoy grid stability.

California Code of Regulations (CCR) Title 24, Part 11 (California Green Building Standards)

On January 12, 2010, the State Building Standards Commission unanimously adopted updates to the California Green Building Standards Code, which went into effect on January 1, 2011.

2016 CALGreen Code: The 2016 residential standards were estimated to be approximately 28 percent more efficient than the 2013 standards. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas emissions. During the 2016- 2017 fiscal year, the Department of Housing and Community Development (HCD) updated CALGreen through the 2015 Triennial Code Adoption Cycle.

HCD also increased the required construction waste reduction from 50 percent to 65 percent of the total building site waste. This increase aids in meeting CalRecycle's statewide solid waste recycling goal of 75

percent for 2020 as stated in Chapter 476, Statutes of 2011 (AB 341). HCD adopted new regulations requiring recycling areas for multifamily projects of five or more dwelling units. This regulation requires developers to provide readily accessible areas adequate in size to accommodate containers for depositing, storage and collection of non-hazardous materials (including organic waste) for recycling. This requirement assists businesses that were required as of April 1, 2016, to meet the requirements of Chapter 727, Statutes of 2014 (AB 1826).

HCD adopted new regulations to require information on photovoltaic systems and electric vehicle chargers to be included in operation and maintenance manuals. Currently, CALGreen section 4.410.1 Item 2(a) requires operation and maintenance instructions for equipment and appliances. Photovoltaic systems and electric vehicle chargers are systems that play an important role in many households in California, and their importance is increasing every day. HCD incorporated these two terms in the existing language in order to provide clarity to code users as to additional systems requiring operation and maintenance instructions.

HCD updated the reference to Clean Air Standards of the United States Environmental Protection Agency applicable to woodstoves and pellet stoves. HCD also adopted a new requirement for woodstoves and pellet stoves to have a permanent label indicating they are certified to meet the emission limits. This requirement provides clarity to the code user and is consistent with the United States Environmental Protection Agency's New Source Performance Standards. HCD updated the list of standards which can be used for verification of compliance for exterior grade composite wood products. This list now includes four standards from the Canadian Standards Association (CSA): CSA O121, CSA O151, CSA O153 and CSA O325. HCD updated heating and air-conditioning system design references to the ANSI/ACCA 2 Manual J, ANSI/ACCA 1 Manual D, and ANSI/ACCA 3 Manual S to the most recent versions approved by ANSI. HCD adopted a new elective measure for hot water recirculation systems for water conservation. The United States Department of Energy estimates that 3,600 to 12,000 gallons of water per year can be saved by the typical household (with four points of hot water use) if a hot water recirculation system is installed.

2019 CALGreen Code: During the 2019-2020 fiscal year, the Department of Housing and Community Development (HCD) updated CALGreen through the 2019 Triennial Code Adoption Cycle. The 2019 version of the California Green Building Standards became effective January 1, 2020.

HCD modified the best management practices for stormwater pollution prevention adding Section 5.106.2 for projects that disturb one or more acres of land. This section requires projects that disturb one acre or more of land or less than one acre of land but are part of a larger common plan of development or sale must comply with the postconstruction requirement detailed in the applicable National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities issued by the State Water Resources Control Board. The NPDES permits require postconstruction runoff (post-project hydrology) to match the preconstruction runoff pre-project hydrology) with installation of postconstruction stormwater management measures.

HCD added sections 5.106.4.1.3 and 5.106.4.1.5 in regard to bicycle parking. Section 5.106.4.1.3 requires new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility. In addition, Section 5.106.4.1.5 states that acceptable bicycle parking facility for Sections 5.106.4.1.2 through 5.106.4.1.4 shall be convenient from the street and shall meeting one of the following:

(1) covered, lockable enclosures with permanently anchored racks for bicycles; (2) lockable bicycle rooms with permanently anchored racks; or (3) lockable, permanently anchored bicycle lockers.

HCD amended section 5.106.5.3.5 allowing future charging spaces to qualify as designated parking for clean air vehicles.

HCD updated section 5.303.3.3 in regard to showerhead flow rates. This update reduced the flow rate to 1.8 GPM.

HCD amended section 5.304.1 for outdoor potable water use in landscape areas and repealed sections 5.304.2 and 5.304.3. The update requires nonresidential developments to comply with a local water efficient landscape ordinance or the current California Department of Water Resource's' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent. Some updates were also made in regard to the outdoor potable water use in landscape areas for public schools and community colleges.

HCD updated Section 5.504.5.3 in regard to the use of MERV filters in mechanically ventilated buildings. This update changed the filter use from MERV 8 to MERV 13. MERV 13 filters are to be installed prior to occupancy, and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.

The 2022 California Green Building Standards Code became effective on January 1, 2023.

In the 2022 update, HCD amended Section 5.106.5.3 in regard to increasing the EV capable space percentages and adding a new requirement for installed Level 2 DCFC chargers.

HCD under Section 5.106.5.4 added new regulation for electric vehicle charging readiness requirements for new construction of warehouse, grocery stores, and retail stores with planned off-street loading spaces.

Governor Newsom's September 2022 Climate Legislation

On September 16, 2022, California enacted some of the nation's most aggressive climate measures in history as Governor Gavin Newsom signed a sweeping package of legislation to cut pollution, protect Californians from big polluters, and accelerate the state's transition to clean energy. The Governor partnered with legislative leaders to advance groundbreaking measures to achieve carbon neutrality no later than 2045 and 90 percent clean energy by 2035, establish new setback measures protecting communities from oil drilling, capture carbon pollution from the air, advance nature-based solutions, and more.

Over the next two decades, the California Climate Commitment will:

- Create 4 million new jobs;
- Cut air pollution by 60 percent;
- Reduce state oil consumption by 91 percent;
- Save California $23 billion by avoiding the damages of pollution;
- Reduce fossil fuel use in buildings and transportation by 92 percent;
- Cut refinery pollution by 94 percent 27;

The following describes a few of the many bills signed in through the Governor's climate package.

Energy Sector and CEQA Guidelines Appendix F

The CEC first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically (typically every three years) to allow for the consideration and inclusion of new energy efficiency technologies and methods. The 2016 update to the Energy Efficiency Standards for Residential and Nonresidential Buildings focused on several key areas to improve the energy efficiency of renovations and addition to existing buildings as well as newly constructed buildings and renovations and additions to existing buildings. The major efficiency improvements to the residential Standards involve improvements for attics, walls, water heating, and lighting, whereas the major efficiency improvements to the nonresidential Standards include alignment with the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1-2013 national standards. Furthermore, the 2016 update required that enforcement agencies determine compliance with CCR, Title 24, Part 6 before issuing building permits for any construction.

Part 11 of the Title 24 Building Energy Efficiency Standards is referred to as the California Green Building Standards (CALGreen) Code. The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality."29 As of January 1, 2011, the CALGreen Code is mandatory for all new buildings constructed in the state. The CALGreen Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. The CALGreen Code was most recently updated in 2022 to include new mandatory measures for residential and nonresidential uses; the new measures took effect on January 1, 2023.

REGIONAL

South Coast Air Quality Management District

SCAQMD Regulation XXVII, Climate Change

SCAQMD Regulation XXVII currently includes three rules:

A variety of agencies have developed greenhouse gas emission thresholds and/or have made recommendations for how to identify a threshold. However, the thresholds for projects in the jurisdiction of the SCAQMD remain in flux. The California Air Pollution Control Officers Association explored a variety of threshold approaches but did not recommend one approach (2008). The ARB recommended approaches for setting interim significance thresholds (California Air Resources Board 2008b), in which a draft industrial project threshold suggests that non-transportation related emissions under 7,000 MTCO2e per year would be less than significant; however, the ARB has not approved those thresholds and has not published anything since then. The SCAQMD is in the process of developing thresholds, as discussed below.

SCAQMD Threshold Development

For GHG emissions and global warming, there is not, at this time, one established, universally agreed-upon "threshold of significance" by which to measure an impact. While the CARB published some draft thresholds in 2008, they were never adopted, and the CARB recommended that local air districts and lead agencies adopt their own thresholds for GHG impacts.

The SCAQMD has been evaluating GHG significance thresholds since April 2008. On December 5, 2008, the SCAQMD Governing Board adopted an interim greenhouse gas significance threshold of 10,000 MTCO2e for stationary sources, rules, and plans where the SCAQMD is lead agency (SCAQMD permit threshold. However, the SCAQMD is not the lead agency for this project.

The SCAQMD is in the process of preparing recommended significance thresholds for GHGs for local lead agency consideration ("SCAQMD draft local agency threshold"); however, the SCAQMD Board has not approved the thresholds as of the date of the Notice of Preparation. The current draft thresholds consist of the following tiered approach:

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

The SCAQMD's draft threshold uses the Executive Order S-3-05 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap carbon dioxide concentrations at 450 ppm, thus stabilizing global climate. Specifically, the Tier 3 screening level for stationary sources is based on an emission capture rate of 90 percent for all new or modified projects. A 90 percent emission capture rate means that 90 percent of total emissions from all new or modified stationary source projects would be subject to a CEQA analysis, including a negative declaration, a mitigated negative declaration, or an environmental impact report, which includes analyzing feasible alternatives and imposing feasible mitigation measures. A GHG significance threshold based on a 90 percent emission capture rate may be more appropriate to address the long-term adverse impacts associated with global climate change because most projects will be required to implement GHG reduction measures. Further, a 90 percent emission capture rate sets the emission threshold low enough to capture

a substantial fraction of future stationary source projects that will be constructed to accommodate future statewide population and economic growth, while setting the emission threshold high enough to exclude small projects that will in aggregate contribute a relatively small fraction of the cumulative statewide GHG emissions. This assertion is based on the fact that staff estimates that these GHG emissions would account for slightly less than one percent of future 2050 statewide GHG emissions target (85 MMTCO2eq/year). In addition, these small projects may be subject to future applicable GHG control regulations that would further reduce their overall future contribution to the statewide GHG inventory. Finally, these small sources are already subject to BACT for criteria pollutants and are more likely to be single-permit facilities, so they are more likely to have few opportunities readily available to reduce GHG emissions from other parts of their facility.

SCAQMD Working Group

Since neither the CARB nor the OPR has developed GHG emissions threshold, the SCAQMD formed a Working Group to develop significance thresholds related to GHG emissions. At the September 28, 2010 Working Group meeting, the SCAQMD released its most current version of the draft GHG emissions thresholds, which recommends a tiered approach that provides a quantitative annual threshold of 10,000 MTCO2e for industrial uses.

In order to assist local agencies with direction on GHG emissions, the SCAQMD organized a working group and adopted Rules 2700, 2701, 2702, and 3002 which are described below.

SCAQMD Rules 2700 and 2701

The SCAQMD adopted Rules 2700 and 2701 on December 5, 2008, which establishes the administrative structure for a voluntary program designed to quantify GHG emission reductions. Rule 2700 establishes definitions for the various terms used in Regulation XXVII – Global Climate Change. Rule 2701 provides specific protocols for private parties to follow to generate certified GHG emission reductions for projects within the district. Approved protocols include forest projects, urban tree planting, and manure management. The SCAQMD is currently developing additional protocols for other reduction measures. For a GHG emission reduction project to qualify, it must be verified and certified by the SCAQMD Executive Officer, who has 60 days to approve or deny the Plan to reduce GHG emissions. Upon approval of the Plan, the Executive Officer issues required to issue a certified receipt of the GHG emission reductions within 90 days.

SCAQMD Rule 2702

The SCAQMD adopted Rule 2702 on February 6, 2009, which establishes a voluntary air quality investment program from which SCAQMD can collect funds from parties that desire certified GHG emission reductions, pool those funds, and use them to purchase or fund GHG emission reduction projects within two years, unless extended by the Governing Board. Priority will be given to projects that result in co-benefit emission reductions of GHG emissions and criteria or toxic air pollutants within environmental justice areas. Further, this voluntary program may compete with the cap-and-trade program identified for implementation in CARB's Scoping Plan, or a federal cap and trade program.

SCAQMD Rule 3002

The SCAQMD amended Rule 3002 on November 5, 2010 to include facilities that emit greater than 100,000 tons per year of CO2e are required to apply for a Title V permit by July 1, 2011. A Title V permit is for facilities that are considered major sources of emissions.

LOCAL

County of Riverside Climate Action Plan (CAP)

The County of Riverside Climate Action Plan (CAP) was designed under the premise that the County is uniquely capable of addressing emissions associated with sources under the County of Riverside jurisdiction, and that the County emission reduction efforts should coordinate with the State strategies of reducing emissions in order to accomplish these reductions in an efficient and cost-effective manner.

The CAP Update (November 2019) establishes GHG emission reduction programs and regulations that correlate with and support evolving State GHG emissions reduction goals and strategies. The CAP Update includes reduction targets for the year 2030 and year 2050. These reduction targets require the County to reduce emissions by at least 525,511 MT CO2e below the adjusted BAU (ABAU) scenario by 2030 and at least 2,982,948 MT CO2e below the ABAU scenario by 2050.

To evaluate consistency with the CAP Update, the County of Riverside has implemented CAP Update Screening Tables (Screening Tables) to aid in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated in development projects. To this end, the Screening Tables establish categories of GHG Implementation Measures. Under each Implementation Measure category, mitigation or project design features (collectively "features") are assigned point values that correspond to the minimum GHG emissions reduction that would result from each feature.

Relative to new commercial and industrial development, the GHG emissions reductions offered by each measure were assigned a point value calculated in the CAP methodology at 0.0322 MTCO2e per point, per 1,000 square feet of gross building area.

Projects that yield at least 100 points are considered to be consistent with the GHG emissions reduction quantities anticipated in the County of Riverside GHG Technical Report and support the GHG emissions reduction targets established under the CAP Update.

An industrial project garnering 100 points would achieve a reduction of approximately 3.22 MTCO2e per 1,000 square feet of building area, as determined by multiplying the reduction of 0.0322 MTCO2e per point by the target point total of 100. The County CAP methodology does not consider project size as a factor to attain consistency since the target reduction is based on units of building area, in respect to commercial or industrial development.

The potential for such projects to generate direct or indirect GHG emissions that would result in a significant impact on the environment; or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would be considered to result in less than significant impacts. The City of Palm Springs has agreed on the project's use of the County of Riverside CAP standard for determining GHG impacts.

City of Palm Springs Climate Action Plan

On October 15, 2019, the Palm Springs Sustainability Commission agreed to develop a roadmap to acknowledge the seriousness of our current climate crisis, describe what the City has already done and plans to do to address climate change, and identify potential additional actions. The goal is to reduce

greenhouse gas emissions to 1990 levels by 2020, 80% below 1990 by 2050, and achieve carbon neutrality for municipal emissions by 2030. This is consistent with the target identified by the state in AB 32. The City's currently approved CAP developed in 2013 does not provide criteria applicable for the proposed private development. Therefore, the City determined that the appropriate threshold for GHG reduction was the use of the methodology of County of Riverside Climate Action Plan Update.

City of Palm Springs General Plan

The Air Quality Element of the Palm Springs General Plan includes various goals and policies designed to address air quality issues and protect the quality of life from the criteria air pollutants, including ozone and PM10. The Air Quality Element recognizes that CARB is the entity most apt to adopt regulations that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from motor vehicles. Of the four air quality goals (AQ1 through AQ4), Goal AQ4 is the most relevant to GHG and climate change. Goals AQ1 through AQ4 pertain to other air pollutants, such as particulate matter, and therefore are discussed in Section 2, Air Quality Analysis. The Community Design Element and Recreation, Open Space, and Conservation Element also have additional goals and policies that relate to greenhouse gas emissions. The goals and policies applicable to the greenhouse gas emissions of the proposed project are listed below.

Air Quality Element

GOAL AQ4: Reduce vehicular emissions.

- Policy AQ4.1 Encourage the use of mass transit, carpooling, and other transportation options, including alternative-fuel vehicles and bicycles, to reduce vehicular trips.
- Policy AQ4.5 Integrate land use and transportation planning to the greatest extent possible.unity Design Element

GOAL CD11: Utilize low lighting levels to emphasize the "village" character of the community and to minimize light pollution in the Coachella Valley.

- Policy CD11.7 Ensure that new projects and significant alterations to existing projects meet Title 24 outdoor lighting zone standards and energy conservation in lighting.

Goal CD29: Establish the City as a leader in energy efficient and environmentally sustainable development and planning practices.

- Policy CD29.4 Require landscaping practices that increase energy efficiency and conserve natural resources, such as drought-tolerant landscaping, seasonally and locationally appropriate tree plantings, and natural drainage systems. These practices could include things such as desert-friendly landscaping on medians and other public lands.

Recreation, Open Space and Conservation Element

Goal RC8: Employ the efficient, sustainable, and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.

- Policy RC8.2 Support and encourage the use of alternative energy sources, such as cogeneration, solar, wind, ethanol and natural gas, fuel cell technologies, and other alternative and sustainable fuel sources and generating industries to provide more reliability in the supply of electricity to the City and to promote the development of clean, sustainable,

- and alternative energy industries in the City. The use of alternative energy sources should also be encouraged in the construction of new buildings and retrofit of existing buildings.
- Policy RC8.3: Encourage and support the incorporation of energy efficiency and conservation practices in land use, transportation demand management, subdivision, and building design.
- Policy RC8.4 Encourage "green technologies," renewable energy, and related activities as a business development goal and to attract this type of business activity to Palm Springs.
- Policy RC8.5 Work with the Coachella Valley Association of Governments to develop a regional energy policy and foster the development of associated energy industries in the Coachella Valley.
- Policy RC8.11 Utilize solar technologies to replace conventional water heating, as well as space cooling and heating requirements, whenever possible.

4.7.3 IMPACT ANALYSIS

Thresholds of Significance

The following thresholds or criteria are derived from Appendix G of the CEQA Guidelines and are used to determine the level of potential effect. The significance determination is based on the recommended criteria set forth in Section 15064 of the CEQA Guidelines. For analysis purposes, development of the project would have a significant effect on greenhouse gas emissions if it is determined that the project will:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Methodology

To determine whether the project's GHG emissions are significant, this analysis uses the County of Riverside CAP Update as a threshold, which provides a menu of options for energy efficiency, renewable energy, water conservation measures, and additional measures that provide predictable GHG reductions. Each option within the screening tables includes point values based upon the GHG reduction that each measure can achieve relative to a development project. Projects that achieve at least 100 points from the screening tables are determined to have provided a fair-share contribution of GHG reductions and, therefore, are considered consistent with the County of Riverside CAP Update. Because the County of Riverside CAP Update addresses GHG emissions reductions and is consistent with the requirements of AB 32, SB 32, and international efforts to reduce GHG emissions, projects that comply with the CAP Update are assumed to have a less than significant GHG impact.

Therefore, to determine whether the project's GHG emissions are significant, this analysis uses the County of Riverside CAP Update. The proposed Project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste, water, and construction equipment. The following provides the methodology used to calculate the project-related GHG emissions and the proposed Project impacts.

CalEEMod Version 2022.1.1.22 was used to calculate the GHG emissions from the proposed Project (see Appendix A of this DEIR).

Area Sources: Area sources include emissions from consumer products, landscape equipment and architectural coatings. No changes were made to the default area source emissions.

Energy Usage: Energy usage includes emissions from the generation of electricity and natural gas used on-site. No changes were made to the default energy usage parameters.

Mobile Sources: Mobile sources include emissions from the additional vehicle miles generated from the proposed project. The vehicle trips associated with the proposed project have been analyzed by inputting the project-generated vehicular trips from the TIA into the CalEEMod Model. The program then applies the emission factors for each trip which is provided by the EMFAC2021 model to determine the vehicular traffic pollutant emissions.

Waste: Waste includes the GHG emissions generated from the processing of waste from the proposed project as well as the GHG emissions from the waste once it is interred into a landfill. No changes were made to the default waste parameters.

Construction: The construction-related GHG emissions were also included in the analysis and were based on a 30-year amortization rate as recommended in the SCAQMD GHG Working Group meeting on November 19, 2009. The construction-related GHG emissions were calculated by CalEEMod.

Impacts

Impacts 4.7.1 The proposed Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment

A summary of the GHG emissions for the proposed Project results is shown below in **Table 4.7-2** and the CalEEMod Model run for the proposed Project is provided in Appendix A. **Table 4.7-2** shows that the total for the proposed project's emissions (without credit for any reductions from sustainable design and/or regulatory requirements) would be 23,732.06 MTCO2e per year.

Table 4.7-2: Unmitigated proposed Project related GHG emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO2	CO2	CH4	N2O	CO2e
Maximum Annual Operations	300.00	22,079.00	22,379.00	31.00	1.51	23,626.00
Construction1	0.00	102.45	102.45	0.00	0.01	106.06
Total Emissions	300.00	22,181.45	22,481.45	31.00	1.52	23,732.06

Notes:
Source: CalEEMod Version 2022.1.1.22 for Opening Year 2026.
(1) Construction GHG emissions CO2e based on a 30-year amortization rate. Includes on-site and off-site construction emissions.

As shown in **Table 4.7-3** below, even with incorporation of mitigation required for the air quality analysis, project's emissions (without credit for any reductions from sustainable design and/or regulatory requirements) would be 23,623.06 $MTCO_2e$ per year.

Table 4.7-3 Mitigated proposed Project related GHG emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO2	CO2	CH4	N2O	CO2e
Maximum Annual Operations	286.00	22,079.00	22,379.00	31.00	1.51	23,517.00
Construction1	0.00	102.45	102.45	0.00	0.01	106.06
Total Emissions	286.00	22,181.45	22,481.45	31.00	1.52	23,623.06

Notes:
Source: CalEEMod Version 2022.1.1.22 for Opening Year 2026.
(1) Construction GHG emissions CO2e based on a 30-year amortization rate. Includes on-site and off-site construction emissions.

The City of Palm Springs determined that the County of Riverside CAP provided the threshold standard for determining GHG impacts since the City's 2013 CAP does not allow for project-specific analysis. The purpose of the County of Riverside CAP Update is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the County. To address the state's requirement to reduce GHG emissions, the County prepared its CAP Update with the goal of reducing GHG emissions within the County by 49 percent below "existing" 2008 levels by the year 2030. The County's target is consistent with the AB 32 target and ensures that the County will be providing GHG reductions locally that will complement state efforts to reduce GHG emissions. The County's target is also consistent with the SB 32 target that expands on AB 32 to reduce GHG emissions to 40 percent below the 1990 levels by 2030. Because the County's CAP Update addresses GHG emissions reductions and is consistent with the requirements of AB 32, SB 32, and international efforts to reduce GHG emissions, compliance with the CAP Update fulfills the description of mitigation found in the State CEQA Guidelines.

The CAP identifies a two-step approach in evaluating GHG emissions. First, a screening threshold of 3,000 MTCO2e per year is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO2e per year will be required to demonstrate and achieve a minimum 25 percent reduction of GHG emissions from a 2011-year level of efficiency compared to the mitigated project buildout year or demonstrate at least 100 points (equivalent to an approximate 15 percent reduction in GHG emissions) through the CAP Screening Tables. As shown on Table 4.7-3, the project will result in approximately 23,623.06 MTCO2e per year; the proposed project would exceed the County's screening threshold of 3,000 MTCO2e per year. Thus, the project would have the potential to result in a cumulatively considerable impact with respect to GHG emissions. Since the project exceeds the 3,000 MTCO2e year threshold, the project is required to demonstrate compliance with the County's CAP Screening Tables and achieve a minimum of 100 points as identified in the CAP. For reference, an industrial (or commercial) project garnering 100 points would achieve a reduction of approximately 3.22 MTCO2e per 1,000 square feet of building area, as determined by multiplying the reduction of 0.0322 MTCO2e per point by the 100-point total. The County CAP methodology does not consider project size as a factor to attain consistency since the target reduction is based on units of building area for commercial or industrial development.

The CAP Screening Tables (included in the Air Quality Report available in Appendix A) show that the project will garner 101 points from the CAP Screening Tables. Therefore, as the project accrues at least 100 points from the CAP Screening Tables, operation of the proposed project would comply with the County's CAP.

Furthermore, as provided in Mitigation Measure 2, the City shall verify incorporation of the identified Screening Table Measures within the project building plans and site designs prior to the issuance of building permit(s). The City shall verify implementation of the identified Screening Table Measures prior to the issuance of Certificate(s) of Occupancy.

The Screening Table Measures would achieve 101 Screening Table Points and would thereby ensure that the Project would achieve GHG emissions levels and GHG emissions reduction targets consistent with those identified in the County CAP Update.

Mitigation

GHG-1: The project is to provide a minimum of 101 points per the County Screening Tables. The City shall verify incorporation of the identified Screening Table Measures within the project building plans and site designs prior to the issuance of building permit(s). The City shall verify implementation of the identified Screening Table Measures prior to the issuance of Certificate(s) of Occupancy.

Impacts 4.7.2: ***The proposed Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases***

2022 Scoping Plan Consistency

The project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the project will comply with (through vehicle manufacturer compliance) include: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. As such, the project would be consistent with the 2022 Scoping Plan.

Consistency with the County of Riverside CAP

The purpose of the County of Riverside CAP Update is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the County. Because the County of Riverside CAP Update addresses GHG emissions reductions and is consistent with the requirements of AB 32, SB 32, and international efforts to reduce GHG emissions, compliance with the CAP Update fulfills the description of mitigation found in the State CEQA Guidelines. The CAP Screening Tables (included in Appendix A) show that the project will garner 101 points. Therefore, the project would be consistent with the CAP Update. By achieving 101 points, the project would be consistent with the GHG Development Review Process' requirement to achieve at least 100 points and thus the project is considered to have a less than significant individual and cumulatively considerable impact on GHG emissions.

Consistency with the Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS)

SCAG is responsible for developing long-range transportation plans and sustainable strategies for the region in accordance with federal and state law and planning requirements. The Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) would meet the applicable 2035 greenhouse gas (GHG) emissions reduction target for automobiles and light trucks of a 19 percent per capita reduction by 2035 relative to 2005 levels.

The project proposes to develop two speculative industrial buildings with a total of 1,906,824 square feet within the City of Palm Springs's Manufacturing Zone (M-2). The project would not involve new residential development introducing a direct population growth. However, the project has the potential to generate approximately 700 new jobs in the City. It could be assumed that the new jobs could be filled by existing residents of the City and Coachella Valley region, in general. It is not anticipated that the proposed Project would result in a substantial growth in population in the city and therefore the proposed Project would be consistent with the City and regional population growth projections. Therefore, there would not be a substantial growth in population and the project would be consistent with the City and regional population growth projections.

Therefore, the project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Impacts are considered to be less than significant.

Mitigation

No mitigation is required.

4.8 HAZARDS AND HAZARDOUS SUBSTANCES

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) evaluates potential impacts to hazards and hazardous materials from development facilitated by the proposed Project, discusses the existing environmental conditions for hazardous materials and substances, including water and soil contaminants at the Project site, and identifies the appropriate City of Palm Springs 2007 General Plan Update policies that reduce any identified impacts. The information related to environmental investigations of the site is based on the Phase I Environmental Site Assessment (ESA) prepared by Weis Environmental (see ***Appendix G: Phase I Environmental Site Assessment***). For impacts related to flood hazards and fire hazards, the reader is referred to *Section 4.9 Hydrology and Water Quality,* and to *Section 4.17 Wildfire*, respectively.

4.8.1 SETTING

Hazardous Materials

"Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

The term "hazardous material" is defined in the State of California's Health and Safety Code (HSC), Chapter 6.95, Section 25501(n)(1) as: Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. Such materials could be substances that are toxic, ignitable or flammable, reactive and/or corrosive, which have the capacity of causing harm or a health hazard during normal exposure or an accidental release.

The Code of Federal Regulations (CFR Title 40, Part 261) defines hazardous materials based on their level of ignitability, reactivity, corrosivity, and/or toxicity properties.

Hazardous Waste

Hazardous waste is hazardous material generated, intentionally or unintentionally, as a byproduct of some process or condition. Hazardous wastes are defined in California HSC Section §25141(b) as wastes that: "…because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause, or significantly contribute to an increase in mortality or an increase in [serious] illness [or] pose a substantial present or potential hazard to human health or the environment ….when improperly treated, stored, transported, disposed of, or otherwise managed."

The U.S. Environmental Protection Agency (USEPA) simply defines hazardous waste as a waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment. USEPA considers waste to be hazardous under the Resource Conservation and Recovery Act (RCRA), the primary Federal hazardous materials law) if it is specifically listed as known hazardous waste or if it is:

- Toxic – poisonous, harmful when ingested or absorbed;
- Ignitable – capable of being ignited by open flame, liquids with flash points (is the lowest temperature where enough fluid can evaporate to form a combustible concentration of gas) below 60 degrees Celsius.

- Corrosive – or capable of corroding other materials, aqueous wastes with pH of 2 or less or greater than or equal to 12.5; or,
- Reactive – may be unstable under normal conditions may react with water, may give off toxic gases or may be capable of detonation or explosion under normal conditions or when heated.

The USEPA classifies hazardous waste into four categories:

- Listed wastes – wastes from common manufacturing and industrial processes, waste from specific industries such as petroleum refining or pesticide manufacturing, and discarded commercial products;
- Characteristic wastes – non-listed wastes that exhibit ignitability, corrosively, reactivity, and toxicity;
- Universal wastes – batteries, mercury-containing equipment, and fluorescent lamps and bulbs; and
- Mixed wastes – radioactive and hazardous waste components.

All hazardous wastes are required to be discharged into a Class I landfill. No Class I landfill is currently operated within Riverside County. Hazardous wastes generated within Riverside County are transported to Kern County or Santa Barbara County, where active Class I landfills are located. Some waste is also transported out of the State.

Hazardous Material Sites

Hazardous materials sites, including abandoned or underutilized properties, carry the risk of soil and groundwater contamination due to the release, leaks, or improper disposal of hazardous substances. Disturbing such sites may pose a public health risk through the emission of hazardous vapors or exposure to contaminated materials. Such areas are typically monitored by the State Water Quality Control Board or by the California Department of Toxic Substances. According to the US Environmental Protection Agency (USEPA), as shown in ***Exhibit 4.8-1: Hazardous Sites in vicinity of proposed Project***, the city lists five (5) sites were identified to the northeast of the site, through the EnviroStor online database.

Transportation of Hazardous Materials

Transportation of hazardous materials within the City of Palm Springs is subject to local, state, and federal regulations. The transportation of explosive or inhalation hazardous materials on any public roadway not designated for such transportation is illegal, unless the use of the roadway is necessary for the delivery or loading of such materials (California Vehicle Code, Sections §31602(b) and §32104(a)).

Pipelines Carrying Hazardous Materials

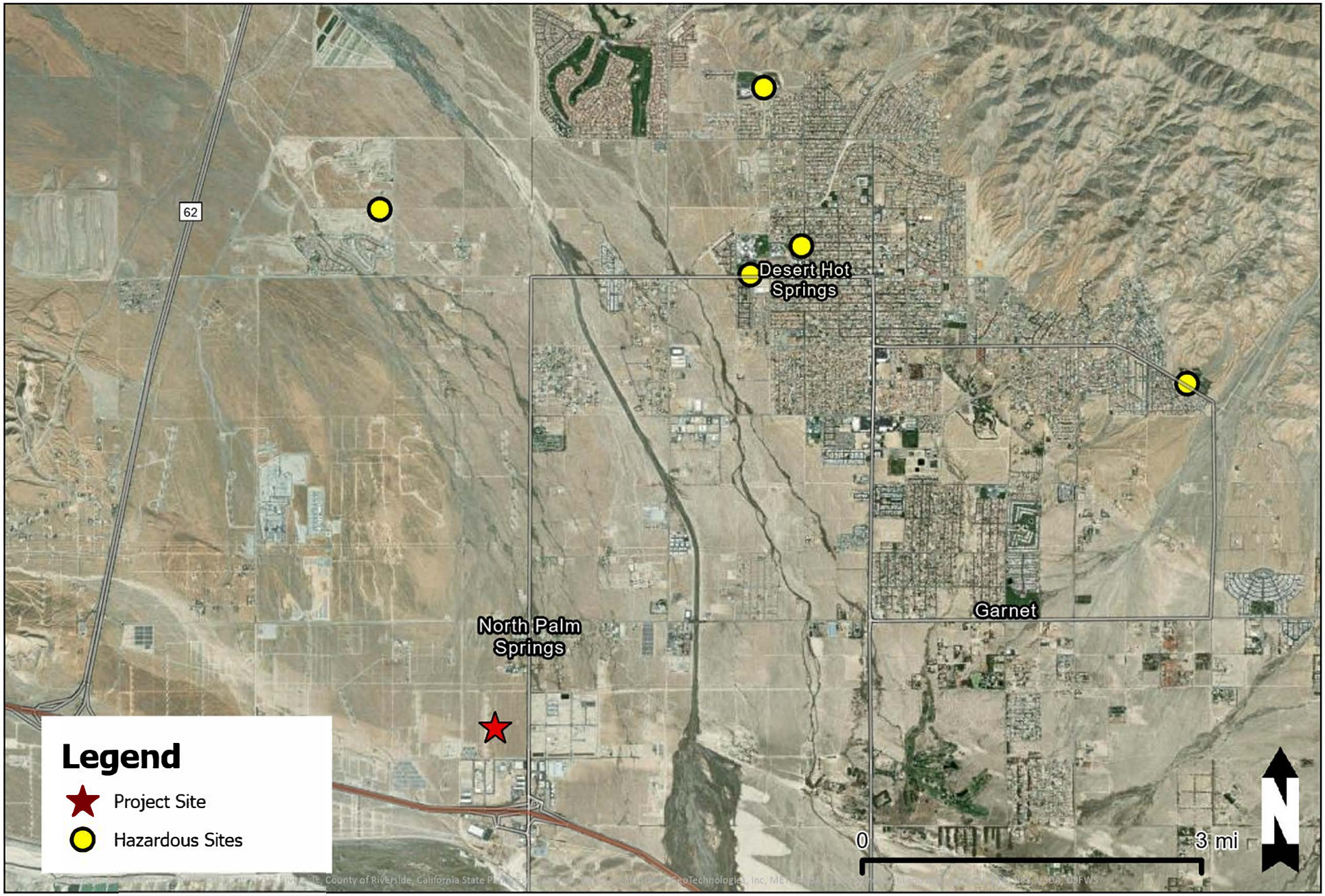
There is a transmission pipeline that extends across the City's Sphere of Influence (SOI), that is to the north of 18th Avenue, beyond the northern boundary of the site. Pipeline operators bear the responsibility of ongoing maintenance and monitoring of their pipelines, identifying and repairing corroded sections that no longer meet strength criteria. Excavations or drilling operations near pipelines, and elsewhere, must only proceed after obtaining clearance from relevant utility agencies or companies. In California, compliance with this requirement is ensured through advance clearance, locally managed by the Underground Service Alert of Southern California, also known as DigAlert.

The Banning Pass fault runs across the northern corner of the proposed project site and the City of Palm Springs SOI along with the pipeline. There is a potential hazard for a pipeline rupture due to the result of an earthquake. Pipeline failures during earthquakes are primarily attributed to permanent ground

deformations, such as fault rupture, liquefaction, landslides, and consolidation of loose granular soils. Tectonic uplift or subsidence can also affect pipelines. While seismic shaking tends to have a lesser impact on buried utilities compared to aboveground structures, pipelines within 15 miles of three significant seismic sources in southern California are not expected to be significantly affected by seismic shaking.

Wildfire Hazards

Wildland environments are typically located at the slopes and adjacent mountain ranges. These areas are more prone to wildfire hazards. Wildland areas are located along the western and southern boundaries of the city, where the San Jacinto Mountains and the Santa Rosa Mountains meet the urban boundaries of the city of Plam Springs.



The Altum Group

Hazardous Sites Locations

First Palm Springs Commerce Center

Exhibit

4.8-1

The proposed Project site is located in the northern portion of the city, primarily surrounded by undeveloped areas particularly along the site's western boundary. Vacant parcels, commercial and light industrial uses surround the site to the north, east and south. Mountain slopes of the San Jacinto and Santa Rosa Mountains are approximately between three and a half (3.5) to four and a half (4.5) miles to the south and west of the city. Ranges of the San Bernardino Mountains are approximately five and a half (5.5) miles to the east of the site. However, the proposed Project site is not located adjacent to the mountain slopes and therefore, not located near any wildland interface.

Please refer to *Section 4.17 Wildfire* of this DEIR for additional information and impacts discussions

4.8.2 REGULATORY FRAMEWORK

FEDERAL

Executive Order 12148, 1979 – Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) was created by Executive Order 12148 in 1979 and became part of the U.S. Department of Homeland Security when it was established in 2003. FEMA's continuing mission within the department is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

United States Environmental Protection Agency

The USEPA is the lead agency responsible for enforcing federal regulations that affect public health or the environment. The primary federal laws and regulations include the RCRA of 1976 and the Hazardous and Solid Waste Amendments enacted in 1984; CERCLA; and SARA. Federal statutes pertaining to hazardous materials and wastes are contained in the CFR Title 40 - Protection of the Environment.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 (15 U.S. Code Section 2601 et seq.) grants USEPA the authority to develop reporting, record-keeping, and testing requirements for, as well as restrictions on, the manufacture, use, and sale of chemical substances. Pursuant to Title II of the Toxic Substances Control Act, the USEPA adopted the Asbestos Model Accreditation Plan in 1994. The Model Accreditation Plan requires that all persons who inspect for asbestos-containing materials or design or conduct response actions with respect to friable asbestos obtain accreditation by completing a prescribed training course and passing an exam. Section 403 of the Toxic Substances Act establishes standards for lead-based paint hazards in paint, dust, and soil.

Resource Conservation and Recovery Act

Resource Conservation and Recovery Act (RCRA) Subtitle C regulates the generation, transportation, treatment, storage, and disposal of hazardous waste by LQGs (1,000 kilograms per month or more) through comprehensive life cycle or "cradle to grave" tracking requirements. The requirements include maintaining inspection logs of hazardous waste storage locations, records of quantities being generated and stored, and manifests of pick-ups and deliveries to licensed treatment/storage/disposal facilities. RCRA also identifies standards for treatment, storage, and disposal, which is codified in 40 CFR 260.

Comprehensive Environmental Response Compensation and Liability Act

Congress enacted CERCLA, setting up what has become known as the Superfund program, in 1980 to establish prohibitions and requirements concerning closed and abandoned hazardous waste sites; provide for liability of persons responsible for releases of hazardous waste at these sites; and establish a trust fund to provide for cleanup when no responsible party can be identified. Generally, CERCLA authorizes two kinds of response actions:

Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response.

Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life threatening.

Hazardous Materials Transportation Act

The transportation of hazardous materials is regulated by the Hazardous Materials Transportation Act (49 CFR Section 101 et seq.), which is administered by the Research and Special Programs Administration of the U.S. Department of Transportation (USDOT). The Hazardous Materials Transportation Act governs the safe transportation of hazardous materials by all modes. The DOT regulations that govern the transportation of hazardous materials are applicable to any person who transports, ships, causes to be transported or shipped, or who is involved in any way with the manufacture or testing of hazardous materials packaging or containers. The DOT regulations govern every aspect of the movement, including packaging, handling, labeling, marking, placarding, operational standards, and highway routing.

Emergency Planning Community Right-to-Know Act

The Emergency Planning Community Right-to-Know Act (EPCRA), of the Superfund Amendments and Reauthorization Act (SARA) Title III, was enacted in October 1986. SARA Title III requires any infrastructure at the State and local levels to plan for chemical emergencies, including identifying potential chemical threats. Reported information is then made publicly available so that interested parties may become informed about potentially dangerous chemicals in their community. EPCRA Sections 301–312 are administered by USEPA's Office of Emergency Management. USEPA's Office of Information Analysis and Access implements EPCRA's Section 313 program. In California, SARA Title III is implemented through the California Accidental Release Prevention Program (CalARP).

Federal Disaster Mitigation Act

The Disaster Mitigation Act of 2000 provided a new set of mitigation plan requirements that encourage state and local jurisdictions to coordinate disaster mitigation planning and implementation. States are encouraged to complete a "Standard" or an "Enhanced" Natural Mitigation Plan. "Enhanced" plans demonstrate increased coordination of mitigation activities at the state level and, if completed and approved, increase the amount of funding through the Hazard Mitigation Grant Program.

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act (EHRA) of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (NEHRP) which is coordinated through the Federal Emergency Management Agency (FEMA), the U.S. Geological Survey (USGS), the National Science Foundation (NSF), and the National Institute of Standards and Technology (NIST). The purpose of the NEHRP is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction

measures by federal, state, and local governments. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

Occupational Safety and Health Administration

The Federal Occupational Health and Safety Administration (OSHA) of 1970, establishes and enforces Federal regulations related to health and safety of workers who could be exposed to toxic and hazardous materials. OSHA also sets health and safety guidelines for construction activities and manufacturing facility operations.

Uniform Building Code

The Uniform Fire Code (UFC) contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire safety requirements for new and existing buildings and the surrounding premises.

STATE

Assembly Bill 2948

Enacted in 1986 and sometimes referred to as 'Tanner 1986', State Assembly Bill (AB) 2948 mandates that local governments have hazardous waste plans for dealing with hazardous wastes generated within the community, including identifying sources of hazardous wastes, transportation routes needed to remove the waste and areas for potential treatment and disposal. These plans are often integrated with or part of municipal and county General Plan documents.

Senate Bill 1082

In 1993, Senate Bill (SB) 1082 gave the California Environmental Protection Agency (CalEPA) the authority and responsibility to establish a unified hazardous waste and hazardous materials management and regulatory program, commonly referred to as the Unified Program. The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs between local, State, and federal agencies. The Unified Program Administration and Advisory Group (UPAAG's goals and objectives are listed in the UPAAG Strategic Plan:

- Hazardous Materials Release Response Plans and Inventories (Business Plans)
- California Accidental Release Prevention Program
- Underground Storage Tank Program
- Aboveground Petroleum Storage Act Program
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs.
- California Uniform Fire Code: Hazardous Material Management Plans and Hazardous Material Inventory Statements. The State agency partners involved in the Unified Program have the responsibility of setting program element standards, working with Cal EPA on ensuring program consistency, and providing technical assistance to the certified unified program agencies. The following State agencies are involved with the Unified Program:

- California Environmental Protection Agency (Cal EPA). The Secretary of the Cal EPA is directly responsible for coordinating the administration of the Unified Program. The Secretary certifies Unified Program Agencies (CUPAs). The Secretary has certified 83 CUPAs to date. These 84 CUPAs carry out the responsibilities previously handled by approximately 1,300 State and local agencies.
- Department of Toxic Substances Control (DTSC). The Department of Toxic Substances Control (DTSC) provides technical assistance and evaluation for the hazardous waste generator program including onsite treatment (tiered permitting).
- Governor's Office of Emergency Services (CA OES). The CA OES is responsible for providing technical assistance and evaluation of the Hazardous Material Release Response Plan (Business Plan) Program and the California Accidental Release Response Plan (Cal ARP) Programs.
- Office of the State Fire Marshal. The Office of the State Fire Marshal is responsible for ensuring the implementation of the Hazardous Material Management Plans and the Hazardous Material Inventory Statement Programs.
- State Water Resources Control Board (SWRCB). The State Water Resources Control Board provides technical assistance and evaluation for the underground storage tank program in addition to handling the oversight and enforcement for the aboveground storage tank program. Under Division 4.5 of Title 22 of the California Code of Regulations and the California Hazardous Waste Control Law (Health and Safety Code Division 20, Chapter 6.5), DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. Both RCRA and the Hazardous Waste Control Law impose "cradle to grave" regulatory systems for handling hazardous waste in a manner that protects human health and the environment. State law requires county and local agencies to implement the Unified Program.

Hazardous Waste Control Act

The 1972 Hazardous Waste Control Act (Health & Safety Code Section §25100 et seq.) is the seminal hazardous waste control law in California. It establishes standards for regulating the generation, handling, processing, storage, transportation, and disposal of hazardous waste. The hazardous waste control program is administered by the Department of Toxic Substances Control (DTSC) and local Certified Unified Program Agencies (CUPAs). Hazardous Materials Spill/Release Notification. The following statues require emergency notification of a hazardous chemical release: Health and Safety Code (§25270.7, §25270.8, and§ 25507); Vehicle Code (§23112.5); Public Utilities Code (§7673); Government Code (§51018, §8670.25.5 (a)); Water Code (§13271, §13272); and California Labor Code (§6409.1 (b)10).

Tanner Act

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

California Hazardous Materials Release Response Plans and Inventory Law

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires that any business that handles hazardous materials prepare a Business Plan. That Business Plan

must include details of the facility and business conducted at the project site, an inventory of hazardous materials that are handled or stored on site, an emergency response plan and a training program for safety and emergency response for new employees, with annual refresher courses.

Emergency Response to Hazardous Materials Incidents

The State of California has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local government and private agencies. Response to hazardous materials incidents is one part of this plan. The Plan is managed by the State Office of Emergency Services (OES), which coordinates the responses of other agencies including Cal EPA, California Highway Patrol (CHP), and the California Department of Fish and Wildlife.

California Hazardous Materials Release Response Plans and Inventory Law

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires that any business that handles hazardous materials prepare a Business Plan. That Business Plan must include details of the facility and business conducted at the project site, an inventory of hazardous materials that are handled or stored on site, an emergency response plan and a training program for safety and emergency response for new employees, with annual refresher courses.

California Accidental Release Prevention (Cal ARP) Program

The California Accidental Release Prevention (Cal ARP) Program addresses facilities that contain specified hazardous materials, known as "regulated substances," that, if involved in an accidental release, could result in adverse off-site consequences. The Cal ARP Program defines regulated substances as chemicals that pose a threat to public health and safety or the environment because they are highly toxic, flammable, or explosive. Chapter 6.95 of the State of California Health and Safety Code (HSC) therefore requires, that in order to protect the public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials (Article 1), as well as to implement regulations regarding hazardous material management (Article 2), emergency planning and Community Right-to-Know Act of 1986 (Article 3) and the California Toxic Release Inventory Program Act (Cal TRIPA) of 2007 (Article 4).

California Health and Safety Code

California Health and Safety Code section 25150, requires DTSC to adopt, and revise when appropriate, standards and regulations for the management of hazardous wastes to protect against hazards to the public health, domestic livestock, wildlife, or the environment. In adopting or revising standards and regulations pursuant to this chapter, the department shall, insofar as practicable, make the standards and regulations conform with corresponding regulations adopted by the USEPA pursuant to the federal act. This section does not prohibit the department from adopting standards and regulations that are more stringent or more extensive than federal regulations.

CalEPA, in cooperation with the DTSC and the SWRCB and the Office of Environmental Health Hazard Assessment (OEHHA), publishes a list of screening numbers for select contaminants. Screening numbers are defined as the concentration of a contaminant published by CalEPA as an advisory number. In determining screening numbers, CalEPA considers the toxicology of the contaminant, risk assessments prepared by federal or state agencies, epidemiological studies, risk assessments or other evaluations of the contaminant during remediation of a site, and screening numbers that have been published by other agencies.

In January 2018, the DTSC's Human and Ecological Risk Office issued Human Health Risk Assessment Note Number 3. The document lists Screening Levels and Remediation Goals (DTSC-SLRMs) for select compounds in soil, tap water, and air for use in the human health risk assessment process at hazardous waste sites and permitted facilities.

California Occupational Safety and Health Administration/ Cal OSHA Worker Safety Requirements

The Division of Occupational Safety and Health (DOSH), better known as Cal OSHA, protects workers from health and safety hazards on the job in almost every workplace in California through its research, standards, enforcement, and consultation programs. Cal OSHA enforces complaint and accident investigations, targeted and programmed inspections, citations, special orders and orders to take special action, orders prohibiting use, as well as permits, certifications, licenses, approvals, and classification.

OSHA Regulations ensure safe and healthful conditions for workers by setting and enforcing standards and by providing training, outreach, education, and assistance. To fulfill this purpose, OSHA develops and enforces mandatory job safety and health standards. These standards are codified in 29 CFR Part 1910, which address issues that range in scope from walking and working surfaces, to exit routes and emergency planning, to hazardous materials and personal protective equipment. They include exposure limits for a wide range of specific hazardous materials, as well as requirements that employers provide personal protective equipment to their employees wherever it is necessary (i.e., when required by the label instructions). OSHA standards also require that chemical manufacturers and importers obtain and develop Safety Data Sheets (SDSs). Employers must have an SDS in the workplace for each chemical they use at a site.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section §2690-2699.6) directs the Department of Conservation (DOC), California Geological Survey to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to reduce the threat to public safety and to minimize the loss of life and property by identifying and mitigating these seismic hazards. The SHMA was passed by the legislature following the 1989 Loma Prieta earthquake. The SHMA requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Local agencies have the authority to be more restrictive than **state law requirements, based on fire hazards risks in their jurisdictional areas.**

California Fire Code

The California Fire Code is Chapter 9 of the California Code of Regulations (CCR) Title 24. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The California Fire Code (CFC) regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The California Fire Code and the California Building Code (CBC) use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the California Fire Code employs a permit system based on hazard classification.

California Public Resources Code 21151.4

Pursuant to Public Resources Code (PRC) Section 21151.4, projects that can be reasonably anticipated to produce hazardous air emissions or handle extremely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school must consult with the potentially affected school district and provide written notification not less than 30 days prior to the proposed certification or adoption of an environmental document. Where a school district proposes property acquisition or the construction of a school, the environmental document must address existing environmental hazards, and written findings must be prepared regarding existing pollutant sources.

California Cortese List, Government Code 65962.5

Government Code Section 65962.5 requires CalEPA to develop and update the Hazardous Waste and Substance Sites (Cortese) List. The Cortese List is a planning document used by state and local agencies and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites.

California Code of Regulations, Title 8

The California Code of Regulations (CCR) Title 8 contains the General Industry Safety Orders of the state regulations. Article 4 addresses dusts, fumes, mists, vapors, and gasses. Article 4, Section 1529 deals with asbestos and asbestos containing materials (ACM) and Section 1532.1 addresses lead and lead based paints (LBP). Both Sections set out requirements for employer monitoring of employee exposure to these materials as well as regulations on worker personal protective equipment (PPE), disposal of wastes, medical examinations of exposed workers, and action levels and exposure limits for ACM and LBP dusts.

California State planning law (Government Code Section §65560) provides a structure for the preservation of open space by requiring every city and county in the state to prepare, adopt, and submit to the Secretary of the Resources Agency a “local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction.”

REGIOANL

Regional Water Quality Control Board

The Regional Water Quality Control Board *(*RWQCB) acts under Cal EPA and is responsible for the implementation of regulations pertaining to the management of soils and groundwater investigations and cleanup. RWQCB regulations are contained in Title 27 of the California Code of Regulations (CCR). Additional State regulations applicable to hazardous materials are contained in Title 22 of the CCR. Title 26 of the CCR is a compilation of those hazardous materials, waste, and toxic-related regulations contained in CCR Titles 3,8,13,17, 11, 23m 24m and 27, that are applicable to hazardous materials.

Riverside County Department of Environmental Health

The Riverside County Department of Environmental Health (DEH) provides programs and services related to protecting public health, safety, and the environment. Within the DEH are two (2) divisions – the District Environmental Service, and the Environmental Protection and Oversight (EPO) Division. The EPO is responsible for handling and regulating hazardous materials, land use, water systems, underground storage tanks, solid waste and business emergency plans, as well as managing a list of all hazardous waste

generators in the County. The Riverside County DEH's Hazardous Materials Management Division is designated as the County's CUPA.

LOCAL

City of Palm Springs 2007 General Plan

The updated Safety element of the City's 2007 General Plan contains the following Goals and Policies related to related to hazards and hazardous materials used in the city:

Safety Element

Goal SA5: Palm Springs residents, business owners, and visitors protected from urban fire and wildfire hazards.

- Policy SA5.3 Continue to refine procedures and processes to minimize the risk of fire hazards by requiring new and existing development to:
    - Utilize fire-resistant building materials;
    - Incorporate fire sprinklers as appropriate;
    - Incorporate defensible-space requirements;
    - Comply with Riverside County Fuel Modification Guidelines;
    - Comply with CAL FIRE Fire Safe Regulations and Fire Hazard Reduction Around Buildings and Structures Regulations;
    - Provide Fire Protection Plans;
    - Comply with the California Building Code and California Fire Code;
    - Allow for adequate access of emergency vehicles;
    - Develop fuel modification in naturalized canyons and hills to protect life and property from wildland fires, yet leave as much of the surrounding natural vegetation as possible; and
    - Use selective trimming and obtain permits when necessary in designated areas to preserve environmentally sensitive native plants.
- Policy SA5.5 Ensure that public and private water distribution and supply facilities have adequate capacity and reliability to supply both everyday and emergency firefighting needs.
- Policy SA5.6 Utilize reservoirs, tanks, and wells for emergency fire suppression water sources.
- Policy SA5.9 Continue public education efforts to inform residents, business owners, and visitors of fire hazards and measures to minimize the damage caused by fires to life and property.
- Policy SA5.10 Analyze the site plan layout for new projects to ensure they provide an adequate amount of defensible space around structures.
- Policy SA5.11 Develop an ongoing fire protection water system program that will provide adequate water supply for firefighting purposes within the city.
- Policy SA5.13 Require all new construction to use noncombustible roofing materials.
- Policy SA5.18 Require redevelopment after wildfires to meet current California Building Code, California Fire Code, and California Fire Safe Standards to reduce future vulnerabilities to fire hazards through site preparation, layout design, fire-resistant landscaping, and fire-retarding building design and materials.

Goal SA6: Minimized risk of exposure of life, property, and the environment in Palm Springs to hazardous and toxic materials and waste.

- Policy SA6.1 Promote the proper disposal, handling, transport, delivery, treatment, recovery, recycling, and storage of hazardous materials in accordance with applicable federal, state, and local regulations.

- Policy SA6.2 Require businesses to utilize practices and technologies that will reduce the generation of hazardous wastes at the source.
- Policy SA6.3 Confer with Riverside County Environmental Health Department and the California Department of Toxic Substances and Control to determine the need for, and the appropriateness of, developing a permitting process for the establishment of facilities which manufacture, store, use, or dispose of hazardous and toxic materials within the community or adjacent areas.
- Policy SA6.4 Follow the response procedures outlined within the Riverside County Fire Department's Hazardous Materials Area Plan in the event of a hazardous materials emergency.
- Policy SA6.8 Coordinate with the Riverside County Department of Environmental Health to regulate and limit the use of herbicides, pesticides, and other hazardous chemicals associated with the maintenance of landscaped areas in the city.
- Policy SA6.9 Work with the Riverside County Department of Environmental Health and Riverside County Fire Department, in coordinate with the Emergency Operations Plan, to implement effective emergency preparedness and emergency-response strategies to minimize the impacts to health and safety that can result from hazardous materials emergencies such as spills or contamination.
- Policy SA6.10 Prohibit the transport of hazardous waste materials through the city except along Highway 111, Interstate 10, and the Union Pacific Railroad.
- Policy SA6.12 Prohibit the location of facilities using, storing, or otherwise involved with substantial quantities of on-site hazardous materials in flood zones, unless all standards of elevation, anchoring, and flood-proofing have been satisfied and hazardous materials are stored in watertight containers that are not capable of floating.

Hazardous Materials Disclosure Program

Businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials, termed a reporting quantity, are required to submit a Hazardous Materials Business Plan to its local Certified Unified Program Agency (CUPA). The CUPA with responsibility for the City of Palm Springs is the Riverside County Community Health Agency.

City of Palm Springs Municipal Code

Section 2.20 of the City of Palm Springs Municipal Code establishes a Disaster Council to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this city with all other public agencies, corporations, organizations, and affected private persons.

City of Palm Springs Emergency Operations Plan

The City prepared the Emergency Operations Plan (EOP) in 2012 (revised in 2019) to address the planned response and recovery to emergencies or major disasters associated with natural disasters, technological incidents, and national security emergencies. It provides an overview of operational concepts, identifies components of the City's emergency management organization, and describes the overall responsibilities of the federal, state, and county entities and the City for protecting life and property and assuring the overall well-being of the population. The EOP is a flexible, multi-hazard document that focuses on extraordinary emergencies, rather than day-to-day emergencies.

City of Palm Springs Local Hazard Mitigation Plan

Similar to the EOP, the Palm Springs Local Hazard Mitigation Plan (LHMP) identifies the City's hazards, review and assess past disaster occurrences, estimate the probability of future occurrence and set goals and mitigate potential risks to reduce or eliminate long-term risk to people and property from natural, human-caused, and technological hazards.

4.8.2 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Hazards and Hazardous Materials impacts are considered to be significant if implementation of the proposed Project considered would result in any of the following:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 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?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 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?
- 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?
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Methodology

Evaluation of potential hazards and hazardous materials impacts of the proposed Project was based primarily on database research, field reconnaissance of the site and its surroundings, review of the EIRs for the Riverside County General Plan and City of Palm Springs 2007 General Plan.

Please refer to *Section 4.17 Wildfire* for discussion and analysis related to emergency plans related to wildfire.

Impacts

Impact 4.8.1: Implementation of the proposed Project has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be Less than Significant.

Hazardous materials are toxic, ignitable or flammable, reactive and/or corrosive, that have the capacity to cause harm or health hazard during normal exposure or an accidental release. The handling and management of hazardous or potentially hazardous substances are subject to federal, state, and local regulations. Specialized methods are mandated for the handling and disposal of hazardous wastes to mitigate risks to public health and the environment. Improper storage, application, transport, or disposal of hazardous materials and waste is generally a violation of federal or state law.

The construction and operation activities of the proposed industrial facility may involve the use, transport, and storage of hazardous materials like paints, paint thinners, commercial cleaners, oils, fuels, lubricants, and other chemicals typically used in building construction would be located on the site during construction. These substances could be considered hazardous if improperly stored or handled. Improper use, storage, or transportation of hazardous materials has the potential to result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. Although regular transportation of these materials is anticipated during the construction phase, involving the delivery and removal of materials at the site, such use of potentially hazardous materials during site construction would be short-term and limited to construction time periods.

The proposed Project would be required to comply with the City's General Plan goals and policies, particularly Goal SA6 and Policies SA6.1, SA6.2, SA6.3, SA6.4, SA6.8, SA6.9, SA6.10 and SA6.12 of the City's General Plan Safety Element in order to minimize risks to health and safety that may result from potential spills or contamination from the use and disposal of hazardous materials on the site. Compliance with these Goal and Policies would ensure that the proposed Project maintains correct procedure in the handling, storage and disposal of hazardous and toxic materials during site construction as well as operation, as well as limiting the use of herbicides or pesticides during site operations and maintenance od site landscaping.

Additionally, all transportation and disposal of hazardous materials will adhere to State and Federal regulations, ensuring compliance with laws such as the Federal Resource Conservation and Recovery Act (RCRA). The RCRA mandates the tracking of hazardous waste from its point of generation to its ultimate environmental destination, emphasizing the importance of proper management and disposal procedures, and requires that a detailed tracking list be kept of all hazardous materials being transported and is part of the Palm Springs Municipal Code §16.04.115 Hazardous Materials.

In addition, to ensure the proper management of potentially hazardous materials on the construction site, the identification of building material staging areas is required by Construction General Permit (CGP) (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ) administered by the RWQCB, which requires the development and implementation of a project-specific SWPPP for areas greater than one acre. The proposed Project's SWPPP must include comprehensive handling and management procedures for building materials, especially those that are hazardous and toxic. The designation of staging areas for activities such as fueling vehicles, mixing paints, plaster, mortar, and so on, is also required to be determined in the SWPPP. In order to further ensure the safety of the public, the California Health and Safety Code, administered by the California Environmental Protection Agency (CalEPA), establishes rules and regulations governing the use of hazardous materials and the management of hazardous waste. This regulatory framework, which operates at the state level, works in conjunction with federal laws like the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Operation of the proposed Project would also involve the use of materials common to commercial or industrial developments (e.g., solvents and commercial cleaners, petroleum products, and pesticides, fertilizers, and other landscape maintenance materials). Such substances have the potential to be hazardous during use and routine storage. However, all future uses at the site would be required to adhere to Section 92.17.1.00 of the City's Municipal Code, and Chapter 6.95, Article 2, of the California HSC, operators of stationary sources of hazardous materials (if they are deemed an accident risk). Site users would be required to prepare risk management plans (RMPs), detailing strategies to reduce the risk of

accidental hazardous material release and submit them to the California Emergency Management Agency. Additionally, industrial facilities that store hazardous materials (e.g., fuel, pesticides) exceeding the threshold quantity would prepare a Hazardous Materials Business Plan (HMBP), as required by Chapter 6.95 of the California HSC and enforced by the Riverside County Department of Environmental Health (DEH). Further, all future tenants at the site would be required to comply with OSHA regulations and standards, including worker personal protective equipment (PPE) requirements, and maintaining SDSs for each chemical they use to protect the health of workers. Additionally, hazardous materials, if onsite, would be handled in compliance with manufacturer's standards to ensure proper use and handling.

Therefore, adherence to federal, State, and regional regulatory standards, would ensure impacts related to the use of hazardous materials associated with the project, and the risk of accidental releases of hazardous materials would be less than significant.

Mitigation

No mitigation is required.

Impact 4.8.2 Implementation of the proposed Project would not 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. Impacts would be Less than Significant.

The construction and operation activities of the proposed industrial facility may involve the use, transport, and storage of hazardous materials like paints, paint thinners, commercial cleaners, oils, fuels, lubricants, and other chemicals. These substances could be considered hazardous if improperly stored or handled. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. Regular transportation of these materials is anticipated during the construction phase, involving the delivery and removal of materials at the site. Operation of the proposed Project would involve the use and storage of materials that are hazardous (e.g., solvents and commercial cleaners, petroleum products, pesticides, fertilizers, and other landscape maintenance materials). However, the proposed Project would be required to adhere to all applicable federal, State, and local regulations, particularly Policies 5.1, 5.3 and 5.5 of the City's General Plan Safety Element. This would therefore ensure that impacts related to the use of hazardous materials associated with the project, and the risk of accidental releases of hazardous materials, would be less than significant.

Mitigation

No mitigation is required.

Impact 4.8.3 Implementation of the proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There would be No Impact.

Children are especially vulnerable to the long-term consequences of exposure to hazardous materials. Environments where children spend significant amounts of time, such as schools, are deemed sensitive to potential hazardous air emissions and the accidental release of extremely hazardous materials, substances, or wastes. The recognition of these locations as sensitive areas underscores the importance of stringent measures to mitigate risks and ensure the safety of children who may be more susceptible to the adverse effects of exposure.

The proposed Project would involve the development and operation of a primarily industrial facility with related office uses. There are no existing or proposed school located within a quarter mile of the proposed Project site. Due to the site's distance from any educational facilities within the city, the proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes within a one-quarter mile radius of a school. Therefore, there would be no impacts to existing or proposed schools.

Mitigation

No mitigation is required.

Impact 4.8.4 The proposed Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section §65962.5. As a result, the proposed Project would not create a significant hazard to the public or the environment and there would be No Impact.

The proposed Project site is a currently vacant parcels that has historically been in use as a wind farm facility. Surrounding land uses include vacant parcels, small commercial uses, an animal shelter and residential community to the north, vacant parcels and a business park to the east, commercial and light industrial uses to the south, and primarily vacant land with some wind farm and solar facilities to the west of the site. A small electrical infrastructure site is located towards the southwest.

Pursuant to the Cortese List Government Code §65962.5 and its subsections, record searches under an ESA was conducted by Weis Environmental on March 23, 2023. Database searches revealed no hazardous materials releases, presence of hazardous substances and/or petroleum products at the site. Therefore, development of the site would not create a significant hazard to the public or the environment. There would be no impact under the proposed Project.

Mitigation

No mitigation is required.

Impact 4.8.5 The proposed Project is not located within an airport land use plan or, within two miles of a public airport or public use airport, and therefore would not result in a safety hazard or excessive noise for people residing or working in the Project area. There would be No Impacts to airport traffic or safety hazards and noise related to airports.

Although located in close proximity to two (2) area airports, the proposed Project site is not located within an airport land use plan or a private airstrip. The City of Palm Springs International Airport is located approximately five (5) miles to the southeast of the proposed Project, and the Bermuda Dunes Airport is located over approximately 18 miles southeast. Per the City of Palm Springs 2007 General Plan Draft EIR, the proposed Project site does not fall within an Airport Land Use Commission area (ALUC). Therefore, there would be no impacts to airport traffic or safety hazards and noise related to airports.

Mitigation

No mitigation is required.

Impact 4.8.6: Development under the proposed Project would not impair implementation of, or would not physically interfere with, an adopted emergency response plan or emergency evacuation plan. Impacts would therefore be Less than Significant.

The City of Palm Springs has numerous policies in the Safety Element of its General Plan under Goal SA6 and Policies SA6.1, SA6.4, and SA6.9 which require new development to prepare and maintain adequate measures for disaster response and recovery after any type of public emergency. Policy SA6.10 would require that the proposed development limit transportation of hazardous materials to SR 111, I-10, and the UPRR line, to the south of the site. The Safety Element also discusses natural and manmade hazards that might occur in the City, and presents goals, policies, and actions that can help reduce the risk of these hazards.

The City has identified local and regional evacuation routes in the event of emergencies. Of these, Interstate 10 (I-10) and State Highway 111 are located approximately 3,300 miles and four (4) miles, respectively to the proposed Project site. The proposed Project would add gated access routes off N Indian Canyon Road and 18th Avenue as well as 19th Avenue. The site would develop two (2) internal roadways and construction of these internal roadways would occur during development of the proposed Project. The proposed development would also include underground connection of the site's water and sewer lines to the existing underground facilities, located along Indian Canyon Drive and 19th Avenue. Project access points would be reviewed by the Fire Department, to ensure adequate access for emergency vehicles. These internal site roadways would be required to conform to already established city street network and all access routes would be gated. The proposed Project would also be required to provide separate access routes to police and fire emergency vehicles. All final site plans and roadway design would require approval from the city and County police and fire departments. In addition, construction and operation of the proposed Project would be required to follow appropriate procedures under the City's Municipal Code as well as the City's LHMP and EOP.

The City has adopted an EOP and a LHMP to address response and recovery under emergency situations related to natural or manmade disasters. The EOP defines four (4) emergency management phases:

- preparedness
- response
- recovery and,
- mitigation

The LHMP identifies the City's hazards, reviews and assesses past disaster occurrences, estimates the probability of future occurrences and sets goals to mitigate potential risks to reduce or eliminate long-term risk to people and property.

Moreover, since the proposed Project would require trucks travelling to and from the site, both during site development and operations, since the California Highway Patrol is in charge of spills that occur along freeway, the site tenants and the City of Palm Springs, the City would be required to coordinate with the CHP as well as with Caltrans and County safety offices in the event of emergency response and evacuation.

Therefore, the proposed Project would not interfere with the critical facilities, emergency transportation and circulation, emergency preparedness coordination, or an emergency evacuation or response plan. Impacts are therefore anticipated to be less than significant.

Mitigation

No mitigation is required.

Impact 4.8.7: The proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires and therefore impacts would be Less than Significant Impact.

The proposed Project site is a currently vacant site located in a primarily undeveloped area of the city of Palm Springs. According to Cal Fire's Fire Hazard Severity Zone Maps, the proposed Project site is not located in, or near a Very High Fire Severity Zone (VHFHSZ), in a Local Responsibility Area (LRA), or a Fire Hazard Severity Zone (FHSZ) in a State Responsibility Area (SRA) (State Fire Marshall Fire Hazard Severity Zone; 2024).

According to the City's General Plan EIR, the proposed Project site and immediate surroundings are located in a Moderate fire hazard area. However, development surrounding the site is limited to vacant parcels and sparse industrial uses immediately to the east of N. Indian Canyon Drive, and immediately to the south of 19th Avenue. An animal shelter, a residential development. a few small commercial uses, and vacant lands are located to the north of 18th Avenue. While High, Very High and Extreme fire hazard areas are situated south of I-10 and in the western and southern portions of the city, these areas do not immediately surround the proposed Project site (City of Palm Springs; 2007). Moreover, development at the site would be required to adhere to appropriate goals and policies in the City's General Plan Safety Element. Particularly, Goal SA5 and Policies SA5.3, SA5.5, SA5.6, SA5.9, SA5.10, SA5.11, SA5.13 and SA5.18, which would require the proposed developed to incorporate greenbelts and fuels breaks, incorporate and utilize if needed, fire safety plans for the site, use fire safe building materials such as but not limited to noncombustible roofing materials, and institute fire sprinklers at the buildings, provide for adequate water sources, supply and distribution at the site, and educate site occupants of fire hazards and measures. Therefore, impacts from wildfire fires are less than significant.

Mitigation

No mitigation is required.

4.9 HYDROLOGY AND WATER QUALITY

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) identifies the hydrologic resources, existing drainage conditions, and surface and groundwater quality of the proposed Project site. It also addresses the proposed Project's potential impacts to flooding, drainage, erosion, water quality, and water supply, and identifies appropriate mitigation measures to lessen the identified impacts. The analysis primarily relies upon the Preliminary Project Specific Water Quality Management Plan (WQMP), the Preliminary Hydrology Report, and the Water Supply Assessment (WSA) that have been proposed for the proposed Project and are included as ***Appendix I: Hydrology*** of this Draft EIR.

4.9.1 SETTING

The States's Department of Water Resources (DWR) has organized the state into ten major surface water drainage regions, two of which (the South Coast region and the Colorado River region) cover portions of Riverside County. The proposed Project site is located in the eastern portion of Riverside County which is located within the Colorado River Region. The Colorado River is the major waterway in this portion of southern California. Water demands in the Colorado River Region are collected from various sources such as water from the Colorado River, surface water, local groundwater basins and recycled water.

Precipitation in the Whitewater River Region averages 3.6 inches per year. Climatic conditions in the Coachella Valley are characterized as "subtropical desert". When storms occur, they tend to produce short but intense rainfall, typical of monsoonal thunderstorms; individuals storm events typically are localized and rarely affect the entire drainage network (County Riverside General Plan Update EIR, 2015).

The Whitewater River subbasin of the Whitewater River Watershed serves as the primary groundwater source for the city of Palm Springs and Coachella Valley, covering about 400 square miles and including four subareas: Palm Springs, Thermal, Thousand Palms, and Oasis. Originating from Mount San Gorgonio, the Whitewater River flows southeast to its end point at the Salton Sea, however, the Whitewater River has been channelized in the southern portion of the Coachella Valley and is referred to as the Coachella Valley Stormwater Channel (CVSC). The CVSC plays a crucial role as a drainage system for irrigation return flows, treated community water, and stormwater runoff

There are three (3) watersheds located in Riverside County – the Imperial Reservoir Watershed, the Salton Sea Treansboundary Watershed, and the Southern Mojave Watershed (County of Riverside General Plan Update EIR; 2015).

The Whitewater River Region is drained by the Whitewater River that flows to the Salton Sea and the CVSC. Water to the Salton Sea is primarily from irrigation runoff and some from stormwater runoff. The CVSC serves as drainage for irrigation return flows, wastewater, and urban runoff. Since soil types in the Whitewater River Region are primarily sandy and sandy loam, these lead to rapid infiltration of runoff. Runoff from urban areas of the County may contain waste, pathogens, and other pollutants that affect water quality in Riverside County.

Since urban runoff has the potential to impact water quality in a region, the California State Water Quality Control Board (SWQCB) has jurisdiction over water quality, wastewater, and the discharge of pollutants in a water system. It therefore regulates discharges from municipal waste through the designation of various permit areas and through the requirements for a municipal stormwater sewer system or MS4 permit requirements. The County of Riverside operates three MS4 permits that cover the areas within the

Colorado River and therefore the Whitewater River watershed, the Santa Ana River and the Santa Margarita River (County of Riverside General Plan Update EIR; 2015).

LOCAL

The city of Palm Springs and the proposed Project area is located in the Colorado River hydraulic region (HR) of the California Department of Water Resources (DWR), which covers roughly 13 million acres in southeastern California. The Colorado River HR is divided into smaller more distinct groundwater basins. located within the Colorado River Basin and the Palm Springs subarea. The primary drainage and surface water feature in this area of the Coachella Valley is the Whitewater River watershed.

Surface Water

Surface water supplies in the city and proposed Project site come from several local rivers and streams including the Whitewater River, Snow Creek, Falls Creek, and Chino Creek, as well as a number of smaller creeks and washes. Since surface water supplies are affected by variations in annual precipitation, the annual supply is highly variable, with the average annual natural river/stream recharge estimated at approximately 36,000 acre feet per year (AFY), however, local runoff is captured and used for groundwater recharge.

Water supplies to the city are provided by the Misson Springs Water District (MSWD), which is one of six (6) urban water suppliers in the Coachella Valley. Other urban water supplies include the Coachella Valley Water District (CVWD), Coachella Water Authority (CWA), Desert Water Agency (DWA), Indio Water Authority (IWA) and the Myoma Dunes Mutual Water Company, MSWD serves over 13,500 retail water customers through three (3) separate production and distribution systems, and it provides wastewater services to more than 9,200 customers through two (2) independent wastewater collection and treatment systems. The MSWD service area spans approximately 135 square miles, including the City of Desert Hot Springs, part of the City of Palm Springs, and ten smaller communities in Riverside County (Water Supply Assessment and Water Supply Verification for the proposed North Palm Springs Master Plan; 2024

Ground Water and Floodplains

Groundwater is served to the proposed Project site and the city of Palm Springs by MSWD obtains groundwater from the Mission Creek Subbasin, San Gorgonio Pass, and the Garnet Hill Subarea of the Coachella Valley Groundwater Basin. Domestic water services in the city is provided by the Desert Water Agency (DWA) utilizing wells to extract groundwater from the Whitewater River subbasin. Annually, the DWA, withdraws 41,000 acre-feet, and the Coachella Valley Water District (CVWD) withdraws 203,905 acre-feet from the Whitewater subbasin. Natural inflows total around 49,000 acre-feet, with outflows at 25,000 acre-feet, leaving only 24,000 acre-feet for groundwater recharge. Excluding replenishment with imported water, the estimated annual groundwater overdraft in the Whitewater River Subbasin is approximately 107,000 acre-feet. Artificial recharge is essential to mitigate this annual and cumulative overdraft, supplementing natural replenishment from rainfall runoff and snowmelt. Most of the natural groundwater replenishment in the Coachella Valley comes from runoff from the nearby mountains. The region's climate features low humidity, high summer temperatures, and mild, dry winters. The average annual rainfall varies significantly, with the Coachella Valley floor receiving between 3 to 6 inches of rain, while the surrounding mountains can get over 30 inches annually. Most of the rainfall occurs between December and February, with occasional summer thunderstorms. (see **Table 4.9-1** below).

Table 4.9-1: Monthly Average Rainfall for the city of Palm Springs

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Yearly
Max (˚F)1	71	73	80	86	94	104	108	107	102	90	78	69	89
Min (˚F)1	47	49	54	59	65	73	80	79	74	64	53	46	62
Rain (in)1	0.95	0.92	0.36	0.10	0.02	0.00	0.25	0.14	0.20	0.20	0.26	0.70	3.80
ETo (in)2	2.5	3.4	5.6	7.1	8.3	8.7	8.1	7.5	6.2	4.7	2.9	2.2	67.2

Source: 2020 Coachella Valley RUWMP
Notes: 1 National Weather Service Forecast, Station Palm Springs Airport, 1998-2020
2 CIMIS Station 218 – Thermal South 2010-2020

Flooding in the Coachella Valley can occur due to heavy single event storms or prolonged precipitation in the surrounding mountains when heavy rains combine with melting of the snowpack resulting in prolonged runoff. There have been several flooding events in the history of the Coachella Valley. The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRMs) that identify areas subject to flooding during different flood events. The site is not with in a floodplain as per the FEMA FIRM. Flood prone areas within the city of Palm Springs are located primarily in 100-year flood zones and the FIRM indicates that the proposed Project site is located with a Zone X or in an area within the limits of a 100-year to 500-year flood risk (City of Palm Springs General Plan, 2007).

Soils

The site is currently undeveloped vacant land with poor vegetative cover. Existing topography of the site(s) generally slopes from north to the south, with stormwater runoff flowing onto adjacent properties, 19th Avenue, Chino Canyon White Water River, and eventually to the Salton Sea. There is no existing storm infrastructure onsite or in the adjacent public roadway.

A Web Soils Survey conducted for the proposed Project site indicates the majority of the site (59.7%) to be underlain with Carsitas fine sand (CkB), and the remainder of the site to consist of Carsitas cobbly sand (ChC) over 39% of the site and Carsitas gravelly sand (CdC) over 1.2% of the site. These soil types usually occur in areas with o to 9 percent slopes and have a high filtration rate and low water runoff potential (***Appendix I Hydrology).***

Wastewater

Highly treated and disinfected wastewater, also known as recycled water, can be reused for various purposes such as landscape irrigation. MSWD operates two wastewater treatment plants. The Horton Wastewater Treatment Plant (Horton WWTP), with treatment capacity of 2.3 million gallons per day (MGD), and the Desert Crest Wastewater Treatment Plant, with a smaller capacity of 0.18 MGD. These plants use an extended aeration process for wastewater treatment and disposes of secondary wastewater, which is not disinfected, in nearby percolation/evaporation ponds. Sludge generated during treatment is processed using a dewatering sludge filter press and then transported offsite for disposal. The average daily flows into Horton WWTP in 2020 was approximately 2.0 MGD, while that of the Desert Crest WWTP was about 0.05 MGD in 2020 (***Appendix I Hydrology***).

4.9.2 REGULATORY FRAMEWORK

FEDERAL

Clean Water Act

The Federal Clean Water Act (CWA) of 1972, is the primary federal law that regulates and restores the quality of the nation's surface waters. The CWA established the basic structure for regulating discharges of pollutants into jurisdictional waters of the United States and forms the basis for several state and local laws throughout the country. At the federal level, the CWA is administered by the United States Environmental Protection Agency (USEPA) and United States Army Corps of Engineers (USACE). The CWA gives the USEPA the authority to implement federal pollution control programs, such as setting water quality standards for contaminants in surface water, establishing wastewater and effluent discharge limits for various industry contaminants in surface water, establishing wastewater and effluent discharge limits for various industry categories, and imposing requirements for controlling nonpoint-source pollution. At the state and regional levels in California, the CWA is administered and enforced by the California State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs). Several provisions, including Sections 303(c)(2)(B), 303(d), 401, 402(p), 404, and the Toxics Rule specifically protect water quality. Under the CWA, the US Environmental Protection Agency (USEPA) sets national standards and effluent limitations and delegates many regulatory responsibilities to the California State Water Resources Control Board (SWRCB, or State Water Board).

The CWA established the National Pollutant Discharge Elimination System (NPDES) permit to regulate all discharges into the nation's waters Section 303(d) of the 1972 Federal Clean Water Act requires states develop and submit to USEPA for approval a list of all water bodies that do not meet water quality standards, establish priority rankings for waters on the list, and develop Total Maximum Daily Loads (TMDLs) or an action plan to improve water quality. States are required to submit this list every two years to the EPA.

Clean Water Act Section 402

Section 402 of the Clean Water Act (CWA) requires that all construction sites on an acre or greater of land, as well as municipal, industrial and commercial facilities discharging wastewater or stormwater directly from a point source, such as a pipe, ditch, or channel, into a surface water of the United States must obtain permission under the National Pollutant Discharge Elimination System National Pollutant Discharge Elimination System National Pollutant Discharge Elimination System (NPDES) permit. All NPDES permits are written to ensure that the surface water receiving discharges will achieve specified water quality standards.

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA), administered by the USEPA in coordination with the states, is the main federal law that ensures the quality of drinking water. Under the SDWA, the EPA sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards. The Department of Public Health administers the regulations contained in the SDWA in the State of California.

National Pollutant Discharge Elimination System

The NPDES permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities. Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant.

The Municipal NPDES program is administered by the State Water Resources Control Board (SWRCB) through the Regional Water Quality Control Boards (RWQCBs) and requires municipalities to obtain permits that outline programs and activities to control wastewater and stormwater pollution. The federal Clean Water Act prohibits discharges of stormwater from construction projects unless the discharge is in compliance with an NPDES permit. The SWRCB is the permitting authority in California and adopted an NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) (Order 2009-0009, as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). Containment and spill cleanup are also encompassed in the Storm Water Pollution Prevention Plan (SWPPP). This includes inspections for spills, a requirement that chemicals be stored in watertight containers with secondary containment to prevent spillage or leakage, procedures for addresses hazardous and non-hazardous spills, including a spill response and implementation procedure, include on-site equipment for cleanup and spills, and spill training for construction personnel (State Water Resources Control Board; 2009).

National Flood Insurance Act/Flood Disaster Protection Act

The National Flood Insurance Act of 1968 made flood insurance available for the first time. The Flood Disaster Protection Act of 1973 made the purchase of flood insurance mandatory for the protection of property located in Special Flood Hazard Areas (SFHAs). These laws are relevant because they led to mapping of regulatory floodplains and to local management of floodplain areas according to guidelines that include prohibiting or restricting development in flood hazard zones. As mandated by the National Flood Insurance Act and the Flood Disaster Protection, the Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) to provide subsidized federal flood insurance to residents of communities where future floodplain development is regulated. FEMA has therefore developed Flood Insurance Rate Maps (FIRMs) to determine the need for and availability of federal flood insurance. FIRM maps rely on a variety of flood risk information based on historic, meteorological, hydrologic and hydraulic data, as well as existing development, open space and topographic conditions within an area. These FIRM maps incorporate the results of engineering studies to delineate SFHAs, which are considered at higher risk of inundation and flood-related hazards.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying potential hazards and determining the need for and availability of federal flood insurance. FIRM maps rely on a variety of historic flood risk information, historic, meteorological, hydrologic data, as well as existing conditions within an area. FEMA mapping also incorporates the results

of engineering studies to delineate Special Flood Hazard Areas (SFHAs), which are considered at higher risk of inundation and flood-related hazards. As mandated by the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973, FEMA administers the National Flood Insurance Program (NFIP) which provides subsidized federal flood insurance to residents of communities with established floodplain regulations.

STATE

Senate Bill 1262

On January 1, 2017, Senate Bill 1262 (SB 1262) was enacted, updating California Water Code (CWC) Section 10910. This Bill mandates that projects provide an assessment to identify the sources of their water supply. If a project lacks sufficient water supply, the relevant local agencies must outline how they plan to acquire additional water resources. When a proposed project relies on groundwater from a basin managed by a local public agency or Groundwater Sustainability Agencies (GSAs), the Water Supply Assessment (WSA) must include information from the Sustainable Groundwater Management Act (SGMA).

SGMA requires that all groundwater basins classified as medium- or high-priority by the California Department of Water Resources (DWR) be managed under a Groundwater Sustainability Plan (GSP). These GSPs are designed to ensure the sustainable use of groundwater resources over the long term.

Therefore, when a WSA is prepared for a project using groundwater, it must consider the local groundwater sustainability plan, if applicable. It must address the project's impact on the groundwater basin and ensure that water use aligns with the sustainability goals set by the SGMA. This ensures that development projects are compatible with the long-term management of groundwater resources and meet state requirements for water supply planning.

Senate Bill X7-7, Water Conservation Act

The Water Conservation Act of 2009 (SB X7-7), effective November 9, 2009, requires each urban retail water supplier to develop urban water use targets and agricultural water suppliers to implement efficient water management practices. SB X7-7 aims to achieve a 20 percent reduction in urban per capita water use by December 31, 2020. Certain provisions of the law are implemented through public processes administered by the Department of Water Resources (DWR). AB 1420 (2007) requires DWR to convene an Independent Technical Panel to develop new Demand Management Measures and technologies and approaches. AB 1404 (2007) requires agricultural water suppliers to submit aggregated farm-gate delivery annual reports to DWR.

Senate Bills 610 and 221, Water Supply Assessment and Verification

Senate Bills (SB) 610 and 221 amended State law, effective January 1, 2002, to improve the link between the information on water supply availability and certain land use decisions made by cities and counties. Both statutes require detailed information regarding water availability to be provided to city and county decision-makers prior to approval of specified large (greater than 500 dwelling units or 500,000 square feet of commercial space) development projects. Both statutes also require this detailed information to be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Under SB 610 water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects as defined in Water Code 10912

subject to the California Environmental Quality Act (CEQA). Under SB 221 approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply.

SB 610 amended Section 21151.9 of the Public Resources Code. It requires cities and counties and other CEQA lead agencies to request specific information on water supplies from the Public Water System (PWS) that would serve any project that is subject to CEQA and is defined as a "Project" in Water Code Section 10912. This information is to be incorporated into the environmental review documents prepared pursuant to CEQA.

The Water Code requires a WSA be prepared for any project that consists of one or more of the following:

- A proposed residential development of more than 500 dwelling units
- A proposed shopping center or business establishment employing more than 1,000 persons or
- having more than 500,000 square feet of floor space
- A proposed commercial office building employing more than 1,000 persons or having more than
- 250,000 square feet of floor space
- A proposed hotel or motel, or both, having more than 500 rooms
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area
- A mixed-use project that includes one or more of the projects specified above
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project
- For public water systems with fewer than 5,000 service connections, a project that meets the following criteria: any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential.

Water Conservation Act of 2009 (SBx7-7)

Due to reductions of water available from the San Joaquin Delta, the Legislature drafted the Water Conservation Act of 2009 (SBx7-7) to protect statewide water sources. The legislation called for a 20 percent reduction in water use in California by the year 2020. The legislation amended the Water Code to call for 2020 and 2015 water use targets in the 2010 UWMPs, updates or revisions to these targets in the 2015 UWMPs and allows DWR to enforce compliance to the new water use standards. In addition to an overall statewide 20 percent water use reduction, the objective of SBx7-7 is to reduce water use within each hydrologic region in accordance with the agricultural and urban water needs of each region. Currently, DWR recognizes 10 separate hydrologic regions. Each hydrologic region has been established for planning purposes and corresponds to the State's major drainage areas.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (California Water Code section 13000 et seq.) is the principal law governing water quality regulation for surface waters in California. It has set forth a comprehensive program to protect water quality and the beneficial uses applicable to surface waters, wetlands, and ground water and to point and nonpoint sources of pollution. The Porter-Cologne Act establishes the SWRCB and each RWQCB as the principal state agencies for coordinating and controlling water quality in California. Specifically, the Porter-Cologne Water Quality Control Act authorizes the SWRCB to adopt,

review, and revise policies for all waters of the state (including both surface and groundwaters) and directs the RWQCBs to develop regional Basin Plans.

The Porter-Cologne Act also establishes that, as a matter of policy, all the waters of the State shall be protected; all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and that the state must be prepared to exercise its full power and jurisdiction to protect the quality of water in the state from degradation. To regulate and protect water quality pursuant to NPDES and to exercise rulemaking and regulatory activities, the Porter-Cologne Act established the SWRCB and nine California Regional Water Quality Control Boards (RWQCBs). The Project site and Coachella Valley are located within Region 7, Colorado River Basin Regional Water Quality Control Board. Another mechanism of the Porter-Cologne Act is the requirement to adopt water quality control plans containing the guiding policies of water pollution management in the state. Under this framework, the Colorado River Basin Water Quality Control Plan (Basin Plan) serves as the applicable document prepared, adopted, and maintained to identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The Basin Plan is the guiding document that outlines the Colorado River Basin Regional Water Quality Control Board's plan for preserving and enhancing water quality in the region for the protection of beneficial uses for present and future generations.

Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMPA) became part of the California Water Code (CWC) with the passage of Assembly Bill 797 (AB 797) on September 21, 1983. The UWMPA acknowledges that the state's water resources are limited and face increasing demand, emphasizing the importance of conservation and efficient water usage as matters of statewide concern. The legislation also recognizes that effective water planning and management are best carried out at the local level as part of long-term

planning to ensure adequate water supplies for both current and future needs.

The UWMPA mandates that municipal water suppliers prepare and adopt an Urban Water Management Plan (UWMP) to support conservation efforts, promote efficient water use, and improve local drought resilience.

Municipal water suppliers that serve more than 3,000 customers or supply more than 3,000 AFY must prepare and adopt a UWMP with projections for water usage over the next 20 years in five-year increments, considering different water scenarios. This helps ensure that water planning is comprehensive and resilient, providing a roadmap for sustainable water management at the local level. The UWMP must be submitted to the California Department of Water Resources (DWR).

Sustainable Groundwater Management Act

In September 2014, Governor Brown signed legislation requiring that California's critical groundwater resources be sustainably managed by local agencies. The Sustainable Groundwater Management Act gives local agencies the power to sustainably manage groundwater and requires groundwater sustainability plans to be developed for medium- and high-priority groundwater basins.

National Pollutant Discharge Elimination System Stormwater General Permit for Construction Activities

Under the federal CWA, discharges of stormwater from construction sites must comply with the conditions of a National Pollutant Discharge Elimination System (NPDES) permit. The SWRCB has adopted the

Construction General Permit that applies to projects resulting in 1 or more acres of soil disturbance. These requirements occur under the state's most current Construction General Permit (CGP), Stormwater General Permit Order WQ 2022-0057-DWQ (2022 CGP), effective September 1, 2023. Compliance with the CGP involves the development and implementation of a project-specific Storm Water Pollution Prevention Plan (SWPPP), designed to prevent potential adverse impacts to surface water quality, including erosion and siltation, during the period of construction. As applicable, the SWPPP is required to implement Best Management Practices (BMPs) related to stormwater management. These BMPs are standardized in a handbook made available by the California Stormwater Quality Association (CASQA).

The State of California is a designated NPDES state and has the authority to administer the NPDES program within its limits, particularly under:

Clean Water Act Section 303(d): List of Impaired Water Bodies

Section 303(d) of the CWA requires states, territories, and tribes to identify water bodies that do not meet the water quality objectives (WQOs) for their designated beneficial uses. Each state must submit an updated biennial list of water quality impaired water bodies, called the 303(d) list, to the USEPA. The 303(d) list also identifies the pollutant(s) or stressor(s) causing water quality impairment and establishes a priority for developing a control plan to address the impairment. If a water body is designated as "impaired," then a Total Maximum Daily Load (TMDL) is developed and identified for the affected water body. A TMDL establishes the maximum daily amount of a pollutant allowed in an identified water body and is used as a planning tool in addressing water quality impairments and improving water quality.

Clean Water Act Section 401

Under Section 401 of the CWA, the USEPA can approve State agencies to be the authority implementing the Acts' provisions in that State, including implementation of Sections 303 and 402 (see below). The SWRCB is the USEPA-designated authority in California and delegates regional authority to the nine RWQCBS, which in turn have regulatory authority over actions in waters of the U.S. and Waters of the State of California through the issuance of water quality certifications, which are issued in conjunction with any federal permit (e.g., permits issued by the USACE under Section 404 of the CWA, described below). In effect, this section requires the issuance of certification by a RWQCB as a condition of issuance of such federal permits and provides that projects for which the State does not issue water quality certification cannot obtain other federal permits.

Clean Water Act Section 402 and the National Pollutant Discharge Elimination System

In 1987, amendments to the CWA added Section 402, which established the National Pollutant Discharge Elimination System (NPDES) program. This is a framework to protect water quality by regulating industrial, municipal, and construction-related sources of pollutant discharges to waters. In accordance with Section 402, the CWA prohibits discharges of stormwater from construction projects unless the discharge is in compliance with an NPDES permit.

Clean Water Act Section 404

Under Section 404 of the CWA, proposed discharges of dredged or fill material into waters of the U.S. require USACE authorization. Waters of the U.S. generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands (with the exception of isolated wetlands). The USACE identifies wetlands using a multi-parameter approach, which requires positive wetland indicators in three distinct environmental categories: hydrology, soils, and vegetation. According to the USACE (1987)

Wetlands Delineation Manual, except in certain situations, all three parameters must be satisfied for an area to be considered a jurisdictional wetland. Applications for CWA Section 404 permits must show the applicant has:

- Taken steps to avoid impacts to wetlands or waters of the U.S. where practicable
- Minimized unavoidable impacts on waters of the U.S. and wetlands; and,
- Provided mitigation for unavoidable impacts

Cobey-Alquist Floodplain Management Act

The Cobey-Alquist Floodplain Management Act encourages local governments to plan, adopt, and enforce land use regulations for floodplain management to protect people and property from flooding hazards. This act also identifies requirements jurisdictions must meet to receive state and financial assistance for flood control.

California Water Boards

The California Water Board consists of the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB). Together they work to preserve, protect, enhance, and restore water quality. The State Water Board sets statewide water quality standards, issues statewide general permits, conducts statewide surface and groundwater monitoring and assessment, and issues orders for cleaning up contaminated sites. The State and Regional Water Boards also work with federal, State, and local agencies, as well as other environmental agencies to ensure a coordinated approach to protecting human health and the environment.

There are nine (9) regional water quality control boards statewide. The nine Regional Boards are semiautonomous and are comprised of seven part-time Board members appointed by the Governor and confirmed by the Senate. Regional boundaries are based on watersheds and water quality requirements are based on the unique differences in climate, topography, geology, and hydrology for each watershed. Each Regional Board makes critical water quality decisions for its region, including setting standards, issuing waste discharge requirements, determining compliance with those requirements, and taking appropriate enforcement actions. The project site is located in the Colorado River Basin Region (Region 7).

The SWRCB, in coordination with nine RWQCBs, performs functions related to water quality, including issuance and oversight of wastewater discharge permits (e.g., NPDES), other programs regulating stormwater runoff, and underground and above-ground storage tanks. The SWRCB has also issued statewide waste discharge requirements for sanitary sewer systems, which include requirements for development of a sewer system management plan (SSMP).

REGIONAL

Sustainable Groundwater Management Act

Assembly Bill (AB) 1739, Senate Bill (SB) 1168, and SB 1319 — signed into law by Governor Brown in September 2014. The Sustainable Groundwater Management Act (SGMA) creates a statewide framework empowering local agencies to safeguard and manage groundwater resources to prevent over-pumping or contamination. Groundwater, which is stored underground in layers of soil, sand, and rock called aquifers, makes up a significant portion of California's water supply.

Under the SGMA, local agencies must form Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement groundwater sustainability plans. These plans detail

how water will be used and managed without causing undesirable effects, such as significant and unreasonable declines in groundwater levels, reductions in groundwater storage, seawater intrusion, water quality degradation, land subsidence, or depletion of interconnected surface waters.

According to the California Department of Water Resources (DWR), the Coachella Valley consists of four subbasins: Indio, Mission Creek, Desert Hot Springs, and San Gorgonio Pass, identified in DWR Bulletin 118. DWR assessed and prioritized 515 groundwater basins in Bulletin 118, with 94 designated as high- or medium-priority basins as of December 2019. These basins must be sustainably managed within 20 years.

Whitewater River Watershed Municipal Separate Storm Sewer System

Under the CWA, public agencies which serve urbanized areas with a population greater than 100,000 people, are required to obtain permits to discharge urban stormwater runoff from municipally owned drainage facilities including streets, highways, storm drains and flood control channels. In November 1990, the EPA promulgated enforceable regulations establishing MS4 Permit requirements under its NPDES Program.

The Whitewater River Region MS4 Permit applies to an area of approximately 367 square miles in the Coachella Valley. The MS4 Permit compliance programs are administered by Riverside County Flood Control and Water Conservation District, (RCFCWCD) CVWD, and the incorporated Coachella Valley cities, including the city of Palm Springs.

Mission Creek Sub-basin Alternate Plan

On December 29, 2016, MSWD, DWA, and CVWD submitted the 2013 MC/GH WMP, along with supporting documents and a Bridge Document, to the California Department of Water Resources (DWR) as an Alternative Plan for the Mission Creek Subbasin, for review under the SGMA. DWR approved this plan on July 17, 2019, indicating that it met the objectives of the SGMA. Following this approval, the Management Committee must submit an assessment and update of the Alternative Plan every five years, with the first due by January 1, 2022.

The 2022 Alternative Plan Update for the Mission Creek Subbasin was submitted to DWR on December 30, 2021. Additionally, on February 1, 2018, DWR informed all GSAs with approved Alternative Plans that they must submit annual reports by April 1 of each year. MSWD, DWA, and CVWD have been collaboratively preparing and submitting these annual reports for the Mission Creek Subbasin, covering water years from 2016-2017 through 2021-2022. These reports track progress toward groundwater sustainability and provide updates on water use, replenishment, and other key metrics to ensure compliance with the SGMA and sustainable management of the subbasin.

In 2019, the six urban water suppliers in the Coachella Valley, prepared a 2020 Coachella Valley Regional Urban Water Management Plan (2020 RUWMP) with regional and individual agency content. The 2020 RUWMP describes the region's water supplies and anticipated demands through 2045. It also describes each agency's programs to encourage efficient water use. The agencies have coordinated their WSCPs to provide consistent response actions across the region.

The Mission Creek Subbasin Alternative Plan Update was prepared to ensure that the most current projections for population growth, land use, imported water supply, and other future conditions were incorporated into water management planning for the region. A Water Shortage Contingency Plan (WSCP) has also been prepared to outline each agency's actions during a water shortage to reduce demands. Under the RUWMP. the Mission Springs Water District (MSWD) established the Mission Creek Subbasin

Alternative Plan Update was prepared to ensure that the most current projections for population growth, land use, imported water supply, and other future conditions were incorporated into water management planning for the region.

The Mission Springs Water District (MSWD) provides water services to over 13,500 retail water customers in the city of Desert Hot Springs and a northern portion of the city of Palm Springs.

Coachella Valley Regional Urban Water Management Plan

The 2020 Coachella Valley Regional Urban Water Management Plan (RUWMP) was submitted to DWR on July 1, 2021. The RUWMP was prepared on behalf of six urban water suppliers that serve customers in the Coachella Valley (Coachella Valley Water District [CVWD], Coachella Water Authority [CWA], Desert Water Agency [DWA], Indio Water Authority [IWA], MSWD, and Myoma Dunes Mutual Water Company [MDMWC]). The report was prepared to reflect the agencies' collaborative efforts in managing shared water resources (demand projections, characterization of shared supplies, and planning for potential water shortages), while still allowing each agency to meet its individual requirements.

Regional Urban Water Management Plan (RUWMP)

The California Water Code (CWC) requires urban water suppliers to have a current UWMP on file with DWR in order to be eligible for any water management grant or loan administered by DWR. In addition, the UWMP Act requires a retail water agency to meet its 2020 Compliance Urban Water Use Target and report compliance in the 2020 UWMP.

The MSWD RUWMP therefore analyzes the potential sources of water supply and their probable yields in its service area; the estimated urban water demand (under reasonable assumptions); the comparability of the supply and demand figures; and the water supplies under a range of hydrologic conditions. These are addressed in the RUWMP by the identification of feasible and cost-effective opportunities to meet existing and future demands. The RUWMP also analyzes water supply during normal year, single-dry year, and multiple-dry year conditions to ensure supply would appropriately meet regional demand.

Integrated Regional Water Management Plan

Established in 2002, the Integrated Regional Water Management Planning (IRWMP) encourages local entities to collaboratively establish regional water management groups to improve water quality and water supply reliability to meet the State of California's overall water needs. In 2008, the Coachella Valley Regional Water Management Group (CVRWMG) was formed as a collaborative effort led by five water purveyors and one wastewater agency, (Mission Springs Water District, Coachella Valley Water District, Coachella Water Authority, Desert Water Agency, Indio Water Authority, and Valley Sanitary District), to develop and implement an Integrated Regional Water Management (IRWM) Plan to address the water resources planning needs of the Coachella Valley.

Mission Springs Water Efficient Landscaping Guidelines

MSWD implements water conservation guidelines to help reduce the per capita quantity of water usage under its jurisdiction. These guidelines promote the general welfare by requiring the reasonable and efficient use the District's water resources and preventing the waste or unreasonable use of water, and by implementing water conservation measures that will reduce water consumption within the District's service area.

Countywide Integrated Waste Management Plan

The Countywide Integrated Waste Management Plan (CIWMP) was originally prepared in accordance with the California Integrated Waste Management Act of 1989, Chapter 1095 (AB 939), and is required to be updated every five years. The Riverside Countywide Integrated Waste Management Plan was approved by the California Integrated Waste Management Board in September of 1996 and has subsequently been updated at five-year intervals as required by law. The CIWMP outlines and codifies the goals, policies and programs that the County of Riverside and its cities are required to implement in order to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. The CIWMP's components include the Countywide Summary Plan, the Countywide Siting Element, the Source Reduction and Recycling Element, the Household Hazardous Waste Element and Non-Disposal Facility Element.

LOCAL

City of Palm Springs 2007 General Plan

The Safety Element as well as the Recreation, Open Space, and Conservation Element of the City's 2007 General Plan contains the following Goals and Policies related to hydrology and water quality in the city:

Safety Element

Goal SA2 To the greatest extent possible, the physical and environmental effects of geologic hazards within the City.

- *Policy SA2.10 Participate in regional programs designed to protect groundwater resources and the regional groundwater basin from the hazard of regional ground subsidence.*
- *Policy SA2.16 - Provide protection for roadways and utility lines from erosion and sedimentation.*
- *Policy SA2.17 - Encourage the incorporation of wind barriers, architectural design or features, and drought-resistant ground coverage in new development site designs to mitigate the impacts from erosion and windblown sand.*

Goal SA3 Reduce, to the greatest extent possible, the risk to life, property, and essential facilities from flooding and other hydrological hazards within the City.

- *Policy SA3.1 - Provide appropriate land use regulations and site-development standards for areas subject to flooding.*
- *Policy SA3.2 - Evaluate all development proposals located in areas that are subject to flooding to minimize the exposure of life and property to potential flood risks.*
- *Policy SA3.3 - Require that future planning for new development consider the impact on flooding potential as well as the impact of flood control structures on the environment, both locally and regionally.*
- *Policy SA3.7 - Provide direction and guidelines for the development of on- site stormwater retention facilities consistent with local and regional drainage plans and community design standards.*
- *Policy SA3.11 Design underground storm drains serving local neighborhoods to accommodate runoff from a 10-year frequency storm for conveyance to a downstream outlet and locate them in existing or proposed street rights-of-way where possible. Flows exceeding the 10-year frequency storm will be carried within public rights-of-way.*
- *Policy SA3.16 Require the extensive landscaping of open-space areas in new development, provide the maximum permeable surface area to reduce site runoff, and prohibit unnecessary paving.*

Recreation, Open Space and Conservation Element

Goal RC9: Ensure an adequate supply of quality water is provided to the City.

- *Policy RC9.1 Work with the Desert Water Agency, Coachella Valley Water District, and Mission Springs Water District to ensure that a sufficient quantity and quality of potable water is available for current and future residential, business, and visitor uses.*
- *Policy RC9.2 Encourage the responsible management and use of water resources through appropriate water conservation measures, financial incentives, and regulations.*
- *Policy RC9.4 Encourage the preservation and management of natural floodplain areas that allow for water percolation, replenishment of the natural aquifers, proper drainage, and prevention of flood damage.*
- *Policy RC9.5 Protect the quality and quantity of water from adverse impacts of development activities so that sufficient water is available to sustain habitats and wildlife.*

City of Palm Springs Code of Ordinances

Chapter 8.70: Stormwater Management and Discharge Controls of the City's Code of Ordinance (Municipal Code) ensures the future health, safety, and general welfare of residents. All proposed projects are required to: regulate non-stormwater discharges to the municipal storm drain; control the discharge to municipal storm drains from spills, dumping or disposal of materials other than stormwater; and; reduce pollutants in stormwater discharged to the maximum extent practicable.

This section of the Municipal Code also intends to protect and enhance the water quality of city watercourses, water bodies, ground water and wetlands in a manner consistent with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act. As required by the City Engineer, project applicants are required to submit their project related hydrology and hydraulic calculations, and drainage area maps to the City, to determine the quantity of stormwater runoff generated by a site or tributary to it, as well as its effects on the site, and to upstream or downstream properties. All development projects are required to comply with applicable federal, state, and local regulations governing water quality standards and waste-discharge requirements. These include but are not limited to the requirements of the CWA, SDWA, and NPDES.

City of Palm Springs Master Drainage Plan

The majority of the City of Palm Springs is located in Zone 6 of the Riverside County Flood Control and Conservation District's (RCFC) jurisdiction. Zone 6 covers the western portion of the Coachella Valley and the eastern portion of the pass area, which includes the proposed Project site, and the unincorporated County. The Plan was adopted in 1982 along with expanded acreage drainage fees imposed on new development to fund improvements. According to the Plan the City requires the implementation of on-site retention as a project site development requirement under Chapter 8.70 of the Palm Springs Municipal Code. New development is not allowed to drain into an approved drainage without first meeting the on-site retention requirement and demonstrating that the discharged stormwater will not adversely impact downstream properties. Proposed development in the city such as that under the proposed Project would be subject to the on-site retention requirements for incremental increase in runoff.

4.9.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Development of the project site would have a significant effect on hydrology and water quality if it is determined that the project would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would;
    - result in substantial erosion or siltation on-or off-site;
    - substantially increase in the rate or amount of surface runoff in a way that would result in flooding on-or off-site;
    - 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
    - impede or redirect flood flows.
- In flood hazard, tsunami, seiche zones, risk release of pollutants due to project inundation?
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Methodology

Impacts to water quality under the proposed Project have been assessed based on the analysis presented in the Preliminary Hydrology Report, Preliminary Water Quality Management Plan (WQMP), as well as the Water Supply Assessment (WSA) conducted for the proposed Project and included in ***Appendix I*** of this DEIR.

The hydrologic and hydraulic analyses were completed following the methodology outlined in the Riverside County Hydrology Manual. The rational method was used to estimate time of concentrations and peak flow rates generated from the existing and proposed 100-year storm events. The synthetic unit hydrograph method was used to determine the onsite existing and proposed hydrographs for the 1, 3, 6, and 24-hour duration of the 100-year storm events. Stormwater mitigation is based on the largest incremental increase in the quantity of runoff and storm volume when comparing pre and post 1, 3, 6, and 24-hr, 100- year volumes. Complete onsite and offsite drainage system analyses will be provided in the Final Hydrology Report. The rainfall data used for the analyses is important for the flow and runoff results. For the rational method analysis and synthetic unit hydrograph analysis, the rainfall data from the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 for Palm Springs, CA was used **(*Appendix I*).**

In order to estimate outdoor water demand for the proposed Project, the Water Supply Assessment conducted for the site utilized CVWD Ordinance No. 1302.5, An Ordinance of the Coachella Valley Water District Establishing Landscape and Irrigation System Design Criteria, which complies with California's Water Conservation in Landscaping Act. This ordinance includes various guidelines and requirements designed to promote water efficiency in landscaping. The WSA relies on Appendix C of CVWD Ordinance No. 1302.5, along with the MSWD Water Efficient Landscaping Guidelines, specifically Exhibit 1, Landscape Documentation Package, to determine a project's annual Maximum Applied Water Allowance (MAWA).

The MAWA formula calculates the maximum allowable water use for landscaping based on climate, plant types, and irrigation efficiency.

Impacts

Impact 4.9.1: The proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality and impacts would be Less than Significant.

The Water Discharge Requirements (WDRs) of the CWC stipulates the approval and use of general permits to regulate site construction activities. The proposed Project would therefore be required to acquire the necessary permits for operation and operation of the site under the MS4 water quality requirements required by the NPDES program and process under the NPDES Construction General Permit (CGP) for Stormwater Discharges Associated with Construction and Land Disturbance Activities. The CGP is applicable to any site construction on an area equal to, or grater than one (1) acre. The approximate 91.97 acre proposed Project development would therefore be required to adhere to the CGP plan implementation process. The CGP would be also required to comply with the State CGP and would be regulated by RWQCB Region 7 in accordance with the Porter-Cologne Act.

Since site clearance and preparation, construction, and grading has the potential to result in temporary and localized erosion and sedimentation, the proposed Project would be required to develop and utilize a Storm Water Pollution Prevention Plan (SWPPP) in order to avoid potential adverse impacts to surface or ground water. The proposed Project SWPPP would therefore include the stormwater Best Management Practices (BMPs) identified in the Water Supply Assessment (WSA) that has been prepared for the proposed development *(*Water Supply Assessment and Water Supply Verification for the proposed North Palm Springs Master Plan; 2024*).* The WSA already identifies several BMPs that would assist site development and maintenance activities to prevent, eliminate, or reduce stormwater pollution, erosion and onsite water runoff, siltation, and discharge to downstream facilities. In addition, the proposed Project SWPPP would be prepared prior to all final approvals and prior to the issuance of a grading permit by the City of Palm Springs.

All proposed Project construction activities would also be required to comply with the South Coast Air Quality Management District (SCAQMD) Rules 403 and 403.1, as well as the City of Palm Springs Ordinance requirements for Fugitive Dust Control. Compliance with these requirements would ensure that the proposed development institute and utilize appropriate control measures for soil stabilization and sediment erosion at the site, particularly under proposed Project construction activities. As a result, soil erosion and impacts to surface water quality from site development would be minimized.

The Water Quality Management Plan (WQMP) developed for the proposed Project (see ***Appendix I***) has identified measures to mitigate stormwater runoff from proposed Project construction and operation. Moreover, the development of the proposed Project site would include the development and use of surface water detention basins as well underground water storage basins for stormwater detention. The proposed Project would also be required to comply with applicable State, local and City regulations regarding stormwater retention and water quality standards, as well applicable goals and policies under the City of Palm Springs General Plan. Specifically, Policy SA2.10 of the City's Safety Element that would require the proposed development to construct and operate the proposed Project such that it protects groundwater resources on the site as well as the regional groundwater basin. Policies SA2.16, SA2.17 and SA3.16 would require the proposed Project to provide protection from soil erosion and to utilize drought

resistant ground coverage in order to minimize soil erosion from site construction and operation activities. Goal SA3 and Policies SA3.7 and SA3.11would require the proposed Project include site design and stormwater retention features such that the proposed development would minimize site runoff and would allow for stormwater retention on the site.

Adherence to applicable City General Plan goals and policies as well as the requirements under the site's NPDES permit and SWPP would ensure that the proposed Project impacts to surface and groundwater quality would therefore be less than significant.

Mitigation

No mitigation is required.

Impact 4.9.2: The proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that it would impede sustainable groundwater management of the basin. Impacts would be Less than Significant with Mitigation Incorporated.

The proposed Project site is located within the MSWD's service area which draws its water supply from area sub basins such as the Desert Hot Springs Subbasin, Mission Creek Subbasin, San Gorgonio Pass Subbasin, and Indio Subbasin of the Coachella Valley Groundwater Basin. Although the site is located within the Garnet Hill Subarea of the Indio Subbasin, water supplies to this portion of the city are provided by MSWD though water sourced from the Mission Creek Subbasin.

MSWD serves over 13,500 retail water customers through three separate production and distribution systems, and it provides wastewater services to more than 9,200 customers through two independent wastewater collection and treatment systems (***Appendix I***). MSWD sources all its water from groundwater production and does not purchase imported water from wholesalers. However, CVWD and DWA are addressing groundwater overdraft in the Upper Coachella Valley by replenishing the groundwater basin with imported water from the Colorado River and State Water Project (SWP) Exchange. These imported water sources are crucial for maintaining groundwater levels and serve as an alternative supply for non-potable uses like agricultural irrigation, golf courses, and urban landscaping. By providing this additional source of water, the reliance on pumping groundwater is reduced, contributing to the sustainable management of the groundwater basin in the Coachella Valley. This strategy helps to balance the basin's water demands and mitigates the risk of overdraft, thus supporting the long-term sustainability of local water resources (***Appendix I***).

The proposed Project would develop 101.08 gross acres of vacant land in the Coachella Valley consisting of 43.79 acres of industrial building area, 36.85 acres of access roads, parking area, and hardscape, 15.82 acres of landscaping, open space, and retention basins, and approximately 4.62 acres of right-of-way dedication. The WSA conducted for the proposed Project (see ***Appendix I*** of this DEIR) estimated that domestic water supplies and associated landscape irrigation supplies for the site would be provided by groundwater from the Mission Creek Subbasin in the Coachella Valley Groundwater Basin, provided by MSWD's potable water distribution system. The WSA assesses the availability of sufficient water supplies during normal, single-dry, and multiple-dry years over a 20-year projection to meet the demands of the Project, as well as existing and future water demands of the MSWD service area, in compliance with Senate Bills 610 and 1262. It also identifies existing water supply entitlements, water rights, water service

contracts, and agreements that pertain to the identified water supply for the Project, along with the quantities of water received in prior years under these arrangements.

Since the proposed Project does not include any residential land use components, the site's projected indoor residential water demand would be 0 acre feet per year (AFY). The proposed Project's indoor commercial and industrial water demand is estimated to be 204.9 AFY as shown in **Table 4.9-2: Indoor Water Demand for proposed Project**, below.

Table 4.9-2: Indoor Water Demand for proposed Project

Planning Area	Indoor Area (ft2)	Number of Rooms	Maximum Interior Floor Space Per Unit	Water Demand Factor (ga/ft2)1	Water Demand (gpd)	Water Demand (AFY)
Industrial Planning Area	1,907,678	--	--	35	182,928	204.9

Source: Water Supply Assessment and Water Supply Verification for the proposed North Palm Springs Master Plan; 2024

The site's outdoor irrigation water demand was estimated to require 49.6 AFY, as shown in **Table 4.9-3: Outdoor Ware Demand** for proposed Project, below. The projected outdoor water features demand for the site was estimated at 0 AFY as there are no outdoor water features proposed at the site.

Table 4.9-3: Outdoor Water Demand for proposed Project

Planning Area	Landscaped Area (ft2)	ETo (in/yr)1	ETAF2	Conversion Factor (gal/ft2)	Water Demand (gpd)	Water Demand (AFY)
Industrial Building Area	0	83.3	0.45	0.62	0	0
Access Roads/Hardscape/Parking	0	83.3	0.45	0.62	0	0
Landscape/Open Space/Retention Areas	688,998	83.3	0.45	0.62	43,870	49.1
Right-of-Way Dedication	7,069	83.3	0.45	0.62	450	0.5
Total	696,067					49.6

Source: Water Supply Assessment and Water Supply Verification for the proposed North Palm Springs Master Plan; 2024
Notes: 1 Reference Evapotranspiration (Eto) from CVWD Landscape Ordinance 1302.5, Appendix C
2 Evapotranspiration Adjustment Factor (ETAF) from CVWD Landscape Ordinance 1302.5, Appendix C
3 Conversion Factor from MSWD Water Efficient Landscaping Guidelines, Exhibit 1, Landscape Documentation Package

The total projected water demand for the proposed Project was therefore estimated at 254.5 AFY, or 2.51 AF per acre.

The MSWD long-term water management planning ensures sufficient water supplies to meet existing service area water demand needs (8,269 AF in 2020) and future water needs of 8,996 AFY by 2025 and 17,494 AFY by 2045. Therefore, the proposed Project's demand of 254.5 AFY represents approximately 35 percent of MSWD's total planned increase in demand by 2025 and about 2.7 percent of the total increase by 2045, based on 2020's water demand.

MSWD therefore has sufficient groundwater supplies such that implementation of the proposed Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. However, since the WSA in itself does not create any right or entitlement to water service or a specific level of water service, nor does it impose, expand, or limit any duty concerning MSWD's existing and future water supply needs, the WSA does not constitute an agreement to provide water service to the proposed Project site. To receive water service at the site, proposed Project applicant would be required to enter into an agreement with MSWD, including any applicable fees, charges, plans, and specifications, along with compliance with all other MSWD requirements. MSWD would also be notified at the onset of site construction and operation.

The proposed development would be consistent with the goals and policies in the Safety, and Recreation, Open Space and Conservation elements of the City's General Plan, especially SA2.10 and SA3.7 which would require that the proposed development is consistent with consistent with regional programs and plans designed to protect groundwater resources. Goal RC9 and Policy RC9.2 would require the proposed Project ensures the provision of adequate, while Policies SA3.16 and RC0.5 would ensure that the proposed development provide adequate water supply and water quality for all of the site's outdoor and landscaping uses.

In addition, in order to meet and maintain the 2020 Coachella Valley RUWMP goals throughout the life of the proposed Project, and to ensure that the proposed Project's impacts on water resources are less than significant, the proposed Project would be required to incorporate mitigation measures **HYD-1** through **HYD-4**.

Mitigation

HYD-1: All landscaping and irrigation plans, and irrigation systems shall comply with all City ordinances and MSWD's Water Efficient Landscaping Guidelines. Irrigation systems shall be automatic, operated by a timer. To promote deep root irrigation, the system shall use two bubbler heads or drop heads per tree.

HYD-2: The proposed Project shall use, to the extent practicable, native plant materials and drought-tolerant plants. The Project shall not make use of turf grass in the landscape design, instead, ground cover plants consisting of shrubs non-turf grasses, and groundcovers

HYD-3: All on-site water supply metering systems shall be installed and maintained in compliance with MSWD's metering and operating range according to AWWA standards.

HYD-4: The proposed Project shall be comply with MSWD rate structures for water and sewer services at the site.

Impact 4.9.3: The proposed Project would not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river through the addition of impervious surfaces which would result in;

- ***substantial erosion or siltation on-or off-site;***
- ***substantial increase in the rate or amount or surface runoff in a way that would result in flooding on-or off-site;***
- ***create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or***
- ***provide substantial additional source of polluted runoff, or impede or redirect flood flows?***

Impacts would be Less than Significant.

The proposed Project site consists of two (2) disturbed vacant parcels in the northern section of the city of Palm Springs. Surrounding uses are primarily vacant land with some small commercials and light industrial development located to the east and south of the site. The proposed Project would develop the site with two (2) large industrial warehouse fulfillment centers, associated parking, truck load areas, and site landscaping.

Soil Erosion and Surface Runoff

Appendix I of this Draft EIR include the FEMA FIRM for the proposed Project site - panel 06065Cmc0895G, dated August 28, 2008. FIRMS typically determine a site's flood hazards. According to he FIRM that encompasses the site and its surrounding areas, the proposed Project site is located in FEMA Flood zone X or in an area with a moderate to low risk of a 0.2% annual chance of flood hazard. It is therefore not located within a Significant Flood Hazard Area (SFHA).

Since the proposed Project site has been in historic use as a windfarm generation facility with no on-site building structures, there are on site infrastructures for water, wastewater or stormwater drainage. Proposed Project construction would include the incorporation of on-site as well as underground stormwater drainage and storage that would intercept convey and retain stormwater runoff resulting from a 100-year storm event. The retention basins would be required to be designed and constructed to provide operational erosion control and maintenance measures. All final Project hydrology, drainage and site plans would be reviewed by the City Engineer to ensure that the proposed Project meets all City Engineering standards for surface runoff as developed under the proposed Project's WQMP. City review and approval of the proposed Project WQMP (included as Appendix I of this DEIR) would ensure that the proposed Project would retain runoff on site.

The Preliminary Hydrology Report prepared for the proposed Project (see ***Appendix I***) calculated that stormwater runoff volumes from the worst case 100-yuear storm event would result in approximately 991,665 cubic feet (cf) for building 1 and approximately 282,146 cf for Building 2. These estimated runoff amounts would exceed the site's existing stormwater capacities. Since the site is currently vacant, the proposed Project would incorporate above and below ground stormwater retention basins that would

have the total capacity to accommodate approximately 1,512,866 cf retention of stormwater runoff. The proposed Project would also be required to conform with the City's General Plan Safety Element Policy SA2.10, SA2.16, Goal SA3 and policies SA3.7, SA3.11, and SA3.16 that would require the proposed development to participate in regional groundwater basin programs designed to protect groundwater resources, provide for on-site stormwater retention, and incorporate landscaping features that would provide the maximum permeable surface area to reduce site runoff. The proposed Project's adherence to Policy SA2.17 would ensure that the proposed Project site and building design features such that impacts from erosion are diminished. In addition, the final approved WQMP for the proposed Project would mandate the monitoring and operation of the site's storm drainage system. This would ensure that site runoff was not released onto adjoining properties, and would prevent off-site siltation and erosion under a 100 year storm event. Since the proposed Project's stormwater retention basins would be distributed throughout the site with a system of underground and above ground detention basins, stormwater runoff under a 100 year storm event would not result in flooding on-or odd-site and impacts would therefore be less than significant.

Stormwater Drainage

According to the Hydrology Report prepared for the proposed Project (***Appendix I***), the site is part of the Master Drainage Plan (MDP) for West Desert Hot Springs, prepared in March 2015 by Riverside County Flood Control and Water Conservation District along with City of Palm Springs, City of Desert Hot Springs, and other stakeholders to identify the regional flood protection facilities and local drainage infrastructure necessary to support future development within the MDP study area (***Appendix I***).

The proposed Project site are two (2) currently vacant parcels with poor vegetative cover located in the primarily undeveloped northern section of the city of Plam Springs. Historic uses for the site included wind farm infrastructure with no associated buildings at the site. The site generally slopes from north to the south, with stormwater runoff flowing onto adjacent properties along 19th Avenue, Chino Canyon White Water River, and eventually to the Salton Sea. There are no existing storm infrastructure onsite or in the adjacent public roadway. Since the proposed Project site would be impacted by offsite drainage flows from the north and northwest direction, preliminary hydraulic calculations, which are provided in ***Appendix I*** , indicate that all site stormwater retention and flows would be safely conveyed through the site and further downstream. The overall proposed Project infrastructure would therefore include six (6) underground infiltration basins as well as two (2) above ground detention basins, box culverts and open channels that would retain onsite storm flows and runoff.

Based on preliminary storm drain design and the preliminary Hydrology and WQMP prepared for the proposed Project (***Appendix I***), the proposed Project would not result in stormwater runoff conditions that would impact the City's existing stormwater capacities, create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems. The proposed Project would also be required to conform with the City's General Plan Safety Element Policy SA2.10, Goal SA3 and policies SA3.7, and SA3.11 to design, provide, and maintain adequate groundwater retention basins. Therefore, the proposed Project would have less than significant impacts in relation to stormwater drainage.

Flood flows

As discussed previously, the vacant and previously disturbed proposed Project site is located in a FEMA Flood zone X which is classified as an area with the potential for a 100 to 500 flood event. The site is therefore not designated as a Special Flood Hazard Area. According to the Hydrology Report prepared for

the proposed Project development (Appendix ???), the site is located in one of the main flow paths of the Whitewater River Watershed. Since the site slopes slightly but evenly from north to south, offsite runoff flows in large areas across the site and eventually connects with the City's existing drainage system on 19th Avenue. There are no rivers or hydrologic features at or in the immediate vicinity of the site; therefore, there are no flood flows on or around the proposed Project site. As mentioned above, four (4) underground infiltration basins, two (2) above ground detention basins around Building 1 as well as two (2) underground detention basins around Building 2 would capture all offsite flows and runoff at the site. The proposed drainage infrastructure at the site would then connect to existing City water lines on 19th Avenue. Since there are no hydrologic features on the site that currently impede flood flows and since all final hydrology and drainage plans for the proposed Project would be required to undergo City review prior to final Project approvals. The proposed Project would also be required to conform with the City's General Plan Safety Element Goal SA3 and policies SA3.1, SA3.2, and SA3.3 and follow applicable City, State and federal standards to reduce risks from exposure to flooding at the site. Therefore, the proposed Project would have less than significant impacts in relation to flood flows.

Mitigation

No mitigation is required.

Impact 4.9.4: Implementation of the proposed Project has the potential to result in site inundation due to flood hazard, tsunami, seiche zones, or risk release of pollutants. Impacts would be Less than Significant.

According to the Federal Emergency Management Administration (FEMA) Flood Insurance Rate Map (FIRM) panel 06065Cmc0895G, the proposed Project site is located in Flood Zone X (please see ***Appendix I Hydrology - Appendix B FIRM Map***).

The proposed project would not result in a flood hazard, tsunami, seiche zones, or risk release of pollutants due to project inundation as the project is not in a flood hazard zone per FEMA flood map FIRM. The project is not near a tsunami or seiche zone. Flood Zone X is defined by FEMA as:

- areas with 0.2% annual chance flood;
- areas with 1% annual chance of flood with average depths of less than one (1) foot or with drainage areas less than on square mile; and,)
- areas protected by levees form 1% annual chance flood.

A Flood Zone X is defined by FEMA to have minimal risks flood hazard. Although the FEMA maps designate the site as not being located within a special flood hazard area (SFHA) or floodway, according to the City's General Plan EIR Flood Hazard Zone map (Figure 5.8.2), the site is located within the limits of a 100 year to 500 year flood. Therefore, there is the potential for less than significant impacts from flood hazards to occur at the proposed Project site.

The National Oceanographic and Atmospheric Administration (NOAA) defines tsunamis as "a series of waves caused by earthquakes or undersea volcanic eruptions" (NOAA; accessed 2024). According to NOAA, tsunami waves out in the ocean do not typically have much height or speed. As the waves travel inland, they build up to higher heights and faster travel speeds, and can travel as far as 10 miles inland. The proposed Project site is located over 65 miles from the Pacific Ocean to the east and approximately over 38 miles from the Salton Sea to the southeast. According to the California Department of

Conservation's Tsunami maps Riverside County and therefore the proposed Project site is not located within a Tsunami zone DOC; accessed 2024). Tsunamis would therefore have no impact on the proposed Project site.

According to NOAA, a seiche "is a standing wave oscillating in a body of water" (NOAA; accessed 2024). These waves are typically caused when strong winds and rapid changes in atmospheric pressure continue to push water from one end of a body of water to the other. Earthquakes, tsunamis, or severe storm fronts may also cause seiches in a body of water. Although the proposed Project is located over 38 miles from the Salton Sea and over 65 miles from the Pacific Ocean, channels of the Whitewater River are located approximately one (1) mile to the east and to the south of the proposed Project site, and the Colorado River Channel which is located approximately five (5) miles to the north of the site. Seiches have the potential to occur in these water bodies as a result of seismic shaking from earthquakes. Land areas immediately north of the site's northern boundary at 18th Avenue and immediately to the east of N Indian Canyon Drive, which forms the eastern boundary of the site, are in the Alquist Prieto Fault Zone's Banning Strand. Therefore, the proposed Project site may be susceptible to shaking from potential earthquakes and therefore seiche waves. Impacts would be less than significant.

Although the site is located in a 100 year to 500 year flood zone according to the City's Flood Hazard Zone map (City of Pam Springs; 2007) and within a Zone X under FEMA FIRM maps, development under the proposed Project has the potential to contribute to urban runoff and storm water runoff to the local drainage system through an increase in impervious surfaces through the development of concrete structures and asphalt parking lots at the site. However, the proposed Project would be required to adhere to the BMPs that would be mandated under Project approvals as well as requirements under the site's NPDES permits. The proposed Project would also be required to conform with the City's General Plan Safety Element Goal SA3 and policies SA3.1, SA3.2, and SA3.3 and follow applicable City, State and federal standards to reduce risks from exposer to flooding at the site. These would reduce the risk of potential release of pollutants and therefore impacts would therefore be less than significant.

Mitigation

No mitigation is required.

Impact 4.9.5: Implementation of the proposed Project would not conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan. Impacts would be Less than Significant.

The proposed Project would be required to adhere to all federal, state, and local regulations and laws pertaining to hydrologic resources and quality as well as the regulations set forth by the City of Palm Springs, s well as those under the Sustainable Groundwater Management Act (SGMA). The SGMA sets statewide rules for managing groundwater, as outlined in California Water Code Section 10910 (also known as SB 610 or the Water Supply Assessment statute) and California Government Code Section 66473.7 (commonly called SB 211 or the Written Verification Statute).

Since the proposed Project is over 650,000 square feet of industrial space, it meets the definition of a "project" under CWC 10912, requiring the preparation of a WSA. The WSA evaluates whether there will be enough water for the proposed Project over the next 20 years during normal, single-dry, and multiple-dry years, as required by SB 610 and SB 1262. It also reviews existing water supply agreements, water rights, contracts, and other arrangements that are related to providing water to the Project.

Therefore, a project specific WQMP has been prepared for the proposed Project in compliance with the standards under the Whitewater River Region Water Quality Management Plan for Urban Runoff, Whitewater River Watershed MS4 Permit ***(Appendix I)***. The WQMP would need to be approved by the City prior to final permit approvals. The WQMP includes guidelines for facility maintenance and other operations aimed at complying with local surface water quality requirements in accordance with the proposed Project's NPDES permit. The WQMP also requires the proposed Project to undertake BMPs under for pre-treating contaminated stormwater and non-stormwater runoff, document the source and treatment controls with a required operation and maintenance program to comply with water quality objectives, and to accommodate nuisance water and storm water runoff from the site.

The WSA for the proposed Project determined that the proposed Project require 254.5 acre-feet of water per year (AFY), or about 2.51 acre-feet (AF) per acre. Based on the available MSWD's published water supply estimates, there would be sufficient water supplies to meet the demands of the proposed Project, as well as all existing and future demands in the district's service area, even in normal, single-dry, and multiple-dry years for the next 20 years (***Appendix I***). This is based on the volume of water available in the aquifer, Colorado River contract supply, water rights and water supply contracts.

In addition, the proposed Project would be required to adhere to Policy RC9.1 of the City's Recreation, Open Space and Conservation Element which would ensure that the proposed Project applicant coordinate with the DWA, MSWD and CVWD, as appropriate, to ensure conformance with applicable quantity and quality of water to be used at the site. Therefore, proposed Project impacts would be less than significant.

Mitigation

No mitigation is required.

4.10 NOISE

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the existing acoustic setting at the proposed Project site and its vicinity, and evaluates the potential noise exposure that could result from construction and operation of the proposed Project. Information for this section was obtained from the Noise Impact Analysis prepared by Gandini Group Inc,, May 2024, and included as ***Appendix E*** to this DEIR,

4.10.1 SETTING

Overview of Environmental Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz and less sensitive to frequencies around and below 100 Hertz (Kinsler, et. al. 1999). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; dividing the energy in half would result in a 3 dB decrease (Crocker 2007).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible (8 times the sound energy); and that an increase (or decrease) of 10 dBA sounds twice (half) as loud (Crocker 2007).

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line, the path the sound will travel, site conditions, and obstructions). Noise levels from a point source typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance (e.g., construction, industrial machinery, ventilation units). Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation and the changes in noise levels with distance (drop-off rate) result from simply the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features such as hills and dense woods, and man-made features such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5 dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011).

Structures can substantially reduce exposure to noise as well. The FHWA's guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The impact of noise is not a function of loudness alone. The time of day when activities that create noise occurs and the duration of the noise generating activities are also important factors of project noise impact. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. One of the most frequently used noise metrics is the equivalent noise level (Leq); it considers both duration and sound power level. Leq is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over time.

Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (Ldn), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. It is also measured using Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013). Noise levels described by Ldn and CNEL usually differ by about 1 dBA. The relationship between the peak-hour Leq value and the Ldn/CNEL depends on the distribution of traffic during the day, evening, and night.

Fundamentals of Vibration

The way in which vibration is transmitted through the earth is called propagation. Propagation of earthborn vibrations is complicated and difficult to predict because of the endless variations in the soil through which 4 waves travel. There are three main types of vibration propagation: surface, compression and shear waves. Surface waves, or Rayleigh waves, travel along the ground's surface. These waves carry most of their energy along an expanding circular wave front, similar to ripples produced by throwing a rock into a pool of water. Compression waves, or P-waves, are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal (i.e., in a "push-pull" fashion). P-waves are analogous to airborne sound waves. Shear waves, or S-waves, are also body waves that carry energy along an expanding spherical wave front. However, unlike P-waves, the particle motion is transverse or "side-to-side and perpendicular to the direction of propagation".

As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. This geometric spreading loss is inversely proportional to the square of the distance. Wave energy is also reduced with distance as a result of material damping in the form of internal friction, soil layering, and void spaces. The amount of attenuation provided by material damping varies with soil type and condition as well as the frequency of the wave.

Vibration amplitudes are usually expressed as either peak particle velocity (PPV) or the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous peak of the vibration signal in inches per second. The RMS of a signal is the average of the squared amplitude of the signal in vibration decibels (VdB), ref one micro-inch per second. The Federal Railroad Administration uses the abbreviation "VdB" for vibration decibels to reduce the potential for confusion with sound decibel.

PPV is appropriate for evaluating the potential of building damage and VdB is commonly used to evaluate human response. Decibel notation acts to compress the range of numbers required in measuring vibration. Similar to the noise descriptors, Leq and Lmax can be used to describe the average vibration and the maximum vibration level observed during a single vibration measurement interval. Figure 4 illustrates common vibration sources and the human and structural responses to ground-borne vibration. As shown in the figure, the threshold of perception for human response is approximately 65 VdB; however, human response to vibration is not usually substantial unless the vibration exceeds 70 VdB. Vibration tolerance limits for sensitive instruments such as magnetic resonance imaging (MRI) or electron microscopes could be much lower than the human vibration perception threshold.

Sensitive Receivers

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Typically, the following land uses are considered noise-sensitive uses of primary concern: residential uses, schools, hospitals, churches, outdoor spectator sports facilities, performing arts facilities, and hotels and motels (Caltrans 2020).

Vibration-sensitive receivers, which are similar to noise-sensitive receivers, include residences and institutional uses, such as schools, churches, and hospitals. Vibration-sensitive receivers also include buildings where vibrations may interfere with vibration-sensitive equipment that is affected by vibration levels that may be well below those associated with human annoyance (e.g., recording studies or medical facilities with sensitive equipment).

Existing Land Uses and Sensitive Receptors

The project site is bordered by vacant land and 18th Avenue to the north, Indian Canyon Drive to the east, a 19th Avenue to the south, and a power station, vacant land, and a dirt access road to the west of the project site.

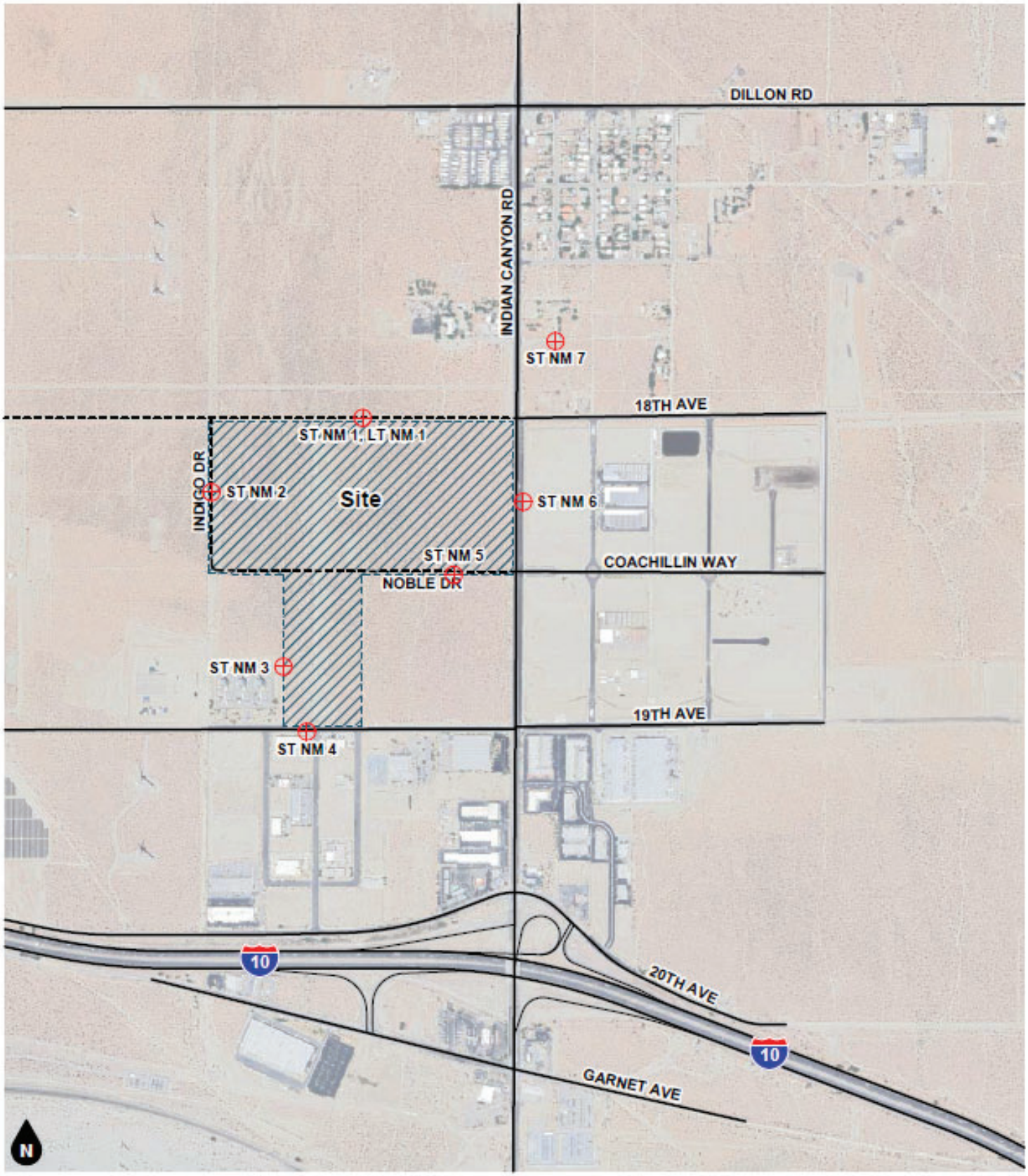
The State of California defines sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple-family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Existing sensitive land uses that may be affected by project noise include the existing single-family residential use with the nearest property line located approximately 725 feet to the northeast of the project site boundaries.

Ambient Noise Measurements

An American National Standards Institute (ANSI Section SI.4 2014, Class 1) Larson Davis model LxT sound level meter was used to document existing ambient noise levels. In order to document existing ambient noise levels in the project area, seven (7) 15-minute daytime noise measurements were taken between 12:45 PM and 5:18 PM on February 14, 2024. In addition, one (1) long-term 24-hour noise measurement was also taken from February 14, 2024, to February 15, 2024. **Exhibit 4.10-1** shows the noise measurement location map. Field worksheets and noise measurement worksheets are provided in Appendix C of the Noise Study for the proposed Project.

As shown on **Exhibit 4.10-1**, existing ambient noise measurements were taken at the following locations:

- STNM1: represents the existing noise environment of the vacant land to the north of the project site and the northern portion of the project site. The noise meter was placed near the approximate center of the northern project property line.
- STNM2: represents the existing noise environment of the vacant land to the west of the project site and the western portion of the project site. The noise meter was placed near the western project property line.
- STNM3: represents the existing noise environment of the power station located adjacent to the southwestern corner of the project site along the northern side of 19th Avenue (63500 19th Avenue, North Palm Springs). The noise meter was placed near the southwestern corner of the project site just northeast of the power station.
- STNM4: represents the existing noise environment of the commercial uses to the south of the project site on the southern side of 19th Avenue (63665 19th Avenue, North Palm Springs). The noise meter was placed just south of 19th Avenue and north of the commercial use.
- LTNM1: represents the existing noise environment of the project site. The noise meter was placed near the approximate center of the northern project property line



Legend

NM 1 Noise Measurement Location

ST NM Short-Term Noise Measurement

LT NM Long-Term Noise Measurement

Table 4.10-1: Short-term Noise Measurement Summary (dBA) provides a summary of the short-term ambient noise data. **Table 4.10-2: Long-term Noise Measurement Summary (LTNM1) (dBA)** provides hourly interval ambient noise data from the long-term noise measurements. Measured short-term ambient noise levels ranged between 49.7 and 73.6 dBA Leq. Long-term hourly noise measurement ambient noise levels ranged from 47.3 to 54.8 dBA Leq. The dominant noise source in the project vicinity was vehicle traffic associated with Indian Canyon Drive and airplanes.

Table 4.10-1 Short-Term Noise Measurement Summary (dBA)

Daytime Measurements1,2								
Site Location	**Time Started**	**Leq**	**Lmax**	**Lmin**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
STNM1	12:45 PM	49.7	54.2	45.3	52.7	51.7	50.4	49.4
STNM2	1:27 PM	56.4	73.8	47.3	65.8	58.3	50.9	49.4
STNM3	2:22 PM	52.6	66.9	46.1	62.9	52.5	51.1	50.0
STNM4	2:55 PM	50.1	73.6	48.8	69.5	61.2	53.9	52.0
STNM5	3:33 PM	57.1	63.5	49.5	62.0	59.7	57.9	56.3
STNM6	4:17 PM	73.6	84.9	54.0	81.2	77.4	74.7	71.5
STNM7	5:03 PM	59.5	68.7	48.4	66.8	62.4	59.8	58.1

Notes:
See Figure 5 for noise measurement locations. Each noise measurement was performed over a 15-minute duration.
Noise measurements performed on February 14, 2024.

Table 4.10-2 Long-Term Noise Measurement Summary (LTNM1) (dBA)

24-Hour Ambient Noise[1,2]								
Hourly Measurements	**Time Started**	**Leq**	**Lmax**	**Lmin**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
Overall Summary	7:00 PM	51.4	71.0	42.3	57.9	54.2	51.4	49.5
1	7:00 PM	51.5	59.8	47.2	55.1	53.4	52.2	51.0
2	8:00 PM	52.2	63.7	47.1	57.1	54.9	52.4	51.2
3	9:00 PM	51.7	63.7	44.5	55.8	54.2	52.6	51.0
4	10:00 PM	48.0	55.7	44.3	51.2	50.0	48.8	47.5
5	11:00 PM	47.3	56.5	43.2	51.0	49.1	47.8	46.9
6	12:00 AM	50.3	68.1	45.4	56.1	52.7	49.9	48.7
7	1:00 AM	54.8	69.9	45.4	62.0	58.8	55.1	52.0
8	2:00 AM	48.7	63.7	44.3	51.7	50.0	48.6	47.7
9	3:00 AM	48.7	54.6	43.8	52.3	51.3	49.7	48.1
10	4:00 AM	50.6	57.6	43.8	54.1	52.9	51.5	50.2
11	5:00 AM	54.3	67.2	47.5	59.5	57.3	54.5	52.9
12	6:00 AM	51.2	63.6	47.5	55.8	52.7	51.5	50.5
13	7:00 AM	52.3	65.0	48.4	57.0	54.1	52.3	51.5
14	8:00 AM	50.8	62.6	44.5	56.4	52.6	51.1	50.0
15	9:00 AM	48.8	62.7	42.3	56.6	52.5	47.8	46.6

24-Hour Ambient Noise[1,2]								
Hourly Measurements	**Time Started**	**Leq**	**Lmax**	**Lmin**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
16	10:00 AM	50.4	64.7	43.7	58.4	53.4	49.6	47.4
17	11:00 AM	52.1	65.2	45.0	59.5	55.9	51.9	49.7
18	12:00 PM	50.3	61.8	45.3	56.2	53.5	50.3	48.9
19	1:00 PM	52.7	67.6	45.4	61.5	56.6	51.2	48.7
20	2:00 PM	52.7	71.0	45.4	60.8	55.3	50.8	49.2
21	3:00 PM	50.7	62.0	45.2	57.3	54.2	50.9	48.9
22	4:00 PM	51.6	68.2	45.4	58.8	54.2	50.9	49.1
23	5:00 PM	51.4	66.7	47.8	57.0	53.8	51.3	50.2
24	6:00 PM	50.9	63.7	46.4	58.3	53.5	49.8	49.1
CNEL	**58.0**							

Notes:
(1) See Figure 5 for noise measurement locations. Noise measurement was performed over a 24-hour duration.
(2) Noise measurement performed from February 14, 2024 to February 15, 2024.

4.10.2 REGULATORY FRAMEWORK

FEDERAL

Federal Noise Control Act of 1972

The U.S. Environmental Protection Agency (EPA) Office of Noise Abatement and Control was originally established to coordinate federal noise control activities. After its inception, EPA's Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, establishing programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In response, the EPA published Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Levels of Environmental Noise). The Levels of Environmental Noise recommended that the Ldn should not exceed 55 dBA outdoors or 45 dBA indoors to prevent significant activity interference and annoyance in noise-sensitive areas. In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at lower levels of government. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to State and local governments. However, noise control guidelines and regulations contained in EPA rulings in prior years remain in place by designated Federal agencies, allowing more individualized control for specific issues by designated Federal, State, and local government agencies.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration (OSHA) requires hearing protection be provided by employers in workplaces where the noise levels may, over long periods of exposure to high noise levels, endanger the hearing of their employees. Standard 29 (Labor) of the Code of Federal Regulations (CFR), Part 1910 prescribes the noise levels under which a hearing conservation program must be provided to workers exposed to high noise levels.

Federal Transit Administration

According to the Federal Transit Administration (FTA), local noise ordinances are typically not very useful in evaluating construction noise. Therefore, the FTA, in their Transit Noise and Vibration Impact

Assessment Manual, established a numerical construction threshold for daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use with a nighttime exterior construction noise level of 70 dBA Leq. State Regulations

STATE

California Department of Transportation

The California Department of Transportation (Caltrans) has developed several publications on groundborne vibration. The Transportation and Construction Vibration Guidance Manual (Caltrans, 2020) provides informational content that supplements previous publications with improved knowledge and information relating to groundborne transportation- and construction-induced vibrations. Although the Transportation and Construction Vibration Guidance Manual is not an official policy, standard, specification, or regulation, it serves as a useful guide for evaluating vibration impacts.

State of California Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which must be prepared per guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. In addition, CEQA requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

California Department of Health Services Office of Noise Control

The California Department of Health Services Office of Noise Control (ONC) was established in 1973 to develop regularity tools to control and abate noise for use by local agencies. One significant model is the "Land Use Compatibility for Community Noise Environments Matrix". The matrix allows the local jurisdiction to clearly delineate compatibility of sensitive uses with various incremental levels of noise.

State of California General Plan Guidelines 2017

Though not adopted by law, the State of California General Plan Guidelines 2017, published by the California Governor's Office of Planning and Research (OPR) (OPR Guidelines), provides guidance for the compatibility of projects within areas of specific noise exposure. The OPR Guidelines identify the suitability of various types of construction relative to a range of outdoor noise levels and provide each local community some flexibility in setting local noise standards that allow for the variability in community preferences. Findings presented in the Levels of Environmental Noise Document (EPA 1974) influenced the recommendations of the OPR Guidelines, most importantly in the choice of noise exposure metrics (i.e., Ldn or CNEL) and in the upper limits for the normally acceptable outdoor exposure of noise-sensitive uses.

The OPR Guidelines include a Noise and Land Use Compatibility Matrix which identifies acceptable and unacceptable community noise exposure limits for various land use categories. Where the "normally acceptable" range is used, it is defined as the highest noise level that should be considered for the construction of the buildings which do not incorporate any special acoustical treatment or noise mitigation. The "conditionally acceptable" or "normally unacceptable" ranges include conditions calling for detailed acoustical study prior to the construction or operation of the proposed Project.

LOCAL

City of Palm Spring 2007 General Plan

The City of Palm Spring 2007 General Plan contains the following Goals and Policies related to Noise in the city:

Noise Element

Goal NS1 Protect residential areas and other sensitive land uses from impacts generated by exposure to excessive noise.

- Policy NS1.1 Continue to enforce acceptable noise standards consistent with health and quality of life goals established by the City and employ noise abatement measures, including the noise ordinance, applicable building codes, and subdivision and zoning regulations.
- Policy NS1.2 Encourage the application of site planning and architectural design techniques that reduce noise impacts on proposed and existing projects.
- Policy NS1.3 Utilize maximum anticipated, or "worst case," noise conditions as the basis for land use decisions and design controls as a means of preventing future incompatibilities.
- Policy NS1.4 Evaluate the compatibility of proposed land uses with the existing noise environment when preparing, revising, or reviewing development proposals.
- Policy NS1.7 Allow new developments in areas exposed to noise levels greater than 60 dB CNEL only if appropriate mitigation measures are included such that applicable noise standards are met.
- Policy NS1.8 Include measures within project design that will ensure that adequate interior noise levels are attained as required by the California Building Standards Code (Title 24), California Noise Insulation Standards (Title 25) and pertinent sections of the California Building Code and the City's Municipal Code.

Goal NS2 Minimize, to the greatest extent possible, the impact of transportation related noise on residential areas and other sensitive land uses.

- Policy NS2.1 Require noise-attenuating project design or sound barriers to reduce the level of traffic-generated noise on residential and other noise sensitive land uses to acceptable levels.
- Policy NS2.5 Require that development generating increased traffic and subsequent increases in the ambient noise levels adjacent to noise sensitive land uses provide appropriate mitigation to reduce the impact of noise.
- Policy NS2.16 Restrict truck access in the City to approved truck routes and review hours of access to maximize residential and commercial activities free of truck traffic.
- Policy NS2.17 Restrict early-morning trash pickup to less-sensitive land use areas where possible and rotate early morning pickup areas where restrictions are not possible.

Goal NS3 Minimize, to the greatest extent possible, the impact of non-transportation-related stationery and temporary noise on residential areas and other sensitive land uses.

- Policy NS3.3 Require that parking lots and structures be designed to minimize noise impacts on-site and on adjacent uses, including the use of materials that mitigate sound transmissions and configuration of interior spaces to minimize sound amplification and transmission.
- Policy NS3.4 Minimize, to the greatest extent possible, noise impacts on adjacent residential areas from live entertainment, amplified music, or other noise associated with nearby commercial or restaurant uses.

- Policy NS3.11 Require that construction activities incorporate feasible and practical techniques which minimize the noise impacts on adjacent uses, such as the use of mufflers and intake silencers no less effective than originally equipped.
- Policy NS3.12 Encourage the use of portable noise barriers for heavy equipment operations performed within 100 feet of existing residences, or make applicants provide evidence as to why the use of such barriers is infeasible.

City of Palm Springs Municipal Code

Chapter 11.74 of the City of Palm Springs Municipal Code is the City's noise ordinance.

Section 11.74.031 Noise Level Limit

The noise level or sound level referred to in this section shall mean the higher of the following:

(1) Actual measured ambient noise level; or

(2) That noise level limit as determined in Table 6.

If the measurement location is on a boundary between two different zones, the noise level limit applicable to the lower noise zone plus five dB shall apply.

Section 11.74.032 Time Duration Correction Table

The time duration allowances set forth in Table 7 shall apply to those noise level limits set forth in Section 11.74.031 during the daytime hours. The provisions of this section shall not apply to construction equipment used in connection with emergency work. These time corrections are generally for field monitoring. Typically, when the Leq is in compliance with the standard, the other time periods (up to 15 minute, up to ten minutes, etc.) are also in compliance. For planning purposes, analysis of the Leq is acceptable.

Section 11.74.034 Maximum Permissible Sound Levels by Receiving Land Use

(1) The noise standards for the various categories of land use identified in Section 11.74.031 shall, unless otherwise specifically indicated, apply to all such property within a designated zone.
(2) No person shall operate or cause to be operated any source of sound at any location which causes the noise level, when measured on any other property, to exceed the limits set forth in Sections 11.74.031 and 11.74.032.
(3) If the measurement location is on a boundary between two different zones, the noise level limit applicable to the lower noise zone plus five dB shall apply.

Section 11.74.035 Maximum Permissible Dwelling Interior Sound Levels

(1) The interior noise standards for multifamily residential dwellings as presented in Table 8 shall apply, unless otherwise specifically indicated, within all such dwellings with windows in their open position.
(2) No person shall operate or cause to be operated within a dwelling unit, any source of sound or allow the creation of any noise which causes the noise level when measured inside a neighboring receiving dwelling unit to exceed:
    (1) The noise standard as specified in subsection (1) of this section for a cumulative period of more than five minutes in any hour; or
    (2) The noise standard plus five dB for a cumulative period of more than one minute in any hour; or

(3) The noise standard plus the ten dB or the maximum measured ambient for any period of time.
(4) If the measured ambient noise level differs from that permissible within any of the allowable interior noise level categories above, the allowable interior noise level shall be adjusted in five-dB increments in each category as appropriate to reflect the measured ambient noise level.

Section 11.74.41 Controlled Hours of Operation

a) It shall be unlawful for any person to operate, permit, use or cause to operate, any of the following between the hours of eight p.m. to eight a.m. in residential zones and between the hours of 8:00 PM to 7:00 AM in all other zones:
(1) Powered model vehicles;
(2) Loading and unloading vehicles such as trash collectors, fork lifts, or cranes within one thousand feet of a residence;
(3) Domestic power tools;
(4) Non-emergency exterior hardscape and landscape activities, including without limitation tree trimming, reseeding, lawn mowing, leaf blowing, dust and debris clearing, and any other landscaping or nonemergency exterior hardscape maintenance activities which would utilize any motorized saw, sander, drill, grinder, leaf-blower, lawn mower, hedge trimmer, edger, or any other similar tool or device.

Section 11.74.043 Lound, Unusual Noises

The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but said enumeration shall not be deemed to be exclusive:

j. Vibration. Operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property or one hundred fifty feet from the source if on a public space or public right-of-way, is unlawful.

Section 11.74.042 Construction

It shall be unlawful for any person within the city to operate construction tools or equipment in the performance of any outside construction or repair work on buildings, structures, or projects except in accordance with Section 8.04.220, of the City's Municipal Code (below).

Section 8.04.220 Limitation of Hours of Construction

a) No person shall be engaged or employed nor shall any person cause any other person to be engaged or employed in any work of construction, erection, alteration, repair, addition to, or improvement of any realty, building or structure, except during the hours of 7:00 AM to 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, if the noise or other sound produced by such work is of such intensity or quality that it disturbs the peace and quiet of any other person of normal sensitivity. Construction work is not permitted on Sundays and holidays (includes Thanksgiving Day, Christmas Day, New Year's Day, July 4th, Labor Day and Memorial Day). For new construction, the permitted hours of construction shall be conspicuously posted on site.
b) Any person doing or causing work prohibited by subsection (a) of this section, after being informed orally or in writing that such work has caused noise or sounds which disturb any other person's

peace and quiet, shall immediately cease such work and shall thereafter perform such work only within the times permitted in subsection (a) of this section.

Exceptions:

(1) Emergency repair of existing installations, equipment, or appliances;
(2) Construction work complying with the terms of a written early work permit which may be issued by the building official upon a showing of sufficient need due to circumstances of an unusual or compelling nature;
(3) Work being conducted in the public right-of-way under the authority of the engineering department shall be allowed on a daily basis between 7:00 AM and 3:30 PM except weekends and holidays unless otherwise approved by the city engineer;
(4) Public service-related maintenance work including, but not limited to, street and sidewalk maintenance and cleaning, public golf course maintenance and public park maintenance;
(5) Activities conducted as part of the implementation of an approved fugitive dust control program.

City of Desert Hot Springs

Land uses to the east and southeast of the project site are located within the jurisdiction of the City of Desert Hot Springs. The land to the east of the project site, across Indian Canyon Drive, is designated as Specific Plan (Coachillin Specific Plan) and the land to the southeast, at the southeastern corner of the intersection of 19th Avenue and Indian Canyon Drive, is designated as Commercial per the City of Desert Hot Springs Land Use Policy Plan.

City of Desert Hot Springs General Plan

The City of Desert Hot Springs General Plan (May 2020) Safety and Noise Element includes the following goals and policies in regard to noise which apply to the proposed project.

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.
- 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 as 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 businesses 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. Limit 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.

City of Desert Hot Springs Municipal Code

The following are the noise regulations identified in the City of Desert Hot Springs Municipal Code.

Section 8.12.030 Noise Disturbances Prohibited

Section 8.12.030 states that it is unlawful for any person to make, suffer, permit, allow, continue, or cause to be made, suffered, permitted, or continued, within the City limits or within 200 feet thereof, any noise disturbance. Per Section 8.12.020 a noise disturbance is any sound that:

1) Endangers the safety or health of any person;
2) Disturbs a reasonable person of normal sensitivities; or
3) Endangers personal or real property.

Section 8.12.080 Standing Motor Vehicles

Per Section 8.12.080 of the City of Desert Hot Springs Municipal Code, no person shall operate or permit the operation of any motor vehicle with a gross vehicle weight rating in excess of 10,000 pounds, or any auxiliary equipment attached to such a vehicle, including but not limited to refrigerated truck compressors, for a period longer than 15 minutes in any hour while the vehicle is stationary, on a public right-of-way or public space, and within 150 feet of a residential dwelling or noise sensitive zone, between the hours of 7:00 PM and 7:00 AM, for reasons other than traffic congestion.

Section 8.12.090 Limiting Noises or Vibration Created by Vehicles, Tools or Machinery to Permitted Hours of Operation

Per Section 8.12.090 of the City of Desert Hot Springs Municipal Code, outside the hours of Monday through Friday, 7:00 AM through 6:00 PM; Saturday, 8:00 AM through 6:00 PM and Sunday, 9:00 AM through 5:00 PM the following activities are not permitted:

- Loading and unloading of vehicles, operating of forklifts or cranes within 1,000 feet of a residence or noise sensitive zone.
- Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects in such a manner as to cause a noise disturbance across a residential real property boundary.
- Operating any mechanically powered saw, sander, drill, grinder, lawn or garden tool, or similar device so as to cause a noise disturbance across a residential real property boundary.

Section 8.12.100 Construction – Hours of Work Permitted

Section 8.12.100 of the Desert Hot Springs Municipal Code states that construction is prohibited pursuant to the hours specified in Section 9.04.030 of the City's Municipal Code.

Section 9.04.030 Construction – Hours of Work Permitted

Per Section 9.04.030 of the City of Desert Hot Springs Code, construction is prohibited between the hours of 5:00 PM of each day and 7:00 AM 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 PM of each day and 6:00 AM of the next day. No such activities shall be permitted on Sundays.

Section 17.40.180 Noise

Per Section 17.40.180 of the City of Desert Hot Springs Municipal Code, no loudspeaker, bells, gongs, buzzers, mechanical equipment or other sounds, attention attracting, or communication device associated with any use shall be discernible beyond any boundary line of the parcel, except fire protection devices, burglar alarms and church bells. Furthermore, in residential areas, no exterior noise level shall exceed 65 dBA and no interior noise level shall exceed 45 dBA.

Section 17.40.300 Vibration

Section 17.040.300 prohibits vibration that is discernible beyond the boundary line of the property.

4.10.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Noise impacts are considered to be significant if implementation of the project would result in:

- Generates 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?
- Generates excessive groundborne vibration or groundborne noise levels?
- 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?

Methodology

Construction Noise

Construction noise typically varies depending on the construction process, type of equipment involved, location of the construction site with respect to sensitive receptors, the schedule proposed to carry out each task (e.g., hours and days of the week) and the duration of the construction work.

Construction noise associated with the proposed Project was calculated at the sensitive receptor locations utilizing methodology presented in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual (2018) together with several key construction parameters, including: distance to each sensitive receiver, equipment usage, percent usage factor, and baseline parameters for the site.

The equipment used to calculate the construction noise levels for each phase were based on the assumptions provided in the CalEEMod modeling in the Air Quality, Global Climate Change, Health Risk Assessment, and Energy Impact Analysis prepared for the proposed project (Appendix ***E*** of this DEIR). For analysis purposes, the distance measured from the proposed Project site to sensitive receptors was assumed to be the acoustical center of the proposed Project site to the property line of residential properties with existing residential buildings. Sound emission levels associated with typical construction equipment as well as typical usage factors are provided in **Table 4.10-3: Construction Equipment Vibration Source Levels**, below.

Table 4.10-3: Construction Equipment Vibration Source Levels

Equipment		PPV at 25 ft, in/sec	Approximate Lv* at 25 ft
Pile Driver (impact)	**upper range**	1.518	112
	typical	0.644	104
Pile Driver (sonic)	**upper range**	0.734	105
	typical	0.170	93
clam shovel drop (slurry wall)		0.202	94
Hydromill (slurry wall)	**in soil**	0.008	66
	in rock	0.017	75
Vibratory Roller		0.210	94
Hoe Ram		0.089	87
Large Bulldozer		0.089	87
Caisson Drilling		0.089	87
Loaded Trucks		0.076	86
Jackhammer		0.035	79
Small Bulldozer		0.003	58

Source: Federal Transit Administration: Transit Noise and Vibration Impact Assessment Manual, 2018.
*RMS velocity in decibels, VdB re 1 micro-in/sec

Operational Noise

The SoundPLAN acoustical modeling software was used to model project operational stationary noise levels from the proposed Project to adjacent sensitive uses (e.g., residences). SoundPLAN is capable of evaluating stationary noise sources (e.g., parking lots, drive-through menus, car wash equipment, vacuums, etc.). The SoundPLAN software utilizes algorithms (based on the inverse square law) to calculate noise level projections. The software allows the user to input specific noise sources, spectral content, sound barriers, building placement, topography, and sensitive receptor locations. Noise modeling input and outputs assumptions are provided in Appendix E of this DEIR.

Operational noise levels were modeled utilizing representative sound levels in the SoundPLAN model. Modeled noise sources include loading and unloading areas, vehicle movement/parking lot, and heating, ventilation, and cooling system equipment (HVAC). The busiest hour associated with project operation was modeled utilizing representative sound levels in the SoundPLAN model. All noise sources were modeled to be in full operation.

Parking lot noise was calculated using SoundPLAN methodology. Specifically, the traffic volume of the parking lot is entered with the number of moves per parking space, the hour and the number of parking bays. The user defines whether the parking lots are for automobiles, motorcycles, or trucks, and the emission level of a parking lot is automatically adjusted accordingly. The values for the number of parking moves for each time slice is the number of parking moves per reference unit (most often per parking bay), averaged for the hour. SoundPLAN utilizes parking lot noise emission levels from the 6th revised edition of the parking lot study "Recommendations for the Calculation of Sound Emissions of Parking Areas, Motorcar Centers and Bus Construction Noise Modeling Stations as well as of Multi-Story Car Parks and Underground Car Parks" published by the Bavarian Landesamt für Umwelt provides calculation methods to determine the emissions of parking lots.

- The parking lot emission table documents the reference level (Lw, ref) from parking lot study: Lw, ref = Lw0 + KPA + KI + KD + KStrO + 10 log(B) [dB(A)]/

- With the following parameters:
- Lw0 = Basic sound power, sound power level of one motion / per hour on P+R areas = 63 dB(A) KPA = Surcharge parking lot type
- KI = Surcharge for impulse character
- KD = Surcharge for the traffic passaging and searching for parking bays in the driving lanes 2.5 * lg (f * B - 9) f = Parking bays per unit of the reference value
- B = Reference value
- KStrO = Surcharge for the road surface B = Reference value

Loading/Unloading

The proposed loading area was modeled using a sound reference level for loading/unloading of general cargo with a sound power level of 65.5 dB per meter which results in a sound pressure level of 70 in the entirety of each loading area.

Mechanical Equipment (HVAC Units)

A noise reference level of 67.7 dBA at 3 feet (sound power level of 78.7 dB) was used to represent rooftop 50 Ton Carrier HVAC units2. A total of three rooftop units were modeled on the proposed rooftops. The noise source height for each HVAC unit was assumed at 1 meter above the roof top. Roof top is assumed to be approximately 15.2 meters (~50 feet) above grade. It is assumed that no HVAC equipment will be stored at ground level outside of the proposed buildings.

Mobile Source Noise Modeling

Noise from vehicular traffic (Existing, Existing Plus Project, and Future) was modeled using a computer program that replicates the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA model arrives at the predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). Key model parameters and REMEL adjustments are presented below:

- Roadway classification (e.g., freeway, major arterial, arterial, secondary, collector, etc.),
- Roadway active width (distance between the center of the outer most travel lanes on each side of the roadway),
- Average Daily Traffic (ADT) Volumes, Travel Speeds, Percentages of automobiles, medium trucks and heavy trucks,
- Roadway grade and angle of view,
- Site conditions (e.g., soft vs. hard), and
- Percentage of total ADT which flows each hour throughout a 24-hour period.

Traffic noise levels were calculated at the right-of-way based on distance from the centerline of the analyzed roadway. The modeling is theoretical and does not take into account any existing barriers, structures, and/or topographical features that may further reduce noise levels. Therefore, the modeled noise levels are shown for comparative purposes only to show the difference between with and without proposed Project conditions.

Existing and Existing Plus Project Traffic Noise Levels

Project generated vehicle traffic is expected to use Indian Canyon Drive, 19th Avenue, and 18th Avenue to access the project site. Existing average daily vehicle trips, project average daily vehicle trips, and project trip distribution were provided in the traffic study prepared for the project (Ganddini 2024). Per the traffic study, the project is anticipated to generate 3,451 new daily trips. **Table 4.10-4: Proposed Project Average**

Daily Traffic Volumes and Roadway Parameters includes the modeled roadway segments as well as the average daily traffic volumes, posted speed limits, and vehicle mix used in this analysis.

Table 4.10-4: Proposed Project Average Daily Traffic Volumes and Roadway Parameters

Roadway	Segment	Average Daily Traffic Volume1		Posted Travel Speeds (MPH)	Site Conditions
		Existing	Existing Plus Project		
Dillon Road	East of Indian Canyon Drive	4,700	5,150	55	Hard
19th Avenue	West of Indian Canyon Drive	200	630	35	Hard
20th Avenue	East of Indian Canyon Drive	7,700	8,450	55	Hard
Garnet Avenue	West of Indian Canyon Drive	3,900	5,310	50	Hard
Indian Canyon Drive	North Dillon Road	6,000	6,300	55	Hard
	Dillon Road 18th Avenue	9,500	10,260	55	Hard
	Noble Drive to 19th Avenue	9,600	12,880	55	Hard
	19th Avenue to 20th Avenue	9,900	13,290	55	Hard
	South of Garnet Avenue	13,400	13,970	55	Hard

Vehicle Distribution (Heavy Mix)2			
Motor-Vehicle Type	Daytime % (7 AM-7 PM)	Evening % (7 PM-10 PM)	Night % (10 PM-7 AM)
Automobiles	75.54	14.02	10.43
Medium Trucks	48.00	2.00	50.00
Heavy Trucks	48.00	2.00	50.00

Notes: Existing and project average daily traffic volumes were obtained from the First Palm Springs Commerce Center Traffic Impact Analysis (TIA) prepared by Ganddini Group, Inc. (April 22, 2024). Existing vehicle percentages are based on the Riverside County Industrial Hygiene Letter for Traffic Noise.

Groundborne Vibration Modeling

Groundborne vibration modeling was performed using vibration propagation equations and construction equipment source levels obtained from the FTA Transit Noise and Vibration Impact Assessment Manual (2018). **Table 4.10-5: Construction Equipment Vibration Levels at Nearest Receptors** shows typical vibration levels associated with commonly used construction equipment based on data from the FTA.

Table 4.10-5: Construction Equipment Vibration Levels at Nearest Receptors

Vehicle Distribution (Heavy Mix)2			
Motor-Vehicle Type	Daytime % (7 AM-7 PM)	Evening % (7 PM-10 PM)	Night % (10 PM-7 AM)
Automobiles	75.54	14.02	10.43
Medium Trucks	48.00	2.00	50.00
Heavy Trucks	48.00	2.00	50.00

Notes: Existing and project average daily traffic volumes were obtained from the First Palm Springs Commerce Center Traffic Impact Analysis (TIA) prepared by Ganddini Group, Inc. (April 22, 2024).
Existing vehicle percentages are based on the Riverside County Industrial Hygiene Letter for Traffic Noise.

There are several types of construction equipment that can cause vibration levels high enough to annoy persons in the vicinity and/or result in architectural or structural damage to nearby structures and improvements. For example, as shown in **Table 4.10-5: Construction Equipment Vibration Source Levels,** a vibratory roller could generate up to 0.21 in/sec PPV at and operation of a large bulldozer could generate up to 0.089 PPV at a distance of 25 feet (two of the most vibratory pieces of construction equipment). Groundborne vibration at sensitive receptors associated with this equipment would drop off as the equipment moves away. For example, as the vibratory roller moves further than 100 feet from the sensitive receptors, the vibration associated with it would drop below 0.0026 in/sec PPV. It should be noted that these vibration levels are reference levels and may vary slightly depending upon soil type and specific usage of each piece of equipment. Groundborne vibration calculations are provided in Appendix G of the ***Appendix E*** to this DEIR.

The fundamental equation used to calculate vibration propagation through average soil conditions and distance is as follows:

$$PPV_{equipment} = PPV_{ref} (25/D_{rec})^n$$

Where: PPV_{ref} = reference PPV at 25ft.

D_{rec} = distance from equipment to receiver in ft.

n = 1.5 (the value related to the attenuation rate through ground)

Impacts

Impact 4.10.1: The proposed Project would not generate 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. Impacts would therefore be Less than Significant.

The proposed Project would develop two large fulfillment center buildings approximately between 388,533 sf and 1,526,174 sf, with offices, truck loading docks, parking, and an internal street system. The

currently vacant site would produce noise during the short-term construction as well as the long-term operations of the proposed development.

Construction

Construction noise is regulated within Section 8.04.220 of the City of Palm Springs Municipal Code and Sections 8.12.100 and 9.04.030 of the City of Desert Hot Springs Municipal Code (see Regulatory Setting section of this report). Accordingly, the proposed Project would result in a significant impact if:

In the jurisdiction of the City of Palm Springs, if construction occurs outside the hours of 7:00 AM to 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays. In addition, construction work is not permitted on Sundays and holidays (incudes Thanksgiving Day, Christmas Day, New Year's Day, July 4th, Labor Day and Memorial Day).

In the jurisdiction of the City of Desert Hot Springs, if construction occurs outside the hours of 7:00 AM to 5:00 PM, except when daylight savings time is in effect. When daylight savings is in effect, if construction occurs outside the hours of 6;00 AM to 6:00 PM. In addition, construction work is not permitted on Sundays.

Project construction noise levels at nearby sensitive receptors were calculated using the FTA methodology (***Appendix E***). Anticipated noise levels during each construction phase are presented in **Table 4.10-6: *Construction Noise Levels.***

Table 4.10-6: Construction Noise Levels.

Phase	Receptor Location	Closest Measured Ambient Noise Location[2]	Existing Measured Noise Levels (dBA, Leq)	Construction Noise Levels (dBA Leq)
Grading & Off-site Improvements[3]	Residential to Northeast (17725 Covey Street, Palm Springs)	STNM7	59.5	57.7
	Residential to Northeast (64050 18th Avenue, Palm Springs)	SNM7	59.5	58.5
Building Construction	Residential to Northeast (17725 Covey Street, Palm Springs)	STNM7	59.5	54.1
	Residential to Northeast (64050 18th Avenue, Palm Springs)	STNM7	59.5	54.9
Paving	Residential to Northeast (17725 Covey Street, Palm Springs)	STNM7	59.5	48.6
	Residential to Northeast (64050 18th Avenue, Palm Springs)	STNM7	59.5	49.4

Architectural Coating	Residential to Northeast (17725 Covey Street, Palm Springs)	STNM7	59.5	42.9
	Residential to Northeast (64050 18th Avenue, Palm Springs)	STNM7	59.5	43.7

Notes: Construction noise worksheets are provided in Appendix D.
Nearest noise measurement as shown in Figure 5 and Table 1.
The Air Quality, Global Climate Change, Health Risk Assessment, and Energy Impact Analysis prepared for the proposed project (Ganddini Group, Inc. 2024) assumed the off-site roadway improvements along 18th Avenue would overlap with the grading phase of the proposed project. Therefore, to be conservative and consistent, the loudest equipment phase (grading) of the off-site improvements was combined with the equipment anticipated during grading of the proposed project to produce a worst-case construction noise level during grading.

Construction noise levels are expected to reach up to 57.7 dBA Leq at the nearest existing residential property line to the northeast of the proposed Project site. However, as would be required and enforced by the City's Department of Code Enforcement, proposed Project construction will not occur outside of the hours outlined in Section 8.04.220 of the City of Palm Springs Municipal Code or Section 9.04.030 of the City of Desert Hot Springs Municipal Code. Based on the modeled construction noise levels (see **Table 4.1-6**), construction noise levels are estimated to reach up to 56.5 dBA Leq at the nearest residential property line. Therefore, the project would not exceed City- established standards relating to construction noise. The proposed Project would also be required to utilize best management practices (BMPs) that would be added to proposed Project plans and in contract specifications to minimize construction noise emanating from the proposed Project (please see ***Appendix E*** of this DEIR). Therefore, the proposed Project construction impact would be less than significant.

Off-Site Vehicle Trips

Construction truck trips would occur throughout the construction period. Given the site's proximity to I-10, it is anticipated that vendor and/or haul truck traffic would take the most direct route to the appropriate freeway ramps.

Indian Canyon Drive currently handles between approximately 9,500 and 9,600 average daily vehicle trips in the vicinity of the project site.3 Existing traffic noise levels along Indian Canyon Drive range between 72.04 and 74.81 dBA CNEL (see Table 4.10-7: Increase in Existing Noise Levels Due to proposed Project Generated VMT). According to the CalEEMod modeling in the Air Quality, Global Climate Change, Health Risk Assessment, and Energy Impact Analysis prepared for the proposed Project (Appendix E), the greatest number of construction-related vehicle trips per day would be during the demolition and paving phases of construction at up to 1,114 vehicle trips per day (801 worker trips and 313 vendor trips per day for both building construction). As stated previously, a doubling of traffic volume would be anticipated to increase noise levels by approximately 3 dBA. Furthermore, it is widely accepted that the average healthy human ear can barely perceive changes of 3 dBA in an outdoor environment and that a change of 5 dBA is readily perceptible. Therefore, vehicle traffic generated during project construction would be anticipated to be nominal relative to existing roadway volumes and would not result in the doubling of traffic volume necessary to increase noise levels by 3 dBA, and proposed Project impacts would be less than significant.

Table 4.10-7: Increase in Existing Noise Levels Due to proposed Project Generated VMT

Roadway	Segment	Distance from roadway centerline to ROW (feet)[2]	Modeled Noise Levels (dBA CNEL)[1]				
			Existing Without Project	Existing Plus Project	Change in Noise Level	Exceeds Standards [3]	Increase of 3 dB or More
Dillon Road	East of Indian Canyon Drive	50	70.98	71.52	0.54	Yes	No
19th Avenue	West of Indian Canyon Drive	41	55.35	61.58	6.23	Yes	Yes
20th Avenue	East of Indian Canyon Drive	40	70.94	71.97	1.03	Yes	No
Garnet Avenue	West of Indian Canyon Drive	40	70.48	72.27	1.79	Yes	No
Indian Canyon Drive	North Dillon Road	50	72.04	72.33	0.29	Yes	No
	Dillon Road 18th Avenue	50	74.04	74.50	0.46	Yes	No
	Noble Drive to 19th Avenue	50	74.08	75.77	1.69	Yes	No
	19th Avenue to 20th Avenue	55	73.80	75.49	1.69	Yes	No
	South of Garnet Avenue	59	74.81	75.06	0.25	Yes	No

Notes: Exterior noise levels calculated 5 feet above pad elevation, perpendicular to subject roadway.
Right of way per the City of Palm Springs General Plan Circulation Element, Figure 4-2 Typical Street Cross Sections, or City of Desert Hot Springs General Plan Mobility and Infrastructure Element, Table MI-1 Roadway Classifications.
Per the City of Palm Springs normally acceptable standard for single-family detached residential dwelling units (see Table 5).

Operation

Onsite Noise Sources

Stationary noise source standards are established within the City of Palm Springs Municipal Code Section 11.74.031(2) and the City of Desert Hot Springs Code (See **Table 4.10-8: Analysis of proposed Project Operation Noise Levels**).

Table 4.10-8: Analysis of proposed Project Operation Noise Levels

Receptor Location[1]	Closest Measured Ambient Noise Location[2]	Existing Measured Noise Levels (dBA Leq)	Operational Noise Levels (dBA Leq)	Combined Existing Measured Ambient and Modeled Operational Noise Levels (dBA Leq)	Increase In Ambient Noise Levels Due to Project Operation	Exceeds Daytime 60 dBA Leq Standard (Y/N)
1	1	49.7	54.6	55.8	6.1	N
2	2	56.4	45.9	56.8	0.4	N
3	3	52.6	51.3	53.4	0.8	N
4	4	50.1	46.1	51.6	1.5	N
5	5	57.1	56.8	60.0	2.9	N
6	6	73.6	42.0	73.6	0.0	Y
7	7	59.5	42.7	59.6	0.1	N
8	7	59.5	45.9	59.7	0.2	N
9	7	59.5	43.2	59.6	0.1	N

Notes: See Figure 6 for receptor locations.
See Table 2 for measured ambient noise levels.

The City of Palm Springs has also established criteria for multiple family residential interior noise levels (See **Table 4.10-9: City of Palm Springs Maximum Permissible Dwelling Unit Interior Sound Levels**).

Table 4.10-9: City of Palm Springs Maximum Permissible Dwelling Unit Interior Sound Levels

Land Use	Time Interval	Allowable Interior Noise Level (dBA)
Multifamily Residential	10:00 PM to 7:00 AM	35
	7:00 AM to 10:00 PM	45

Source: City of Palm Springs Municipal Code Section 11.74.035(1).

The City of Palm Springs' Municipal Code standards apply according to what the affected parcels are zoned. Desert Hot Springs standards apply to existing residential land uses. Property south of the project site is zoned for manufacturing land uses and property just west of the project site is zoned for energy land uses. Properties north and east of the project site are located within the City of Desert Hot Springs. Properties north and east of the project site are zoned commercial and Specific Plan (Coachillin). No residential land uses currently exist or are proposed on these parcels. Therefore, the City of Desert Hot Springs standards for residential receptors is not applicable to this analysis. Accordingly, the proposed Project would result in a significant impact if:

- Project operational noise exceeds the City of Palm Springs established noise standards of 70 dBA Leq between the hours of 7:00 AM and 6:00 PM; exceed 60 dBA Leq between the hours of 6:00 PM and 10:00 PM; or exceed 55 dBA Leq between the hours of 10:00 PM and 7:00 AM at the adjacent and nearby properties zoned for industrial/manufacturing/energy land uses.
- Project operational noise inside multiple family residential living areas exceeds the maximum permissible interior sound level of 45 dBA Leq between the hours of 7:00 AM and 10:00 PM or 35 dBA Leq between the hours of 10:00 PM and 7:00 AM.

Noise levels at nearby sensitive receptors were determined based on the SoundPLAN acoustical model developed for the project. SoundPLAN modeling worksheets are provided in of this DEIR. Based on the operational noise modeling, project operation is expected to range between 42.0 and 54.6 dBA Leq at the adjacent land uses and would not exceed the City of Palm Springs thresholds for properties zoned for industrial/manufacturing land uses (see Appendix E of this DEIR). Since this would fall within permissible ranges, the proposed Project impact would therefore be less than significant.

There are no nearby multiple family residential structures that would be affected by project generated noise. The proposed Project will not violate the City's interior noise standard. There would be no impact.

Offsite Operational Noise Sources

California courts have rejected use of what is effectively a single "absolute noise level" threshold of significance (e.g., exceed 65 dBA CNEL) on the grounds that the use of such a threshold fails to consider the magnitude or severity of increases in noise levels attributable to the project in different environments (see King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814). California courts have also upheld the use of "ambient plus increment" thresholds for assessing project noise impacts as consistent with CEQA, noting however, that the severity of existing noise levels should not be ignored by incorporating a smaller incremental threshold for areas where existing ambient noise levels were already high (see Mission Bay Alliance v. Office of Community Investment and Infrastructure (2016) 6 Cal.App.5th 160).

Increases in ambient noise along affected roadways due to project generated vehicle traffic is considered substantial if:

- Project-related traffic causes an increase in the CNEL at any noise-sensitive receptor by an audible amount of 3 dBA and also causes the noise level at the receiving land use to exceed the noise standards detailed in the Noise Element of the Palm Springs 2007 General Plan.
- Roadway noise levels were calculated at roadways included in the First Palm Springs Commerce Center Traffic Impact Analysis (Ganddini Group, Inc., April 22, 2024) based on the FHWA Traffic Noise Prediction Model methodology. During operation, the proposed project is expected to generate approximately 3,451 average daily trips with 286 trips during the AM peak-hour and

305 trips during the PM peak-hour. Roadway noise levels were calculated for the following scenarios:

- Existing (without Project): This scenario refers to existing year traffic noise conditions.
- Existing Plus Project: This scenario refers to existing year plus project traffic noise conditions.

Table 4.10-7 shows the change in existing roadway noise levels with the addition of proposed Project-generated operational trips.

As shown in Table 4.10-7, modeled existing traffic noise levels range between 55-75 dBA CNEL and the modeled Existing Plus Project traffic noise levels range between 62-76 dBA CNEL at the right-of-way of each study roadway segment.

The addition of proposed Project trips is not expected to increase noise levels in excess of 3 dB along any of the modeled roadway segments except for the segment of 19th Avenue West of Indian Canyon Drive (see Table 4.10-7).

The roadway segment of 19th Avenue West of Indian Canyon Drive has a modeled existing noise level of 55 dBA CNEL with an existing plus project noise level of 62 dBA CNEL, resulting in an increase of 6.23 dB. Although this increase is above 3 dB, the land adjacent to this roadway segment is designated as Industrial to the north and Regional Business Center to the south in the City of Palm Springs General Plan on Figure 2-2 General Plan Land Use. According to the City's Land Use compatibility for community noise exposure (City of Palm Springs General Plan – Noise Element; 2007) noise levels of up to 70 dBA CNEL are considered normally acceptable for commercial uses and up to 75 dBA CNEL are considered normally acceptable for industrial uses. Therefore, the existing plus project noise level of 62 dBA CNEL does not exceed the land use compatibility standards identified in the Noise Element of the City of Palm Springs General Plan. In addition, the proposed Project would be required to comply with applicable goals and policies in the City's General Plan Noise Element. The proposed Project's adherence to Goal NS1 and Policies NS1.1, NS1.2, NS1.3, NS1.4, NS1.7, and NS 1.8 in order to ensure that the site operates under acceptable noise levels. Goal NS2 and Policies NS2.1, NS2.5, NS2.16, and NS2.17 would require the proposed Project to design and implement noise attenuating site design and other noise reduction measures, as well as to restrict truck traffic to City approved truck routes Goal NS2 and Policies NS3.3, NS3.11, and NS2.13 would require the proposed site development to minimize to the greatest extent possible, noise impacts to surrounding areas, design parking lots and buildings to minimize noise, and would require construction activities on the site to incorporate feasible and practical measure to reduce noise impacts on surrounding uses, both during site construction and operation. Impacts would therefore be less than significant.

Mitigation

No mitigation is required.

Impact 4.10.2: Implementation of the proposed Project would not generates excessive groundborne vibration or groundborne noise levels. Impacts would therefore be Less than Significant.

Most groundborne vibration may be associated with vehicular traffic and construction activities. Groundborne vibration is often localized and intermittent, caused by the use of construction equipment and the circulation of trucks hauling construction equipment or debris. The Noise Study conducted for the proposed Project (see ***Appendix E*** of this DEIR) analyzed the potential impacts of vibration created by the proposed development.

Section 11.74.043 of the City of Palm Springs Municipal Code conclude that it is unlawful to operate or permit any device that creates a vibration which is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property or one hundred fifty feet from the source if on a public space or public right-of-way. However, the City has not established specific numerical thresholds of significance concerning groundborne vibration.

Since the site borders the City of Desert Hot Spring at its eastern boundary, the Noise Study conducted for the proposed Project also evaluated Project noise impacts to the areas in the City of Desert Hot Springs. Section 17.40.300 of the City of Desert Hot Springs Municipal Code prohibits vibration that is discernible beyond the boundary line of the property. In the absence of City-established numerical thresholds, groundborne vibration impacts are based on guidance from the Transportation and Construction Vibration Guidance Manual (California Department of Transportation, 2020) (see Regulatory Setting section). Accordingly, the proposed Project would result in a significant impact if:

- Groundborne vibration levels generated by the project have the potential to cause architectural damage at nearby buildings by exceeding the following PPV:
  - 0.08 in/sec at extremely fragile historic buildings, ruins, ancient monuments
  - 0.10 in/sec at fragile buildings
  - 0.25 in/sec at historic and some old buildings
  - 0.30 in/sec at older residential structures
  - 0.50 in/sec at new residential structures and modern industrial/commercial buildings.
  - Groundborne vibration levels generated by the project have the potential to be strongly perceptible to people living or working in nearby buildings by exceeding a PPV of 0.1 in/sec.

Based on the groundborne vibration modeling (Table 16 of the Noise Impact Study included as ***Appendix E*** of this EIR), use of a vibratory roller is expected to generate a PPV of 0.020 in/sec and use of a bulldozer is expected to generate a PPV of 0.008 in/sec at the closest off-site building, a commercial structure located approximately 120 feet south of the project site. Other equipment anticipated to be used during project construction generate lower PPV. Therefore, groundborne vibration generated by project construction would not exceed the levels necessary to cause architectural damage or severe annoyance to persons living or working in nearby buildings.

The most substantial sources of groundborne vibration during post-construction project operations will include the movement of passenger vehicles and trucks on paved and generally smooth surfaces. Loaded trucks generally have a PPV of 0.076 at a distance of 25 feet (Caltrans 2020), which is a substantially lower PPV than that of a vibratory roller (0.210 in/sec PPV at 25 feet).

In addition, the proposed Project would be required to adhere to applicable goals and policies in the City's General Plan Safety Element. Policies NS1.1, NS1.3, and NS1.7 would require the proposed development to utilize noise abatement measures as established by the City's Code or Ordinances, and to apply appropriate mitigation for noise levels greater than 60 dB CNEL. Policies NS 2.5, NS2.16, and NS2.17 would limit truck traffic to designated truck routes, restrict early morning trash pickup, and would require the proposed development to incorporate noise attenuating site design.

Therefore, groundborne vibration levels generated by proposed Project operation would not exceed those modeled for proposed Project construction and would be less than significant.

Mitigation

No mitigation is required.

Impact 4.10.3: The proposed Project is not located within two miles of a private airstrip or a public airport such that it would expose people residing or working in the area to excessive noise level. There would be No Impact.

The nearest airport to the proposed Project site is the Palm Springs International Airport located approximately five (5) miles to the northwest. According to the Riverside County Airport Land Use Compatibility Plan Policy Document Map PS-3 (adopted March 2005), the site is located well outside the airport's 60 dBA CNEL noise contour. Therefore, the proposed Project would not expose people residing or working within two (2) miles of a public or private airport, to excessive noise levels associated with airports, and there would be no impact.

Mitigation

No mitigation is required.

4.11 POPULATION AND HOUSING

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the existing setting at the proposed Project site and analyzes the potential physical environmental effects of proposed Project implementation related to population and employment opportunities. It addresses the regulatory framework that would govern the proposed Project. This section examines the potential growth and employment opportunities that could occur due to the proposed Project beyond what has been planned through the City General Plan and regional growth plans. The analysis presented in this section is based on population and housing information provided by the United States Bureau of the Census (US Census), California State Department of Finance (DOF), Southern California Association of Governments (SCAG), and the City of Palm Springs 2007 General Plan. This section also identifies appropriate mitigation measures to lessen the identified impacts, if necessary, and identifies the applicable City of Palm Springs 2007 General Plan Update goals policies that reduce any identified impacts.

4.11.1 SETTING

According to the Department to Finance (DOF), the County of Riverside has experienced considerable growth over the last two decades. The County had an estimated total population of 1,545,387 people and 584,674 dwelling units in 2000, which increased to approximately 2,439,234 people and 872,930 households by 2023 (California Department of Finance; 2023). Based on the DOF's 2023 population and housing estimates, approximately 784,965 units were occupied with approximately 3.06 persons per household (California Department of Finance; 2023). The US Bureau of the Census estimated that the County had a 59.7% employment rate, or approximately 1,454,008 people in the labor force in 2020 (US Bureau of the Census; 2020).

In comparison, based on the US Census 2020 data, the City of Palm Springs has a total population of approximately 47,427 residents (**Table 4.11-1 Population Growth in the City of Palm Springs**), a change of about 2,852 people from the 2010 US Census population estimates (US Bureau of the Census; 2023). The City's General Plan EIR had estimated a population increase to approximately 53,302 people between 2020 and the General Plan buildout, or an average annual change of 1.12% (Palm Springs by Design General Plan; 2007). Of this, the City population is primarily White (64%), followed by Hispanic (24%), as African American (4%), as Asian (4%), and as Other (3,8%) (City of Palm Springs Housing Element Update; 2023).

4.11-1: Population Growth in the City of Palm Springs

		2020	2045	2020-2034 Change	Avg. Annual Change
Population	44,575	47,427	100,729	53,302	1.12%

Source:US Bureau of Census Quickfacts; accessed 2024

Using data collected in the City's General Plan, there are approximately 23,197 total households and approximately 35,524 housing units located in the City with the land capacity to allow for additional housing as needed. There is a 66% home ownership rate with housing values averaging approximately $452,000. Rental units are estimated to cost residents at approximately 1,564 per month (US Census; 2024).

The median annual household income for the City is approximately $50,361 with a City-wide poverty rate of about 12.9% (US Census; 2024).

As indicated in **Table 4.11-2: Income Range in the City of Palm Springs** below, the City has an approximate 45.7% of residents who are employed mainly serving the sectors of agriculture, retail, construction, professional and educational services, arts, entertainment and recreation (City of Palm Springs Housing Element Update; 2023).

Table 4.11-2: Income Range in the City of Palm Springs

Income Range	Percent of Households
<$15,000	12.8%
$15,000 - $24,999	12.9%
$25,000 - $34,999	11.3%
$35,000 – $49,999	12.6%
$50,000 - $74,999	16.3%
$75,000 - $99,999	9.6%
$100,000 - $149,999	11.0%
$150,000 +	1.5%
Average Household Income	$50,361

Source: City of Palm Springs Housing Element (4th Revision); 2023

According to its 6th Cycle Housing Element, the City has approximately 19,081 employed residents working across the 13 industrial sectors as indicated in **Table 4.11-3**. Of these employment sectors, 46.4% of City residents work in Management, 19.9% work in Services, 20.2% work in Sales, 6.5% work in Natural Resources such as agriculture, and 6.9% work in Production (US Bureau of Census – American Community Survey data; 2023). Average household size was 2.11 persons, with 45% of households consisting of one (1) person, 51% are two (2) person households, 4.0% are three (3) person households (City of Palm Springs 6th Cycle Housing Needs Assessment, 2023). The City's 6th Housing Element estimated that the City currently has a total of 36,702 housing units of which 23,889 units are occupied and 12,813 units that are vacant, resulting in an overall vacancy rate of 9.5% (US Bureau of Census – American Community Survey data; 2023).

Table 4.11-3: Workforce by Industry in the City of Palm Springs

Industry	Estimated Work force
Agriculture, forestry, fishing and hunting, and mining	**124**
Construction	**1,213**
Manufacturing	**670**
Wholesale Trade	**357**
Retail Trade	**1,969**
Transportation and Warehousing and utilities	**771**
Information	**601**
Finance and insurance, and real estate	**1,644**

Industry	Estimated Work force
Professional, scientific, and management and administrative	**2,790**
Educational services, health care, and social working	**4,366**
Arts, entertainment, and recreation	**3,049**
Other services and public administration	**1,013**
Public Administration	**514**
Total	**19,081**

Source: US Bureau of Census – American Community Survey data; 2023

The City's Regional Housing Needs Allocation (RHNA) under its 6th Cycle Housing Element has projected housing needs and availability in the City for the period 2021-2029. A jurisdiction's RHNA typically divides housing types into Extremely Low, Very Low, Low, Moderate and Above Moderate units. The City's RHNA allocation is approximately 2,557 residential units by 2029. Of these, 272 units need to be Extremely Low, 273 units should be Very Low Income units, 408 should be Low Income units, 461 should be Moderate Income units, and 1,143 units may be Above Moderate Income units (City of Palm Springs 6th Cycle Housing Needs Assessment, 2023).

4.11.2 REGULATORY FRAMEWORK

FEDERAL

There are no federal regulations that apply to population and housing on or in the vicinity of the proposed Project site.

STATE

Housing Crisis Act of 2019 - Senate Bill 330 (SB 330)

Commonly known as Senate Bill 330 (Chapter 654, Statutes of 2019), this law was passed to respond to the California housing crisis. Effective January 1, 2020, and slated to sunset on January 1, 2025, SB 330 aims to increase residential unit development, protect existing housing inventory, and expedite permit processing. This law makes a number of modifications to existing legislation, such as the Permit Streamlining Act and the Housing Accountability Act and institutes the Housing Crisis Act of 2019. Under this legislation, municipal and county agencies are restricted in ordinances and polices that can be applied to residential development.

While many of SB 330's provisions (including those related to vested rights and permit streamlining) apply to all cities and counties, the restrictions on local actions contained in Government Code Section 66300 apply only in "affected" cities and counties as defined by the HCD. In the case of counties, it is areas within counties and not necessarily an entire county that is affected. The City of Palm Springs is considered an affected City, as defined by Government Code Section 66300.

State Housing Element Statutes

State housing element statutes (Government Code Sections 65580-65589.9), also known as the Housing Element law, mandate that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Housing Element law recognizes that in order for each

local government to be able to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, state housing policy rests largely upon the effective implementation of local general plans and in particular, housing elements.

REGIONAL

Southern California Association of Governments (SCAG)

The Southern California Association of Governments functions as the Metropolitan Planning Organization (MPO) for Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties, as well as incorporated cities within those counties, and as such it develops and maintains regional and local area socio-economic forecasting and allocation models (Southern California Association of Governments; 2020). These estimates and projections are used for both federal and State long-range planning efforts. Additionally, these forecasts are used to help develop and analyze potential impacts stemming from both public and private sector projects.

2020-2045 Regional Transportation Plan / Sustainable Communities Strategy

Connect SoCal or the 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) was published in September 2020 and outlines the long-term vision (20+years) of how the region will address regional transportation and land use challenges and opportunities. The RTP/SCS was prepared by SCAG to analyze the integration of land use and transportation in the SCAG region to influence sustainable growth. The Plan strives to reach state mandated reductions in greenhouse gas emissions at the regional level through reduced per-capita vehicles miles traveled (VMT). According to SCAG's growth forecasts, the City of Palm Springs will reach a population of 61,600 people, 31,300 households, and increase employment by approximately 42,500 by 2045, which is approximately 1.9% of the projected 2045 Riverside County total population. The number of households in the City is projected to increase approximately 34% between 2016 and 2045.

Regional Housing Needs Assessment

The Southern California Association of Governments (SCAG) is responsible for identifying future housing needs in each of its jurisdiction, including the City of Palm Springs. A local jurisdiction's "fair share" of regional housing need is the number of additional dwelling units that will need to be constructed over a given period to accommodate the forecast growth, to replace expected demolitions and conversion of dwelling units to non-dwelling uses, and to achieve a vacancy rate that allows for healthy functioning of the housing market. The allocation is divided into four income categories: Very Low, Low, Moderate, and Above Moderate.

LOCAL

Palm Springs 2007 General Plan

The City of Palm Spring 2007 General Plan 2035 contains the following Goals and Policies related to population/housing in the City:

Land Use Element

Goal LU1: Establish a balanced pattern of land uses that complements the pattern and character of existing uses, offers opportunities for the intensification of key targeted sites, minimizes adverse environmental impacts, and has positive economic results.

- Policy 1.1 1 Ensure that development meets or exceeds requirements and standards specified within each land use designation.

Goal LU3: Attract and retain high-quality industrial and business park development.

- Policy 3.2 Promote opportunities for expansion and revitalization of industrial uses within the City.
- Policy 3.3 Ensure operation of industrial uses is unobtrusive to surrounding areas and prohibit the development of manufacturing uses that operate in a manner or use materials that may impose a danger on adjacent uses or are harmful to the environment.
- Policy 3.10 Require conditional use permits and monitor compliance with development and use regulations so that WECS do the following:
  - *Maintain appropriate setbacks from I-10, Highway 111, Indian Canyon, and other designated local view sheds consistent with the WECS ordinance; and*
  - *Do not site or expand commercial wind energy conversion systems in areas south of Highway 111 in Palm Springs.*

4.11.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Population and housing impacts are considered to be significant if implementation of the proposed Project would:

- 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)?
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Methodology

The proposed Project's impacts on population and housing were evaluated by determining their consistency with these estimates and projections, as well as consistency with the City of Palm Springs General Plan goals and policies. Evaluation of potential population and housing impacts of the proposed Project is based primarily on information gathered from the *United States Bureau of the Census, DOF, SCAG,* and *the City of Palm Springs 2007 General Plan*. Implementation of the proposed Project was compared to the existing conditions to determine the impacts due to population and housing. A detailed list of resources used in the completion of the analysis in this section and where each can be found is included under References located at the end of the EIR.

Impacts

Impact 4.11.1: The proposed Project would not 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). Impacts would be Less than Significant.

The proposed Project would develop a currently vacant site with light industrial and office uses related to two (2) warehouse facilities. It is expected to be fully operational by 2026. Although there is no housing proposed for the site, the Project would generate approximately 700 new employment opportunities in the City of Palm Spring. This increase in new employment opportunities in the City may be drawn from existing City residents or may be from new residents moving into the City.

According to the DOF, the City currently has a total population of approximately 44,092 people (California Department of Finance; website accessed 2024) and the City's General Plan has anticipated a total population of 94,950 people under build out of the General Plan. SCAG forecasts estimate however, a total of approximately 61,600 people by 2045 (Southern California Associate of Governments; 2020). As stated previously, the proposed Project as a fulfillment center is estimated to generate approximately 700 new jobs in the City. While it is anticipated that these new residents would be drawn from existing population within the City and surrounding communities in Riverside County, there is the possibility that all 700 new employees would be relocating to the City from other areas. Should this occur, then the City's population may be estimated to increase by 1,238 residents based on the 2023 Department of Finance calculation of 1.77 persons per household for the City. This would be an approximate increase of 2.8% of the 2023 population in the City and would still result in population buildout still within the City's estimate of 94,950 persons under it buildout scenario, and would be under the SCAG's 2045 population forecasts of 94,950 and 61,600 people, respectively. Since this increase would be consistent with City and regional growth projections, the proposed Project would not result in a substantial unanticipated population increase in the City and impacts would be less than significant.

The proposed Project's increase in City employment has the potential to require housing opportunities within the City which offers a variety of housing stock consisting of single-family homes, condominiums/townhomes, apartments, and mobile homes. According to the draft Housing Element (4th Revision; November 2023), the City has 36,012 housing units as of 2020, with 85% of these being single-family homes (City of Palm Springs General Plan Housing Element; 2023). From 2010 to 2020, the City experienced modest housing growth, averaging 250 new units built annually (see **Table 4.11-4** below). The City has recently approved applications for housing units that total 2,262 single-family and condominium units.

Table 4.11-4 Housing Growth in the City of Palm Springs

	Housing Units			
Unit Type	**2010**	**Percent**	**2020**	**Percent**
Total Units	34,794	100%	36,012	100%
1 Unit detached	12,665	36%	13,706	38%
1 Unit detached	8,410	24%	8,504	24%
2 to 4 units	2,905	8%	2,931	8%
5 or more units	8,667	25%	8,724	24%
Mobile Home	2,147	6%	2,147	6%
Housing Types				
Single-Family	21,075	61%	22,210	62%
Multiple -Family	11,572	33%	11,655	32%

Other	2,147	6%	2,147	6%

Source: Department of Finance, 2010-2020.

As of 2018, homeowners comprised 61% of households (14,371 households) in the City (City of Palm Springs General Plan Housing Element; 2023). Homeownership rates are the highest in single-family and mobile homes in the City and often vary by race and ethnicity, with Whites have the highest rate (67%), followed by Asians (53%), Blacks (43%), and Hispanics (35%). Vacancy rates are according lower with single-family homes (4% in 2018) than with rental units (10.4% in 2018) in the City (City of Palm Springs General Plan Housing Element; 2023). The vacancy rate reflects the balance between the demand for housing and the availability of housing, and are a major determination in the rent and sales price of housing.

The proposed Project would not involve the development of residential units on the site. Although the proposed development would result in an estimated 700 new employment opportunities in the City, these new employees would likely be drawn from existing residents within the City and surrounding community areas. However, there is the potential for the Project to draw new employees to the City. Although this could increase the need for housing, the City of Palm Springs vacancy rates between 4% and 10% and approved 2,262 new dwelling units would contribute to the housing availability in the City for new households created by the proposed Project's employees. Therefore, any potential increases in the City's population and therefore housing needs generated by the proposed Project, would be accommodated by the anticipated increase in housing units under the City's buildout. Impacts would therefore be less than significant.

Employment growth resulting from proposed Project implementation would result in a less than significant impacts because the increase has been anticipated under the City's General Plan Land Use Element as well as by SCAG's Draft 2024 Regional Transportation Plan/Sustainable Communities Strategy (ConnectSoCal; 2020).SCAG's 2019 Local Profile reports for each City in the Coachella Valley shows that there is an average of 85% of workers who reside in their cities of employment. It is therefore reasonable to assume that unemployed residents in the Coachella Valley could be sufficient to fill the projected 700 positions under the proposed Project. Connect SoCal anticipated approximately 41,000 new jobs in the City of Palm Springs by 2035 (Connect SoCal. 2024). According to the 2023 Updated Land Use Element, the Land Use Plan for the City of Palm Springs estimated that the City would result in the development of approximately 11,638,620 square feet of industrial spaces and result in an increase in employment from approximately 28,000 jobs in 2020 to almost 60,000 jobs under the City's build out. Since development under the proposed Project would not cause an exceedance of the City's or SCAG's employment projections or induce substantial indirect population or housing growth related to project-generated employment opportunities, impacts would therefore be less than significant.

The proposed Project has the potential to create 700 new employment opportunities and to generate new sources of revenue with a new high quality development in the City of Palm Springs, thereby creating positive economic results under its development. The proposed Project would be developed in an area of the City under an M-2 zoning and General Plan designation of Industrial with wind overlay, that is appropriate for the development of a fulfillment center. This would be consistent with Goals LU1 and LU4 of the City's General Plan. Since the proposed Project would be required to meet all City development standards, the proposed Project would comply with policies 1,1 and 1.7. The proposed Project would conform with the City's General Plan Goal LU3 by attracting new, high-quality industrial development in

the City thereby promoting opportunities for the expansion of industrial uses in the appropriate area of the City, consistent with policies 3.2 and 3.3. The proposed Project would also be consistent with the City's General Plan Policy 3.10, by being required to adhere to all applicable permits, maintain the appropriate setbacks from its eastern boundary with N Indian Canyon Avenue. The proposed Project site is located north of SR 111.

Although the proposed Project would result in a new business in the City of Palm Springs, based on the discussion above, it would not induce substantial unplanned population growth in an area and impacts would be less than significant.

Mitigation

No mitigation is required.

Impact 4.11.2: Implementation of the proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. There would be No Impact associated with the proposed Project.

The proposed Project site is a currently vacant parcel that has no housing or people living on the site. The site is surrounded by other industrial uses, and vacant land that is all zoned for manufacturing and Industrial land uses. The proposed Project therefore would not displace people or require the construction of replacement housing elsewhere. Therefore, no impact would occur.

Mitigation

No mitigation is required.

4.12 PUBLIC SERVICES

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) discusses the existing police, fire, and other public services available to the proposed Project, identifies and analyzes potential environmental impacts, presents mitigation measures, as necessary, to reduce or avoid adverse impacts anticipated from implementation of the proposed Project. This section also identifies the appropriate City of Palm Desert General Plan policies that reduce any identified impacts. References used in the preparation of this section are identified in the References of this Draft EIR. The proposed Project impacts to parks and recreation are evaluated in **Section 4.13: Recreation** of this DEIR.

4.12.1 SETTING

Fire

Fire protection services in Riverside County are provided by the California Department of Forestry and Fire Protection (CalFire). CalFire is an all-hazards response team, responding to floods, fires, earthquakes, medical aid, hazardous material spills, search and rescue missions and other disasters (CalFire; 2023). CalFire protects over 31 million acres of California's wildlands and provides emergency services in 36 counties in the State. It operates approximately 94 fire stations in 17 battalion units, the majority of which (51 stations) are located in Riverside County. Additional fire protection services and resources are provided by Riverside County Fire (RCFD), which is administered and operated by CalFire. RCFD provides fire protection and medical services to 21 cities, including the city of Palm Springs.

Fire, paramedic and emergency services for the City of Palm Springs are provided by the Palm Springs Fire Department (PSFD). The PSFD service area totals 96 square miles and is rated Class 3 by the Insurance Service Office (ISO). All fire departments are subject to an ISO fire rating which is a score provided to fire departments and insurance companies by the ISO. The score reflects how prepared a community and area is for fires. The ISO ratings goal is to identify the impact that public fire protection has on individual homeowner property fire rates, given that fire protection can affect the percentage of loss value that could be expected in the event of a fire. There are 10 categories, 10 meaning the lowest level of fire protection to a Class 3 (Class 3 = lowest annual property insurance). While it mainly focuses on the local fire departments and water supply, there are other factors that contribute to an area's score (Bankrate; Firefighters Now websites accessed 2024).

There are five (5) fire stations are located throughout the city so that the response time to any resident is under five (5) minutes. Fire stations are located on 227 N Indian Canyon Drive, 300 N El Cielo Road, 590 E Racquet, 1300 Laverne Way, and 5800 Bolero Road. If needed, additional fire assistance can be provided by agencies under mutual- and automatic-aid agreements with the City of Palm Springs. The following fire protection agencies typically respond to fire emergencies in the city's Sphere of Influence (SOI) areas under mutual-aid agreements:

- Riverside County Fire Department (RCFD)
- United States Forest Service (USFS)
- California Department of Forestry and Fire Protection (CAL FIRE) – mutual-aid
- Bureau of Land Management (BLM)
- Cathedral City

Police

Police protection services regionally for the Coachella Valley are provided by the Riverside County Sherrif's Department (RCSD). The Department is the largest in the state covering over 7,300 square miles and staffed with over 4,000 dedicated men and women. The RCSD has most of its officers dedicated to the Patrol Division with the remaining deputies dedicated to special assignments such as the C.A.T., School Resources, and Gang and Narcotics Enforcement. Support law enforcement services including Emergency Services, K-9, Forensic Services and other specialized teams.

Law enforcement services within the City of Palm Springs are provided by the Palm Springs Police Department located at 200 S Civic Drive, approximately six and half (6.5) miles to the southeast of the proposed Project site. The Palm Springs Police Department (PSPD) is divided into two divisions: Operations and Services. The Operations Division consists of Patrol, Airport Law Enforcement Operations, the Crime Suppression Team, Traffic Enforcement, and Investigation. The Services Division includes Investigation, Jail Operations, Records, Communications, Personnel and Training, and Animal Control.

The PSPD employs 93 officers including 1 (one) Chief of Police, 2 (two) Captains, 3 (three) Lieutenants, 14 sergeants, and 87 police officers. Additionally, there are approximately 60 administrative personnel with full-time and part-time employees. The PSPD also supports a Community Policing Program, the Citizens on Patrol (COP) Program, a Citizen's Police Academy and the volunteer-based Mounted Enforcement Unit.

The city of Palm Springs Police Department has a desired response times of about 5 minutes and 30 minutes for both emergency and non-emergency calls. The PSPD also maintains mutual-aid agreements with other local law enforcement agencies in Riverside County, in the event of a major incident that exceeds the department's resources. Additionally, officers from nearby cities of Desert Hot Springs, Cathedral City, and other neighboring cities may respond to incident calls on their own initiative without a formal mutual aid request. In 2021, the department responded to 75,395 calls for service, an increase of approximately 35,000 calls since 2010 (Palm Springs Fulfillment Center DEIR; 2024).

Schools

The Riverside County Board of Education (RCBOE) and the Riverside County Office of Education (RCOE) together manage approximately 23 school districts within the County. Most of these are "Unified School Districts" providing schooling for grades K (kindergarten) through 12. According to the Riverside County Economic Development data, there are approximately 420,159 enrolled students in Riverside County schools, which have capacity for 431,451 students (Riverside County Education Department Data; accessed 2024).

The city of Palm Springs is served by two (2) school districts, the Palm Springs Unified School District (PSUSD) and the Banning Unified School District (BUSD). In addition to these public schools seven (7) private schools also serve the City and its SOI. The proposed Project site is within the jurisdiction of the PSUSD which provides public kindergarten through grade 12 education through 15 elementary schools with a total enrollment of 11,271, four (4) middle schools with a total enrollment of 5,620, three (3) high schools with a total enrollment of 6,887, and two (2) alternative and continuation schools with a total enrollment of 470. Of the 15 PSUSD schools, one (1) high school, one (1) middle school and three (3) elementary schools are located within 10 miles to the south of the proposed Project site. Three (3) Desert Hot Springs schools are also located with three and a half (3.5) miles to the northeast and east of the site.

Other Public Services

The County of Riverside operates 35 public libraries and two (2) book mobiles to serves County residents. Most of the County libraries also offer computer workstations. In addition to providing the opportunity to review and/or check-out materials for personal use, the County also operates a number of programs through its libraries, such as adult and family literacy and after-school and pre-school programs (Riverside County General Plan EIR, 2015).

The County of Riverside operates the Riverside County Regional Medical Center (RCRMC) located in Moreno Valley, along with a number of smaller medical clinics all over the County. In addition, the County's Department of Public Health also operates ten separate clinics throughout Riverside County. Numerous other private medical facilities exist within the County and its various cities.
The RCRMC provides for 362 beds in its main hospital unit and an additional 77 beds in its psychiatric facility. The hospital has approximately 2,100 staff on site and can administer to approximately 200,000 patients in its outpatient clinic and to approximately 100,000 emergency room/trauma patient visits a year. The RCRMC has 12 operating rooms, a helipad located directly adjacent to its Trauma Center and advanced digital radiology services such as magnetic resonance imaging (MRI) and computerized tomography (CT) equipment. The hospital can also provide care through adult, pediatric and neonatal intensive care units, a birthing center, complete pulmonary services, pharmacy services, occupational and physical therapy, complete clinical laboratory services and diagnostic services, as well as an infusion center for outpatient intravenous treatment (Riverside County General Plan EIR, 2015).

The city of Palm Springs Public Library is located at 300 S. Sunrise Way, over nine and a half (9.5) miles to the southeast of the proposed Project site. The library is rated one of the top 30% of California public libraries. The nearly 50 year old 32,000 square foot structure was opened in 1975 and houses a wide collection of printed materials, audio and video items, periodicals, and public access computers. The building also supports one (1) large meeting room that seats over 90 people, a children's story room and over 180 seating areas, seven (7) of which are set aside for "quiet study" areas (City of Palm Springs 2007 General Plan; 2007).

Numerous hospitals and clinics are located over approximately eight (8) miles to the south and southeast of the proposed Project site, including the Desert Regional Medical Center and Memorial Hospital. Numerous other privately owned and operated medical facilities also exist within the city. The Desert Hot Springs Family Care Urgent Center is located about three (3) miles to the northeast of the proposed Project site, in the community of Desert Hot Springs (Google; accessed 2024).

4.12.2 REGULATORY FRAMEWORK

FEDERAL

National Fire Protection Association

The National Fire Protection Association (NFPA) is an international nonprofit organization that provides consensus codes and standards, research, training, and education on fire prevention and public safety. The NFPA develops, publishes, and disseminates more than 300 consensus codes and standards intended to minimize the possibility and effects of fire and other risks. The NFPA publishes the NFPA 1, Uniform Fire Code, which provides requirements to establish a reasonable level of fire safety and property protection in new and existing buildings.

Disaster Mitigation Act of 2000

Disaster Mitigation Act of 2000 (42 United States Code [U.S.C.] Section 5121) provides the legal basis for the Federal Emergency Management Act (FEMA) mitigation planning requirements for state, local, and Indian Tribal governments as a condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. Section 5121-5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need and creates incentives for state, tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This Act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities.

Occupational Safety and Health Act

The Occupational Safety and Health Act (OSHA) of 1970 led to the foundation of the Occupational Safety and Health Administration to assure safe and healthful working conditions for all workers by setting and enforcing standards and by providing training and education. The required safety and health regulations for construction sites are included in the Code of Federal Regulations, Title 29, Part 1926. Safety requirements related to fire protection and prevention for construction sites are provided in Part 1926, Subpart F, and generally include; provision of fire suppression and fire-fighting equipment on construction sites, sufficient water supply, and requirement for keeping storage sites free from accumulation of unnecessary combustible materials. In California, the Division of Occupational Safety and Health, also known as Cal/OSHA is responsible for administering these safety and health requirements.

International Fire Code

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what protective measures are required for fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every three years and is the basis for the California Fire Code (CFC) (also updated triennially). Local jurisdictions, including the City of Palmdale, then adopt the CFC, in some cases with local amendments.

STATE

Assembly Bill 16 (AB 16)

In 2002, Assembly Bill (AB) 16 created the Critically Overcrowded School Facilities program, which supplements the new construction provisions within the School Facilities Program (SFP). SFP provides State funding assistance for two major types of facility construction projects: new construction and modernization. The Critically Overcrowded School Facilities program allows school districts with critically overcrowded school facilities, as determined by the California Department of Education (CDE), to apply for new construction projects in advance of meeting all SFP new construction program requirements. Districts with SFP new construction eligibility and school sites included on a CDE list of source schools may apply.

Assembly Bill 602 (AB 602)

Assembly Bill (AB) 602 requires public agencies that conduct Level 1 justification studies and Level 2 SFNAs to adhere to new adoption and noticing requirements. The text of AB 602, as currently enacted, applies to all public agencies, expressly including school districts. On January 24, 2024, the State Allocation Board ("SAB") approved a 7.84% increase to the maximum Level 1 Statutory School Fee (also commonly referred to as "Developer Fees") authorized to be collected by school districts pursuant to Education Code section 17620. The SAB increased the maximum Level 1 Statutory School Fee from $0.78 to $0.84 per square foot for commercial/industrial construction. School districts are encouraged to work closely with their school fee consultants and legal counsel to prepare a report known as a Fee Justification Report ("Report"). Consideration and adoption of the Report by a school district's governing board requires a public notification period and a public hearing. The increased Statutory School Fee does not go in effect until 60 days following the governing board's adoption of the Report and new Statutory School Fee.

Assembly Bill 516 (AB 516)

Assembly Bill (AB) 516 updates and expands on a few aspects of AB 1600, including additional reporting requirements, additional information agencies must provide to an applicant paying Development Impact Fees, and new grounds on which an applicant may request an audit on Development Impact Fee expenditures.

Senate Bill 50/Proposition 1A

Senate Bill (SB) 50, the Leroy F. Greene School Facilities Act of 1998, was signed into law on August 27, 1998. SB 50 provides grant funding to school districts for acquisition of school sites, construction of new facilities, or modernization of existing facilities. Grants are funded through a $9.2 billion state bond measure, Proposition 1A, that was approved by voters during the November 3, 1998 election. An additional $12.3 million in funding was provided by Proposition 55 that was passed in March 2004. Under SB 50, construction grants are provided at a 50:50 state and local ratio, while modernization grants are provided on a 60:40 ratio are shared between the State and local school district. School districts that are unable to meet any share of the local match requirement may be eligible for additional state funding if they satisfy financial hardship. In addition, SB 50 allows governing boards of school districts to establish fees to offset costs associated with school facilities made necessary by new construction.

Executive Order N-05-19

On January 9, 2019, Governor Gavin Newsom issued Executive Order (EO) N-05-19 to address the recent damaging wildfires happening in California. Executive Order N-05-19 directs CALFIRE, in consultation with other State agencies and departments, for proactive forestland health maintenance in order to potentially lower fire risk intensity. In addition, EO N-05-19 created the Community Wildfire Prevention & Mitigation Report (February 22, 2019) which contains recommendations to reduce the damage from wildfires across the State. Specifically, they focus on reducing wildfire fuel (such as vegetation clearing), long-term community protection (creating defensible space in communities), wildfire prevention, and forest health (CALFIRE; 2019).

Strategic Fire Plan for California

The Strategic Fire Plan for California, also known as the California Fire Plan, is the State's roadmap for reducing the risk of wildfire. The most recent version of the California Fire Plan finalized in August 2018 and directed each CALFIRE Unit to prepare a locally specific fire management plan (CALFIRE 2019). In

compliance with the California Fire Plan, individual CALFIRE units are required to develop fire management plans for their areas of responsibility. These documents assess the fire situation within each of the 21 CALFIRE units and six contract counties. The plans include stakeholder contributions and priorities and identify strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire problem. The plans are required to be updated annually. With California's extensive wildland-urban interface situation, the list of high-risk communities extends beyond those adjacent to federal lands. The California State Forester, who is also the CALFIRE Director, has the responsibility of managing the high-risk communities list.

Wildland-Urban Interface Building Standards

On September 20, 2007, the Wildland-Urban Interface (WUI) Building Standards Commission approved the Office of the State Fire Marshal emergency regulations amending the California Code of Regulations, Title 24, Part 2, known as the California Building Code (CBC). These codes include provisions for ignition-resistant construction standards in the WUI.

State Fire Regulations

Fire regulations for California are established in Sections 13000 et seq. of the California Health and Services Safety Code and include regulations for structural standards (similar to those identified in the California Building Code); fire protection and public notification systems; fire protection devices such as extinguishers and smoke alarms; standards for high-rise structures and childcare facilities; and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions within California.

California Governor's Office of Emergency Services

The California Governor's Office of Emergency Services (Cal OES; OES) is the Emergency Management Authority (EMA) for the State of California. Cal OES began as the State War Council in 1943. With an increasing emphasis on emergency management, it officially became OES in 1970. On July 1, 2013, Governor Edmund G. Brown Jr.'s Reorganization Plan #2 eliminated the California Emergency Management Agency (Cal EMA); restored its powers, purposes, and responsibilities to Cal OES; and also merged it with the Office of Public Safety Communications (OPSC).

California Public Resources Code Section 4290

The California Public Resources Code (PRC) Section 4290 was adopted to establish minimum wildfire protection standards in conjunction with building, construction, and development in State Responsibility Areas (SRAs). Under PRC Section 4290, the future design and construction of structures, subdivisions, and developments in SRAs must provide for basic emergency access and specified perimeter wildfire protection measures. These measures provide for road standards for emergency access; signing and building numbering; water supply reserves; and fuel breaks and greenbelts.

California Emergency Response Plan

California developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments, and private agencies. The plan is administered by the California Governor's Office of Emergency Services (OES), which coordinates the responses of other agencies. When the city experiences an emergency, an Emergency Operations Center may be opened. In the event an Emergency Operations Center is opened, emergency response team members coordinate efforts and work with local

fire and police agencies, emergency medical providers, the California Highway Patrol (CHP), CALFIRE, California Department of Fish and Wildlife (CDFW), and California Department of Transportation (Caltrans).

California Multi-Hazard Mitigation Plan

The California Office of Emergency Services prepares the State Hazard Mitigation Plan (SHMP), which identifies hazard risks and includes a vulnerability analysis and a hazard mitigation strategy (Cal OES 2018). The SHMP is required under the federal Disaster Mitigation Act of 2000 for the State to receive federal funding. The SHMP represents the state's primary hazard mitigation guidance document - providing an updated analysis of the state's historical and current hazards, hazard mitigation goals and objectives, and hazard mitigation strategies and actions. The SHMP represents the state's overall commitment to supporting a comprehensive mitigation strategy to reduce or eliminate potential risks and impacts of disasters in order to promote faster recovery after disasters and, overall, a more resilient state. SHMPs are required to meet the Elements outlined in the Federal Emergency Management Agency (FEMA)'s State Mitigation Plan Review Guide (revised March 2015, effective March 2016). OES is responsible for the development and maintenance of the State's plan for hazard mitigation. The State's SHMP was last approved by FEMA as an Enhanced State Mitigation Plan in 2018. The SHMP is designed to reduce the effects of disasters caused by natural, technological, accidental, and adversarial/human-caused hazards. The SHMP sets the mitigation priorities, strategies, and actions for the state. The SHMP also describes how risk assessment and mitigation strategy information is coordinated and linked from local mitigation plans into the SHMP and provides a resource for local planners of risk information that may affect their planning area. The State of California is required to review and revise its SHMP and resubmit for FEMA approval at least every five years to ensure continued funding eligibility for certain federal grant programs.

California Fire and Building Codes

The California Fire Code is Part 9 of California Code of Regulations (CCR) Title 24. It establishes the minimum requirements consistent with nationally recognized good practices to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structure, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

California Health and Safety Code (Sections 13000 et seq.)

This Code establishes State fire regulations, including regulations for building standards (also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

California Code of Regulations, Title 24, Part 2, California Building Code

Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (CBC). The most recent building standard adopted by

the legislature and used throughout the state is the 2019 version of the CBC, often with local, more restrictive amendments that are based on local geographic, topographic, or climatic conditions. The CBC is updated on a three-year cycle, and the 2019 CBC took effect on January 1, 2020. Requirements for structures in Fire Hazard Severity Zones are provided in Chapter 7A of the CBC, "Materials and Construction Methods for Exterior Wildfire Exposure," and Chapter 49 of the California Fire Code, "Requirements for Wildland-Urban Interface Fire Areas." Requirements in these two chapters cover roofing; attic ventilation; exterior walls; exterior windows and glazing; exterior doors; decking; protection of underfloor, appendages, and floor projections; and ancillary structures.

California Code of Regulations, Title 24, Part 9, California Fire Code

Requirements in the California Fire Code (CFC) are for building and equipment design, such as fire-rated construction, alarm systems, sprinkler systems, and means of egress; requirements for specific land uses, including airports, dry cleaners, gas stations, and automotive service businesses; hazardous materials; fire flow requirements; and fire hydrant spacing. Other fire safety requirements of the CFC are related to the provision of fire resistance standards for doors, building materials, and particular types of construction, and clearance of debris within a prescribed distance from occupied structures within wildfire hazard areas. The CFC is updated on a three-year cycle, and the 2019 CFC took effect on January 1, 2020.

California Constitution Article XIII, Section 35

Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directed the proceeds of a 0.50-percent sales tax to be expended exclusively for local public safety services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Public safety services include police protection. Section 30056 provides that cities are not allowed to spend less of their own financial resources on their combined public safety services in any given year compared to the 1992-93 fiscal year. Therefore, an agency is required to use Proposition 172 to supplement its local funds used on police protection, as well as other public safety services. Section 35 at subdivision (a)(2) provides: "The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services." In City of Hayward v. Board of Trustees of California State University (2015) 242 Cal. App. 4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including police protection, and that it is reasonable to conclude that the city will comply with that provision to ensure that public safety services are provided.

California Government Code Section 65995 (California Government Code, Title 7, Chapter 4.9)

California Government Code Section 65995 authorizes school districts to collect impact fees from developers of new residential, commercial, and industrial building space. Section 65995 was established under the School Facilities Act of 1986 and refined and amended by the Leroy F. Greene School Facilities Act of 1998 (SB 50) to provide further guidance and restrictions on fee limits and fee types. The payment of school impact fees by developers are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in the California Environmental Quality Act (CEQA) or other State or local laws.

LOCAL

Palm Springs 2007 General Plan

The revised Safety Element of the City's 2007 General Plan contains the following Goals and Policies related to related to fire, police and school facilities in the city:

Safety Element

- Policy SA1.8 Formulate and maintain police, fire, evacuation, hospitalization, and recovery programs in response to all types of natural and human-caused hazards.
- Policy SA1.12 Evaluate new developments for their ability to provide proper police and fire protection and allow for effective evacuations. Project review should include, but is not limited to, adequacy of internal circulation systems and provision of project directories, street names, and numbering systems.
- Policy SA1.13 Ensure that new development does not result in a reduction of law enforcement or fire protection emergency response services below acceptable levels.

Goal SA4: Protect the lives and property of residents, business owners, and visitors from the hazards of urban and wildland fires.

- Policy SA4.1 Assess the need for greenbelts, fuel breaks, fuel reduction, and buffer zones around existing and newly proposed communities to minimize potential losses created by fires.
- Policy SA4.6 Continue to refine procedures and processes to minimize the risk of fire hazards by requiring new and existing development to: Utilize fire-resistant building materials; Incorporate fire sprinklers as appropriate; Incorporate defensible-space requirements; Comply with Riverside County Fuel Modification Guidelines; Provide Fire Protection Plans; Develop fuel modification in naturalized canyons and hills to protect life and property from wildland fires, yet leave as much of the surrounding natural vegetation as possible; and Use selective trimming and obtain permits when necessary in designated areas to preserve environmentally sensitive native plants.

Goal SA 5: Palm Springs residents, business owners, and visitors protected from urban fire and wildfire hazards.

- Policy SA 5.3: Continue to refine procedures and processes to minimize the risk of fire hazards by requiring new and existing development to:
  - Utilize fire-resistant building materials.
  - Incorporate fire sprinklers as appropriate.
  - Incorporate defensible space requirements.
  - Comply with Riverside County Fuel Modification Guidelines.
  - Comply with CAL FIRE's Fire Safe Regulations and Fire Hazard Reduction Around Buildings and Structures Regulations.
  - Provide Fire Protection Plans.
  - Comply with the California Building Code and California Fire Code.
  - Allow for adequate access of emergency vehicles.
  - Develop fuel modification in naturalized canyons and hills to protect life and property from wildland fires yet leave as much of the surrounding natural vegetation as possible.
- Policy SA 5.13: Require all new construction to use noncombustible roofing materials.

Goal SA7: Provide quality police and fire protection to residents, businesses, and visitors of the City

- Policy SA7.8: Maintain and/or upgrade water facilities to ensure adequate response to fire hazards.
- Policy SA7.9: Require that all buildings subject to City jurisdiction adhere to fire safety codes.

Goal SA8: Reduce the risk to life, property, and essential facilities through emergency preparedness and public awareness.

- Policy SA8.16: Evaluate new developments for their ability to provide proper police and fire protection. Project review should include, but is not limited to, adequacy of internal circulation systems and provision of project directories, street names, and numbering systems
- Policy SA8.20: Ensure that new development does not result in a reduction of law enforcement or fire protection services below acceptable levels.
- Policy SA8.21: Analyze the site plan layout for new projects to ensure they provide an adequate amount of defensible space around structures.
- Policy SA8.22: Continue to regulate and enforce the installation of fire protection water system standards for all new construction projects built within the City. Standards shall include the installation of fire hydrants providing adequate fire flow, fire sprinkler systems, and wet and dry on-site standpipe systems.
- Policy SA8.25: Require all new construction to use noncombustible roofing materials.
- Policy SA8.26: Require that all new buildings incorporate adequate egress systems into project design and encourage existing structures to upgrade existing exit systems.

The Land Use Element of the City's 2007 General Plan contains the following Policy related to related to school facilities in the city:

Land Use Element

- Policy LU 1.7: Require new construction to mitigate impacts on the City's housing, schools, public open space, child care facilities, and other public needs.

City of Palm Springs Code of Ordinances

Ordinance No. 2078 in the City's Code of Ordinances is an amendment to Chapter 8.04 of the Municipal Code and is based on the 2022 California Building Code (CBC) which sets minimum design standards for construction of buildings and structures that must also meet minimum fire requirements including Section 202, the Five-Minute Fire Department Response Time. The Five-Minute Fire Department Response Time is defined as the time the fire station or response personnel receive notification of a call or emergency service, allowing one-minute for "firefighter turnout" and four-minutes for travel on paved streets. The Palm Springs Fire Department Five-Minute Response Time Map is identified in Appendix P of the Fire Code of the City of Palm Springs.

4.12.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. The following Appendix G Guidelines are used to determine the level of potential effect (the proposed Project impacts to parks and recreation are evaluated in **Section 4.13: Recreation** of this DEIR):

- 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 other public services:

- Fire protection?
- Police protection?
- Schools?
- Other public facilities?

Methodology

Evaluation of potential impacts to fire protection services under the proposed Project is based on information from the City of Palm Spring General Plan EIR. The proposed Project would develop an approximate 91.97-acre site that is currently vacant, with a 1,907,678 square feet (sf) fulfillment center with office spaces, truck loading, vehicle parking, landscaping, lighting and signage. The fulfillment center would comprise of two (2) buildings - Building 1 would approximate 1,516,174 square feet (sf) and Building 2 would approximate 388,530 sf. Site access would be gated and provided from N Indian Canyon Drive, 18th Avenue and 19th Avenue as well as two (2) new internal roadways – Noble Drive and Indigo Drive. Infrastructure improvements related to electricity, water, wastewater, will tie into existing city lines off-site along N Indian Canyon Drive and 19th Avenue. The proposed Project would be required to adhere to the most recent fire safety codes and City policies for fire and police protection. The proposed Project would also be required to comply with the most current building and electrical codes in place at the time development occurs.

Impacts

Impact 4.12.1: Implementation of the proposed Project would not result in adverse physical impacts associated with the need for new or altered fire protection services and there would be Less than Significant impacts.

The city of Palm Springs is served by five (5) fire stations located throughout the city, such that response times to any residence or business is five (5) minutes or less for any type of fire and emergency medical services. Of these, Fire Station 3, located at 590 E Racquet Club Road, is the closet fire station in proximity to the proposed Project site. Typical services provided by this station include fire suppression, fire prevention, paramedic services, hazardous materials response, urban search and rescue response and other related services.

The proposed Project site is not located within a VHFHSZ or State Risk Assessment (SRA) area; nor is the site located in a VHFHSZ, or a FHSZ in a State Responsibility Area. The closest High FHSZ and Moderate FHSZ areas to the proposed Project site are located in the city of Desert Hot Springs, more than approximately six (6) miles to the northeast and over five (5) miles to the northwest of the site, and over seven (7) miles to the southwest in unincorporated Riverside County (State Fire Marshall Fire Hazard Severity Zone; accessed 2024). As discussed under the Settings section of this DEIR, according to CalFire's State Responsibility Area FHSZ map the proposed Project site is located within Federal Risk Assessment (FRA), and Local Risk Assessment (LRA) areas. According to the City of Palm Springs General Plan Safety Element, this portion of the city of Palm Springs and its immediate surroundings are not located in Direct Fire Protection Areas.

Although the proposed Project would develop a current 91.97 acres vacant lot with two (2) large industrial structures on a currently underutilized parcel, all buildings would be constructed according to the City's Municipal Code and fire safety requirements. Construction and operation of the Project would increase

the number of structures and employees in the Project area thus increasing demand for fire protection and emergency medical services.

The proposed Project would be required to follow all applicable City of Palm Springs fire safety regulations during construction and operation, including the development and utilization of a circulation plan with sufficient emergency access routes. During construction of the proposed Project, all equipment staging would occur within the property boundary, and worker vehicles would be parked either on the property or in a designated parking lanes along 18th Street that forms the northern boundary of the site, or 19th Street that forms the southern boundary or along North Indian Avenue, that serves as the eastern boundary for the proposed Project site Construction material delivery and soil export hauling vehicles would require limited travel on city streets due to the proximity of the site to the I-10 off-ramps located to the south of the site. During both site construction and operation, emergency vehicles would be able to access the proposed Project site from I-10, also serves as an emergency evacuation route, located approximately 3,000 feet to the south of the site, N Indian Canyon Avenue which forms the eastern boundary of the site, as well as 19 Avenue which forms the southern boundary for the site. With adherence to these guidelines and applicable policies in the Safety Element of the City's Palm Springs by Design – General Plan 2040, construction and operation activities would not substantially impede emergency vehicle access or impair an emergency response plan or evacuation plan.

The proposed buildings would be required to include fire safe building materials, and to install water mains, laterals, and hydrants to provide fire flow to all areas of the site. The buildings would be equipped with fire extinguishers, wet and dry sprinkler systems, pre-action sprinkler systems, fire alarm systems, fire pumps, backflow devices, and clean agent waterless fire suppression systems pursuant to the California Fire Code adopted under Chapter 14, Section 40 of the Municipal Code, CBC, and other existing regulations regarding fire safety. In addition, the proposed Project would be required to comply with all applicable City development standards and fire safety codes as they relate to concepts of defensible space and having provisions of sufficient water pressures on site, as well as all applicable State and federal fire safety standards during proposed Project construction and operation.

The proposed Project would also have to conform to the City's Emergency Operations Plan (EOP) for pre-emergency and emergency response actions as well as recovery and mitigation phases of a natural disasters such as wildland fires (City of Palm Springs; 2012).

The proposed Project would be required pay all mandatory fees to maintain acceptable fire service levels in the city. All final plans and designs would also be required to review and approval by the appropriate City departments to ensure adequate fire protection is available on the site. The proposed Project would also be required to comply with the applicable goals and policies under the City's General Plan Safety Element. Policies SA1.8, SA1.12, and SA1.13 would require all development under the proposed Project to develop and institute fire safety and evacuation procedures, provide adequate fire safety access and circulation at the site.,

Goals SA4 and SA5 ensures the protection of employees and business from urban and wildland fires, while adherence to policies SA4.1, SA4.6, as well as SA5.3 would ensure fire safety under the enforcement of fire safe building standards, the utilization of fire-resistant building materials, the installation of fire sprinklers, the use of defensible space, the development of site specific fire protection plans, as well as adherence to the fire safety requirements under the City's Code of Ordinances. The proposed Project's required adherence to Policy SA5.13 would ensure that the proposed buildings on site utilize non

combustible roofing materials. Under policies SA4.8 and SA4.9, the proposed Project would also be required to ensure that water supply distribution to the site have the water sources, capacity and reliability to supply both firefighting needs at the site. The proposed Project would be required to conform to Policy SA4.13 and provide public education to site users regarding fire hazards and measures to minimize the damage caused by fires to life and property.

The City's General Plan Safety Element also include Policies SA7.8 and SA7.9 that would require the proposed Project to provide for and maintain adequate water supply on site as well as adhere to all fire safety codes. The proposed Project's compliance with Goal SA8 and Policies SA8.16. SA8.20, and SA8.,21 would ensure that all site development, site access, internal site circulation, and safety training for site employees were designed and conducted such that emergency access and actions could be carried out in the appropriate manner by the responding fire personnel. Policies SA6.22, SA8.25, and SA8.26 would require the proposed development at the site to provide for the installation of fire protection and sprinkler systems according to City standards, utilize noncombustible building and roofing materials, and to incorporate adequate access on the site for fire equipment and personnel.

Therefore, impacts under the proposed Project related to Fire Protection and Emergency Response Services would be less than significant.

Mitigation

No mitigation is required.

Impact 4.12.2: Implementation of the proposed Project would not result in adverse physical impacts associated with the need for new or altered police protection services and impacts would be Less than Significant.

The proposed Project site is located within an existing industrial development area in the northern portion of the city of Palm Springs. The site is within the jurisdiction of the Palm Springs Police Department, located at 200 S Civic Drive, approximately six and half (6.5) miles to the southeast of the proposed Project site. There are currently no plans for expansion of the existing police facility which maintains approximately 163 staff of sworn police offices and nonsworn part-time or administrative staff (City of Palm Springs General Plan Draft Safety Element; 2022). The Palm Springs Police Department maintains an officer-to-citizen ratio of 2.3 to 1000 residences. In addition, the city maintains a formal and informal mutual aid agreement with Riverside County and the cities of Indio, Palm Springs, and Desert Hot Springs, Cathedral City and other neighboring police departments for law enforcement and emergency services.

According to the Department of Finance (DOF), the city currently has a total population of approximately 44,092 people (California Department of Finance; website accessed 2024). Although the proposed Project is anticipated to generate 700 new employment opportunities in the city, as described previously under **Section 4.11: Population/Housing** of this DEIR, the proposed Project is not expected to create excessive population growth in the city. This would be due to anticipated employee growth being generated from within the city in general, and from other areas within Riverside County. Although it is also anticipated that some of these employees will come from within the region and thus would not contribute to a large increase in population in the city of Palm Springs, there is the potential of proposed Project operations to draw additional residents into the city of Palm Springs. This may cause an incremental increase in demand for police services in the city. However, if the proposed Project build-out does result in an additional new

700 service population in the city, this would still be within the City's standard of 2.3 officers per 1,000 persons.

According to the City of Palm Springs General Plan EIR, future growth in the city in accordance with the General Plan is expected to increase demand for police services particularly in areas that are currently vacant, such as the proposed Project site and its proposed development. However, the City anticipates that future development project such as the proposed Project will be supported by adequate police services supported through the City's Community Facilities Fund which provides the City with the financial resources to hire additional police officers. Also, the proposed Project would be required to pay development impact fees pursuant to City's Municipal Code such that the proposed Project's fair share of fees are sufficient to maintain adequate levels of police support at the site and within the city. Further, any sales tax revenue generated by the development and business ventures on the proposed Project site may potentially be utilized by the City to contract for additional police officers and necessary equipment in order to maintain adequate levels of police service not only within the city but also at the proposed Project site. The collection of development impact fees would ensure the level of police protection services is maintained and the fees can be applied to the purchase of equipment, maintenance of existing facilities, and the construction of facilities as needed. In addition, consistent with the General Plan's Safety Element policies SA1.12, SA1.13, and SA8.16, the city would also evaluate the ability of the proposed Project to provide adequate police protection such that the proposed Project does not result in a reduction of law enforcement below acceptable levels. The proposed Project's adherence to Goal SA7 and Policy SA1.8 would ensure that the proposed Project follow all city requirements to formulate for, provide, and maintain adequate police protection at the proposed Project site. Therefore, the proposed Project would not need new or altered police and impacts from the proposed Project would be less than significant.

Mitigation

No mitigation is required.

Impact 4.12.3: Implementation of the proposed Project would not result in adverse physical impacts associated with the need for new or altered school facilities. Impacts would be Less than Significant.

The proposed Project is an industrial development with no residential structures planned on site as a part of this Project. However, the Project anticipates creating 700 new job opportunities within the city of Palm Springs.

The proposed Project site would result in the development of two warehouses within the PSUSD boundary. It is anticipated that most of these new employees would be drawn from existing city and area residents who may have school age children attending Pal Spring Unified School District (PSUSD) facilities. As such, the Project would not result in a direct demand for new or expanded school services within the area. Although the proposed Project is anticipated to employ 700 people, as described previously under **Section 4.11: Population/Housing** of this DEIR, the proposed Project is not anticipated to generate new population, as the employees needed to operate the Project are anticipated to come from within the city in general, and from other areas within Riverside County. As such, substantial in-migration of employees that could generate new students is not anticipated to occur. Should any of the new employees move to the city of Palm Springs and want to enroll their children in City schools, there ae schools in the PSUSD with sufficient capacity to accept additional students.

Additionally, under state law, the Project would be required to pay PSUSD developer impact fees, calculated on a square-footage basis for new commercial and industrial development. These fees mitigate any impacts upon school facilities by providing funding for the construction of new schools and improvements to existing school sites. Payment of these fees would offset impacts from increased demand for school services associated with the proposed Project by providing the necessary finances to construct new and maintain existing school facilities in the city. In addition, the proposed Project would be required to comply with Policy LU 1.7 in the City's General Plan Land Use Element, as well as State guidelines and payment of impact fees such as the California Government Code Section 65995 under the School Facilities Act of 1986 and SB 50, which authorizes school districts to collect impact fees from developers of new industrial projects. As such, the proposed Project's impact on school services would be less than significant.

Mitigation

No mitigation is required.

Impact 4.12.4: Implementation of the proposed Project would not result in adverse physical impacts associated with the need for new or altered public service facilities such as libraries and hospitals and there would be Less than Significant impacts.

The City's Public Library has sufficient meeting room and study area spaces to meet existing resident needs. Development of the proposed Project is anticipated to primarily employ existing City residents who will be utilizing the existing library services at the city's Public Library. Other Project employees who may be residing in other areas of the County, or who may relocate to the city and surrounding areas, would be utilizing public libraries in their areas of residence.

Similarly, under OSHA standards the proposed Project would be required to provide basic safety training and aids during site construction activities, as well as provide on-site safety materials such as basic medical kits. In addition, employees would have access to area hospitals and emergency clinics in and around their neighborhoods or in Riverside County to be to access area healthcare facilities. Since the construction and development at the site would be required to adhere to Policy LU 1.7 in the City's General Plan Land Use Element which would require developers of new industrial projects to pay their fair share of development impact fees in relation to the City's public facility resources such as libraries and hospitals. Therefore, the proposed Project would not result in the need for new libraries or hospitals, and impacts would be less than significant.

Mitigation

No mitigation is required.

4.13 RECREATION

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) analyzes the potential physical environmental effects of proposed Project implementation related to recreational facilities. It analyzes the potential growth and related needs for additional recreational sites and facilities that may occur due to the Project. This section addresses the regulatory framework that would govern the proposed Project and also recognizes appropriate mitigation measures to lessen the identified impacts as necessary and identifies the appropriate City of Palm Springs 2007 General Plan Update goals and policies that reduce any identified impacts.

4.13.1 SETTING

Open space, or park and recreation land, can be broadly defined as land which is essentially free of structures and buildings and/or is natural in character. Such land uses typically encompasses both publicly- and privately-owned properties and utilized for outdoor recreation. Parks and recreational facilities provide health benefits to a community, act as buffers between land uses, and preserve open areas, trails, scenic views and natural areas unique to each geographic region.

Regional park services around the city are provided by Riverside County, which maintains 35 regional parks over about 23,317 acres of parkland in the county, of which three (3) regional parks are located in close proximity to the city. (County of Riverside General Plan Update EIR; 2014).

The City of Palm Springs Department of Parks and Recreation (DPR) provides park and recreational services for the city of Palm Springs. According to the City's General Plan General Plan Update EIR, there are approximately 1,579 acres of recreational land in approximately nine (9) public parks throughout the city. Of these, approximately 155.4 acres of the city's recreation area consist of community, neighborhood, and mini-park spaces; 1.6 acres for one (1) dog park, and about 1,422 acres for six (6) existing public golf courses, four (4) private with two (2) planned golf courses, located within the city. In addition, the city has approximately 19 community facilities and about 80 miles of trail space for hiking, mountain biking, horse-back riding and other related recreational activities.

Table 4.13-1 Parks and Recreation Facilities list the different parks, total acreage and recreational amenities located within the city and its Sphere of Influence (SOI) areas.

Table 4.13-1 Parks and Recreation Facilities

Name of Park	Type of Park	Address	Amenities	Size
Village Green Heritage Center	Specialty Park	221 S Palm Canyon Drive	Historic homes and museums	4 acres
Wellness Park	Specialty Park	Via Miralest and Tachevah	Exercise areas, walking trails and meditation areas	5.5 acres
Baristo Park	Local Park	Calle El Segundo and Saturnino Road	Basketball courts (also lit at night), playground, picnic areas	2 acres

Name of Park	Type of Park	Address	Amenities	Size
Frances Stevens Park	Local Park	555 N Palm Canyon Drive	Picnic tables; water fountains	3.5 acres
Ruth Hardy Park	Neighborhood Park	700 Tamarisk Road	Courts for tennis, basketball, and sand volleyball, tot lot, play structures	21.2 acres
Victoria Park	Neighborhood Park	2744 N Via Miraleste	Volleyball courts, tot lot, play structures, picnic areas	8 acres
Desert Highland	Community Park	400 Tramview Road	Ball fields, basketball courts, play structures	12 acres
Sunrise	Community Park	Sunrise Way/Ramon Road	Basketball court, Baseball fields, exercise circuit, play structures	38 acres
DeMuth	Two dog park areas	4365 Mesquite Ave	Ball fields, tennis courts, soccer fields, tot lot	61 acres
Dog Park	Two dog park areas	Civic Drive	Fenced in areas with shade canopies, drinking fountains and nighttime lighting	1.6 acre

Source: City of Palm Springs General Plan EIR; 2007

4.13.2 REGULATORY FRAMEWORK

FEDERAL

There are no federal regulations that apply to recreational facilities on or in the vicinity of the proposed Project site.

STATE

Mitigation Fee Act (California Government Code Sections 66000 et seq.)

Enacted as Assembly Bill (AB) 1600, the Mitigation Fee Act requires a local agency, such as the City of Hemet to establish, increase, or impose an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development Project on which it is to be levied. This Act became enforceable on January 1, 1989 (California Legislative Information 2019).

Quimby Act (California Government Code Section 66477)

The Quimby Act (California Government Code, Section 66477) was established by the California legislature in 1965 to develop new or rehabilitate existing neighborhood or community park or recreation facilities. This legislation was enacted in response to the need to provide parks and recreation facilities for California's growing communities.

California State planning law (Government Code Section §65560) provides a structure for the preservation of open space by requiring every city and county in the state to prepare, adopt, and submit to the Secretary of the Resources Agency a "local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction."

LOCAL

There are no local regulations that apply to recreational facilities on or in the vicinity of the proposed Project site.

4.13.1 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Impacts to recreational facilities are significant if implementation of the project considered would result in any of the following:

- 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?
- Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Methodology

Evaluation of potential recreation impacts of the proposed Project was based primarily on information gathered from the City of Palm Springs General Plan and its certified EIR. A detailed list of resources used in the completion of the analysis in this section is included under References located at the end of this DEIR. Implementation of the proposed project was compared to the existing conditions to determine the impacts due to recreation.

Impacts

Impact 4.13.1: Implementation of the proposed Project would not have the potential to increase the use of existing neighborhood and regional facilities or require the construction of new recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Impacts would be Less than Significant.

The proposed Project would develop two (2) vacant parcels in the northern portion of the city of Palm Springs into two (2) large scale industrial business complexes. No residential development is proposed on the site and the majority, if not all, potential employees are anticipated to be drawn from existing city and Riverside County residents. New employees that would need to relocate to the city or County would access the existing neighborhood and regional recreational facilities.

The City's General Plan as well as its 2040 General Plan Update Land Use Element recognizes that there is a deficiency in sufficient parkland space in the city. Currently, recreation service areas in the city are clustered around the central and southern portions of the city, with a majority of Parkland Deficiency Areas or areas outside a one (1) mile radius from a residential community, located to in the southern portions of the city. The nearest park areas and golf courses are located approximately over two and half (2.5) miles to the south of the Project site (City of Palm Springs General Plan EIR; 2007).

Typically, residential development increases the need for new parks and increases the use of existing community wide park facilities. As indicated in section 5.12: Population and Housing of the City's General Plan EIR, the City has a low jobs-to-housing ratio indicating unmet demand for jobs. The City's existing General Plan and 2040 General Plan Update are intended to guide the City's expansion of its parks and recreation system to accommodate future residential development and growth in the city. Future residential development within the City and its Sphere of Influence would be required to dedicate parkland space or to pay in-lieu fees, or a combination of both, to ensure the provision of adequate parks and recreational facilities for the City's future residents.

While the proposed Project may indirectly contribute to the City's expected population growth between 2020 and 2045 as estimated by the Southern California Association of Governments (SCAG), the additional residential development planned for the City under its existing General Plan and its 2040 General Plan Update will fund the needed parks and recreational facilities to serve these new residents through any City's Park Improvement fees, and residential development required Quimby fees These fees are calculated to meet the City's expected need for additional parks and recreational amenities, and apply specifically to residential units and not to the industrial and retail uses.

Although the proposed warehouse development is anticipated to generate approximately 700 new employment opportunities in the city of Palm Springs, some of these employees would be existing residents in the city and surrounding communities and areas of Riverside County. These existing residents would have access to parks and recreational uses within and around their neighborhoods. Any potential new residents would increase the demand on parks and recreational facilities in their neighborhoods; however, such an increase in use would be limited and would not result in deterioration of facilities such that the construction or expansion of recreational facilities would be necessary. Since, as an industrial and commercial facility, the proposed Project would not require any associated recreational facilities the construction of which could have an adverse physical effect on the environment, impacts would be less than significant.

Mitigation

No mitigation is required.

Impact 4.13.2: The proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment and there would be No Impact.

As a primarily industrial and office development, the proposed Project does not include recreational facilities and would not require the construction or expansion of recreational facilities as it is not adding housing or residents on the site who would require access to park and recreational spaces. However, the proposed Project would include pathways and open areas that would be accessible to all employees and visitors at the site. Although the jobs generated by the proposed Project could create demand for housing, future employees connected with the proposed Project would primarily access parks in their residential neighborhoods. Therefore, the proposed Project would not require the construction or expansion of recreational uses that might have an adverse physical effect on the environment; there would be no impact.

Mitigation

No mitigation is required.

4.14 TRANSPORTATION

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) evaluates potential impacts to transportation and traffic from development facilitated under the proposed Project. CEQA regulations now require analysis of traffic impacts based on Vehicle Miles Travelled (VMT) rather than a delay-based Level of Service (LOS) determination. This section therefore includes an analysis of the proposed Project's consistency with applicable local, regional, and state land use plans, policies, and regulations and discusses the potential impacts for the proposed Project to traffic and circulation. It also identifies appropriate mitigation measures to lessen the identified impacts, where necessary and identifies the appropriate city of Palm Springs General Plan policies that reduce any identified impacts. Since the City's General Plan policies are related to LOS for future network operations, this DEIR therefore includes both a VMT analysis as well as a Traffic Impact Analysis (TIA).

- The analysis provided herein is based on the TIA report and the VMT memorandum, prepared by Ganddini Group Inc in 2024 and included as ***Appendix H*** of this DEIR.

4.14.1 SETTING

The proposed Project would be located on a vacant site situated at the northwest portion of the city of Palm Springs, County of Riverside. The site lies within the Coachella Valley, regional access to which is provided by Interstates 10 (I-10), I-15 and I-215 which provide access through the valley from the northwest to the southeast. In addition, the County's general transportation system also includes a number of State highways such as State Route (SR) 111, SR-243, SR6-, SR-71, SR-74, SR-79, SR-86, and SR-9, as well as many County and City routes that provide modes of passenger travel and good movement. In addition the County's transportation system also includes general aviation facilities and limited passenger air services provided by the Palm Springs Airport in Riverside County and the Ontario International Airport in San Bernardino County, while the Union Pacific Railroad (UPRR) line provides transit passenger and freight rail service to the County. Numerous bicycle facilities and pedestrian and equestrian trails exist all over the County area with more facilities and ease of access in some parts of the County (County of Riverside Transportation and Land Management Agency, 2003).

The proposed Project would involve construction and operation of two speculative industrial buildings and associated parking and truck loading areas. Building 1 would be approximately 1,516,174 square feet and located on the northerly 73-acre site and Building 2 would be approximately 390,650 square feet and located on the southerly 19-acre site. N. Indian Canyon Drive, 18th Avenue, and 19th Avenue form the western, northern and southern respective boundaries of the proposed Project site, while I-10 is located approximately 3,333 feet to the south of the site. The proposed Project would consist of two (2) industrial buildings with internal gated access roadways. Primary access to the site would be provided with three (3) newly constructed driveways off the eastern border of the property along N. Indian Canyon Drive, and another two (2) new driveways off 19th Avenue along the site's southern boundary. Two (2) new internal roadways, Noble Drive and Indigo Drive, would be constructed for traffic and goods movement. Noble Drive would allow for two (2) east-west access points between Building 1 and Building 2, while Indigo Drive would allow for four (4) access points to the west of the site.

As mentioned, I-10, classified as a Freeway, is located to the south of the site. This is classified as a major arterial or Major thoroughfare, in proximity to the proposed Project site and generally consists of four (4) travel lanes in each direction, with a posted speed limit of 70 miles per hour. State Scenic Highway or SR

62 located approximately over two (2) miles to the west of the proposed Project site, functions as a 2-lane minor arterial that is currently under County of Riverside jurisdiction. 18th and 19th Avenues are classified as Secondary Thoroughfares.

Road Network

N. Indian Canyon Drive: Forming the eastern boundary of the proposed Project site, this north-south roadway is designated as a Major Thoroughfare (4-Lane divided) from Dillion Road to 19th Avenue, and as a Major Throughfare (6-Lane divided) from 19th Avenue to 20th Avenue on the City of Palm Springs General Plan Circulation Element, as well as a Primary I (6-lane divided) from Dillion Road to Garnet Avenue on the City of Desert Hot Springs General Plan Circulation Element. It is currently fully improved on the east side of the road. This roadway is a paved roadway with two southbound lanes and no curb or gutter on the portion adjacent to the project. It is divided by a turning movement median. On-street parking is not permitted along this roadway. The speed limit is not posted in the site vicinity.

Dillon Road: This east-west roadway is classified as a Major Thoroughfare on the City of Palm Springs General Plan Circulation Element and is classified as a Secondary I (4-Lane divided) on the City of Desert Hot Springs General Plan Circulation Element in the project vicinity. This roadway has four (4) lanes undivided and a 76 to 100 -foot ultimate right of way. It is designated On-street parking is not permitted in the vicinity of the proposed Project area and there are no designated bicycle facilities in the vicinity. Sidewalks are currently not provided on either side of the street in the project vicinity. The posted speed is 55 miles per hour in the site vicinity.

18th Avenue: This undeveloped 2-lane undivided roadway trends in an east-west direction and is classified as a Secondary Throughfare (4-Lane undivided) west of Indian Canyon Drive and is not classified on the City of Palm Springs General Plan Circulation Element in the proposed Project site vicinity. On-street parking is not permitted on the north side of the street and there are no designated bicycle facilities in the site vicinity. Sidewalks are currently not provided on the north side of the street and there are no posted speed limits.

19th Avenue: This east-west roadway is designated as a Secondary Thoroughfare transitioning from a two (2) lane undivided to a three (3) lane undivided roadway in an east-west direction. It is classified as a Secondary Throughfare (4-Lane undivided) west of Indian Canyon Drive on the City of Palm Springs General Plan Circulation Element. On-street parking is not permitted on the north side of the street, and the speed limit is not posted in the project vicinity.

20th Avenue: This 2-lane undivided to 2-lane divided roadway trends in an east-west direction and is classified as a Collector. It is a two (2) Lane undivided roadway west of Indian Canyon Drive on the City of Palm Springs General Plan Circulation Element and is listed as a two (2) lane divided Collector on the City of Desert Hot Springs General Plan Circulation Element. On-street parking is not permitted on the street near the Indian Canyon Drive intersection. There are no designated bicycle facilities in the vicinity of the proposed Project site. Sidewalks are currently provided on the north side of the street adjacent to commercial development. The speed limit is not posted in the project vicinity. 20th Avenue is fully paved west of Indian Canyon Drive with sidewalk, curb and gutter extending approximately 600 feet along its north side and curb and gutter extending approximately 400 feet along its south side. 20th Avenue is also fully paved east of Indian Canyon drive with curb and gutter and intermittent sidewalk approximately 1200 feet along its north side and curb and gutter extending approximately 600 feet along its south side.

Garnet Avenue: This east-west roadway is classified as a Secondary Throughfare (4-Lane undivided) on the City of Palm Springs General Plan Circulation Element. It turns from a two (2) lane undivided to four (4) lane divided roadway trends in an east-west direction between Indian Canyon Drive and the I-10

Freeway on-ramp and offramp. On-street parking is prohibited on both sides of the roadway. There are no designated bicycle lanes in vicinity of the proposed Project site. Sidewalks are currently provided adjacent to commercial development. The speed limit is not posted in the site vicinity.

Truck Routes

Major truck routes exist along I-10, to the south of the proposed Project site and along N Indian Canyon Avenue to the east of the site.

Transit System

The SunLine Transit Agency is the main transit agency servicing the city of Palm Springs. Currently, SunLine operates buses along I-10 and on three (3) routes – Route 2, Route 3, and Route 5 - within the vicinity of the Project site. Both have existing bus stops to the west of the site, at the intersection of Dillon Rod and Palm Drive, approximately three (3) miles to the northeast of the proposed Project site. Airport Boulevard and Plan Street.

Pedestrian and Bicycle Facilities

An existing on street bike lane is located on N Indian Canyon Avenue to the east of the proposed Project site, while a Class 2 bike lane is proposed to the south of the site, along I-10.

An existing pedestrian sidewalk is located to the east of the site, along N Indian Canyon Drive, and along portions of 19th Avenue to the south of the site. Pedestrian crosswalks are located off N India Canyon Drive and its intersections with Coachillin Way and 19th Avenue to the east of the proposed Project site.

DEFINITIONS

The following defines the components of air quality used in this analysis.

ACTUATED SIGNAL CONTROL: A type of traffic signal control in which display of each phase depends on whether the corresponding phase detector has registered a service call or the phase is on recall.

ACTUATION: Detection of a roadway user that is forwarded to the signal controller.

AVERAGE DAILY TRAFFIC: The average 24-hour volume for a stated period is divided by the number of days in that period. For example, Annual Average Daily Traffic is the total volume during a year divided by 365 days.

BANDWIDTH: The number of seconds of green time available for through traffic in a signal progression.

BOTTLENECK: A point of constriction along a roadway that limits the amount of traffic that can proceed downstream from its location.

CALL: An indication within a signal controller that a particular phase is waiting for service, either through actuation from a roadway user or phase recall.

CAPACITY: The maximum number of vehicles that can be reasonably expected to pass through a roadway facility during a specified period.

CHANNELIZATION: The separation of conflicting traffic movements by use of pavement markings, raised curbs, or other suitable means to facilitate free flow movement.

CLEARANCE INTERVAL: Equal to the yellow plus all-red time, if any, when a traffic signal changes between phases (i.e., the amount of time between the end of a green light from one movement to the beginning of a green light for the next).

COORDINATED SIGNAL CONTROL: A type of traffic signal control in which non-coordinated phases associated with minor movements are constrained such that the coordinated phases are served at a specific time during the signal cycle, thus maintaining the efficient progression of traffic flow along the major roadway.

CONTROL DELAY: The portion of delay attributed to the intersection traffic control (such as a traffic signal or stop sign). It includes initial deceleration, queue move-up time, stopped delay, and final acceleration delay.

CORDON: An imaginary boundary line around or across a study area across which vehicles, persons, or other information can be collected for survey and analytical purposes.

CORNER SIGHT DISTANCE: The minimum sight distance required by the driver of a vehicle to cross or enter the lanes of the major roadway without requiring approaching traffic traveling at a given speed to radically alter their speed or trajectory.

CYCLE: A complete sequence of signal indications for all phases. Also known as a signal cycle.

CYCLE LENGTH: The total time for a traffic signal to complete one full cycle.

DAILY CAPACITY: A theoretical value representing the daily traffic volume that will typically result in a peak hour volume equal to the capacity of the roadway.

DELAY: The total additional travel time experienced by a roadway user (driver, passenger, bicyclist, or pedestrian) beyond that required to travel at a desired speed.

DENSITY: The number of vehicles occupying in a unit length of the through traffic lanes of a roadway at any given instant. Usually expressed in vehicles per mile.

DETECTOR: A device used to count or determine the presence of a roadway user.

DESIGN SPEED: A speed used for purposes of designing horizontal and vertical alignments of a highway.

DIRECTIONAL SPLIT: The percent of two-way traffic traveling in a specified direction.

DIVERSION: The rerouting of traffic from a normal path of travel between two points, such as to avoid congestion or perform a secondary trip.

FREE FLOW: Traffic flow that is unaffected by a traffic control and/or or upstream or downstream conditions.

GAP: Time or distance between two vehicles measured from rear bumper of the front vehicle to front bumper of the second vehicle.

GAP ACCEPTANCE: The method by which a driver accepts an available gap in traffic to enter or cross the road.

HEADWAY: Time or distance between two successive vehicles measured from same point on both vehicles (i.e., front bumper to front bumper). Also known as gap.

LEVEL OF SERVICE (LOS): A grading scale of quantitative performance measures representing the quality of service of a transportation facility or service from an average traveler's perspective.

LOOP DETECTOR: A vehicle detector consisting of a loop of wire embedded in the roadway, energized by alternating current and producing an output circuit closure when passed over by a vehicle.

MULTI-MODAL: More than one mode, such as automobile, transit, bicycle, and pedestrian.

OFFSET: The time interval between the beginning of a traffic signal cycle at one intersection and the beginning of signal cycle an adjacent intersection.

PLATOON: A set of vehicles traveling at similar speed and moving as a general group with clear separation between other vehicles ahead and behind.

PASSENGER CAR EQUIVALENT: A metric used to assess the impact of larger vehicles, such as trucks, recreational vehicles, and buses, by converting the traffic volume of larger vehicles to an equivalent number of passenger cars.

PEDESTRIAN CLEARANCE INTERVAL: Also known as the "Flashing Don't Walk" interval, it signals the end of pedestrian entry into the crosswalk following the "Walk" indication and provides time for pedestrians who have already entered the crosswalk to finishing crossing.

PEAK HOUR: The hour within a day in which the maximum volume occurs.

PEAK HOUR FACTOR: The peak hour volume divided by the four times the peak 15-minute flow rate.

PHASE: In traffic signals, the green, yellow, and red clearance intervals assigned to a specified traffic movement.

PRETIMED SIGNAL: A traffic signal operation in which the cycle length, phasing sequence, and phasing times are predetermined and fixed, regardless of actual demand for any given traffic movement. Also known as a fixed time signal.

PROGRESSION: The coordinated movement of vehicles through signalized intersections along a corridor.

QUEUE: The number of vehicles waiting at a service area such as a traffic signal, stop sign, or access gate.

QUEUE LENGTH: The length of vehicle queue, typically expressed in feet, waiting at a service area such as a traffic signal, stop sign, or access gate.

RECALL: A signal phasing operation in which a specified phase places a call to the signal controller each time a conflicting phase is served, thus ensuring the specified phase will be serviced again.

SEMI-ACTUATED CONTROL: A type of traffic signal control in which only the minor movements are provided detection.

SIGHT DISTANCE: The continuous length of roadway visible to a driver or roadway user.

STACKING DISTANCE: The length of area available behind a service area, such as a traffic signal or gate, for vehicle queuing to occur.

STOPPING SIGHT DISTANCE: The minimum distance required by the driver of a vehicle traveling at a given speed to bring the vehicle to a stop after an object on the road becomes visible, including reaction and response time.

TRAFFIC-ACTUATED SIGNAL: A type of traffic signal that directs traffic to stop and go in accordance with the demands of traffic, as registered by the actuation of detectors. Also known as a demand responsive signal.

TRIP OR TRIP END: The one-directional movement of a person or vehicle. Every trip has an origin and a destination at its respective ends (i.e., trip ends). In terms of site trip generation, the same vehicle entering and exiting a site generates two trips: one inbound trip and one outbound trip.

TRIP GENERATION RATE: The rate at which a land use generates trips per the specified land use variable, such per dwelling unit or per thousand square feet.

TURNING RADIUS: The circular arc formed by the smallest turning path radius of the front outside tire of a vehicle, such as that performed by a U-turn maneuver. This is based on the length and width of the wheelbase as well as the steering mechanism of the vehicle.

VEHICLE MILES TRAVELED (VMT): A measure of the amount and distance of automobile travel essentially calculated as the sum of each trip times the trip length.

4.14.2 REGULATORY FRAMEWORK

FEDERAL

There are no federal regulations related to transportation that are applicable to the proposed Project.

STATE

Senate Bill 743 (Steinberg, 2013)

On September 27, 2013, Senate Bill (SB) 743 was signed into state law. The California legislature found that with the adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of greenhouse gas (GHG) emissions, as required by the California Global Warming Solutions Act of 2006 (AB 32).

SB 743 requires the California Governor's Office of Planning and Research (OPR) to amend the State CEQA Guidelines to provide an alternative to LOS as the metric for evaluating transportation impacts under CEQA. Particularly within areas served by transit, SB 743 requires the alternative criteria to promote the reduction of greenhouse gas emissions, development of multimodal transportation networks, and diversity of land uses. The alternative metric for transportation impacts detailed in the State CEQA Guidelines is VMT. In 2018, the State CEQA Guidelines were amended to state that automobile delay, as measured by LOS and other similar measures of vehicle capacity or traffic congestion can not be considered a significant impact on the environment (PRC Section §21099(b)(3)); CEQA Guidelines section §15064.3). Jurisdictions had until July 1, 2020, to adopt and begin implementing VMT thresholds for traffic analysis.

Southern California Association of Governments - Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is the designated metropolitan planning organization for six Southern California counties (Ventura, Los Angeles, San Bernardino, Riverside, Orange,

and Imperial). As the designated metropolitan planning organization, SCAG is mandated by the federal and state governments to prepare plans for regional transportation and air quality conformity. SCAG is empowered by state law to assess regional housing needs and provide a specific allocation of housing needs for all economic segments of the community for each of the region's counties and cities. In addition, SCAG has taken on the role of planning for regional growth management.

The most recent plan adopted by SCAG is the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also known as Connect SoCal, which was adopted in September 2020. Connect SoCal integrates transportation planning with economic development and sustainability planning and aims to comply with state GHG emissions reduction goals, such as SB 375. With respect to transportation infrastructure, SCAG anticipates, in the 2020-2045 RTP/SCS, that the six-county region will have to accommodate 22.5 million residents by 2045 while also meeting the GHG emissions reduction targets set by the California Air Resources Board (CARB).

Transportation Uniform Mitigation Fee

In 2000, the Western Riverside Council of Governments (WRCOG) established the Transportation Uniform Mitigation Fee (TUMF) Program to mitigate the cumulative regional impacts of projected future growth and new development on the region's arterial highway system. The TUMF Program applies a uniform mitigation fee to new development projects that is collected by each WRCOG member agency. The collected funds are pooled and used by WRCOG to fund transportation network improvements, including roads, bridges, interchanges, and railroad grade separations, identified by the public works departments of WRCOG member agencies and listed in the Regional System of Highways and Arterials (RHSA) (WRCOG, 2016).

Caltrans

The Caltrans' Guide for the Preparation of Traffic Impact Studies (TIS) (December 2002) states "Caltrans endeavors to maintain a target Level of Service (LOS) at the transition between LOS C and LOS D for Basic Freeway Segments, Signalized Intersections and Ramp Terminals. However, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. LOS D was assumed to be the minimum acceptable standard for Caltrans facilities. A project causes a significant impact if it causes the LOS to change from an acceptable LOS (LOS D or better) to a deficient LOS (LOS E or worse) or increases delay/density on a facility operating at an unacceptable level. The TIS should provide the nexus between a project and the traffic impacts to State highway facilities. The TIS should also establish the rough proportionality between mitigation measures (if needed) and traffic impacts. Consultation between the lead agency, Caltrans and those preparing the TIS is recommended to reach consensus on any applicable mitigation measures and who will be responsible. This determines if a project's impacts can be eliminated or reduced to a level of insignificance.

Congestion Management Program

The Congestion Management Program (CMP) is intended to link land use, transportation, and air quality with reasonable growth management methods, strategies and programs that effectively utilize new transportation funds to alleviate traffic congestion and related impacts. The Riverside County Transportation Commission (RCTC) is the designated Congestion Management Agency (CMA) that prepares the Riverside County Congestion Management Program updates in consultation with local agencies, the County of Riverside, transit agencies and sub-regional agencies like the Coachella Valley

Association of Governments (CVAG). SB 375 requires each Metropolitan Planning Organization agency to adopt a Sustainable Communities Strategy in conjunction with its Regional Transportation Plan. The Sustainable Communities Strategy aligns land use and transportation planning assumptions to ensure attainment of state-mandated regional greenhouse gas emissions targets. The RCTC has designated a system of highways and roadways to include (at a minimum) all State Highway facilities within Riverside County and a system of principal arterials as the Congestion Management System (CMS). All State Highways within Riverside County have been designated as part of the CMP System of Highways and Roadways.

Local

City of Palm Springs General Plan

The city of Plam Springs General Plan contains the following Goals and Policies in its Circulation Element and Safety Element, related to traffic and transportation that may be applicable to the proposed Project:

Circulation Element

Goal CR1: Establish and maintain an efficient, interconnected circulation system that accommodates vehicular travel, walking, bicycling, public transit and other forms of transportation

- Policy CR1.1 Develop a system of roadways that provides travel choices and reduces traffic congestion.
- Policy CR1.9 Maintain a truck route system that serves business districts, industrial areas, and the Airport.
- Policy CR1.10 Continue to implement the City's Transportation Demand Management ordinance and update as necessary.
- Policy CR1.11 Encourage large employers (employers with 100 or more persons) to adopt incentive programs that include ridesharing, fleet vehicles and vanpools, preferential parking for rideshares, subsidized shuttle bus services, telecommuting, alternative work hour programs, bicycle racks, lockers and shower rooms, and information on transit services to reduce overall traffic volumes in the City.
- Policy CR1.13 Require the owner or applicant of new development projects to fund the cost to mitigate traffic impacts generated by the new development project to LOS D or better.
- Policy CR1.14 Pursue an aggressive regional posture advocating new and improved transportation solutions, including continued participation in the Transportation Uniform Mitigation Fee.
- Policy CR1.15 Private roads shall be developed in accordance with the City's published engineering standards for public streets, unless otherwise approved by the City Engineer.
- Policy CR1.16 Require developers, prior to approval of development plans, to provide increased right-of-way through land dedications to accommodate additional demand for dual left-turn and exclusive right-turn lanes, interchange improvements, bus stops and lanes, bicycle facilities or other improvements required to maintain a minimum operating LOS D at critical intersections identified in the General Plan Appendix C and Table 4-3.

Safety Element

- Policy SA3.10 Ensure emergency evacuation routes are constructed to appropriate all-weather standards.

4.14.3 IMPACT ANALYSIS

Thresholds of Significance

Based on Appendix G of the CEQA Guidelines for determining impacts related to Transportation, the proposed Project would have a significant impact if it would:

- Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Result in inadequate emergency access?

Methodology

With the adoption of SB 743, the State CEQA Guidelines replaced Level of Service (LOS) as the metric for evaluating transportation impacts under CEQA. The replacement metric for transportation impacts required under State CEQA Guidelines Section 15064.3 is Vehicle Miles Travelled (VMT). Therefore, information provided related to LOS is provided for informational purposes only and is not provided to analyze potentially significant CEQA impacts under the proposed Project.

The average daily traffic (ADT) associated with a roadway segment is determined by a number of conditions including roadway classification and the number of traffic lanes. These roadway capacities are theoretical estimates for planning purposes **(Table 4.14-1: Roadway Classifications and ADTs)**. As such, where roadway segment daily traffic analysis indicates a deficiency, a review of the intersection peak hour analysis and progression analysis are undertaken. Therefore, roadway segment widening is typically only recommended if the peak hour intersection analysis indicates the need for additional through lanes.

Table 4.14-1: Roadway Classifications and ADTs

ID	Roadway	Segment		Roadway Capacity[1]			Existing			Existing Plus Project		
				Ultimate	Existing/ Proposed							
		From	To	Classification	Lanes	Capacity	ADT[2]	V/C[2]	LOS[2]	ADT[3]	V/C[3]	LOS[3]
1.	Indian Canyon Drive	Dillon Road	18th Avenue	Major	4	34,100	9,480	0.28	A	10,240	0.30	A
2.	Indian Canyon Drive	18th Avenue	Coachillin Way	Major	4	34,100	9,560	0.28	A	11,000	0.32	A

ID	Roadway	Segment		Roadway Capacity[1]			Existing			Existing Plus Project		
				Ultimate	Existing/ Proposed							
		From	To	Classification	Lanes	Capacity	ADT[2]	V/C[2]	LOS[2]	ADT[3]	V/C[3]	LOS[3]
3.	Indian Canyon Drive	Coachillin Way	19th Avenue	Major	5	34,100	9,640	0.28	A	12,900	0.38	A
4	Indian Canyon Drive	19th Avenue	20th Avenue	Major	4	34,100	9,950	0.29	A	13,330	0.39	A

Notes:
1. Roadway classifications from the Palm Springs General Plan Circultation Element, and the cooresponding roadway capacity from the County of Riverside Transportation Analysis Guidelines for Level of Service & Vehicle Miles Traveled (December 2020) 2. ADT = Average Daily Traffic; V/C = Volume to Capacity Ratio; LOS = Level of Service
Source Appendix H

Level of Service

The traffic impact analysis (TIA) conducted for the proposed Project by Ganddini Group is based on the City of Palm Springs Traffic Impact Analysis Guidelines (July 2020) ["City TIA Guidelines"] and is included as ***Appendix H*** of this Draft EIR. For purposes of the TIA, the study area for the proposed Project was developed consistent with the Riverside County Transportation Analysis Guidelines for LOS and VMT (Guidelines, December 2020). Level of Service is used to qualitatively describe the performance of a roadway facility, ranging from Level of Service A (free-flow conditions) to Level of Service F (extreme congestion and system failure). Intersection analysis for the proposed Project was performed using the Vistro software.

The proposed Project trip generations were calculated using the ITE Trip Generation Manual (11th Edition). Trip generation is typically classified as a measure or forecast of the number of trips that begin or end at any project site. These trips typically result in some traffic increases on the streets where they occur.

City intersections in relation to the proposed Project were analyzed using the intersection delay methodology based on procedures contained in the Highway Capacity Manual (HCM) (Transportation Research Board, 7th Edition). These procedures consider a project's potential traffic volume generation, distribution of movements, traffic composition, geometric characteristics, and signalization details to calculate the average control delay per vehicle and corresponding LOS, as shown in **Table 4.1-2: Intersection Delay Methodology,** below.

Table 4.14-2: Intersection Delay Methodology

Level of Service	Delay Methodology	
	Signalized Intersection	Unsignalized Intersection
	Seconds per Vehicle	Seconds per Vehicle
A	≤ 10.0	≤ 10.0
B	> 10.0 to ≤ 20.0	> 10.0 to ≤ 15.0
C	> 20.0 to ≤ 35.0	> 15.0 to ≤ 25.0
D	> 35.0 to ≤ 55.0	> 25.0 to ≤ 35.0
E	> 55.0 to ≤ 80.0	> 35.0 to ≤ 50.0
F	> 80.0	> 50.0

Source: Transportation Research Board Highway Capacity Manual (7th Edition).

Volume to capacity ratios were utilized to assess the performance of roadway segments for development under the proposed Project and based on the procedures contained in the Highway Capacity Manual. The methodology compared the average daily traffic volume using the roadway segment to the capacity of the roadway segment to calculate the volume-to-capacity (V/C) ratio, which was then correlated to a performance measure known as Level of Service based on the following thresholds as shown in **Table 4.1-3** below:

Table 4.14-3: Levels of Service and Volume to Capacity Ratios

ID	Roadway	Segment		Classification	Lanes	Capacity	Existing		
		From	To				ADT2	V/C2	LOS2
1.	Indian Canyon Drive	Dillon Road	18th Avenue	Major	4	34,100	9,480	0.28	A
2.	Indian Canyon Drive	18th Avenue	Coachillin Way	Major	4	34,100	9,560	0.28	A
3.	Indian Canyon Drive	Coachillin Way	19th Avenue	Major	5	34,100	9,640	0.28	A
4.	Indian Canyon Drive	19th Avenue	20th Avenue	Major	4	34,100	9,950	0.29	A

Notes:
1. Roadway classifications from the Palm Springs General Plan Circultation Element, and the cooresponding roadway capacity from the County of Riverside Transportation Analysis Guidelines for Level of Service & Vehicle Miles Traveled (December 2020)
2. ADT = Average Daily Traffic; V/C = Volume to Capacity Ratio; LOS = Level of Service

Proposed development related average daily traffic (ADT) was also calculated for the proposed Project. ADT is associated with a roadway segment and is determined by a number of conditions including roadway classification and the number of traffic lanes, as indicated in the table below. Where roadway segment daily traffic analysis indicates a deficiency, a review of the intersection peak hour analysis and progression analysis are undertaken.

Performance Standards

The City of Palm Springs has established a minimum acceptable Level of Service D for peak hour intersection and average daily roadway segments operations.

Substantial Operational Deficiency Criteria

In the City of Palm Springs, a project is considered to result in a substantial operational deficiency at a study intersection if one or more of the following conditions are satisfied:

Study Intersection

Any signalized study intersection operating at a Level of Service (D or better) without project traffic in which the addition of project traffic causes the intersection to degrade to a Level of Service (E or F) shall identify improvements to improve operations to Level of Service (D or better) or,

Any signalized study intersection currently operating at an unacceptable Level of Service (E or F) without project traffic where the project increases delay by 5.0 seconds or more shall identify improvements to improve operations to offset the increase in delay;

A substantial transportation effect is defined to occur at an unsignalized study intersection if the project causes intersection operations to degrade from an acceptable Level of Service (D or better) to an unacceptable Level of Service (E or F) or the project-related increase in delay is equal to or greater than 5.0 seconds at an intersection that is already operating at an unacceptable Level of Service without the Project; and the intersection meets peak hour signal warrants after the addition of project traffic.

Study Roadway Segment

Based on the City-established performance standards, improvements should be recommended if the project exceeds the following operational goals:

Any study roadway segment operating at a Level of Service (D or better) without project traffic in which the addition of project traffic causes the segment to degrade to a Level of Service (E or F) should identify improvements to improve operations to Level of Service (D or better).

Any roadway segment that operates at unacceptable Level of Service (E or F) in the no project scenario where the project increases traffic in excess of five percent (5%) of the roadway capacity (e.g. volume to capacity ratio) should identify improvements to add capacity to the segment.

If a project is forecast to result in a substantial operational deficiency, recommended corrective measures are identified that would reduce the project's effect to a level that does not exceed the specified deficiency criteria. Corrective measures can be in many forms, including the construction of physical improvements

(e.g., addition of travel lanes, traffic control modifications, etc.) or the implementation of transportation demand management measures.

Where improvements are identified to address cumulative Level of Service deficiencies, a project fair share cost estimate is provided based on the volume of project traffic using the impacted facility divided by the total "new" traffic (i.e., ambient growth and other developments).

The City of Palm Springs has established a minimum acceptable Level of Service D for peak hour intersection and average daily roadway segments operations.

TIA Analysis Scenarios

For the traffic analysis under the proposed Project the following intersections and roadway segments were evaluated for Project trip generation:

Intersections

1. Indian Canyon Drive (NS) at Dillon Road (EW) 1
2. Indian Canyon Drive (NS) at 18th Avenue (EW)
3. Indian Canyon Drive (NS) at Coachillin Way (EW)
4. Indian Canyon Drive (NS) at 19th Avenue (EW)
5. Indian Canyon Drive (NS) at 20th Avenue (EW)
6. Indian Canyon Drive (NS) at Garnet Avenue (EW)
7. I-10 EB Ramps (NS) at Garnet Avenue (EW)
8. I-10 WB Ramps (NS) at 20th Avenue (EW)
9. Indigo Drive (NS) at 18th Avenue (EW)
10. Indian Canyon Drive (NS) at Project North Driveway (EW)
11. Indian Canyon Drive (NS) at Project Central Driveway (EW)
12. Indian Canyon Drive (NS) at Project South Driveway (EW)
13. Project East Driveway (NS) at Noble Drive (EW)
14. Project Central Driveway (NS) at Noble Drive (EW)
15. Project West Driveway (NS) at Noble Drive (EW)
16. Project West Driveway (NS) at 19th Avenue (EW)
17. Project East Driveway (NS) at 19th Avenue (EW)

- Roadway Segments

1. Indian Canyon Drive - Dillon Road to 18th Avenue
2. Indian Canyon Drive - 18th Avenue to Coachillin Way
3. Indian Canyon Drive - Coachillin Way to 19th Avenue
4. Indian Canyon Drive - 19th Avenue to 20th Avenue

In accordance with the City of Palm Springs's *Traffic Impact Analysis Guidelines*, the TIA analyzed the following scenarios for weekday AM and PM peak hour conditions:

- Existing
- Existing Plus Project
- Background Conditions2 Without Project
- Background Conditions With Project

Vehicle Miles Travelled

The VMT analysis for the proposed Project was conducted by the Ganddini Group using Riverside County's RIVCOM3.51 Model. (see ***Appendix H*** of this DEIR). The Palm Springs Guidelines identify the Riverside

County Transportation Analysis Model (RIVTAM) as the appropriate tool for conducting VMT analysis for land use projects. The State CEQA Guidelines recommend use of home-based work VMT per employee as the metric to evaluate non-residential and non-retail land uses. The home-based work VMT is computed by using attraction VMT for the Home-Based Work trip purpose for both the project and the project's potential effects on citywide VMT. Per the Guidelines, a project would generate a significant impact in relation to traffic if the project VMT per employee is higher than the Riverside Countywide home-based work VMT per employee. The VMT analysis therefore relies on socio-economic data being entered into the travel demand model for both base year (2024) and buildout or opening year (2026) timeframes.

- Based on the methodology and thresholds of significance outlined in the City's TIA Guidelines, the proposed Project's effect on VMT would be considered significant if it resulted in either of the following conditions to be satisfied:
- The baseline link-level boundary VMT per service population within the City boundary to increase under the plus project condition compared to the no project condition; or
- The cumulative link-level boundary VMT per service population within the City boundary to increase under the plus project condition compared to the no project condition.

For consideration of the traffic study, the study area for the proposed Project was developed consistent with the Riverside County Transportation Analysis Guidelines for Level of Service and Vehicle Miles Traveled (Guidelines, December 2020). The Study Area therefore includes all intersections classified as "Collector" or higher, where the proposed Project would add 50 or more peak hour trips. Ganddini Group Inc. had prepared a Scoping Agreement defining the Study Area, which has been reviewed and approved by City staff (included as ***Appendix H*** of this DEIR).

Impacts

Impact 4.14.1: The proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts would therefore be Less than Significant.

The proposed Project would develop an approximate 92 acre parcel under Assessor Parcel Numbers (APNs) 666-320-010, 011, 012, 015, 019, in the city of Palm Springs. The proposed Project would construct and operate two (2) speculative industrial buildings - Building 1 would be approximately 1,516,174 square feet (sf) in total size and would be located on a 73-acre parcel and Building 2 would be approximately 390,650 square feet to be located on a 19-acre parcel.

The site is located at the southwest corner of 18th Avenue and Indian Canyon Drive in the City of Palm Springs, California. The project site is currently vacant and is zoned Manufacturing Zone (M-2).

Regional access to the proposed Project site would be provided by I-10, located approximately half a mile to the south of the site. Vehicular access for the site would from N. Indian Canyon Drive that forms the site's eastern boundary, 18th Avenue which is the site's northern boundary and 19th Avenue which forms the site's southern boundary. The proposed Project would also include the construction and operation of a site internal east-west roadway segment, west of Indian Canyon Road of 18th Avenue and Nobile Drive, as well as a north-south roadway segment to be located between 18th Avenue and Nobile Drive on the west side of the site.

Existing average daily traffic volumes on key roadway segments of Indian Canyon Drive were obtained in February 2024 (see ***Appendix H***). These average daily traffic volumes were calculated from peak hour intersection turning movement volumes at study area and the detailed analysis is presented in ***Appendix***

H of this DEIR. Existing peak hour intersection turning movement volumes were based upon AM peak period (between 7:00 AM and 9:00 AM) and PM peak period (between 4:00 PM and 6:00 PM) intersection turning movement counts obtained in February 2024 during typical weekday conditions. These periods generally capture the peak times for commuter traffic when the roadway system is typically experiencing peak demand. The actual peak hour within each two-hour count period is determined based on the sum of the four consecutive 15-minute periods with the highest total volume entering the intersection and are detailed in ***Appendix H*** of this Draft EIR.

It should be noted that the N Indian Canyon Drive at Garnet Avenue intersection is currently under construction. Therefore, the February 2024 traffic counts for the proposed Project development were compared to pre-construction counts (May 2022), and adjustments were made to represent 2024 traffic volumes without construction.

Existing Intersection Level of Service

As indicated in Table 4.14-4: Existing Intersection LOS below, the study intersections currently operate within acceptable Levels of Service (D or better) during peak hours.

Table 4.14-4: Existing Intersection LOS

Study Intersection	Traffic Control 1	AM Peak Hour		PM Peak Hour	
		Delay2	LOS3	Delay2	LOS
1. Indian Canyon Drive at Dillon Road	TS	21.2	C	17.1	B
2. Indian Canyon Drive at 18th Avenue	CSS	15.2	C	16.1	C
3. Indian Canyon Drive at Coachillin Way	TS	2.8	A	2.2	A
4. Indian Canyon Drive at 19th Avenue	CSS	16.6	C	17.5	C
5. Indian Canyon Drive at 20th Avenue	TS	19.4	B	25.0	C
6. Indian Canyon Drive at Garnet Avenue	TS	27.0	C	19.5	B
7. I-10 Eastbound Ramps at Garnet Avenue	TS	29.3	C	20.8	C
8. I-10 Westbound Ramps at 20th Avenue	TS	23.9	C	22.3	C

Notes: TS = Traffic Signal; CSS = Cross Street Stop.
Delay is shown in seconds per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst minor street approach or major street left turn movement. LOS = Level of Service

Source Appendix H

Existing Roadway Level of Service

The roadway segment volume to capacity ratio for Existing conditions shown in **Table 4.14-5: Existing Roadway LOS** shows that the study roadway segments currently operate within acceptable Levels of Service (D or better) during peak hours

Table 4.14-5: Existing Roadway LOS

ID	Roadway	Segment		Classification	Lanes	Capacity	Existing		
		From	To				ADT2	V/C2	LOS2
1.	Indian Canyon Drive	Dillon Road	18th Avenue	Major	4	34,100	9,480	0.28	A
2.	Indian Canyon Drive	18th Avenue	Coachillin Way	Major	4	34,100	9,560	0.28	A
3.	Indian Canyon Drive	Coachillin Way	19th Avenue	Major	5	34,100	9,640	0.28	A
4.	Indian Canyon Drive	19th Avenue	20th Avenue	Major	4	34,100	9,950	0.29	A

Notes:
1. Roadway classifications from the Palm Springs General Plan Circultation Element, and the cooresponding roadway capacity from the County of Riverside Transportation Analysis Guidelines for Level of Service & Vehicle Miles Traveled (December 2020)
2. ADT = Average Daily Traffic; V/C = Volume to Capacity Ratio; LOS = Level of Service
Source Appendix H

Forecasted Project Trips

The proposed Project trip generation was also calculated in terms of Passenger Car Equivalent (PCE) trips. The percentage of truck trips was obtained from the ITE Trip Generation Manual (11th Edition, 2021). The truck mix by axle type was determined based on South Coast Air Quality Management District (SCAQMD) recommendations for warehousing facilities without cold-storage. Truck trips were converted to PCE trips based on the City of Palm Springs equivalent factors of 1.5 for 2-axle light-duty trucks, 2.0 for 3-axle medium- duty trucks, and 3.0 for 4+-axle heavy-duty trucks.

The proposed Project is estimated to generate a total of approximately 3,451 daily vehicle trips, including 286 vehicle trips during the AM peak hour and 305 vehicle trips during the PM peak hour, which equates to approximately 4,130 daily PCE trips, including 348 PCE trips during the AM peak hour and 334 PCE trips during the PM peak hour.

As demonstrated in **Table 4.14-6a: Project Trip Generation Rates – Trucks** and **Table 4.14-6b: - Project Trip Generation Rates – Passenger Car,** Building 1 is estimated to generate approximately 2,744 daily vehicle trips, including 227 vehicle trips during the AM peak hour and 242 vehicle trips during the PM peak hour, which equates to approximately 3,284 daily PCE trips, including 276 PCE trips during the AM peak hour and 265 PCE trips during the PM peak hour. Building 2 is estimated to generate approximately 707 daily vehicle trips, including 59 vehicle trips during the AM peak hour and 63 vehicle trips during the PM peak hour, which equates to approximately 846 daily PCE trips, including 72 PCE trips during the AM peak hour and 69 PCE trips during the PM peak hour.

Table 4.14-6a: Project Trip Generation Rates – Trucks

Land Use: High-Cube Fulfillment Center Warehouse (Non-Sort)									
TRIP GENERATION RATES PER TSF[1]									
Vehicle Type	**Source2**	**AM Peak Hour**			**PM Peak Hour**			**Daily Rate**	
		In	**Out**	**Rate**	**In**	**Out**	**Rate**	
All Vehicles	ITE 155	81%	19%	0.150	39%	61%	0.160	1.810	
Trucks Only	ITE 155	50%	50%	0.020	46%	54%	0.010	0.230	
Passenger Car (86.7% AM, 93.8% PM, 87.3% Daily)		0.105	0.025	0.130	0.059	0.092	0.151	1.580	
Truck (13.3% AM, 6.3% PM, 12.7% Daily)		0.010	0.010	0.020	0.005	0.005	0.010	0.230	
Truck Mix:	SCAQMD								
2-Axle Trucks (16.7%)		0.000	0.003	0.003	0.002	0.000	0.002	0.028	
3-Axle Trucks (20.7%)		0.000	0.004	0.004	0.002	0.000	0.002	0.035	
4+ Axle Trucks (62.6%)		0.001	0.012	0.013	0.005	0.001	0.006	0.105	
VEHICLE TRIPS GENERATED									
Vehicle Type	**Source 2**	**Quantity**	**AM Peak Hour**			**PM Peak Hour**			**Daily**
			In	**Out**	**Total**	**In**	**Out**	**Total**	
Passenger Car			169	27	196	86	141	227	2,395
Trucks									
2-Axle Trucks			3	2	5	2	1	3	57
3-Axle Trucks			3	3	6	2	1	3	73
4+ Axle Trucks			10	10	20	5	4	9	219
Truck Subtotal			16	15	31	9	6	15	349
Building 1 Vehicle Trips	ITE 155	1516.174 TSF	185	42	227	95	147	242	2,744
Passenger Car			43	8	51	23	36	59	617
2-Axle Trucks			1	0	1	0	1	1	15
3-Axle Trucks			1	1	2	0	1	1	19
4+ Axle Trucks			2	3	5	1	1	2	56
Truck Subtotal			4	4	8	1	3	4	90
Building 2 Vehicle Trips	ITE 155	390.650 TSF	47	12	59	24	39	63	707
VEHICLE TRIPS GENERATED									
Total Passenger Car			212	35	247	109	177	286	3,012
2-Axle Trucks			4	2	6	2	2	4	72
3-Axle Trucks			4	4	8	2	2	4	92
4+ Axle Trucks			12	13	25	6	5	11	275
Total Trucks			20	19	39	10	9	19	439
Total Vehicle Trips Generated		1906.824 TSF	232	54	286	119	186	305	3,451

Table 4.14-6b: Project Trip Generation Rates – Passenger Car

PCE3 TRIPS GENERATED								
		AM Peak Hour			PM Peak Hour			
Vehicle Type	PCE Factor4	In	Out	Total	In	Out	Total	Daily
Passenger Car	1.0	169	27	196	86	141	227	2,395
2-Axle Trucks	1.5	5	3	8	3	2	5	86
3-Axle Trucks	2.0	6	6	12	4	2	6	146
4+ Axle Trucks	3.0	30	30	60	15	12	27	657
Truck Subtotal		41	39	80	22	16	38	889
Building 1 Vehicle Trips	1516.174 TSF	210	66	276	108	157	265	3,284
Passenger Car	1.0	43	8	51	23	36	59	617
2-Axle Trucks	1.5	2	0	2	0	2	2	23
3-Axle Trucks	2.0	2	2	4	0	2	2	38
4+ Axle Trucks	3.0	6	9	15	3	3	6	168
Truck Subtotal		10	11	21	3	7	10	229
Building 2 Vehicle Trips	390.650 TSF	53	19	72	26	43	69	846
PCE TRIPS GENERATED								
Total Passenger Car	1.0	212	35	247	109	177	286	3,012
2-Axle Trucks	1.5	7	3	10	3	4	7	109
3-Axle Trucks	2.0	8	8	16	4	4	8	184
4+ Axle Trucks	3.0	36	39	75	18	15	33	825
Total Trucks		51	50	101	25	23	48	1,118
Total PCE Trips Generated	1906.824 TSF	263	85	348	134	200	334	4,130

Notes:
TSF = Thousand Square Feet
ITE = Institute of Transportation Engineers Trip Generation Manual (11th Edition, 2021); ### = ITE Land Use Code. SCAQMD = South Coast Air Quality Management District recommendations for non-cold storage warehouse.
PCE = Passenger Car Equivalent
PCE factors are from County of Riverside Transportation Analysis Guidelines for Level of Service and Vehcile Miles Traveled (December 2020).
Source Appendix H.

Other Development Projects

In order to account for growth associated with other development projects in this portion of the city of Plan Springs and Riverside County, trips generated by other pending or approved but unconstructed developments in the cities of Palm Springs and Desert Hot Springs were reviewed and added to the study area as appropriate. As shown in **Table 4.14-7: Other Development Trip Generation**, the other development trip generation summary accounts for any additional average daily traffic volumes generated by other developments trips generated by other developments in the study area.

Table 4.14-7: Other Development Trip Generation

Trips Generated											
ID	Name/Address	Land Use	Source1	Quantity / Unit Variable2	AM Peak Hour			PM Peak Hour			Daily
					In	Out	Total	In	Out	Total	
City of Palm Springs											
P1	NWC 19 Avenue and Indian Canyon Drive	HCW Fulfillment Center Cars Trucks Subtotal	ITE 155	1089.747 TSF PCE PCE PCE	122 26 148	19 30 49	141 56 197	62 14 76	101 13 114	163 27 190	1,722 637 2,359
Desert Hot Springs											
D1	Coachillin Business Park NEC 19 Avenue and Indian Canyon Drive	Marijuana Cultivation Hotel Recreational Homes Amphitheater Subtotal	TIA4 ITE 310 ITE 260 TIA4	1510 EMP 120 RM 55 DU 5000 SET	210 31 7 0 248	41 24 5 0 70	251 55 120 318	118 36 7 8 50 1,011	225 35 9 15 0 419	343 71 16 1,000 1,430	3,456 959 195 2,500 7,110
D2	Blackstar Business Park SWC 19 Avenue and Calle de los Romos	Business Park Cars Trucks Subtotal	TIA5	621.920 TSF PCE PCE PCE	94 48 142	23 12 35	117 60 177	23 12 35	83 43 126	106 55 161	1,177 595 1,772
D3	Desert Gateway NWC 20 Avenue and Calle de los Romos	High-Cube Warehouse Cars Trucks Subtotal Industrial	TIA6	1059.240 TSF PCE PCE PCE	84 44 128	25 16 41	109 60 169	42 20 62	114 75 8	152 67 219	1,854 1,205 3,059

Trips Generated											
ID	Name/Address	Land Use	Source1	Quantity / Unit Variable2	AM Peak Hour			PM Peak Hour			Daily
					In	Out	Total	In	Out	Total	
		Hotel Shopping Plaza (40-150k without Super Pass-by Trips (40%PM, 20%Daily) Subtotal Commercial	ITE 310 ITE 821 ITE 8218	150 RM 42.000 TSF	39 45 84	30 28 58	69 73 142	45 107 -43 109	44 111 -44 111	89 218 -87 220	1,199 2,836 -567 3,468
		Subtotal Project			212	99	311	171	169	439	6,527
D4	Viento Amazon Center NEC 20 Avenue and Calle de los Romos	HCW Fulfillment Center Cars Trucks Subtotal	TIA7	653.442 TSF PCE PCE PCE	428 48 476	107 45 152	535 93 628	167 18 185	330 18 348	497 36 533	2,489 1,812 4,301

Source Appendix H.

Notes:

(1) ITE = Institute of Transportation Engineers Trip Generation Manual (11th Edition, 2021); ### = Land Use Code. All rates based on General Urban/Suburban setting.

(2) TSF = Thousand Square Feet; PCE = passenger car equivalent; Employees = EMP; RM = Rooms; DU = Dwelling Units; SET = Seats.

(3) In the absence of a daily rate for ITE 190 (Marijuana Cultivation and Processing), the ratio of the daily rate to the PM rate for ITE 140 (Manufacturing) was used to determine the daily rate from the ITE 190 (Marijuana Cultivation and Processing) PM rate.

(4) Source: Coachillin Industrial Park Traffic Impact Analysis, December 3,2021 (Ganddini Group, Inc.).

(5) Source: 19th Street Cultivation Center Traffic Scoping Agreement, October 10, 2016 (Urban Crossroads).

(6) Source: Desert Gateway Traffic Analysis, June 2022 (Urban Crossroads).

(7) Source: Trip Generation and Traffic Circulation Assessment for Update Site Plan Project Viento, May 23, 2023 (Kimley Horn).

(8) Pass-by trips calculated in accordance with ITE recommended practice and rates from the Trip Generation Manual (11th Edition, 2021). Daily pass- by rate used is half the PM pass-by rate.

Study Intersections

Existing Plus Project

The study intersection Levels of Service for Existing Plus Project conditions are shown in **Table 4.14-8: Existing Plus Project Intersection LOS and Related Effects** below**.** As shown indicated, the study intersections are forecast to operate within acceptable Levels of Service (D or better) during the peak hours

for Existing Plus Project conditions. The proposed Project is forecast to result in no substantial transportation effects at the study intersections for Existing Plus Project conditions.

Table 4.14-8: Existing Plus Project Intersection LOS and Related Effects

Study Intersection	Traffic Control[1]	Existing				Existing Plus Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour					
		Delay[2]	LOS[3]	Delay[2]	LOS	Delay[2]	LOS[3]	Delay[2]	LOS	Change	Substantial	Change	Substantial
1. Indian Canyon Drive at Dillon Road	TS	21.2	C	17.1	B	21.5	C	17.1	B	+0.3	NO	+0.0	NO
2. Indian Canyon Drive at 18th Avenue	CSS	15.2	C	16.1	C	21.5	C	19.0	C	+6.3	NO	+2.9	NO
3. Indian Canyon Drive at Coachillin Way	TS	2.8	A	2.2	A	9.3	A	7.1	A	+6.5	NO	+4.9	NO
4. Indian Canyon Drive at 19th Avenue	CSS	16.6	C	17.5	C	24.3	C	23.4	C	+7.7	NO	+5.9	NO
5. Indian Canyon Drive at 20th Avenue	TS	19.4	B	25.0	C	20.1	C	25.0	C	+0.7	NO	+0.0	NO

Study Intersection	Traffic Control[1]	Existing				Existing Plus Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		Change	Substantial	Change	Substantial
		Delay[2]	LOS[3]	Delay[2]	LOS	Delay[2]	LOS[3]	Delay[2]	LOS				
6. Indian Canyon Drive at Garnet Avenue	TS	27.0	C	19.5	B	32.8	C	19.8	B	+5.8	NO	+0.3	NO
7. I-10 Eastbound Ramps at Garnet Avenue	TS	29.3	C	20.8	C	29.3	C	21.4	C	+0.0	NO	+0.6	NO
8. I-10 Westbound Ramps at 20th Avenue	TS	23.9	C	22.3	C	25.4	C	23.9	C	+1.5	NO	+1.6	NO
9. Indidgo Drive at 18th Avenue	CSS	-	-	-	-	8.4	A	8.5	A	+8.4	NA	+8.5	NA
10. Indian Canyon Dr at Project N Driveway	CSS	-	-	-	-	11.6	B	9.6	A	+11.6	NA	+9.6	NA
11. Indian Canyon Dr at Project	CSS	-	-	-	-	11.5	B	9.6	A	+11.5	NA	+9.6	NA

Study Intersection	Traffic Control[1]	Existing				Existing Plus Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		Change	Substantial	Change	Substantial
		Delay[2]	LOS[3]	Delay[2]	LOS	Delay[2]	LOS[3]	Delay[2]	LOS				
C Driveway													
12. Indian Canyon Dr at Project S Driveway	CSS	-	-	-	-	11.5	B	9.6	A	+11.5	NA	+9.6	NA
13. Project E Driveway at Noble Drive	CSS	-	-	-	-	9.2	A	9.1	A	+9.2	NA	+9.1	NA
14. Project C Driveway at Noble Drive	CSS	-	-	-	-	9.4	A	9.2	A	+9.4	NA	+9.2	NA
15. Project W Driveway at Noble Drive	CSS	-	-	-	-	8.4	A	8.5	A	+8.4	NA	+8.5	NA
16. Project W Driveway at 19th Avenue	CSS	-	-	-	-	8.6	A	8.6	A	+8.6	NA	+8.6	NA

Study Intersection	Traffic Control[1]	Existing				Existing Plus Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		Change	Substantial	Change	Substantial
		Delay[2]	LOS[3]	Delay[2]	LOS	Delay[2]	LOS[3]	Delay[2]	LOS				
17. Project E Driveway at 19th Avenue	CSS	-	-	-	-	8.7	A	8.7	A	+8.7	NA	+8.7	NA

Source Appendix H.

Notes:
TS = Traffic Signal; CSS = Cross Street Stop.
Delay is shown in seconds per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst minor street approach or major street left turn movement.
3. LOS = Level of Service

Opening Year (2026) Without Project

The study intersection Levels of Service for Opening Year (2026) Without Project conditions are shown in **Table 4.14-9: Opening Year (2026) Without Project Intersection LOS.** As shown in **Table 4.14-8** the study intersections are forecast to operate within acceptable Levels of Service (D or better) during the peak hours for Opening Year (2026) Without Project conditions, except for the following study intersections that is projected to operate at unacceptable Levels of Service during the peak hours:

- Indian Canyon Drive (NS) at 19th Avenue (EW) (F – AM/PM)

The following cumulative Level of Service impact improvements are recommended to maintain acceptable Levels of Service at the study intersections for Opening Year (2026) Without Project conditions:

- Indian Canyon Drive (NS) at 19th Avenue (EW)
  - ○ Install traffic signal including right-turn overlap signal head for eastbound approach.
  - ○ Modify westbound approach striping to provide for left-turn lane and shared through-right lane.
  - ○ Widen eastbound approach to provide for left-through lane and one right-turn lane.

Table 4.14-9: Opening Year (2026) Without Project Intersection LOS

Study Intersection	Traffic Control 1	AM Peak Hour		PM Peak Hour	
		Delay2	LOS3	Delay2	LOS
1. Indian Canyon Drive at Dillon Road	TS	23.4	C	18.0	B
2. Indian Canyon Drive at 18th Avenue	CSS	11.8	B	13.1	B
3. Indian Canyon Drive at Coachillin Way	TS	6.8	A	17.4	B

4. Indian Canyon Drive at 19th Avenue	CSS	100.0	F	100.0	F
5. Indian Canyon Drive at 20th Avenue	TS	21.8	C	33.3	C
6. Indian Canyon Drive at Garnet Avenue	TS	28.4	C	34.1	C
7. I-10 Eastbound Ramps at Garnet Avenue	TS	24.3	C	22.7	C
8. I-10 Westbound Ramps at 20th Avenue	TS	25.1	C	23.2	C

Source Appendix H.

Notes:
TS = Traffic Signal; CSS = Cross Street Stop.
Delay is shown in seconds per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst minor street approach or major street left turn movement.
LOS = Level of Service

Opening Year (2026) With Project

The study intersection Levels of Service for Opening Year (2026) With Project conditions as shown under **Table 4.14-10: Opening Year (2026) Intersection LOS & Project Related Effect**. As indicated, study intersections are forecast to operate within acceptable Levels of Service (D or better) during the peak hours for Opening Year (2026) With Project conditions, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours:

- Indian Canyon Drive (NS) at 19th Avenue (EW) (F – AM/PM)
- Indian Canyon Drive (NS) at Garnet Avenue (EW) (E – PM)

The following additional improvements are recommended to maintain acceptable Levels of Service at the study intersections for Opening Year (2026) With Project conditions:

- Indian Canyon Drive (NS) at Garnet Avenue (EW)
  - Modify signal phasing for eastbound and westbound to split phasing.
  - Restripe existing eastbound through lane to a shared left-through lane.
  - Modify eastbound-westbound traffic signal phasing to split phasing.

Table 4.14-10: Opening Year (2026) Intersection LOS & Project Related Effect

Study Intersection	Traffic Control[1]	Opening Year (2026) Without Project				Opening Year (2026) With Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour	PM Peak Hour			AM Peak Hour		PM Peak Hour					
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Change	Substantial Effect?	Change	Substantial Effect?
1. Indian Canyon Drive at Dillon Road	TS	23.4	C	18.0	B	23.8	C	18.1	B	+0.4	NO	+0.1	NO

Study Intersection	Traffic Control[1]	Opening Year (2026) Without Project				Opening Year (2026) With Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour	PM Peak Hour			AM Peak Hour		PM Peak Hour					
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Change	Substantial Effect?	Change	Substantial Effect?
2. Indian Canyon Drive at 18th Avenue	CSS	11.8	B	13.1	B	26.7	D	22.5	C	+14.9	NO	+9.4	NO
3. Indian Canyon Drive at Coachillin Way	TS	6.8	A	17.4	B	13.1	B	22.5	C	+6.3	NO	+5.1	NO
4. Indian Canyon Drive at 19th Avenue With Improvements	CSS TS	>100 -	F -	>100 -	F -	>100 21.1	F C	>100 38.5	F D	-78.9	NO[4]	-61.5	NO[4]
5. Indian Canyon Drive at 20th	TS	21.8	C	33.3	C	22.8	C	37.0	D	+1.0	NO	+3.7	NO

Study Intersection	Traffic Control[1]	Opening Year (2026) Without Project				Opening Year (2026) With Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour	PM Peak Hour			AM Peak Hour		PM Peak Hour					
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Change	Substantial Effect?	Change	Substantial Effect?
Avenue													
6. Indian Canyon Drive at Garnet Avenue With Improvements	TS TS	28.4 -	C -	34.1 -	C -	29.2 27.1	C C	39.9 28.0	D C	+0.8 -1.3	NO	+5.8 -6.1	NO
7. I-10 Eastbound Ramps at Garnet Avenue	TS	24.3	C	22.7	C	25.1	C	23.6	C	+0.8	NO	+0.9	NO
8. I-10 Westbound Ramps at 20th Avenue	TS	25.1	C	23.2	C	26.1	C	24.2	C	+1.0	NO	+1.0	NO
9. Indigo Driv	CSS	-	-	-	-	8.4	A	8.5	A	+8.4	NA	+8.5	NA

Study Intersection	Traffic Control[1]	Opening Year (2026) Without Project				Opening Year (2026) With Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour	PM Peak Hour			AM Peak Hour		PM Peak Hour					
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Change	Substantial Effect?	Change	Substantial Effect?
e at 18th Avenue													
10. Indian Canyon Dr at Project N Driveway	CSS	-	-	-	-	12.7	B	9.9	A	+12.7	NA	+9.9	NA
11. Indian Canyon Dr at Project C Driveway	CSS	-	-	-	-	12.6	B	10.0	A	+12.6	NA	+10.0	NA
12. Indian Canyon Dr at Project S Driveway	CSS	-	-	-	-	12.7	B	10.0	A	+12.7	NA	+10.0	NA
13. Proj	CSS	-	-	-	-	9.2	A	9.1	A	+9.2	NA	+9.1	NA

Study Intersection	Traffic Control[1]	Opening Year (2026) Without Project				Opening Year (2026) With Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour	PM Peak Hour			AM Peak Hour		PM Peak Hour					
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Change	Substantial Effect?	Change	Substantial Effect?
ect E Driveway at Noble Drive													
14. Project C Driveway at Noble Drive	CSS	-	-	-	-	9.4	A	9.2	A	+9.4	NA	+9.2	NA
15. Project W Driveway at Noble Drive	CSS	-	-		-	8.4	A	8.5	A	+8.4	NA	+8.5	NA
16. Project W Driveway at 19th Avenue	CSS	-	-		-	8.6	A	8.6	A	+8.6	NA	+8.6	NA
17. Project E Driv	CSS	-	-		-	8.7	A	8.7	A	+8.7	NA	+8.7	NA

Study Intersection	Traffic Control[1]	Opening Year (2026) Without Project				Opening Year (2026) With Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour	PM Peak Hour			AM Peak Hour		PM Peak Hour					
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Change	Substantial Effect?	Change	Substantial Effect?
ewa y at 19th Ave nue													

Source Appendix H

Notes:
TS = Traffic Signal; CSS = Cross Street Stop.
Delay is shown in seconds per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst minor street approach or major street left turn movement. LOS = Level of Service A cumulative impact is considered significant when a study intersection is forecast to operate at an unacceptable Level of Service (E or F) with the addition of cumulative/background traffic and without project trips. A project fair share cost estimate is provided for cumulative LOS improvements.

The proposed Project is forecast to result in a Level of Service impact during the PM peak hour at the study intersection listed above for Opening Year (2026) With Project conditions. The study area intersections are forecast to operate within acceptable Levels of Service with the recommended improvements.

Study Road Segments. Intersection #4 is at LOS F and the project does not add 5.0 seconds of delay, so it is not a significant LOS impact; and Intersection #6 the LOS of D or better, so there is no significant LOS impact.

The study roadway segment volume to capacity ratios and Levels of Service have been calculated and is shown in **Table 4.14-11: Opening Year (2026) Roadway Segment LOS f**or all analysis scenarios. As demonstrated the study roadway segments are forecast to operate within acceptable Levels of Service (D or better) for each scenario (without and with project) evaluated. The proposed project does not exceed the City-established operating requirements for General Plan consistency at the study roadway segments for any of the scenarios evaluated; therefore, no improvements are required for the study roadway segments.

Table 4.14-11: Opening Year (2026) Roadway Segment LOS

ID	Roadway	Segment		Roadway Capacity1			Existing			Existing Plus Project		
				Ultimate	Existing/Proposed							
		From	To	Classification	Lanes	Capacity	ADT2	V/C[2]	LOS[2]	ADT[3]	V/C[3]	LOS[3]
1.	Indian Canyon Drive	Dillon Road	18th Avenue	Major	4	34,100	9,480	0.28	A	10,240	0.30	A

ID	Roadway	Segment		Roadway Capacity1			Existing			Existing Plus Project		
				Ultimate	Existing/Proposed							
		From	To	Classification	Lanes	Capacity	ADT2	V/C[2]	LOS[2]	ADT[3]	V/C[3]	LOS[3]
2.	Indian Canyon Drive	18th Avenue	Coachillin Way	Major	4	34,100	9,560	0.28	A	11,000	0.32	A
3.	Indian Canyon Drive	Coachillin Way	19th Avenue	Major	5	34,100	9,640	0.28	A	12,900	0.38	A
4	Indian Canyon Drive	19th Avenue	20th Avenue	Major	4	34,100	9,950	0.29	A	13,330	0.39	A

Source Appendix H

Notes:
1. Roadway classifications from the Palm Springs General Plan Circultation Element, and the cooresponding roadway capacity from the County of Riverside Transportation Analysis Guidelines for Level of Service & Vehicle Miles Traveled (December 2020)
2. ADT = Average Daily Traffic; V/C = Volume to Capacity Ratio; LOS = Level of Service

The proposed Project would provide vehicular access under a full access driveway on N Indian Canyon Drive, two restricted right-turn in/out driveways on Indian Canyon Drive, two (2) full access driveways on 19th Avenue, three (3) full access driveways on Nobile Drive (Private Roadway) and four (4) full access driveways on Indigo Drive (Private Roadway). For Building 1, truck access would be restricted to the corner driveways off N Indian Canyon Drive and Indigo Drive, and the central project driveway on Nobile Drive. For Building 2, truck access would be restricted to the two eastern driveways which access Nobile Drive and 19th Avenue.

Project Design Features

The proposed Project would provide the following improvements for site access:

Roadway Segments

- Nobile Drive - construct full roadway width with one eastbound lane and one westbound lane from Indigo Drive to Indian Canyon Drive.
- Indigo Drive - construct full roadway width with one northbound lane and one southbound lane from 18th Avenue to Nobile Drive.
- 18th Avenue - construct ultimate half-section width as a Secondary Thoroughfare, including landscaping and parkway improvements, plus one travel lane in the westbound direction from Indigo Drive to Indian Canyon Drive in conjunction with the development.
- Indian Canyon Drive - construct ultimate half-section width as a Major Thoroughfare, including landscaping and parkway improvements, from 18th Avenue to Nobile Drive.

Intersections

- Indian Canyon Drive (NS) at 18th Avenue (EW)

  - construct the western leg of intersection with one eastbound lane and one westbound lane.
  - Install stop control for eastbound shared right-left-turn lane approach.
  - Modify striping to provide 150+ foot northbound left turn bay on Indian Canyon Drive for westbound 8th Avenue access.
- Indian Canyon Drive (NS) at Coachillin Way (EW)
  - Construct the western leg of intersection with one eastbound lane and one westbound lane.
  - Install traffic signal heads for eastbound shared right-left-turn lane approach.
  - Modify striping to provide 200+ foot northbound left turn bay on Indian Canyon Drive for westbound Nobile Drive access.
  - Install traffic signal heads for northbound left turn lane approach.
- Indigo Drive (NS) at 18th Avenue (EW)
  - Construct the eastern leg of the intersection with one eastbound lane and one westbound lane.
  - Construct the southern leg of the intersection with one northbound lane and one southbound lane.
  - Install stop control for northbound shared right-left-turn lane approach.
- Indian Canyon Drive (NS) at Project North Driveway (EW)
  - Construct the project driveway with one inbound lane and one outbound lane.
  - Install outbound stop control for eastbound right-turn lane site egress.
  - Maintain southbound shared through/right-turn lane providing site ingress.
- Indian Canyon Drive (NS) at Project Central Driveway (EW)
  - Construct the project driveway with one inbound lane and one outbound lane.
  - Install outbound stop control for eastbound shared right-left-turn lane site egress.
  - Modify striping to provide 150+ foot northbound left turn bay on Indian Canyon Drive for site ingress.
  - Maintain southbound shared through/right-turn lane providing site ingress.
- Indian Canyon Drive (NS) at Project South Driveway (EW))
  - Construct the project driveway with one inbound lane and one outbound lane.
  - Install outbound stop control for eastbound right-turn lane site egress.
  - Maintain southbound shared through/right-turn lane providing site ingress.
- Project East Driveway (NS) at Noble Drive (EW)
  - Construct the project driveway with one inbound lane and one outbound lane.
  - Install outbound stop control for southbound site egress.
  - Construct the Noble Drive with one eastbound lane and one westbound lane.
- Project Central Driveway (NS) at Noble Drive (EW)
  - Construct the project driveways with one inbound lane and one outbound lane.
  - Install outbound stop control for northbound site egress.
  - Install outbound stop control for southbound site egress.
  - Construct the Noble Drive with one eastbound lane and one westbound lane.
- Project West Driveway (NS) at Noble Drive (EW)
  - Construct the project driveway with one inbound lane and one outbound lane.
  - Install outbound stop control for northbound site egress.
  - Construct the Noble Drive with one eastbound lane and one westbound lane.
- Project East Driveway (NS) at 19th Avenue (EW)
  - Construct the project driveway with one inbound lane and one outbound lane.
  - Install outbound stop control for southbound site egress.
  - Maintain westbound shared through/right-turn lane providing site ingress.
- Project West Driveway (NS) at 19th Avenue (EW)
  - Construct the project driveway with one inbound lane and one outbound lane.
  - Install outbound stop control for southbound site egress.

  - Maintain westbound shared through/right-turn lane providing site ingress.
- Indigo Drive (NS) at Project Driveways (EW)
  - Construct the project driveways with one inbound lane and one outbound lane.
  - Install outbound stop control for westbound shared right-left-turn lane site egresses.
  - Construct the Indigo Drive with one northbound lane and one southbound lane.

Improvements and Fair Share Contributions

In order to incorporate these improvements, the proposed Project would be required to contribute its fair share toward any improvements required for cumulative conditions. This would be accomplished by proposed Project design features that would involve improvements necessary to provide project site, and the construction along the site frontage. In addition, in order to maintain an acceptable Level of Service at the study intersection, the following improvement would be required for Opening Year (2026) Without Project conditions:

- Indian Canyon Drive (NS) at 19th Avenue (EW)
  - Install traffic signal including right-turn overlap signal head for eastbound approach.
  - Modify westbound approach striping to provide for left-turn lane and shared through-right lane.
  - Widen eastbound approach to provide for left-through lane and one right-turn lane.
  - The placement of traffic signal poles should account for the westbound and southbound lane widening which will occur with the construction of the cumulative development on the north-west corner of the intersection.

The traffic signal and westbound approach modification improvements listed above for the intersection of Indian Canyon Drive at 19th Avenue have been identified to be constructed by the other development projects as submitted in the traffic reports for Desert Gateway (D3) and Viento Project (D4). Additionally, 19th Avenue roadway widening on the north side of the street will be identified in the Palm Springs Fulfillment Center (P1). The proposed project is forecast to operate within acceptable Levels of Service (D or better) during the peak hours with the previously listed improvements for Opening Year (2026) conditions. Therefore, the proposed Project's fair share contribution is provided for improvements to this intersection.

The following improvements are recommended under the proposed Project in order to maintain acceptable Levels of Service at the study intersections for Opening Year (2026) With Project conditions:

- Indian Canyon Drive (NS) at Garnet Avenue (EW)
  - Modify signal phasing for eastbound and westbound to split phasing.
  - Modify eastbound approach striping to provide for shared left-through lane.
  - Maintain existing two left-turn lanes and one right-turn lane.

The City of Palm Springs is currently working on the N Indian Canyon Drive roadway from Garnet Avenue to the south, and the City may require the proposed Project to contribute its fair portion for this improvement.

In addition, the proposed Project would be required under the City's regulations, to contribute towards the City of Palm Springs Development Impact Fee program (Ordinance No. 25113 effective July 24, 2023) and regional Transportation Uniform Mitigation Fee (TUMF) (Ordinance No. 1352). The Development Impact Fee provides a funding mechanism for arterial streets, traffic signals, interchange improvements as well as emergency services. The purpose of such fees is to minimize, to the greatest extent practicable, the impact that new development has on the City's public services and public facilities. The City intends for new development project applicants to pay their fair share of the costs of providing such public services and public facilities. Unless otherwise approved by the City, all development projects are required to pay the Development Impact Fee as a condition of development.

A fair share analysis was prepared to identify the share of proposed Project trips contributed to substantially impacted locations for which improvements are identified that may not be currently included in the City's Development Impact Fee program. The proposed Project's fair share is based on the proportion of project peak hour trips contributed to the improvement location relative to the total new peak hour traffic volume.

Table 4.14-13: Proposed Project's Fair Share

ID Study Intersection	Estimated Construction Cost[1]	Peak Hour	Peak Hour Volume					Project % at Intersection[2]	Project Fair Share Cost
			Existing	Opening Year (2026) With Project	Project Trips	New Trips	Project % of New Trips		
4. Indian Canyon Drive at 19th Avenue	$674,061	AM PM	1,044 946	2,256 3,209	299 280	1,212 2,263	24.7% 12.4%	24.7%	$166,291
6. Indian Canyon Drive at Garnet Avenue	$61,278	AM PM	1,988 1,688	2,960 3,198	160 161	972 1,510	16.5% 10.7%	16.5%	$10,087
Total	$735,339								$176,377

Source Appendix H

Notes:

1. Cost estimate based on values from the San Bernardino County Transportation Authority Preliminary Construction Cost Estimates For Congestion Management Program (2003) and has been fatored by 2.45 based on the California Construction Cost Index between January 2003 and May 2024. Costs estimates are sensitive to the quantity and location of work specified for a given installation. These values represent the relative magnitude of the cost and should be verified through the bidding process.

2. Project share of new trips shown are the greater of the AM or PM percent contribution.

3. Project fair share cost estimate provided for cumulative LOS improvements for study intersection which is forecast to operate at an unacceptable Level of Service F with the addition of cumulative/background traffic and without project trips.

This analysis also assumes the proposed Project would comply with the following conditions as part of the City of Palm Springs standard development review process to ensure adequate geometric design and emergency access:

- Site-adjacent roadways shall be constructed or repaired at their ultimate half-section width, including landscaping and parkway improvements in conjunction with development, or as otherwise required by the City of Palm Springs;
- All on-site and off-site roadway design, signing/striping, and traffic control improvements relating to the proposed Project shall be submitted to the City for review and constructed following applicable State/Federal engineering standards to the satisfaction of the City of Palm Springs;
- The final grading, landscaping, and street improvement plans shall demonstrate that applicable sight distance requirements are met;
- The proposed Project shall comply with the City of Palm Springs municipal parking requirements

which will be reviewed as a part of the standard development review process;

- Final Project plans shall demonstrate adequate emergency vehicle access and circulation to the satisfaction of the City of Palm Springs Public Works and Fire Departments;
- A construction worksite traffic control plan shall comply with applicable engineering standards outlined in the California Manual of Uniform Traffic Control Devices and shall be submitted to the City for review and approval before the issuance of a grading permit or start of construction. The plan shall identify any roadway, sidewalk, bike route, or bus stop closures and detours as well as haul routes and hours of operation. All construction-related trips shall be restricted to off-peak hours to the extent possible.

Transit Service

The City of Palm Springs is currently served by the SunLine Transit Agency, although there are no current bus services to the proposed Project site. Routes 2 and 5 run north-south on Palm Drive about two and a half (2.5) miles to the east of the study area. The closest bus stop to the proposed Project site is approximately over two and a half (2.5) miles to the northeast at the Palm Drive and Dillon Road intersection.

Transit service is typically reviewed and updated by the SunLine Transit Agency periodically to address ridership, budget and community demand needs. As this area of the city of Palm Springs and Riverside County builds out, Sunline Transit will continue to coordinate with local jurisdictions to address updated transit needs based on ridership needs. Any additional transit routes in closer proximity to the proposed Project site would also serve the employees at the site as well as other developments in the vicinity. However, under existing conditions, since SunLine does not currently serve the proposed Project site and greater study area, there would be no impacts to SunLine services or facilities and the proposed Project would not interfere with implementation of SunLine transit network.

Pedestrian and Bicycle Facilities

Currently, there are no sidewalks along N Indian Canyon Drive and 19th Avenue, although there are existing bike lanes on N Indian Canyon Drive south of 19th Avenue. 18th Avenue is an unpaved roadway at the site's northern boundary and does not include designated bike paths or sidewalks.

The proposed Project would provide sidewalks along its building facades, as required under the City's General Plan Circulation Element policies CR1.15 and CR1.16. Therefore, the project will not conflict with any City program, plan, ordinance or policy regarding multi-modal transportation.

The proposed Project would also be required to comply with the City's General Plan goals and policies under the Circulation Element. In particular, the proposed Project would be required to provide and maintain an efficient, interconnected circulation system that accommodates vehicular travel, walking, bicycling, public transit and other forms of transportation at the site (Goal CR1). In providing improvements to 18th Avenue through surfacing and paving improvements as well as with the provision of an internal roadway system for vehicular and truck traffic, the proposed Project would adhere to policies CR1.1 and CR1.9. The proposed Project would also be required to adhere to the General Plan Policy CR1.10 in following with the City's Transportation Demand Management ordinance. With proposed Project compliance with policies CR1.13 and CR1.14, the proposed Project would pay its share of the Transportation Uniform Mitigation Fee and would ensure that anticipated site operation do not exceed traffic the anticipated level of LOS D. In accordance with policies CR1.15 and CR1.16, the proposed Project would be required to develop final development and circulation plans in accordance with the City's

established engineering standards and would require review and approval by the City Engineer. Two intersections are identified for improvement; however, as shown on Table 4.14-10, the project does not contribute a significant effect at either intersection but shall contribute fair share contributions for cumulative impacts.

Therefore, the proposed Project will not conflict with any City program, plan, ordinance or policy regarding multi-modal transportation.

Mitigation

No mitigation is required.

Impact 4.14.2: The proposed Project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would therefore be Significant and Unavoidable.

CEQA Guidelines Section 15064.3(b) provides criteria for analyzing traffic related impacts from a project. The criteria further divide projects under Land Use and Transportation projects and provide guidelines for the level and methodology of traffic analysis related to a project. Specifically, the criteria for land use and transportation projects assume that projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor have a less than significant transportation impact. Similarly, projects that decrease vehicle miles traveled in the project area compared to existing conditions, generally have a less than significant transportation impact. For roadway capacity projects, if project related impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152. If existing models or methods are not available to estimate the VMT for a project, the Lead Agency is allowed to utilize a qualitative analysis for the project's VMT. Such a qualitative analysis should evaluate factors such as the availability of transit, proximity to other destinations, etc. A Lead Agency also has discretion to choose the most appropriate methodology to evaluate a project's VMT as long as the methodology is adequately assessed and documented.

With regard to the proposed Project, it is not within an existing TPA or high-quality-transit corridor, so the Project does not screen out under the TPA Screening criteria.

According to review of the City-provided low VMT area map, the proposed Project is not found in a low VMT area. Therefore the proposed Project does not screen out under the Low VMT Area Screening.

The proposed Project would include the construction of two (2) speculative industrial buildings with a total square footage of 1,906,824 square feet. Building 1 would entail approximately 1,516,174 square feet and Building 2 would be approximately 390,650 square feet in size. This does not meet the criteria for industrial or warehouse square footage allowed under the Project Type Screening.

Based on the screening criteria above, the proposed Project does not satisfy any of the screening criteria; therefore, further analysis for non-screened development is warranted in accordance with the City's TIA Guidelines.

The City of Palm Springs has adopted City of Palm Springs Traffic Impact Analysis Guidelines which establishes the City approved methodologies and thresholds for both LOS and VMT analysis. The city's Traffic Impact Analysis (TIA) Guidelines identify screening criteria for VMT analysis, such as its location in relation to:

- Transit Priority Area (TPA) Screening – TPAs are typically, but not limited to, an existing transit stop along a heavily travelled transit corridor, or sites located within half a mile of an existing transit stop. Lacking any substantial evidence proving otherwise, projects within or in a half mile radius of a transit stop may result in less than significant impact;
- Low VMT Area Screening- Residential and office projects are typically assumed to be located within a low VMT generating area. Lacking any substantial evidence proving otherwise, such projects therefore, are presumed to have a less than significant impact;
- Project Type Screening – Lacking any substantial evidence proving otherwise, the City's VMT Guidelines identify certain uses such as, but not limited to, public schools, local parks, approximately up to 15,000 square feet of light industrial uses, or, up to approximately 63,000 square feet of warehouse spaces that typically generate less than 110 daily vehicle trips, to have less than significant impacts in relation to VMT;

According to the City's TIA Guidelines, the city of Palm Springs has established a threshold of 36.6 VMT per service population. As mentioned previously, in accordance with the City TIA Guidelines, Project-generated VMT was calculated using RIVCOM (current release 4.0.1). The proposed Project-generated VMT and proposed Project effect on city-wide increases in VMT were calculated for the following scenarios:

- Baseline Conditions: based on the existing RIVCOM base year model.
- Baseline Plus Project: reflects a new RIVCOM base year model run with the addition of project socio-economic data (SED) to the project traffic analysis zone (TAZ).
- Cumulative No Project: based on the existing RIVCOM future year model (2045).
- Cumulative Plus Project: reflects a new RIVCOM future year model run with the addition of project SED to the TAZ.

Adjustments in socioeconomic data (SED) (i.e., employment) were made to the specific Traffic Analysis Zone (TAZ) within the RIVTAM model to reflect the project's proposed population and employment uses. **Table 4.14-14: Potential Employment that may be Generated by the proposed Project** below shows the service population (SP) estimates for the project.

Table 4.14-14: Potential Employment that may be Generated by Proposed Project

Land Use	Employment Factor	Project Size	Project Employees
Warehouse	1,030 SF / Employee	1,906,824 SF	1,851

Source: County of Riverside General Plan, Appendix E-2, Table E-5.

The proposed Project-generated VMT was determined as the net change in total VMT for the site's TAZ between without and with Project model runs, as indicated with **Table 4.15-15: Proposed Project Generated VMT** below.

Table 4.15-15: Proposed Project Generated VMT

Total VMT		Project-Generated VMT (Net Change)	Project Service Population	Project VMT per Service Population
Without Project	With Project			
27,148	209,424	182,276	1,851	98.5

Source: RIVCOM, Version 4.0.1, Baseline Model. Total origin-destination VMT for TAZ 1738.

As shown in **Table 4.15-15** above, the proposed Project's VMT per service population of 98.5 VMT exceeds the City's established threshold of 36.6 VMT per service population within the City boundary under the plus project condition compared to the no project condition (**Table 4.15-16:Proposed Project Generated VMT Threshold).**

Table 4.15-16: Proposed Project Generated VMT Threshold

Citywide Buildout Conditions		
Total VMT (No Project)	**Service Population**	**VMT / SP**
3,818,045	104,343	36.6

Source: RIVCOM, Version 4.0.1, Cumulative Model. Total origin-destination VMT and service population (population + employment) for all TAZs within City boundaries.

This would remain higher than projected regional VMT, even with implementation of all feasible mitigation such as modifying the proposed Project's built environment or participating in a VMT fee program. Even though the City would encourage the proposed Project to implement TDM measures in order to reduce single-occupancy vehicle trips, given the nature of operations to be constructed at the site, implementation of such measures are not anticipated to reduce the project's impact to a less than significant level. The 2021 California Air Pollution Control Officers Association (CAPCOA) ***Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*** (Handbook) provides project type, scale, and locational context factors to determine if a transportation measure is applicable to a particular project. Although the CAPCOA recommendations are for GHG reduction, the mitigation measures are also applicable in reducing VMT under acceptable transportation demand (TDM) strategies. Policy CR1.11 of the City's Circulation Element would ensure that the applicable measures related to the proposed Project enforced under mitigation measure TIA-1. However, the Handbook also states that the maximum trip reduction potential for any project is approximately 45%. However, given the potential site development under the proposed Project, the site generated VMT would still exceed the City established threshold (***Appendix H***).

Therefore, the proposed Project would result in significant and unavoidable transportation impact related to baseline VMT conditions.

The proposed Project site is located within the Southern California Association of Governments (SCAG) Metropolitan Planning Organization (MPO). SCAG is the MPO responsible for development of Connect SoCal, the 2020- 2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for the region. Through the local input process, SCAG solicited input from all 197 local jurisdictions, including the City of Palm Springs, regarding current land use, socio-economic projections, sustainability and transit measures to develop the Connect SoCal plan. Based on review of the Data/Map Book for the City of Palm Springs, the project site is zoned for Industrial use per SCAG's land use codes and is therefore consistent with the RTP/SCS.

As specified in the City TIA Guidelines, cumulative impacts shall be considered less than significant if a project is consistent with the RTP/SCS, absent substantial evidence to the contrary. With regard to the proposed Project's impacts cumulative project-generated VMT per service population, as shown in **Table**

4.14-17: Citywide Link Level VMT below, development under the proposed Project would exceed the City of Palm Springs General Plan Buildout VMT per service population.

Table 4.14-17: Citywide Link Level VMT

Without Project			With Project		
Link-Level VMT1	**SP2**	**VMT/SP**	**Link-Level VMT**	**SP2**	**VMT/SP**
845,644	80,605	10.5	851,563	82,456	10.3

Source: RIVCOM, Version 4.0.1.
Baseline Model.
Link-level VMT within City boundaries.
SP = Citywide service population (population + employment).

The baseline link-level boundary VMT per service population within the City boundary is forecast to decrease to 10.3 VMT per service population under the plus project condition compared to 10.5 VMT per service population under the no project condition. Therefore, the project effect on VMT is less than significant based on the City-established threshold for baseline conditions. Since the proposed project is consistent with the SCAG RTP/SCS, the project's cumulative transportation impacts are considered less than significant based on the City-established thresholds under cumulative conditions.

Mitigation

TRA- 1: The proposed Project shall require all operators on the site to implement a VMT reduction program, to the maximum extent feasible, the following applicable transportation measures as listed under CAPCOA's Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, which provides project type, scale, and locational context factors to determine if a transportation measure is applicable to a particular project.

- Measure T-8: Provide Ridesharing Program
- Measure T-9: Implement Subsidized or Discounted Transit Program
- Measure T-10 Provide End-of-Trip Bicycle Facilities
- Measure T-11: Provide Employer-Sponsored Vanpool
- Measure T-13: Implement Employee Parking Cash-Out
- Measure T-14: Provide electric vehicle charging infrastructure
- Measure T-21-A: Implement conventional Carshare Program
- Measure T-21-B: Implement electric Carshare Program
- Measure T-30: Use cleaner fuel vehicles

Impact 4.14.3: The proposed Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Impacts would therefore be Less than Significant.

The proposed Project site is currently vacant with no existing roadways or intersections on the site. N Indian Canyon Avenue, 18th Avenue and 19th Avenue respectively form the eastern, northern, and southern boundaries of the site. The proposed Project would develop the existing vacant site with industrial and office uses as allowed under the City's General Plan and Zoning Code and no incompatible uses would be developed on the site. Roadway improvements in and around the project site would be

designed and constructed to satisfy all City and Caltrans requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to project access requirements that would result in the safe and efficient flow of traffic. Moreover, all internal roadways would access the site within established roadway geometric features and standards.

The Project proposes development of the site over two (2) phases lasting approximately 24-36 months. Temporary impacts associated with the construction of the proposed project may temporarily restrict vehicular traffic along N Indian Canyon Avenue and 19th Avenue. However, construction operations would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road or lane closures. During construction, worker vehicles, haul trucks, and other vendor trucks would be staged on the portion of the Project site under construction for the duration of the construction period. As part of the City permits, the proposed Project would be required to adhere to appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures and measures to properly route heavy-duty construction vehicles entering and leaving the site (as applicable).

Access and circulation for the proposed Project would be provided through four (4) driveways from N. Indian Canyon Avenue, and additional driveways from 19th and 19th Avenues. These would be gated and constructed at a minimum width of 56 feet which would satisfy the minimum street width required under the CA Fire Code. Driveway isles and internal sidewalks for the proposed Project would be of appropriate width according to the city of Palm Springs standards. Trucks accessing and leaving the proposed Project site would be routed primarily along N. Indian Canyon Avenue and all other existing City-designated truck routes to access I-10 and SR 65, which would limit potential safety conflicts between passenger vehicles and trucks.

The proposed Project would be required to be designed and constructed in accordance with the City's engineering standards, for roadway design, traffic signing, striping, pedestrian walkways/crossovers, and traffic control improvements. All final site and circulation plans for the proposed Project would be required to be submitted to the City for review and would be constructed following applicable State/Federal engineering standards. In addition, all proposed Project final grading, landscaping, and street improvement plans would be required to demonstrate that applicable sight distance requirements have been met and that adequate emergency vehicle access and circulation to and from the site has been provided to the satisfaction of the City of Palm Springs Public Works and Fire Departments. Additionally, all buildings frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with City regulations. Therefore, impacts related to vehicular circulation design features would be less than significant.

Mitigation

No mitigation is required.

Impact 4.14.4: Implementation of the proposed Project would not result in inadequate emergency access at the site and impacts would be Less than Significant.

The proposed Project would not result in inadequate emergency access. Direct access to the proposed Project would be from the major access point along N Indian Canyon Avenue to the east of the site, and from secondary access off 18th Avenue and 19th Avenue. Construction activities would occur within the proposed Project site and would not restrict access of emergency vehicles to the site or adjacent areas. In

addition, travel along N, Indian Canyon Avenue and 19th Avenue would remain open and would not interfere with emergency access to the site vicinity. The proposed Project would also be required to design and construct internal access, and size and location of fire suppression facilities (e.g., hydrants and sprinklers) to conform with the City's fire protection standards. The Fire District would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements of the California Fire Code (Title 24, California Code of Regulations, Part 9). The roadway improvements and installation of driveways that would be implemented during construction of the proposed Project could require the temporary closure of travel lanes along N Indian Canyon Avenue. However, full roadway closure and traffic detours are not expected to be necessary during Project construction and related construction truck traffic.

In order to ensure that proposed Project construction ensures adequate access to and from the site particularly for emergency service responders at all times, final project plans would be required to demonstrate adequate emergency vehicle access and circulation to the satisfaction of the City of Palm Springs Public Works and Fire Departments. Per the City's General Plan Safety Element, the final plans would also be required to show City fire department approved emergency roadway design and facilities including fire hydrants and that the proposed Project is not located on any of the four main points of roadway access (lifelines) to the city. In addition, as discussed above, in accordance with the City's engineering standards, all on-site and off-site roadway design, signing/striping, and traffic control improvements relating to the proposed Project would be required to be submitted to the City for review and constructed following applicable State/Federal engineering standards; the final grading, landscaping, and street improvement plans shall demonstrate that applicable sight distance requirements are met and that adequate emergency vehicle access and circulation to and from the site has been provided to the satisfaction of the City of Palm Springs Public Works and Fire Departments; the proposed Project will also be required to demonstrate compliance with the City of Palm Springs municipal parking requirements which would be reviewed as a part of the standard development review process. Also, construction activities would be expected to implement measures to facilitate the passage of persons and vehicles through/around any required temporary road restrictions and ensure the safety of passage in accordance with the City's construction permitting process. The proposed Project would also be required to adhere to the City's General Plan policies SA3.10 under the Safety Element to ensure the construction of emergency access routes according to adequate design features. As such, the proposed Project would not result in inadequate access, and impacts would be less than significant.

Mitigation

No mitigation is required.

4.15 TRIBAL CULTURAL RESOURCES

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) evaluates potential impacts of the proposed Project on tribal cultural resources It also identifies appropriate mitigation measures to lessen the identified impacts, where necessary and identifies the appropriate City of Palm Springs General Plan goals and policies that reduce any identified impacts. The analysis provided herein is based on information included in the Paleontological Assessment Report prepared by BFSA Environmental Services on August 18, 2023 (***Appendix D***) of this DEIR.

4.15.1 SETTING

The term "Tribal cultural resources" is defined as encompassing sites, features, places, cultural landscapes, sacred locations, and objects possessing cultural significance to a California Native American tribe. These resources are identified either as included or deemed eligible for inclusion in the California Register of Historical Resources (CRHR), incorporated in a local register of historical resources, or determined by the lead agency. The lead agency exercises its discretion, supported by substantial evidence, to ascertain the significance of a resource. A cultural landscape meeting these criteria is considered a tribal cultural resource, provided that the landscape is geographically defined based on its size and scope. Additionally, historical resources, unique archaeological resources, or non-unique archaeological resources may also fall under the category of tribal cultural resources if they satisfy the stipulated criteria.

The proposed Project site is located in the Peninsular Ranges Geologic Province of southern California, marked by a geological range spanning approximately 1,000 miles from the Raymond-Malibu Fault Zone in western Los Angeles County to the southern tip of Baja California. This range follows a northwest-to-southeast trend through the county. The project is specifically located in the northern part of Palm Springs, positioned along the base of mountains that delineate the southwestern limits of the Coachella Valley. Within the project area, the predominant topography is a relatively flat desert landscape, influenced by the broad erosional fan originating from higher elevations to the north. This fan formation is a consequence of sediment deposition carried by water flow. Overall, this description outlines the geological and geographical features characterizing the subject property in southern California.

Ethnology Cahuilla

According to historical accounts, the Cahuilla people occupied a diverse territory during the sixteenth century at the time of Spanish contact. Bean (1978) and Kroeber (1976) describe their range as including the San Bernardino Mountains, Orocopia Mountains, and Chocolate Mountains to the west, Salton Sea, and Borrego Springs to the south, Palomar Mountain, Lake Mathews, and the Santa Ana River to the north. However, Bean et al. (1992) suggest a central focus around the San Jacinto and Santa Rosa mountains. Milanovich (2021), quoting Cahuilla elder Alvino Siva, extends the boundaries west to Colton, north to the San Bernardino Mountains, east to the Chocolate Mountains, and south to Palomar Mountain. These perspectives highlight variations in historical accounts and the complexity of defining the precise extent of Cahuilla territories. The Cahuilla are a Takic-speaking people related to the Gabrielino and Luiseño. Cahuilla villages were usually permanent structures on low terraces within canyons in close proximity to water sources which proved to be rich in food and afforded protection from prevailing winds. Plant foods harvested by the Cahuilla included valley oak acorns and single-leaf pinyon pine nuts. Species included bean and screw mesquite, agave, Mohave yucca, cacti, palm, chia, quail brush, yellowray goldfield, goosefoot, manzanita, catsclaw, desert lily, mariposa lily, and a number of other species such as grass seed.

The Cahuilla also acquired a number of agricultural domesticates from the Colorado River tribes such as; corn, bean, squash, and melon grown in limited amounts. Animal species taken included deer, bighorn sheep, pronghorn antelope, rabbit, hare, rat, quail, dove, duck, roadrunner, and a variety of rodents, reptiles, fish, and insects (Bean 1978; Kroeber 1976).

Ethnology Luiseño

The Luiseño inhabited a territory bordered by the Pacific Ocean to the west, the Peninsular Ranges mountains at San Jacinto (including Palomar Mountain to the south and Santiago Peak to the north) to the east, Agua Hedionda Lagoon to the south, and Aliso Creek in present-day San Juan Capistrano to the north. Linguistically and ethnographically, they were more closely related to the Cahuilla, Gabrielino, and Cupeño to the north and east than to the Kumeyaay to the south, who occupied a separate territory. Unique among Takic speakers, the Luiseño exhibited an extensive proliferation of social statuses, a system of ruling families fostering ethnic cohesion, and a distinctive worldview influenced by the use of datura, a hallucinogen. Additionally, their elaborate religion featured sacred sand paintings depicting the deity Chingichngish. These insights are drawn from Bean and Shipek (1978) and Kroeber (1976).

Luiseño lived in sedentary villages located in sheltered area in the valley bottoms, along streams, or along coastal strands near mountain ranges, and near water sources to facilitate acorn leaching and in areas that offered thermal and defensive protection. Inland groups had fishing and gathering sites along the coast that were intensively used from January to March when inland food resources were scarce, October and November the village would relocate to mountain oak groves to harvest acorns where they would remain for the remainder of the year where food was within a days travel (Bean and Shipek 1978; Kroeber 1976).

An archaeological records search for the proposed Project site and the surrounding area within a one (1) mile radius was completed by BFSA utilizing data from the Eastern Information Center (EIC) (Appendix D). The EIC search identified 54 resources (eight [8] prehistoric and 46 historic) within one (1) mile of the proposed Project site. Two (2) historic resources (P-33-008410 and P-33-028015) are documented, both situated in the eastern portion of the proposed Project's 500-foot buffer area. Site P-33-008410, identified as the historic Dillion Highway or North Indian Canyon Drive Alignment, was assessed in 2015 by Applied Earth Works and deemed not eligible for the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR). Site P-33-028015, a historic trash scatter, was discovered during grading monitoring and subsequently removed during the development of an adjacent property in 2017 (Rodriguez and Harvey).

No properties listed on the National Register of Historic Places (NRHP) were found within the proposed project site. The Bureau of Land Management (BLM) General Land Office (GLO) records indicate a 1905 patent granted to the Southern Pacific Railroad Company, covering a substantial land grant of 109,318.23 acres. Plat maps from 1856 and 1920 associated with this patent show no potential historic features within the property, although the 1856 map does depict an "Indian Trail" south of the subject property.

Historic United States Geological Survey (USGS) maps and aerial photographs further support that no structures were historically located within the subject property. Buildings on the project's periphery, within the 500-foot buffer, seem to have been constructed between 1984 and 1996. Wind turbines within the project were erected between 1996 and 2002, and while visible on earlier aerial photographs, a recent survey confirmed their removal.

Native American Coordination

BFSA had requested a review of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC) on February 21, 2023, to determine if any recorded Native American sacred sites or locations of religious or ceremonial importance are present within the proposed Project vicinity. The search results were negative for the presence of religious Native American sites (see ***Appendix D***).

4.15.2 REGULATORY FRAMEWORK

FEDERAL

Archaeological Resources Protection Act

The Archaeological Resources Protection Act of 1979 (ARPA) regulates the protection of archaeological resources and sites which are on federal lands and Indian lands.

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains, associated funerary objects, and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

STATE

Assembly Bill 52

Signed into law in September 2014, California Assembly Bill (AB) 52 created a new class of resources – tribal cultural resources (TCRs) – for consideration under CEQA. TCRs may include sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American tribe that are listed or determined to be eligible for listing in the CRHR, included in a local register of historical resources, or a resource determined by the lead CEQA agency, in its discretion and supported by substantial evidence, to be significant and eligible for listing on the CRHR. AB 52 requires that the lead CEQA agency consult with California Native American tribes that have requested consultation for projects that may affect tribal cultural resources. The lead CEQA agency shall begin consultation with participating Native American tribes prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report. Under AB 52, a project that has potential to cause a substantial adverse change to a tribal cultural resource constitutes a significant effect on the environment unless mitigation reduces such effects to a less than significant level.

Senate Bill 18

Senate Bill (SB) 18 requires local governments to consult with Native American tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to the adoption and amendment of general plans and specific plans. The consultation process requires (1) that local governments send the NAHC information on a proposed project and request contact information for local Native American tribes; (2) that local governments then send information on the project to the tribes that the NAHC has identified and notify them of the opportunity to consult; (3) that the tribes have 90 days to respond on whether they want to

consult or not, and (4) that consultation begins, if requested, by a tribe and there is no statutory limit on the duration of the consultation. If issues arise and consensus on mitigation cannot be reached, SB 18 allows a finding to be made that the suggested mitigation is infeasible.

Senate Bill 181

Existing law under Senate Bill (SB) 181 provides limited protection for Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places. These places may include sanctified cemeteries, religious and ceremonial sites, shrines, burial grounds, prehistoric ruins, archaeological or historic sites, Native American rock art inscriptions, or features of Native American historic, cultural, and sacred sites.

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (Government Code § 6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects…maintained by, …, the Native American Heritage Commission….". Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the [NAHC], another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency."

California Public Resources Code

Archaeological, paleontological, and historical sites are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code (PRC). In addition, cultural and paleontological resources are recognized as a nonrenewable resource and therefore receive protection under the California Public Resources Code and CEQA.

California Public Resources Code 5020-5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The Commission oversees the administration of the California Register of Historical Resources, and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.

California Public Resources Code 5079-5079.65 defines the functions and duties of the Office of Historic Preservation (OHP). The OHP is responsible for the administration of federally and state mandated historic preservation programs in California and the California Heritage Fund.

California Public Resources Code 5097.9.-5097.998 provides protection to Native American historical and cultural resources and sacred sites, and identifies the powers and duties of the Native American Heritage Commission (NAHC). It also requires notification of discoveries of Native American human remains to descendants and provides for treatment and disposition of human remains and associated grave goods.

LOCAL

Palm Springs 2007 General Plan

The City of Palm Spring 2007 General Plan contains the following Goals and Policies related to tribal cultural resources that are applicable to the proposed Project:

Recreation, Open Space and Conservation Element

Goal RC10 Support, encourage, and facilitate the preservation of significant archaeological, historic, and cultural resources in the community.

- Policy RC10.1 Support the preservation and protection of historically, architecturally, or archaeologically significant sites, places, districts, structures, landforms, objects, native burial sites and other features.
- Policy RC10.4 Require site assessment conducted by qualified specialists whenever information indicates that a site proposed for development may contain paleontological, historic, or archeologic resources.
- Policy RC10.5 Actively encourage and promote the understanding, appreciation, and preservation of archaeological, historic, and cultural resources.
- Policy RC10.6 Maintain active communication and cooperation with the Tribal Historic Preservation Office, the Palm Springs Historic Society and other historic preservation entities.

City of Palm Springs Municipal Code

The City's Municipal Code, Title 8, Chapter 8.05, Historic Preservation, establishes the definition of a historic structure, site, or district. The code established the City's requirements for historic and cultural preservation, and created the historic-site preservation board. Additionally, Chapter 92.24.00, "H" Historic Preservation Combining Zone, creates a zoning code designed to preserve historic sites and neighborhoods that represent important elements of Palm Springs' past or contribute to the community's identity or educational resources.

City of Palm Springs Historic Preservation Ordinance

The City's Historic Preservation Ordinance is designed to preserve areas and specific buildings that reflect elements of its cultural, social, economic, political, architectural and archaeological history. It also establishes a Historic Site Preservation Board to maintain and update the City's Historic Resources Inventory, prepare local nominations for historic registers, monitor progress in preservation and promote community awareness and participation in historic preservation.

The Agua Caliente Band of Cahuilla Indians' Tribal Historic Preservation Office

The Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office and its designated officer has jurisdiction over historic resources on tribal reservation lands. The Tribal Historic Preservation Officer (THPO) is responsible for the management of cultural resources of significance to the Tribe. Such resources typically include, but are not limited to archeological sites, burial sites, trails, buildings or other structures, plant and mineral resources gathering areas, and sacred places such as springs, hills, forested areas. Pursuant to the NHPA, the Agua Caliente Band of Cahuilla Indians THPO has assumed functions of the SHPO on its reservation. The THPO reviews proposed development projects in order to assess potential impacts on historic and cultural resources important to the Tribe and/or eligible for the Tribal Register, CRHR, or the NRHP. The THPO has the authority to consult and coordinate with State and federal agencies such as the Bureau of Land Management (BLM), the National Park Services (NPS), and the United States Forest Service (USFS), for compliance and consultation, monitoring construction and archaeological excavations, protecting burial sites and resources, and for maintaining all archival databases.

4.15.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Impacts to Tribal Cultural Resources should be analyzed in order to determine if the project would cause a substantial adverse change in the significance of a tribal cultural resources, 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:

- Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Coder Section 5020.1.(K)?
- A resource determined by the lead agency, in its discretion and supported by substantial evidence to be significant pursuant to criteria set forth in subdivision (C) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (C) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.

Methodology

The following analysis considers the presence and absence of known tribal cultural resources on the proposed Project site and within the general Project area, as well as the potential impacts on such resources from implementation and adoption of the proposed Project To gather information on known resources, a records search was conducted by BFSA (see ***Appendix D***). A Tribal Consultation was conducted by the City in November 2023. Six (6) letters requesting tribal consultation were sent out to the Torres Martinex Desert Cahuilla Indians, the Soboda Band of Luiseno Indians, the Morongo Band of Mission Indians, the Cabazon Band of Mission Indians, the Aqua Caliente Band of Cahuilla Indians, and the Twenty-Nine Palms Band of Mission Indians.

Impacts

Impact 4.15.1: Implementation of the proposed Project would not would not cause a substantial adverse change in the listing or eligible for listing, of a tribal cultural resource, as defined in PRC §21074 as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe. Impacts would be Less than Significant with Mitigation Incorporated.

For purposes of this impact analysis, a Tribal Cultural Resources (TCR) is considered a site, feature, place, cultural landscape, sacred place, or object which is of cultural value to a California Native American Tribe and is either on or eligible for the California Register or a local historic register.

A review of the Native American Heritage Commission (NAHC)'s Sacred Lands File (SLF) was conducted by BFSA in 2023 (see ***Appendix D***). The purpose of the NAHC's SLF was to identify any recorded Native American sacred sites or locations of religious or ceremonial significance within the project vicinity. The results of the search returned negative, indicating that no such recorded areas were identified on the site or its vicinity. Detailed correspondence related to this review is available in Appendix G of this DEIR.

An archaeological records search for the site and the surrounding area within a one (1) mile radius was completed by BFSA utilizing data from the EIC at UCR (***Appendix D***). The EIC search identified 54 resources (eight [8] prehistoric and 46 historic) within one (1) mile of the proposed Project site.

Although no tribal properties listed on the National Register of Historic Places (NRHP) were found within the proposed Project site, Plat maps from 1856 does depict an "Indian Trail" south of the subject property.

Historic United States Geological Survey (USGS) maps and aerial photographs further support that no structures were historically located within the subject property.

Typically, inland and coastal waterways create unique habitats and riparian corridors that provide an abundance of food and medicine resources for tribes in an area. Also, areas near water bodies have the potential to house seasonal or permanent hamlets and trade depots, ceremonial prayer sites, and cremation sites for native American Indian tribes. Larger water bodies were high attractants for human activity and the banks and shores of these water bodies typically can have a higher-than-average potential for encountering TCRs of artifacts and human remains during project ground disturbing activities. However, there are no water bodies or waterways on or adjacent to the proposed Project site and therefore the proposed Project would have low potential to disturb tribal resources. While some ground disturbance activities were undertaken by previous wind farm use on the site, such uses were limited in structure and land coverage. The proposed Project would develop larger structures and roadways on the site. Construction activities related to the proposed Project have the potential to unearth previously unknown tribal artifacts or burials.

The proposed Project would also be required to adhere applicable policies in the City's Recreation, Open Space and Conservation Element of its General Plan. In particular, Goal RC10 which supports and facilitates the preservation of significant archaeological, historic, and cultural resources such as sites, places, districts, structures, landforms, objects, native burial sites and other features in the community, through policies RC10.1, RC10.4, and RC10.5. The General Plan Policy RC10.6 would ensure that the development at the proposed Project site coordinate with the THPO and other historic preservation entities during site construction and Project operation.

Therefore, impacts with be less than significant with implementation of mitigation measures **CUL-1**, **CUL-2** and **CUL-3**.

Mitigation

CUL-1: Should paleontological resources be discovered at the proposed Project site, the area of the discovery shall be cordoned off and a Riverside County qualified paleontologist shall be consulted to determine the significance of the finds. If the discovery is determined to be significant by the qualified paleontologist, a Paleontological Resource Impact Program (PRIMP) shall be required for the proposed Project prior to approval by the City of Palm Springs to reduce adverse impacts to paleontological resources to a level below significant. The PRIMP shall follow the guidelines of the City of Palm Springs, the County of Riverside, and the recommendations of the Society of Vertebrate Paleontology (2010). The PRIMP shall include methods for:

- Attendance by a qualified paleontologist at the preconstruction meeting to consult with the grading and excavation contractors.
- On-site presence of a paleontological monitor to inspect for paleontological resources during the excavation of previously undisturbed deposits.
- Salvage and recovery of paleontological resources by the qualified paleontologist or paleontological monitor.
- Preparation (repair and cleaning), sorting, and cataloguing of recovered paleontological resources.
- Donation of prepared fossils, field notes, photographs, and maps to a scientific institution with permanent paleontological collections.

- Completion of a final summary report that outlines the results of the mitigation

CUL-2: Initial clearing and grading of the property (first five feet) shall be monitored by a qualified archeologist. The consulting archaeologist shall have the authority to modify and reduce the monitoring program to either periodic spot-checks or suspension of the monitoring program should the potential for cultural resources appear to be less than anticipated.

CUL-3: Should grading and construction activities at the Project site reveal the presence of human remains, all work at the site shall be stopped and all remains shall be disposed in accordance with the California Public Resources Code Section 5097.98.

4.16 UTILITIES AND SEREVICES SYSTEMS

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) evaluates potential impacts to water, wastewater, and solid waste services from development facilitated by the proposed Project. It also addresses the proposed Project's potential impacts on the city's existing water, wastewater and solid waste infrastructure, and identifies appropriate mitigation measures to lessen the identified impacts, where necessary and identifies the appropriate City of Palm Springs 2007 General Plan Update policies that reduce any identified impacts.

4.16.1 SETTING

Water and Stormwater

Misson Springs Water District (MSWD; District) is responsible for supplying domestic water to the city of Palm Springs and provides water related services for domestic water, wastewater collection and treatment. The District's service area encompass approximately 135 square miles including the northern portion of the city of Palm Springs, the city of Desert Hot Springs, 10 smaller communities in Riverside County, and in the northern portion of the City of Palm Springs (City of Palm Springs General Plan EIR; 2007).

MSWD's water supply and distribution system includes three separate and distinct water supply and distribution systems with the largest of the three systems serving the community of Desert Hot Springs; the surrounding communities of West Garnet (located south of Interstate 10 and West of Indian Avenue); and North Palm Springs. The two smaller systems, the Palm Springs Crest System and West Palm Springs Village System, are located approximately five (5) miles west of the city of Desert Hot Springs.

The District's water supply source is 100 percent groundwater produced from District-owned and operated wells. MSWD also receives its water supply from groundwater produced from subbasins within the Coachella Valley Groundwater Basin, which underlies the District's water service area. MSWD primarily produces groundwater from the Mission Creek Subbasin via eight (8) active wells. To a lesser extent, the District also produces groundwater from the Indio Subbasin (including the Garnet Hill Subarea) via three active wells; and the San Gorgonio Pass Subbasin via two active wells.

The proposed Project site is located in the Whitewater River Watershed, which is an arid desert region encompassing approximately 1,645 square miles and is drained by the Whitewater River that flows to the Coachella Valley Stormwater Channel (CVSC) and onto to the Salton Sea to the south of the city. Ephemeral streams such as the Garnet m the Mission Creek and the Little Morongo Creek Wash, produced during the rainy season the in this portion of the Coachella Valley, also drains into the Whitewater River from the northern areas of the cities of Palm Springs and Desert Hot Springs.

Wastewater and Sewer

The proposed Project site will be served by the Mission Springs Water District (MSWD; District). MSWD has a network of approximately 45 miles of sewer lines and operates two (2) wastewater treatment plants. The Horton Wastewater Treatment Plant (WWTP), located on Verbena Drive, has a capacity of 2.3 million gallons per day (MGD) but had received approximately 2.0 MGD by 2020 (Palm Springs Fulfillment Center EIR; 2024). The Desert Crest Wastewater Treatment Plant, located about a half mile southeast of the intersection of Dillion Road and Long Canyon Road, has a capacity of 0.18 MGD and its average daily flow in 2020 was metered at 0.05 MGD (Palm Springs Fulfillment Center EIR; 2024). These wastewater

treatment plants typically treat and dispose of the wastewater into adjacent percolation/evaporation ponds and then uses which are then used in the irrigation and maintenance at the treatment plants.

Electricity

Southern California Edison (SCE) provides electric power supply to the city of Palm Springs. Usage demand within SCE's service area in 2018 was 104,406 gigawatt hours (GWh) (California Energy Commission; 2024). Desert Community Energy (DCE), a community based and locally controlled electricity provider founded in 2020, is the public electricity provider that serves customers in the city of Palm Springs. In its commitment to sustainable development, the City of Palm Springs has a goal of 100% Carbon Free power sources such as solar, wind, geothermal and hydroelectric power to serve all future development projects in the city. Portions of the proposed Project site have been used as wind farms and several solar and wind farms are located to the west of the proposed Project site. However, no electricity lines or services currently exist on the site.

Natural Gas

Southern California Gas Company (SoCal Gas) provides natural gas to the city of Plam Springs. SoCal Gas is the nation's largest natural gas distribution utility, serving approximately 20.0 million consumers through 5.8 million gas meters. SoCal Gas' usage in 2010 for commercial, public and residential was 3,823,723 therms, and is expected to increase to 17,009.166 therms by 2035. Its total storage capacity is approximately 122.1 billion cubic feet (Bcf) of gas, which it has estimated is sufficient to meet current natural gas needs in its service areas in Riverside County (County of Riverside General Plan 2035; 2014). The proposed Project site does not currently have natural gas connections or lines on site but if required, development under the proposed Project would be served by SoCal Gas.

Telecommunications/Internet

Telecommunications/Internet services are provided on a demand basis and by a variety of services providers both in Riverside County and in the city of Palm Springs. Telecommunication and Internet services typically include high-speed broadband, fiber-optics, digital phone service, wireless, and internet services. Telecommunication and internet utility providers continually evaluate projected growth to ensure that their network can accommodate future demands for communications services. Additionally, there are no expansion fees that a developer would have to pay in order to contract service to a proposed project site. Frontier and Spectrum are the typical providers in the County and the City and would therefore provide telecommunication and interest services to the proposed Project.

Landfill and Solid Waste

The Riverside County Waste Management Department (RCWMD) operates the five (5) active landfills and administers a contract agreement for waste disposal at the private El Sobrante Landfill and administers several transfer station leases (County of Riverside General Plan 2035; 2015). All of these RCWMD sites have the capacity for expansion and all of the active landfills currently located in Riverside County are rated as Class III landfills according to Title 27 of the California Code of Regulations (CCR). Such landfills only accept nonhazardous, municipal solid wastes. Several private waste collection services also exist in the County although they all transfer their wastes to one of the seven (7) landfills referenced above (County of Riverside General Plan 2035; 2014).

The RCWMD also manages eight (8) transfer stations, collection centers and several recycling and other special waste diversion programs. Solid waste not dumped directly in a landfill is deposited at various

transfer stations throughout the County. As discussed above, there are seven (7) transfer stations that serve Riverside County for the collection and separation of solid waste and recyclables. The 15-year projection of disposal capacity prepared by the RCWMD under its Countywide Integrated Waste Management Plan (CIWMP) indicates it would have county-wide disposal needs of 4,051,734 tons per year while the remaining capacity at all of its landfill and solid waste facilities would amount to approximately 28,561,626 tons per year (County of Riverside General Plan 2035; 2014).

Solid waste disposal and recycling services for the city of Palm Springs are provided by Palm Springs Disposal to the city's residential, commercial and industrial uses. Solid waste and recycling collected from the city and the proposed Project site will be hauled to the Edom Hill Transfer Station. This transfer station is permitted to receive 3,500 tons per day (tpd) (Palm Springs Fulfillment Center EIR; 2024). Residual waste from this transfer station is then sent to a permitted landfill or recycling facility outside the city.

Two landfill sites currently provide services to the City - the Lamb Canyon Landfill and Badlands Landfill. The Lamb Canyon Landfill is currently permitted to receive 3,000 tons of trash per day. The total permitted capacity of the landfill is 34,292,000 cubic yards. The Badlands Landfill is currently permitted to receive 4,000 tons of trash per day. The total permitted capacity of the landfill is 33,560,993 cubic yards (City of Coachella General Plan Update Public Draft EIR, 2015). Burrtec Waste Industries (Burrtec) provides solid waste collection, recycling, and disposal management services to this area of the County. The proposed Project site would be served by Burrtec for solid waste and recycling services.

Powerlines

Above-ground power lines have the potential to contribute to wildfire risk. In some instances, high winds can blow nearby trees and branches into powerlines, sparking fires. Wind can also snap wooden poles, causing live wires to fall onto nearby grass or other fuel, igniting it.

4.16.2 REGULATORY FRAMEWORK

INTERNATIONAL

There are no federal regulations that apply to population and housing on or in the vicinity of the proposed Project site.

International Fire Code

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what protective measures are required for fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every three years and is the basis for the California Fire Code (CFC) (also updated triennially). Local jurisdictions, including the City of Palmdale, then adopt the CFC, in some cases with local amendments.

FEDERAL

Clean Water Act Section 402

The Clean Water Act (CWA) was established in 1972 as the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industries. The EPA has also developed national water quality criteria recommendations for pollutants in surface waters.

The primary goals of the Federal Clean Water Act, 33 USC §§ 1251, et seq. (CWA) are to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollutant discharges. The CWA sets forth several objectives in order to achieve the above-mentioned goals. The CWA objectives include regulating pollutant and toxic pollutant discharges; providing for water quality which protects and fosters the propagation of fish, shellfish, and wildlife; developing waste treatment management plans; and developing and implementing programs for the control of non-point sources pollution. Under the CWA, it is unlawful to discharge any pollutant from a point source, which is a discrete conveyance such as pipes or man-made ditches, into navigable waters unless a permit is obtained. The National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. The CWA provides the legal framework for several water quality regulations including NPDES, effluent limitations, water quality standards, pretreatment standards, anti-degradation policy, non-point source discharge programs, and wetlands protection. Compliance monitoring under the NPDES Program encompasses a range of techniques in order to address the most significant problems and to promote compliance among the regulated community.

The State Water Resources Control Board (State Water Board) and nine Regional Water Quality Control Boards (Regional Water Boards; collectively the Water Boards) are authorized to implement the federal Clean Water Act in California. The State Water Board protects water quality by setting statewide policy, coordinating and supporting the Regional Water Boards, and reviewing petitions that contest Regional Water Board actions. Additionally, the State Water Board is solely responsible for allocating surface water rights, regulating public drinking water systems, and administering financial assistance programs.

Clean Water Act Section 402

Section 402 of the Clean Water Act (CWA) requires that all construction sites on an acre or greater of land, as well as municipal, industrial and commercial facilities discharging wastewater or stormwater directly from a point source, such as a pipe, ditch, or channel, into a surface water of the United States must obtain permission under the NPDES permit. All NPDES permits are written to ensure that the surface water receiving discharges will achieve specified water quality standards.

National Pollutant Discharge Elimination System

The NPDES permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges

not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities. Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant.

The Municipal National Pollutant Discharge Elimination System (NPDES) program is administered by the State Water Resources Control Board (SWRCB) through the Regional Water Quality Control Boards (RWQCBs) and requires municipalities to obtain permits that outline programs and activities to control wastewater and stormwater pollution. The federal Clean Water Act prohibits discharges of stormwater from construction projects unless the discharge is in compliance with an NPDES permit. The SWRCB is the permitting authority in California and adopted an NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) (Order 2009-0009, as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). Containment and spill cleanup are also encompassed in the Storm Water Pollution Prevention Plan (SWPPP). This includes inspections for spills, a requirement that chemicals be stored in watertight containers with secondary containment to prevent spillage or leakage, procedures for addresses hazardous and non-hazardous spills, including a spill response and implementation procedure, include on-site equipment for cleanup and spills, and spill training for construction personnel (SWRCB; 2009).

Safe Drinking Water Act (1974)

The Safe Drinking Water Act (SDWA), enacted in 1974, ensures the quality of drinking water. The law requires actions to protect drinking water and its sources (e.g., rivers, lakes, reservoirs, springs and groundwater wells) and applies to public water systems that have at least 15 service connections or serve at least 25 people for at least 60 days a year. It authorizes the United States Environmental Protection Agency (USEPA) to set national standards for drinking water to protect against health effects from exposure to naturally occurring and man-made contaminants. In addition, the US EPA works with states, localities and water suppliers that implement the standards. US EPA standards are set under the National Primary Drinking Water Regulations (NPDWR), which include legally enforceable primary standards and treatment techniques that apply to public water systems. Primary standards and treatment techniques protect public health by limiting the levels of contaminants, Maximum Contaminant Levels (MCLs), in drinking water. The MCL is the highest level of contaminant that is allowed in drinking water at a level that is not anticipated to produce adverse health effects after a lifetime of exposure, based upon toxicity data and risk assessment principles. Secondary standards are non-enforceable guidelines regulating contaminants that may cause cosmetic effects (such as skin or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water. USEPA does not enforce these "secondary maximum contaminant levels" (SMCL). They are established only as guidelines to assist public water systems in managing their drinking water for aesthetic considerations, such as taste, color, and odor.

Title 40 of the Code of Federal Regulations

Title 40 of the Code of Federal Regulations (CFR), Part 258 (Resource Conservation and Recovery Act RCRA, Subtitle D) contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the federal landfill criteria. The federal regulations address the location, operation, design, groundwater monitoring, and closure of landfills.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying potential hazards and determining the need for and availability of federal flood insurance. FIRM maps rely on a variety of historic flood risk information, historic, meteorological, hydrologic data, as well as existing conditions within an area. FEMA mapping also incorporates the results of engineering studies to delineate Special Flood Hazard Areas (SFHAs), which are considered at higher risk of inundation and flood-related hazards. As mandated by the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973, FEMA administers the National Flood Insurance Program (NFIP) which provides subsidized federal flood insurance to residents of communities with established floodplain regulations.

Resource Conservation and Recovery Act (RCRA)

This law was enacted in 1976 and is the principal federal law governing the disposal of solid waste and hazardous waste. The U.S. Environmental Protection Agency (US EPA) oversees waste management regulation pursuant to Title 40 of the Code of Federal Regulations. Under RCRA, however, states are authorized to carry out many of the functions of the federal law through their own hazardous waste programs and laws, as long as they are at least as stringent (or more so) than the federal regulations. Thus, CalRecycle manages the State of California's solid waste and hazardous materials programs pursuant to U.S. EPA approval.

STATE

Assembly Bills 939 and 341

The Integrated Waste Management Act (IWMA) enacted the California Integrated Waste Management Act of 1989, also known as Assembly Bill (AB) 939, implemented a specific plan for cities to submit a Source Reduction and Recycling Element (SRRE) to their corresponding county. The SRRE includes measures of waste characterization source reduction, recycling, composting, solid waste facility capacity, education and public information, funding special waste (asbestos, sewage, sludge, etc.), and household hazardous waste (CalRecycle 2022a). AB 939 requires cities to meet the Waste Diversion Mandates which proposed a goal of reducing 25 percent of solid waste from landfills by January 1995, and a 50 percent reduction by January 2000.

AB 341 was later passed with a goal of achieving a 75 percent solid waste reduction by January 2020 (CalRecycle 2015).

Assembly Bill 1327

Assembly Bill (AB) 1327, the California Solid Waste Reuse and Recycling Access Act, was signed in 1991 with the purpose of establishing a recycling model ordinance. This ordinance was set to facilitate reuse and recycling for development projects. Assembly Bill 1826

Mandatory Commercial Organics Recycling, which falls under Assembly Bill (AB) 1826, was established in 2014. This law requires businesses to recycle organic waste produced on and after April 2016 (CalRecycle; 2022b). CalRecycle defines organic waste (for AB 1826) as food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. AB 1826 requires local jurisdictions across the state implement an organic waste recycling program to divert organic

waste generated by businesses, including multifamily residential dwellings that consist of five or more units (CalRecycle 2022b).

Senate Bills 610 and 221, Water Supply Assessment and Verification

Senate Bills (SB) 610 and 221 amended State law, effective January 1, 2002, to improve the link between the information on water supply availability and certain land use decisions made by cities and counties. Both statutes require detailed information regarding water availability to be provided to city and county decision-makers prior to approval of specified large (greater than 500 dwelling units or 500,000 square feet of commercial space) development projects. Both statutes also require this detailed information to be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Under SB 610 water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects as defined in Water Code 10912 subject to the California Environmental Quality Act (CEQA). Under SB 221 approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply.

SB 610 amended Section 21151.9 of the Public Resources Code. It requires cities and counties and other CEQA lead agencies to request specific information on water supplies from the Public Water System (PWS) that would serve any project that is subject to CEQA and is defined as a "Project" in Water Code Section 10912. This information is to be incorporated into the environmental review documents prepared pursuant to CEQA.

The Water Code requires a WSA be prepared for any project that consists of one or more of the following:

A proposed residential development of more than 500 dwelling units

- A proposed shopping center or business establishment employing more than 1,000 persons or
- having more than 500,000 square feet of floor space
- A proposed commercial office building employing more than 1,000 persons or having more than
- 250,000 square feet of floor space
- A proposed hotel or motel, or both, having more than 500 rooms
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area
- A mixed-use project that includes one or more of the projects specified above
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project
- For public water systems with fewer than 5,000 service connections, a project that meets the following criteria: any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential.

Senate Bill X7-7, Water Conservation Act

The Water Conservation Act of 2009 (SB X7-7), effective November 9, 2009, requires each urban retail water supplier to develop urban water use targets and agricultural water suppliers to implement efficient water management practices. SB X7-7 aims to achieve a 20 percent reduction in urban per capita water use by December 31, 2020. Certain provisions of the law are implemented through public processes administered by the Department of Water Resources (DWR). AB 1420 (2007) requires DWR to convene an

Independent Technical Panel to develop new Demand Management Measures and technologies and approaches. AB 1404 (2007) requires agricultural water suppliers to submit aggregated farm-gate delivery annual reports to DWR.

Senate Bill 1016

Senate Bill (SB) 1016 requires that the 50 percent solid waste diversion requirement established by AB 939 be expressed in pounds per person per day. SB 1016 changed the CalRecycle review process for each municipality's IWMP. The CalRecycle Board reviews a jurisdiction's diversion rate compliance in accordance with a specified schedule. Beginning January 1, 2018, the Board will be required to review a jurisdiction's source reduction and recycling element and hazardous waste element every two years.

Senate Bill 1374

Senate Bill (SB) 1374, states that the California Integrated Waste Management Board (CIWMB) must receive an annual report including progress made by jurisdictions regarding their advances on diverting construction and demolition waste material (CalRecycle). CIWMB specified that CalRecycle was required to adopt a model ordinance that would divert 50 percent to 75 percent of construction and demolition waste materials from landfills.

Water Conservation Act of 2009 (SBx7-7)

Due to reductions of water available from the San Joaquin Delta, the Legislature drafted the Water Conservation Act of 2009 (SBx7-7) to protect statewide water sources. The legislation called for a 20 percent reduction in water use in California by the year 2020. The legislation amended the Water Code to call for 2020 and 2015 water use targets in the 2010 UWMPs, updates or revisions to these targets in the 2015 UWMPs and allows DWR to enforce compliance to the new water use standards. In addition to an overall statewide 20 percent water use reduction, the objective of SBx7-7 is to reduce water use within each hydrologic region in accordance with the agricultural and urban water needs of each region. Currently, DWR recognizes 10 separate hydrologic regions. Each hydrologic region has been established for planning purposes and corresponds to the State's major drainage areas.

Executive Order B-29-15

This Executive Order (EO) required the State to revise the Model WELO to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf. It also requires reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015 (California Department of Water Resources [DWR] 2017). Executive Order B-29-15 required the State to revise the Model WELO to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf. It also requires reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015 (California Department of Water Resources [DWR], 2017).

Porter-Cologne Water Quality Control Act

The State of California is authorized to administer Federal or State laws regulating water pollution within the State. The Porter-Cologne Water Quality Control Act (Water Code 13000, et seq.) includes provisions to address requirements of the CWA. These provisions include National Pollutant Discharge Elimination System (NPDES) permitting, dredge and fill programs, and civil and administrative penalties. The Porter-Cologne Act is broad in scope and addresses issues relating to the conservation, control, and utilization of the water resources of the State. Additionally, the Porter-Cologne Act states that the quality of all the waters of the State (including groundwater and surface water) must be protected for the use and enjoyment by the people of the State.

California Water Boards

Sustainable Groundwater Management Act

In September 2014, Governor Brown signed legislation requiring that California's critical groundwater resources be sustainably managed by local agencies. The Sustainable Groundwater Management Act gives local agencies the power to sustainably manage groundwater and requires groundwater sustainability plans to be developed for medium- and high-priority groundwater basins.

Urban Water Management Planning Act

In 1983, the Urban Water Management Planning Act (UWMPA) was established by Assembly Bill 797, in recognition that water is a limited resource in the State of California, and that efficient water use and conservation would be actively pursued throughout the State. The UWMPA requires that water suppliers providing water for municipal purposes either directly or indirectly to more than 3,000 customers, or supplying more than 3,000 acre-feet of water annually, prepare and submit an Urban Water Management Plan (UWMP) to the California Department of Water Resources (DWR) every five years. UWMPs are considered to be a source of information for Water Supply Assessments and Written Verifications of Water Supply for a jurisdiction. In addition, an UWMP may serve as a long-range planning document for water supply, a source of data for development of a regional water plan, or even a source document for cities and counties as they prepare their General Plans. One of the primary objectives of the UWMP is the assessment of demands and supplies over a 20-year or a 25-year planning horizon under normal rainfall conditions as well as under various drought conditions.

Title 22, California Code of Regulations

The California Code of Regulations Title 22, Division 4, Chapter 3, Sections 60301 through 60355 are used to regulate recycled wastewater and are administered jointly by the California Department of Public Health (CDPH) and the RWQCBs. Title 22 contains effluent requirements for four levels of wastewater treatment, from undisinfected secondary recycled water to disinfected tertiary recycled water. Higher levels of treatment have higher effluent standards, allowing for a greater number of uses under Title 22, including irrigation of freeway landscaping, pasture for milk animals, parks and playgrounds, and vineyards and orchards for disinfected tertiary recycled water.

Title 24, California Green Building Code, California Code of Regulations

California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Specifically, new development projects constructed within California after January 1, 2017 are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations [CCR], Title 24, Part 11). The outdoor water use standards of the CALGreen Code, which requires a 20 percent reduction in indoor water use, are already addressed by the City's Water Conservation Ordinance.

California Model Water Efficient Landscape Ordinance

The Model Water Efficient Landscape Ordinance (MWELO) for the State of California was adopted by the Office of Administrative Law in September 2009, and requires local agencies to implement water efficiency measures

as part of its review of landscaping plans. Local agencies can either adopt the Model Water Efficient Landscape Ordinance or incorporate provisions of the ordinance into its own code requirements for landscaping. For new landscaping projects of 2,500 square feet or more, the applicant is required to submit a detailed "Landscape Documentation Package" in conjunction with their building permits that discusses water efficiency, soil management, and landscape design elements. The California Water Board consists of the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB). Together they work to preserve, protect, enhance, and restore water quality. The State Water Board sets statewide water quality standards, issues statewide general permits, conducts statewide surface and groundwater monitoring and assessment, and issues orders for cleaning up contaminated sites. The State and Regional Water Boards also work with federal, State, and local agencies, as well as other environmental agencies to ensure a coordinated approach to protecting human health and the environment.

There are nine regional water quality control boards statewide. The nine Regional Boards are semiautonomous and are comprised of seven part-time Board members appointed by the Governor and confirmed by the Senate. Regional boundaries are based on watersheds and water quality requirements are based on the unique differences in climate, topography, geology, and hydrology for each watershed. Each Regional Board makes critical water quality decisions for its region, including setting standards, issuing waste discharge requirements, determining compliance with those requirements, and taking appropriate enforcement actions. The project site is located in the Colorado River Basin Region (Region 7).

The SWRCB, in coordination with nine RWQCBs, performs functions related to water quality, including issuance and oversight of wastewater discharge permits (e.g., NPDES), other programs regulating stormwater runoff, and underground and above-ground storage tanks. The SWRCB has also issued statewide waste discharge requirements for sanitary sewer systems, which include requirements for development of a sewer system management plan (SSMP).

Water Conservation in Landscaping Act

In 2006, the Water Conservation in Landscaping Act was enacted by the California Legislature to resolve outdoor water waste through improvements in irrigation efficiency and selection of plants requiring less water. This Act required an update to the existing local Model Water Efficiency Landscape Ordinance.

California Public Utilities Commission

SoCalGas is one of the major gas utility providers for the Project site, the natural gas utilities are regulated by California Public Utilities Commission (CPUC)

California's Energy Efficiency Standards for Residential and Nonresidential Buildings

California's energy efficiency standards also known as Title 24, Part 6 were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The goal of Title 24 energy standards is the reduction of energy use. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. In December 2019, the California Energy Commission (CEC) adopted the 2022 Building and Energy Efficiency Standards effective January 1, 2023. Title 24 of the California Administrative Code sets efficiency standards for new construction, regulating energy consumed for heating, cooling, ventilation, water heating, and lighting. These building efficiency standards are enforced through the City's building permit process.

Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen). The CALGreen standard took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The 2022 CALGreen standards became effective on January 1, 2023. Part 11 establishes design and development methods that include environmentally responsible site selection, building design, building siting and development.

California Integrated Waste Management Act

California's Integrated Waste Management Act of 1989 (State Assembly Bill [AB] 939) requires that cities and counties divert 50 percent of all solid waste from landfills as of January 1, 2000 through source reduction, recycling, and composting. AB 939 also establishes a goal for all California counties to provide at least 15 years of ongoing landfill capacity. To help achieve this goal, the Act requires that each city and county prepare a Source Reduction and Recycling Element to be submitted to CalRecycle, a department within the California Natural Resources Agency, which administers programs formerly managed by the State's Integrated Waste Management Board and Division of Recycling. As part of California's Integrated Waste Management Board's (CIWMB) Zero Waste Campaign, regulations affect what common household items can be placed in the trash. As of February 2006, household materials including fluorescent lamps and tubes, batteries, electronic devices and thermostats that contain mercury are no longer permitted in the trash and must be disposed of separately.

In 2007, SB 1016 amended AB 939 to establish a per capita disposal measurement system. The per capita disposal measurement system is based on a jurisdiction's reported total disposal of solid waste divided by a jurisdiction's population. CIWMB sets a target per capita disposal rate for each jurisdiction. Each jurisdiction must submit an annual report to CIWMB with an update of its progress in implementing diversion programs and its current per capita disposal rate.

California Department of Resources, Recycling, and Recovery CalRecycle oversees, manages, and monitors waste generated in California. It provides limited grants and loans to help California cities, counties, businesses, and organizations meet the State waste reduction, reuse, and recycling goals. It also provides funds to clean up solid waste disposal sites and co-disposal sites, including facilities that accept hazardous waste substances and non-hazardous waste. CalRecycle develops, manages, and enforces waste disposal and recycling regulations, including AB 939 and SB 1016.

CalRecycle

CalRecycle is the term the State of California uses for its Department of Resources Recycling and Recovery, formerly known as the California Integrated Waste Management Board (CIWMB). This State agency performs a variety of regulatory functions pursuant to California Code of Regulations (CCR) Title 27 and other regulations. Among other things, CalRecycle set minimum standards for the handling and disposal of solid waste designed to protect public health and safety, as well as the environment. It is also the lead agency for implementing the State of California municipal solid waste program deemed adequate by the US EPA for compliance with RCRA.

REGIONAL

Regional Urban Water Management Plan (RUWMP)

The California Water Code (CWC) requires urban water suppliers to have a current UWMP on file with DWR in order to be eligible for any water management grant or loan administered by DWR. In addition, the UWMP Act requires a retail water agency to meet its 2020 Compliance Urban Water Use Target and report compliance in the 2020 UWMP.

The MSWD RUWMP therefore analyzes the potential sources of water supply and their probable yields in its service area; the estimated urban water demand (under reasonable assumptions); the comparability of the supply and demand figures; and the water supplies under a range of hydrologic conditions. These are addressed in the RUWMP by the identification of feasible and cost-effective opportunities to meet existing and future demands. The RUWMP also analyzes water supply during normal year, single-dry year, and multiple-dry year conditions to ensure supply would appropriately meet regional demand.

Integrated Regional Water Management Plan

Established in 2002, the Integrated Regional Water Management Planning (IRWMP) encourages local entities to collaboratively establish regional water management groups to improve water quality and water supply reliability to meet the State of California's overall water needs. In 2008, the Coachella Valley Regional Water Management Group (CVRWMG) was formed as a collaborative effort led by five water purveyors and one wastewater agency, (Mission Springs Water District, Coachella Valley Water District, Coachella Water Authority, Desert Water Agency, Indio Water Authority, and Valley Sanitary District), to develop and implement an Integrated Regional Water Management (IRWM) Plan to address the water resources planning needs of the Coachella Valley.

Mission Springs Water Efficient Landscaping Guidelines

MSWD implements water conservation guidelines to help reduce the per capita quantity of water usage under its jurisdiction. These guidelines promote the general welfare by requiring the reasonable and efficient use the District's water resources and preventing the waste or unreasonable use of water, and by implementing water conservation measures that will reduce water consumption within the District's service area.

Countywide Integrated Waste Management Plan

The Countywide Integrated Waste Management Plan (CIWMP) was originally prepared in accordance with the California Integrated Waste Management Act of 1989, Chapter 1095 (AB 939), and is required to be updated every five years. The Riverside Countywide Integrated Waste Management Plan was approved by the California Integrated Waste Management Board in September of 1996 and has subsequently been updated at five-year intervals as required by law. The CIWMP outlines and codifies the goals, policies and

programs that the County of Riverside and its cities are required to implement in order to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. The CIWMP's components include the Countywide Summary Plan, the Countywide Siting Element, the Source Reduction and Recycling Element, the Household Hazardous Waste Element and Non-Disposal Facility Element.

LOCAL

City of Palm Springs 2007 General Plan

The Circulation Element as well as the Recreation, Open Space, and Conservation Element of the City's 2007 General Plan contains the following Goals and Policies related to public utilities and service systems in the city:

Circulation Element

Goal CR10: Provide adequate and safe utility systems and facilities to support the City's existing and proposed land uses.

- Policy CR10.1 Require utility improvements where existing systems are deficient;
- Policy CR10.2 Coordinate public infrastructure improvements through the City's Capital Improvement Program.
- Policy CR10.3 Encourage the shared use of major transmission corridors and other appropriate measures to minimize the impact on the aesthetic appearance of the City.
- Policy CR10.4 Continue and expand existing programs for the upgrade of storm drainage systems where they are deficient, using public or private funds.
- Policy CR10.5 Require that new development be contingent upon the project's ability to secure appropriate infrastructure services.
- Policy CR10.6 Require developers of new projects to pay for the costs of construction and expansion water, sewer/wastewater, storm drainage improvements and other public utilities necessitated by that development.
- Policy CR10.7 Require developers to notify utility agencies of their intent to develop a site early in the development process to provide sufficient time to plan for necessary capital improvements.
- Policy CR10.9 Monitor sewer flows on a regular basis to aid in the development of construction schedules.
- Policy CR10.10 Require new projects to connect with the City's storm/sewer system unless a hardship can be demonstrated. If septic systems must be used require installation of septic systems to meet State Water Resources Control Board Standards.
- Policy CR10.14 Continue to implement a fee schedule to assess new development on a prorated basis for the cost of new sewer and storm drainage systems.
- Policy CR 10.16 Coordinate with public and private providers of data transmission and internet access services to develop "WiFi" zones in the City to support and promote greater accessibility to information and communication resources via the internet.

<u>Recreation, Open Space and Conservation Element</u>

Goal RC9: Ensure an adequate supply of quality water is provided to the City.

- Policy RC9.1 Work with the Desert Water Agency, Coachella Valley Water District, and Mission Springs Water District to ensure that a sufficient quantity and quality of potable water is available for current and future residential, business, and visitor uses.
- Policy RC9.2 Encourage the responsible management and use of water resources through appropriate water conservation measures, financial incentives, and regulations.
- Policy RC9.3 Ensure the highest quality of potable water resources continues to be available by managing stormwater runoff, wellhead protection, septic tanks, and other potential sources of pollutants.
- Policy RC9.4 Encourage the preservation and management of natural floodplain areas that allow for water percolation, replenishment of the natural aquifers, proper drainage, and prevention of flood damage.
- Policy RC9.5 Protect the quality and quantity of water from adverse impacts of development activities so that sufficient water is available to sustain habitats and wildlife.

4.16.3 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Utilities and Service Systems are considered to be significant if implementation of the project would:

- 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?
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- Result in a determination by the waste water 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?
- 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?
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Methodology

A Water Supply Assessment and Water Supply Verification report was prepared by MSA Engineers Inc., in 2024 and is included as ***Appendix I: Hydrology*** of this DEIR. The report assessed whether the proposed Project met the rules set out in the California Water Code (CWC) Section 10910 and Senate Bills 610 and 1262. The report was prepared in coordination with the Mission Springs Water District (MSWD) and the City of Palm Springs (City). SB 610 aims to make sure that water supply information for certain projects, including large-scale industrial projects, has been made part of the administrative record to be reviewed by decision makers assessing whether the proposed Project water supply would meet its water demands.

Impacts

Impact 4.16.1: Implementation of the proposed Project would not result 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. Impacts would be Less than Significant.

As a currently vacant area, the proposed Project would require the development of new utility service line that would connect to existing City utility lines at N Indian Canyon Drive to the east, or 19th Avenue to the south of the site.

Water

MSWD does not currently use or intend to use any local surface water as part of its urban potable water supply. Local runoff is captured and used for groundwater recharge. Water to the site would be provided by Mission Springs Water District (MSWD) via project constructed connections or laterals to existing lines located along N Indian Canyon Avenue and 19th Avenue. A new private water line would connect to the public 16-inch water main in order to provide water to the new development. A fire line at the site would connect the building fire hydrant and sprinkler system to existing city and County lines. The infrastructure and design components for the proposed Project would be required to be consistent with MSWD requirements and the RUWMP. The final plans for the proposed Project would be reviewed by City and MSWD staff to ensure compliance with all current and applicable water requirements.

In addition, the proposed Project would be required to adhere to the goals policies in the City of Plam Springs General Plan Circulation Element as well as the Recreation, Open Space and Recreation Element. Development of the site in compliance with Goals CR10 and Goal RC9 would ensure that the proposed Project is developed with good water quality and with an adequate water supply infrastructure systems. Policies CR10.1, CR10.2, CR10.5, CR10.6, and CR10.7 would require the proposed development to coordinate with the DWA, MSWD and the City early in the planning and development process, on the site's additions and improvements to existing water infrastructure in the area, as well as to determine the costs associated with such improvements and expansion. Policies RC9.1, RC9.2, RC9.3, RC9.4, and RC9.5 would require the proposed development to protect overuse of existing water resources, utilize appropriate water conservation measures, develop the site so as to maintain existing natural floodplain areas, and to coordinate with the DWA, MSWD, and the City to ensure the availability of adequate water supply to the site.

No new off-site water facilities are required as a result of the proposed site development. As such, the proposed Project impacts under the construction of water lines at the site would be less than significant.

Wastewater

MSWD provides water and wastewater service throughout the northern portion of the Coachella Valley and the city. MSWD would therefore provide wastewater to the proposed Project site. The proposed Project would utilize a new private sewer line that would collect flow from the site and convey it to an existing 6-inch sewer main located 650 feet east in 19th Avenue. Flows would then be delivered to the Horton WWTP, which has the capacity to meet the site's proposed Project needs for wastewater treatment. The proposed Project's would also be required to submit final engineering plans for review by the City of Palm Springs and Mission Springs Water District to assure compliance with all current requirements for wastewater as well to determine that MSWD has adequate capacity to meet wastewater demands at the site.

In addition, the proposed Project would be required to adhere to the goals and policies in the City of Palm Springs General Plan Circulation Element Development of the site in compliance with Goal CR10 would ensure that the proposed Project is developed with adequate wastewater service to support the proposed development at the site. Proposed site development would also be required to comply with Policies CR10.1, CR10.2, CR10.5, and CR10.10. This would ensure that the proposed Project provide adequate wastewater improvements and connections to existing city systems in coordination with the City's Capital Improvement Program. Adherence to Policies CR10.6 and CR10.7 would require the proposed development to start coordination efforts with the appropriate agencies early in the development process to ensure adequate and complete feedback from the CVWD and the City of Palm Springs on the site's sewer and wastewater infrastructure and to ensure the appropriate connections and expansion to the existing wastewater and sewer infrastructure so to adequately serve the proposed development. The proposed Project's required compliance with Policies CR10.9 and CR10.14 would ensure that site construction activities include the monitoring of sewer flows at the site, and that the proposed development contributes to the payment of required fees for the cost of improvements to the existing CVWD and City sewer and wastewater systems.

Therefore, impacts would be less than significant.

Storm Water Drainage

There are no public storm water improvements in the area surrounding the proposed Project site which is located within the Coachella Valley drainage area. This is a mix of mountainous terrain (approximately 65 percent) and typical desert valley with alluvial fan topography (approximately 35 percent), which buffers the valley floor from steep mountain slopes. The mean annual precipitation varies significantly, ranging from over 30 inches in the San Bernardino Mountains to less than 3 inches near the Salton Sea. The area experiences three types of storms that produce precipitation: general winter storms, general thunderstorms, and localized thunderstorms. Longer duration, lower intensity rainfall events typically lead to higher groundwater recharge, while flash flooding can result from all three storm types. Otherwise, there is usually little to no flow in most streams in the area.

The CVWD has set up systems to capture significant amounts of local runoff at the WWGRF, the Mission Creek GRF, and in debris basins and unlined channels throughout the western Coachella Valley. Additional stormwater will be captured upon completion of the Thousand Palms Flood Control Project, and once flood control is built in the Oasis area.

As a standard requirement, the proposed Project site would incorporate stormwater management by conveying site runoff into on-site retention basins with a combined capacity to handle the water quality management plan design capture volume and controlling 100-year storm event volume.

Stormwater drainage for the proposed Project would be provided along the eastern and western boundaries of Building 1. Though the proposed Project would involve the creation of stormwater drainage systems, these would be a part of the final Project design. As such, the proposed Project would be required to submit final engineering and design plans for review by the City of Palm Springs and Mission Springs Water District to assure compliance with all current requirements for stormwater retention at the site. In addition, the proposed Project would be required to adhere to the goals and policies in the City of Palm Springs General Plan Circulation Element as well as the Recreation, Open Space and Recreation Element. Development of the site in compliance with Goal CR10 would ensure that the proposed Project is developed with adequate stormwater drainage to service the site. Proposed site development would also

be required to comply with Policies CR10.1, CR10.2, CR10.4, CR10.5, and CR10.10. This would ensure that the proposed Project provide adequate stormwater drainage on site along with the necessary improvements at connection to City of Palm Springs storm drainage systems in coordination with the City's Capital Improvement Program. Adherence to Policies CR10.6 and CR10.7 would require the proposed development to start coordination efforts with the appropriate agencies early in the development process to ensure adequate and complete feedback from the CVWD and the City of Palm Springs on the site's stormwater infrastructure and to ensure the appropriate payment of required connections and expansion to the existing stormwater infrastructure so to adequately serve the proposed development.

Therefore, the proposed Project impact in relation to stormwater would be less than significant.

Electric Power

The proposed Project site is within the SCE service area for electric service. Existing overhead distribution power poles are along N Indian Canyon Drive and 19th Avenue. The proposed Project would be required to connect to the existing off-site SCE electrical infrastructure to provide electricity to the site. Development at the site would also be required to comply with the appropriate City General Plan Circulation Element, particularly Goal CR10 and Policies CR10,1, CR10.3, CR10.5 and CR10.7f, which would ensure that the development at the proposed Project site has adequate electric power facilities and incorporates the necessary improvements and connections to existing electricity transmissions corridors early in the development process. Buildout of the proposed Project, and additional forecasted growth in SCE's service area would cumulatively increase the demand for electricity supplies and infrastructure capacity. SCE's service area consumed approximately 103,045 GWh electricity in 2021 and this is anticipated to increase to approximately 129,000 GigaWatt hours GWh (which is 129,000,000 MegaWatt hours MWh) annually by 2030. The City of Palm Springs, along with SCE, implements plans to reduce electricity consumption by taking part in the Desert Community Energy (DCE), which is the community-based, locally controlled electricity provider serving Palm Springs. SCE has met or exceeded all Starw required Renewable Portfolio Standard requirements to date, procuring renewable energy from diverse renewable sources. This standard requires all California utilities to generate 33 percent of their electricity from renewables by 2020, 60 percent of their electricity from renewables by 2030, and 100 percent by 2045. SCE's Pathway 2045 program will achieve carbon neutrality by decarbonizing all sectors of the economy. 80 gigawatts (GW) of new utility-scale clean generation and 30 GW of utility-scale energy storage will be required in the next 25 years (Palm Springs Fulfillment Center DEIR; 2024).

The SCE operated three (3) energy facility in close proximity to the proposed Project site (Southern California Edison; 2024). The closest energy facility is the Indigo Energy Facility located west of the site. The Indigo Energy Facility is a 136-megawatt (MW), natural gas, simple-cycle electric peak generating station. Additional substations around the city include Garnet substation, Hugo Substation, and Devers Substation. SCE operates and maintains these facilities. SCE is constantly upgrading and expanding their electricity distribution networks to ensure capacity and reliability with the anticipated growth within their service area.

The Air Quality, Energy and GHG analysis performed for the proposed Project (see ***Appendix I***) estimated the site's electricity demand under site operation to be at 10,094,252 kilo watt hours/year. The electricity demand on the site, at any given time would vary throughout the construction period based on construction activities being performed and would cease upon completion of construction. Energy codes

established by the State will be implemented as an effort to reduce energy consumption and increase energy efficiency at the site.

Since the proposed Project would be required to comply with regional and local conservation measures and would be required to adhere to all energy code requirements established by the State in order to reduce energy consumption and increase energy efficiency at the site, impact related to energy consumption would be less than significant.

Natural Gas

Natural gas will be provided to the proposed Project site by Southern California Gas Company through the extension of existing natural gas infrastructure located in the existing rights-of-way. At present there are existing 4-inch underground natural gas lines located approximately a half-mile west, in 19th Avenue.

The proposed Project's operational consumption of natural gas will include the use of exterior cargo handling equipment involving natural gas-powered cargo handling equipment. Proposed Project operational activity estimates and associated fuel consumption estimates are based on the annual EMFAC2021 offroad emissions for the 2025 operational year and were used to derive the total annual fuel consumption associated with on-site equipment. As provided under the GHG emissions calculations for the proposed Project (see ***Appendix I***), it is estimated that on-site equipment the proposed Project would consume an estimated 36,405,430, kBTU (approximately 36,35,400 cf) of natural gas.

Based on the 2018 California Gas Report, the California Energy and Electric Utilities estimates natural gas consumption within SoCalGas's planning area will be approximately 2,310 million cf per day in 2030. Since the proposed Project would consume less than 0.1% of forecasted consumption of natural gas within the planning area, would be required to adhere to the City's General Plan Circulation Element Goal CR10 and Policies CR10.1, CR10.2, and CR10.7, which would ensure that the proposed Project provide the necessary connections and improvements, as necessary to the existing natural gas lines in the area. Therefore, impacts would be less than significant.

Telecommunications

The proposed Project site is located within Frontier's and Charter Communications' service area for telecommunication services. Formerly in use as an energy windfarm site, the proposed Project would be able to connect to existing cable, telecommunications lines located along N Indian Canyon Drive and 18th Avenue. All site improvements would be required to comply with the City's Circulation Element in its General Plan, specifically Goal CR10 and Policies CR10.1, CR10.2, CR10.5 CR10.7, and CR10.16 which would ensure that the proposed Project provide the necessary improvements and expansion of telecommunications lines and internet access services in the area. The proposed Project would not require or result in the relocation or construction of new or expanded telecommunication facilities. Therefore, impacts would be less than significant.

Mitigation

No mitigation is required.

Impact 4.16.2: The proposed Project would have sufficient water supplies available to serve the Project and reasonable foreseeable future development during normal, dry and multiple dry years. Impacts would be Less than Significant.

Groundwater is the primary source of domestic water supply in the city of Palm Springs and the surrounding areas in Riverside County. The Mission Springs Water District (MSWD) provides potable water to this portion of the City of Palm Springs. MSWD's Regional Urban Water Management Plan (MSWD RUWMP; 2020) has been developed to assist the agency in reliably meeting current and future water demands in a cost-effective manner. The (RUWMP) guides efforts to eliminate overdraft, prevent groundwater level decline, protect water quality, and prevent land subsidence.

Development of the proposed Project would result in an overall increase in water demand from the currently vacant site. Water consumed by the project was analyzed in the Water Supply Assessment and Water Supply Verification (WSA/WSV) included as ***Appendix I*** to this DEIR. The subbasins of the Coachella Valley Groundwater Basin are the Indio, Mission Creek, San Gorgonio Pass, and Desert Hot Springs Subbasins. MSWD pumps water primarily from the Mission Creek subbasin.

The WSA/WSV concluded that the proposed Project will need 254.5 acre-feet of water per year (AFY), or about 2.51 acre-feet (AF) per acre. This means that based on current water planning estimates, there will be enough water to meet this demand. The WSA also shows that MSWD's published water supply estimates are adequate for the Project's needs, along with the existing and future demands in the district's service area, even in normal, single-dry, and multiple-dry years for the next twenty years. The proposed Project would develop an approximately 91.97-acre site with two (2) warehouse buildings with office spaces, truck docking areas and employee parking spaces. The site would be served by a septic system at the southwest section of the Building 1 site, and at the southeast section of the Building 2 site. Stormwater drainage for the proposed Project would be provided along the eastern and western boundaries of Building 1. Infrastructure improvements related to electricity, water, wastewater, will tie into existing city lines off-site. The proposed Project would generate a total industrial water need of 254.5 Acre Feet per Year (AFY), as indicated in **Tables 4.16-1: Project Indoor Industrial Water Demand** and **4.16-2: Projected Outdoor Irrigation Water Demand.**

The proposed Project does not include any residential land use components; therefore, the projected indoor residential water demand for the Project is 0 AFY.

As seen in **Table 4.16-1** below, the projected indoor commercial and industrial water demand for the proposed Project is 204.9 AFY.

Table 4.16-1: Projected Indoor Industrial Water Demand

Planning Area	Indoor Area (ft^2)	Number of Rooms	Maximum Interior Floor Space Per Unit	Water Demand Factor (ga/ft^2)[1]	Water Demand (gpd)	Water Demand (AFY)
Industrial Planning Area	1,907,678	--	--	35	182,928	204.9

Source: AWWARF Commercial and Industrial End Uses of Water, 2000

The projected indoor water usage for commercial and industrial developments in this WSA is based on the American Water Works Association Research Foundation's (AWWARF) "Commercial and Industrial End Uses of Water." The AWWARF recommends a range of 26 to 35 gallons of water demand per square foot for commercial/industrial space. As indicated in **Table 4.16-2** below, the projected outdoor irrigation water demand for the Project is 49.6 AFY. In order to calculate outdoor water demand for the Project, this WSA

uses CVWD Ordinance No. 1302.5, An Ordinance of the Coachella Valley Water District Establishing Landscape and Irrigation System Design Criteria, which complies with California's Water Conservation in Landscaping Act. This ordinance includes various guidelines and requirements designed to promote water efficiency in landscaping.

Table 4.16-2: Projected Outdoor Irrigation Water Demand

Planning Area	Landscaped Area (ft2)	ETo (in/yr)1	ETAF2	Conversion Factor (gal/ft2)	Water Demand (gpd)	Water Demand (AFY)
Industrial Building Area	0	83.3	0.45	0.62	0	0
Access Roads/Hardscape/ Parking	0	83.3	0.45	0.62	0	0
Landscape/Open Space/Retention Areas	688,998	83.3	0.45	0.62	43,870	49.1
Right-of-Way Dedication	7,069	83.3	0.45	0.62	450	0.5
Total	696,067					49.6

Source: AWWARF Commercial and Industrial End Uses of Water, 2000
Notes: 1 Reference Evapotranspiration (Eto) from CVWD Landscape Ordinance 1302.5, Appendix C
2 Evapotranspiration Adjustment Factor (ETAF) from CVWD Landscape Ordinance 1302.5, Appendix C
3 Conversion Factor from MSWD Water Efficient Landscaping Guidelines, Exhibit 1, Landscape Documentation Package

To ensure conservative estimates, this WSA uses the higher end of the range, applying a water demand factor of 35 gallons per square foot. This approach provides a safety margin to account for variations in water use patterns and ensures that water supply assessments adequately cover anticipated water demands from commercial and industrial projects.

The WSA relies on Appendix C of CVWD Ordinance No. 1302.5, along with MSWD' Water Efficient Landscaping Guidelines, specifically Exhibit 1, Landscape Documentation Package, to determine a project's annual maximum applied water allowance (MAWA). The MAWA formula calculates the maximum allowable water use for landscaping based on climate, plant types, and irrigation efficiency.

The projected outdoor water features demand for the site is 0 AFY as there are no outdoor water features proposed.

The projected outdoor recreational water usage is calculated using the Estimated Total Water Usage (ETWU) equation from Appendix D of CVWD Ordinance No. 1302.5.

The estimated total projected water demand for the Project is 254.5 AFY, or 2.51 AF per acre, shown in **Table 4.16-3: Project Total Water Demand**, below.

Table 4.16-3: Projected Total Water Demand

Planning Area	Land Area (Acres)	Indoor Industrial Demand (AFY)	Outdoor Irrigation Demand (AFY)	Total Water Demand (AFY)
Industrial Building Area	43.79	204.9	0	204.9
Access Roads/Hardscape/Parking	36.85	0	0	0
Landscape/Open Space/Retention Areas	15.82	0	49.1	49.1
Right-of-Way Dedication	4.62	0	0.5	0.5
Total	101.08	204.9	49.6	254.5

Source: Water Supply Assessment and Water Supply Verification for the proposed North Palm Springs Master Plan; 2024

Domestic water supplies and associated landscape irrigation supplies for the proposed Project will be provided by groundwater from the Mission Creek Subbasin in the Coachella Valley Groundwater Basin, provided by SWD's potable water distribution system. Groundwater storage will be used in dry years to make up the difference between the demand and the supply. The Misson Creek Subbasin is estimated to have a storage capacity of approximately 2.6 million AFY and is capable of meeting the water demands for normal and extended drought periods, as determined in MSWDs RUWMP Projected water sources to serve indoor and outdoor uses are shown in **Table 4.16-4: Project Water Sources**, below.

Table 4.16-4: Project Water Sources

Planning Area	Land Area (Acres)	Indoor Industrial Demand	Outdoor Irrigation Demand
Industrial Building Area	43.79	MSWD Domestic Water System	
Access Roads/ Hardscapes/ Parking	36.85		MSWD Domestic Water System
Landscape/ Open Space/ Retention Basins	15.82		
Right-of-Way Dedication	4.62		

Source: Water Supply Assessment and Water Supply Verification for the proposed North Palm Springs Master Plan; 2024

According to the 2020 RUWQMP, during normal years, MSWD will be able to meet current and future urban water demand needs projected in the 2020 Regional UWMP. During single-dry years, MSWD will be able to meet current and future urban water demand needs as shown in **Table 4.16-**5 through **Table 4.16-8,** below. Water supplies during the single-dry year are 100 percent reliable.

During normal years, MSWD will be able to meet current and future urban water demand needs projected in the 2020 Regional UWMP, as shown in **Tables 4.16-5: Groundwater Storage in the Coachella Valley Groundwater Basin.** The CVWD's groundwater replenishment program replenishes the basin to increase groundwater storage during wet years and that supply is available for use during dry years which benefits

all water districts using ground water, including MSWD. Thus, the supply and demand comparison for the single-dry year is the same as the normal year.

Table 4.16-5: Groundwater Storage in the Coachella Valley Groundwater Basin

Subbasin/Subarea	Storage (AF) [1]
Indio Subbasin	
Palm Springs Subarea	4,600,000
Thousand Palms Subarea	1,800,000
Oasis Subarea	3,000,000
Garnet Hill Subarea	1,000,000
Thermal Subarea	19,400,000
Indio Subbasin Subtotal	**29,800,000**
Mission Creek Subbasin	2,600,000
San Gorgonio Subbasin	2,700,000
Desert Hot Springs Subbasin	4,100,000
Total	**39,200,000**

Source: DWR Bulletin 108 (1964)
Notes: 1 First 1,000 feet below ground surface. (DWR, 1964)

Table 4.16-6: MSWD Projected Demands for Water

Use Type	2025	2030	2035	2040	2045
Single-Family	4,743	5,143	5,543	6,066	6,588
Multi-Family	1,316	1,427	1,538	1,683	1,828
Commercial	459	498	537	587	638
Industrial	298	323	348	381	413
Institutional/Governmental	179	194	209	229	249
Landscape	984	1,067	1,150	1,258	1,366
Other	1,017	1,102	1,188	1,300	1,412
Total	8,996	9,754	10,513	11,504	12,494
Note: "Other" represents non-revenue water, which includes losses.					

Source:2020 Coachella Valley RUWMP
Notes: "Other" represents non-revenue water, which includes losses.

Table 4.16-7: MSWD Projected Urban Water Supplies

Water Supply		Projected Water Supply (AFY)				
	Additional Detail on Water Supply	2025	2030	2035	2040	2045
Groundwater	All Subbasins	8,996	9,754	10,513	11,504	12,495
Recycled Water		0	1,210	2,200	3,600	5,000
Total		8,996	10,964	12,713	15,104	17,495

Source:2020 Coachella Valley RUWMP

Table 4.16-8: MSWD Projected Urban Water Supplies

Water Supply		Projected Water Supply (AFY)				
	Additional Detail on Water Supply	2025	2030	2035	2040	2045
Groundwater	All Subbasins	8,996	9,754	10,513	11,504	12,495

Source: 2020 Coachella Valley Regional Urban Water Management Plan

During normal years, MSWD will be able to meet current and future urban water demand needs as projected in the 2020 Regional UWMP (**Table 4.16-9**).

Table 4.16-9: Normal Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals (AFY)	8,996	10,874	12,713	15,104	17,495
Demand Totals (AFY)	8,996	10,874	12,713	15,104	17,495
Difference	**0**	**0**	**0**	**0**	**0**

Source: 2020 Regional Urban Water Management Plan
*Note: MSWD and the other Regional UWMP agencies collaborate on groundwater management plans for long-term sustainability. During a normal year, single-dry year, or five-dry year period, the agencies could produce additional groundwater if demands exceeded the estimates shown here.*Source: 2020 Coachella Valley Regional Urban Water Management Plan

During single-dry years, MSWD will be able to meet current and future urban water demand needs as shown in **Table 4.16-10: Single-Dry Year Supply and Demand Comparison.** Water supplies during the single-dry year are 100 percent reliable. CVWD's groundwater replenishment program replenishes the basin to increase groundwater storage during wet years and that supply is available for use during dry years which benefits all water districts using ground water, including MSWD. Thus, the supply and demand comparison for the single-dry year is the same as the normal year.

Table 4.16-10: Single-Dry Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals (AFY)	8,996	10,874	12,713	15,104	17,495
Demand Totals (AFY)	8,996	10,874	12,713	15,104	17,495
Difference	**0**	**0**	**0**	**0**	**0**

Source: 2020 Regional Urban Water Management Plan
Note: MSWD and the other Regional UWMP agencies collaborate on groundwater management plans for long- term sustainability. During a normal year, single-dry year, or five-dry year period, the agencies could produce

Based on the WSA for the proposed Project, MSWD has sufficient water supplies to meet the demands at the site. MSWD currently receives 100 percent of its water supply from groundwater production and does not purchase imported water from a water wholesaler. This WSA will be updated every five years, or sooner if there are changes in water planning assumptions, to ensure it stays accurate. If construction hasn't started yet, these updates will help ensure no significant changes affect the Project's water needs or the district's available water supply. According to SB 610, this WSA, and its approval, does not assure any guaranteed right to water service or a specific level of service to the proposed Project site. It also does not create or change MSWD's responsibilities to provide water to its current or future customers. To ensure continued water service at the site, the proposed Project will need to enter into an agreement with the MSWD. This agreement will also require payment of any fees or charges, submission of plans and specifications, and compliance with any other requirements MSWD has in place. Moreover, nothing in this WSA limits or interferes with MSWD's authority to declare a water shortage emergency as outlined by the California Water Code (CWC). If such an emergency occurs, MSWD has the discretion to take the necessary steps to manage water supplies.

The proposed Project will also be required to abide by Mission Spring Water District Water Efficient Landscaping Guidelines. The intent of the MSWD Landscape Guidelines is to promote water conservation through climate appropriate plant material and efficient irrigation practices and comply with the State of California's Water Conservation in Landscaping Act. The Uniform Building Code (Chapter 18.52) also establishes landscape regulations to enhance the appearance of the community, establish buffers between abutting land uses and public rights-of-way, reduce heat and glare, control soil erosion, provide for the conservation and safeguard of water resources and ensure compliance with all state-mandated water conservation regulations through the efficient use of water and appropriate use of plant materials, and ensure the ongoing maintenance of landscape areas. The project will be required to implement water conservation measures to reduce impacts to the public water supply per existing requirements.

The proposed Project would also be required to comply with Goal CR10 under the City's General Plan Circulation Element and with Goal RC9 of the Recreation, Open Space and Conservation Element in providing adequate water supply to the site. The proposed development's required adherence to Policies CR10.1, CR10.2, and CR10.5 would ensure that the proposed Project provide adequate water supply and infrastructure in accordance with the City Capital Improvement Program and the site's water infrastructure needs. The proposed development's compliance with CR10.6 would require the proposed Project to pay for the construction and expansion of water supply improvements to the site. CR10.7 would require the proposed development to coordinate with the City and local water agencies early in the development

process in order to ensure adequate water supply. Policies RC9.1, RC9.2, RC9.3, RC9.4, and RC9.5 would require the developers for the proposed Project coordinate with the CVWD and DWA to ensure that adequate water supply is available to the site, as well as to incorporate water conservation measures during site construction and operation, have sufficient water resources at the site, allow for adequate water percolation on site, and to protect existing water quality in the city.

Therefore, the proposed Project impacts to water supplies would be less than significant.

Mitigation

No mitigation is required.

Impact 4.16.3: Implementation of the proposed Project would result in a determination by the waste water 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. Impacts would be Less than Significant.

MSWD operates two (2) wastewater treatment plants and provides service to the city of Palm Springs and this portion of Riverside County. These include the Horton Wastewater Treatment Plant (Horton WWTP) and the Desert Crest Wastewater Treatment Plant (Desert Crest WWTP). Both treatment plants use an extended aeration process and dispose of non-disinfected secondary wastewater in ponds on the southwest (potable water) side of the Mission Creek Fault. Additionally, some effluent is used for irrigation and maintenance at the treatment plants.

Of these treatment plants, the Horton WWTP, located on Verbena Drive about half a mile (0.5 mile) south of Two Bunch Palms Trail, has a treatment capacity of 2.3 million gallons per day (MGD) which is sufficient to meet additional wastewater needs within the city and SOI areas. The plant uses an extended aeration process for wastewater treatment and disposes of secondary wastewater, which is not disinfected, in nearby percolation/evaporation ponds. Sludge generated during treatment is processed using a dewatering sludge filter press and then transported offsite for disposal. The average daily flow into Horton WWTP in 2020 was approximately 2.0 MGD (see ***Appendix I***).

The Desert Crest WWTP, located about half a mile southeast of the intersection of Dillon Road and Long Canyon Road, has a smaller capacity of 0.18 MGD, serving a country club development and a mobile home park. It operates similarly to Horton WWTP, using aeration for treatment and disposing of non-disinfected secondary wastewater into percolation/evaporation ponds. The sludge is dried in on-site beds and then trucked offsite for disposal. The average daily flow at this plant in 2020 was about 0.05 MGD (***Appendix I***).

MSWD is also constructing the Nancy Wright Regional Water Reclamation Facility (NWRWRF) to meet growing wastewater demands within its service area. This new facility will initially use a sequence batch reactor process to treat wastewater, with disposal into adjacent percolation/evaporation ponds in the Garnet Hill Subarea. Located north of I-10, near 20th Avenue and Little Morongo Road in Desert Hot Springs, the new facility will treat an additional 1.5 million gallons of wastewater per day. In a later phase, the District plans to implement tertiary treatment facilities to produce recycled water meeting Title 22 standards. This recycled water can then be used for replenishing the Mission Creek Subbasin and irrigating public green areas, golf courses, and playing fields. The recycled water system, including the NWRWRF, is anticipated to expand to meet a demand of 5,000 AFY by 2045, based on recycled water demands and projected system wastewater flows. This strategic expansion of recycled water use will support sustainable water management in the Coachella Valley.

The proposed Project would be utilizing a new private sewer line that would collect flow from the site and convey it to an existing 6-inch sewer main located 650 feet east in 19th Avenue. Flows would then be delivered to the Horton WWTP, which has the capacity to meet the site's proposed Project needs for wastewater treatment. The proposed Project's would also be required to submit final engineering plans for review by the City of Palm Springs and Mission Springs Water District to assure compliance with all current requirements for wastewater as well to determine that MSWD has adequate capacity to meet wastewater demands at the site.

The proposed development would be required to comply with the appropriate goals and policies of the City of Palm Springs General's Circulation Element. The proposed Project would conform to Goal CR10 which requires that the proposed development provide adequate wastewater systems and facilities to serve the site, while CR10.1, CR10.2, CR10.5 and CR10.7 would involve early coordination with the appropriate wastewater agencies and the City in order to ensure the provision of sufficient wastewater services through improved and new infrastructure to serve the wastewater needs at the site. Policies CR10.9 and CR10.10 would mandate that the proposed development connect with the City's existing wastewater system and monitor flows during site construction. The proposed Project would also be required to pay appropriate fees for the construction and expansion of existing wastewater connections and facilities in order to maintain adequate wastewater services in the city. Therefore, the proposed Project is not anticipated to exceed the City's wastewater capacity demand and impacts would be less than significant.

Mitigation

No mitigation is required.

Impact 4.16.4: The proposed Project would not 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. Impacts would be Less than Significant.

The proposed Project is a fulfillment center with primarily warehouse uses in addition to office spaces, and would employ approximately 700 on-site employees. The Riverside County Department of Waste Resources (RCDWR) also provides services to the landfilling of non-hazardous county waste in accordance with applicable federal, State and local regulations and ordinances. RCDWR has currently projected to have landfill capacity for 15 years (Palm Springs Fulfillment Center DEIR; 2024) and its facilities would be available to serve the landfill needs under the proposed Project.

Solid waste would be generated by the proposed Project construction as well as operation activities. Solid waste generated by the proposed Project would be transferred to the Edom Hill Transfer station which can receive a maximum of 3,500 tons per day and processes about 2,000 pounds per day (Palm Springs Fulfillment Center DEIR; 2024). Based on CalRecycle's Estimated Solid Waste Generation rates typically created by industrial uses such as the proposed Project, solid waste generation for the proposed Project was calculated to be approximately 9,674 pounds (lbs)/per/employee per day, or approximately 4.84 tons per day. All waste from the proposed Project site would be delivered to Lambs Canyon Landfill that serves the city of Palm Springs and this portion of Riverside County. This landfill has a permitted capacity of 5,000 tons per day and 19,242,950 cubic yards of remaining capacity over a 703 acre site, with a closure date of 2032 (CalRecylcle; 2024).

Since the solid waste estimated to be generated at the proposed Project site is less than that of the landfill's capacity, the proposed Project would be served by a landfill with sufficient capacity for solid waste. Therefore, impacts relative to solid waste would be less than significant.

Mitigation

No mitigation is required.

Impact 4.16.5: The proposed Project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste; therefore, impacts would be Less than Significant.

The proposed Project would develop two (2) new warehouse and office facilities on a currently vacant site. This, in turn, would result in the generation of solid waste at the site which would be subject to the solid waste generation and disposal requirements set forth in the 2022 California Green Building Standards Code. The CBC requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste from landfills.

The proposed Project would also be required to conform to requirements under AB 341 that stipulates diversion of a minimum of 75 percent of construction and operational solid waste, through recycling and/or reuse. Implementation of the proposed Project would be consistent with all state regulations, as ensured through the City's development project permitting process.

According to the City of Palm Springs Municipal Code (Chapter 6.04), the proposed Project would be required to coordinate with Palm Springs Disposal Services (PSDS) and to arrange for collection of recycled material and supply, as well as to provide an adequate number, size and location of collection containers with sufficient labels or colors for all construction and operation uses at the site. PSDS has programs in place for recycling of applicable residential and business waste, offers tips on composting in order to reduce yard waste and other types of easy decomposition of organic wastes, and other activities that ensure the City's compliance with AB 939.

In addition, the proposed Project would be required to comply with the appropriate goals and policies of it 2013 Climate Action Plan (CAP) and its 2019 Climate Action roadmap such that all solid waste and landfill materials are disposed of in accordance with the City's waste management systems. This would ensure that the proposed development provide the appropriate trash collection services and strive for reduced (through recycling) or zero waste to landfills, practice recycling and composting of green waste. Currently, all waste in the city is transferred to the Edom Hill Transfer Station, which accepts and recycles or transfers this waste to other landfills, such as Lamb Canyon Landfill in Beaumont.

The proposed Project would be required to be consistent with the appropriate requirements under the goals and policies of the Circulation Element of the City of Palm Springs General Plan, specifically Goal CR10 which would necessitate the proposed development to provide adequate systems and facilities for disposal of solid waste, and Policies CR10.1, CR10.2, and CR10.5 which would require the proposed Project to provide adequate solid waste disposal at the currently vacant site and to make all site solid waste infrastructure improvements in coordination with the City's Capital Improvement Program. Policies CR10.6, CR10.7, CR10.10 and CR10.14 would require the proposed development to notify all applicable agencies of their proposed development and estimated solid waste needs, to connect to existing solid waste systems already in use at the city, and to pay the appropriate fees for improvements to the city's to existing solid waste system in order to accommodate the needs under the proposed development.

Since the provision of appropriate solid waste disposal under the proposed Project would therefore be required to comply with all solid waste statute and regulations and would result in less than significant impacts with compliance to local, State and federal statues for the disposal of solid waste.

Mitigation

No mitigation is required.

4.17 WILDFIRE

This section of the Draft Environmental Impact Report (Draft EIR; DEIR) describes the existing wildfire risks within the proposed Project site, analyzes potential impacts related to wildfires and fire hazards that may result from the implementation of the proposed Project. The analysis considers fire severity zones for the site and nearby State Responsibility Areas (SRA) and lands classified as Very High Fire Hazard Severity Zones (FHSZ) on or near the site, and the potential for the proposed Project to exacerbate impacts from wildfire. This chapter also identifies the potential impacts of implementing the proposed Project on such resources as well as the appropriate City of Palm Desert General Plan policies that reduce any identified impacts.

4.17.1 SETTING

Wildfires are defined as non-structural fires in undeveloped area with the potential to spread to an urban area. Wildfire is an uncontrolled fire in an area of extensive combustible fuel, including vegetation and structures. Wildfires differ from other fires in that they take place outdoors in areas of grassland, woodlands, brushland, scrubland, peatland, and other wooded areas that act as a source of fuel, or combustible material, vegetation type and condition, and weather and atmospheric conditions.

The fire season in California is starting earlier and ending later each year, with climate change considered to be a key factor for this phenomenon. The length of fire season is estimated to have increased by 75 days across the State and seems to correspond with an increase in the forest fires across the State (CalFire, 2020). Fires are typically classified by type and intensity. Fire types may include understory fires, crown fires, surface fires, and broadcast fires, among others. Fire intensity, or severity, is the heat energy released by a fire either during a smoldering or raging fire event (California Department of Forestry and Fire Protection, 2020).

In California, responsibility for wildfire prevention and suppression is shared by federal, State, and local agencies. The California Department of Forestry and Fire Protection (Cal Fire) has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP). These maps place areas of the state into different Fire Hazard Safety (FHSZ) based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather. There are three levels of severity:

- Moderate FHSZs;
- High FHSZs; and,
- Very High FHSZs.

Only the Very High FHSZs are mapped for LRAs. Assembly Bill (AB) 63 (2021) effective January 1, 2022, requires the State Fire Marshal to map and add the High and Moderate FHSZ to the Local Responsibility Area (LRA) FHSZ Maps. Typically, these classifications include Non-Wildland, Non-Urban, Moderate, High and Very High. As part of this mapping system, land where Cal Fire is responsible for wildland fire protection and generally located in unincorporated areas that are not federally owned, are undeveloped, and are covered by wildland vegetation or rangeland, is classified as a State Responsibility Area (SRA). Where local fire protection agencies, such as the city of Coachella's Fire Protection District (CFPD) and the California Department of Forestry and Fire Protection (CAL FIRE or CalFire), are responsible for wildfire protection, the land is classified as a LRA (California Department of

Forestry and Fire Protection, 2020). Federal Responsibility Areas (FRA) are lands where federal agencies, such as the U.S. Forest Service, the U.S. Fish and Wildlife Service, and the Bureau of Land Management, have responsibility for fire protection services.

The County of Riverside (County) is in an imminent and growing threat of wildland fires as development creep is slowly encroaching on grasslands and hillsides. With more and more development, many more of the County's residents are living in areas of wildland-urban interface, thereby raising the potential threat of wildfires on people and structures. According to the Riverside County General Plan Safety Element, the majority of the County is within a FRA or a SRA Moderate to Very High Fire Hazard Severity (VHFHS) Zone with some portions of the County in LRA VHFHSZs, particularly in the eastern and central portions of the County with recent wildfire activity occurring as far back as the Apache Fire in 2008, and the most recent as the Lincoln Fire in 2019 (County of Riverside; 2021). The closest FRA VHFHSZ areas are located in unincorporated portions of Riverside County, to the east of the cities of La Quinta, Palm Springs, Cathedral City, Palm Desert, Rancho Mirage and Indian Wells at the eastern bases of the San Jacinto Mountains. However, portions of these cities have also been classified under LRA VHFHSZ. Areas within, and to the north and east of the cities of Coachella, Indio, Palm Desert, Rancho Mirage and Cathedral City have been classified as Moderate SRAs (Office of the State Fire Marshall; accessed 2023). High and Moderate SRA and FRA areas are interspersed throughout the county but are located mainly in eastern Riverside County. In some areas of the County, fire danger can be worsened by steep, rugged topography, which would allow wildland fire to spread quickly, thereby making it harder to fight and make it more difficult to fight. Any areas in the County is at risk of wildfire, with its vast areas of agricultural lands, open and vacant land adjacent to existing and ever increasing urban development. In such areas of wildland-urban interface, exposure to wildland fire is a potential threat to existing and proposed development, both residential and non-residential.

According to the County' General Plan Update (GPA Amendment No.960) EIR, the County of Riverside contracts with the California Department of Forestry and Protection (CADFP), also known as CalFire for fire protection services within the county. Under CalFire's oversight, the Riverside County Fire Department (RCFD) operates 94 fire stations throughout the county, with the majority of these located in unincorporated areas of the county (County of Riverside; 2014).

The proposed Project site is located in the northern section of the city of Palm Desert, in a primarily undeveloped and vacant portion of the city. A small subdivision, the Humane Society of the Desert, an United States Post Office, and more vacant land with sparse vegetation is located to the north of the site (south of Dillon Road). Industrial facilities and vacant parcels are to the east of the proposed Project site. Multi-family development, some commercial and light industrial uses as well as vacant parcels with minimal ground coverage is located to the south, while wind farms, solar facilities and primarily vacant land with very little vegetation is to the west of the proposed Project site. Neither the State Fire Marshall's Fire Hazard Severity Zones Map nor the Wildfire Perimeter Map in the Safety Element of the City's Palm Springs by Design General Plan 2040 indicate the proposed Project site and surrounding areas to be in a high fire risk area (Palm Springs by Design 2040; accessed 2024). According to CalFire's State Responsibility Area FHSZ map, although the proposed Project site is located within FRA and LRA zones, the site is not located in a VHFHSZ, or a FHSZ in a State Responsibility Area. The closest High FHSZ and Moderate FHSZ areas to the proposed Project site are located in the city of Desert Hot Springs, more than approximately six (6) miles to the northeast and over five (5) miles to the northwest of the site, and over

seven (7) miles to the southwest in unincorporated Riverside County (State Fire Marshall Fire Hazard Severity Zone; accessed 2024).

Wildfire Behavior and Controlling Factors

Human influence on wildfire includes direct influences, such as the ignition and suppression of fires, and indirect influence through climate change, the alteration of native vegetation, fire suppression, and development patterns. Human-induced ignition sources include escapes from debris and brush-clearing fires, electrical equipment malfunctions, campfires, smoking, fire play (e.g., fireworks), vehicles, and arson. Therefore, densely developed areas more frequently experience fires than very remote or non-urban areas.

Wildfire activity is closely related to temperature and drought conditions which in recent decades have resulted in increased fire activity in the state. Once a fire is started, its spread and behavior become a function of fuel characteristics, terrain, and weather conditions. Contemporary fire management practices include fuel management activities that are intended to reduce the intensity and severity of wildfires. Reducing fuels through mechanical treatments and prescribed fire have been found to be effective at reducing fire frequency, fire severity, and annual area burned when applied at the landscape scale over an extended period of time.

California Wildfire Hazards

While all of California is subject to some degree of wildfire hazard, specific features make certain areas more hazardous to wildfire. CALFIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors (Public Resources Code [PRC] 4201-4204 and California Government Code 51175-89). Factors that increase an area's susceptibility to fire hazards include slope, vegetation type and condition, and atmospheric conditions. CALFIRE has identified two types of wildfire risk areas: 1) wildland areas that may contain substantial forest fire risks and hazards and 2) VHFHS Zones. Each risk area is required to adhere to California Code requirements to reduce the potential risk of wildfires. Under State regulations, areas in very high FHSZs must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life in these areas.

The indirect effects of wildland fires can be catastrophic from stripping the land of vegetation and destroying forest resources, to harm caused to large, intense fires can harm the soil, waterways, and the land itself. Soil exposed to intense heat may lose its capacity to absorb moisture and support life. Regions of dense dry vegetation pose the greatest potential for wildfire risks. Urban/wildland interface fires occur when a fire burning in wildland vegetation gets close enough to threaten urban structures (California Natural Resources Agency; 2018).

Wildfire-Conducive Conditions

Due to substantial open space areas and associated vegetation and wildlife habitats throughout the state, California is subject to fire hazards. Grassland or other vegetation is easily ignited, particularly in dry seasons. Wildfire is a serious hazard particularly near areas of natural vegetation and steep slopes, because fires tend to burn more rapidly on steeper terrain. Wildfire is also a serious hazard in areas of high wind.

Vegetation

Vegetation is fuel to wildfire, and it changes over time with seasonal growth and deterioration. Some vegetation is naturally fire-resistant, while other vegetation is extremely flammable and some need natural

fires for future growth and seed germination (California Department of Forestry and Fire Protection; 2023). Additionally, weather and climate conditions, such as drought, can lead to increasingly dry vegetation with low-moisture content and, thus, higher flammability. Wildfire behavior depends on the type of fuel present, such as grasses, logs, and stumps low to the ground. Aerial fuels include limbs, foliage, and branches not in contact with the ground (California Department of Forestry and Fire Protection; 2020). Weather and climate conditions, including drought cycles and high winds, can lead to dry vegetation whose low moisture content increases its flammability.

Hillside Slope and Aspect

According to CALFIRE, sloping land increases susceptibility to wildfire since fire typically burns faster up steep slopes. Additionally, steep slopes may also hinder firefighting efforts California Department of Forestry and Fire Protection, 2020). Following severe wildfires, sloping land is more susceptible to landslide or flooding from increased runoff during substantial precipitation events (National Park Service; 2017).

Weather and Atmosphere

Wind, temperature, and relative humidity are the most influential weather elements in fire behavior and susceptibility since fires move (National Park Service; 2017). Fire moves faster under hot, dry, and windy conditions. Wind may also blow embers ahead of a fire, causing its spread (National Park Service; 2017).

Powerlines

Above-ground power lines have the potential to contribute to wildfire risk. In some instances, high winds can blow nearby trees and branches into powerlines, sparking fires. Wind can also snap wooden poles, causing live wires to fall onto nearby grass or other fuel, igniting it.

4.17.2 REGULATORY FRAMEWORK

INTERNATIONAL

There are no federal regulations that apply to population and housing on or in the vicinity of the proposed Project site.

International Fire Code

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what protective measures are required for fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every three years and is the basis for the California Fire Code (CFC) (also updated triennially). Local jurisdictions, including the City of Palmdale, then adopt the CFC, in some cases with local amendments.

FEDERAL

Federal Emergency Management Agency Regulation

The primary mission of the Federal Emergency Management Agency (FEMA) is to reduce the loss of life and property and protect the nation from all hazards, including natural disasters, acts of terrorism, and other human-made disasters, by leading and supporting the nation in a risk-based, comprehensive emergency management system of preparedness protection, response, recovery, and mitigation. The city of Coachella is under the jurisdiction of FEMA Region 9, which covers Arizona, California, Hawaii, Nevada, Guam, American Samoa, Commonwealth of Northern Mariana Islands, Republic of Marshall Islands, Federated State of Micronesia, and more than 150 sovereign tribal entities. In Southern California, FEMA Region 9 specifically plans for hazards such as major earthquakes and wildfires.

Federal Disaster Mitigation Act of 2000

The Disaster Mitigation Act (42 United States Code [U.S.C.] Section 5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. Section 5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- Funding pre-disaster mitigation activities
- Developing experimental multi-hazard maps to better understand risk
- Establishing state and local government infrastructure mitigation planning requirement
- Defining how states can assume more responsibility in managing the hazard mitigation grant program
- Adjusting ways in which management costs for projects are funded

The mitigation planning provisions outlined in Section 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the possibility of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

STATE

Executive Order N-05-19

On January 9, 2019, Governor Gavin Newsom issued Executive Order (EO) N-05-19 to address the recent damaging wildfires happening in California. Executive Order N-05-19 directs CALFIRE, in consultation with other State agencies and departments, for proactive forestland health maintenance in order to potentially lower fire risk intensity. In addition, EO N-05-19 created the Community Wildfire Prevention & Mitigation Report (February 22, 2019) which contains recommendations to reduce the damage from wildfires across the State. Specifically, they focus on reducing wildfire fuel (such as vegetation clearing), long-term community protection (creating defensible space in communities), wildfire prevention, and forest health (CALFIRE; 2019).

Strategic Fire Plan for California

The Strategic Fire Plan for California, also known as the California Fire Plan, is the State's roadmap for reducing the risk of wildfire. The most recent version of the California Fire Plan was finalized in August 2018 and directed each CALFIRE Unit to prepare a locally specific fire management plan (CALFIRE 2019).

In compliance with the California Fire Plan, individual CALFIRE units are required to develop fire management plans for their areas of responsibility. These documents assess the fire situation within each of the 21 CALFIRE units and six contract counties. The plans include stakeholder contributions and priorities and identify strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire problem. The plans are required to be updated annually. With California's extensive wildland-urban interface situation, the list of high-risk communities extends beyond those adjacent to federal lands. The California State Forester, who is also the CALFIRE Director, has the responsibility of managing the high-risk communities list.

Wildland-Urban Interface Building Standards

On September 20, 2007, the Wildland-Urban Interface (WUI) Building Standards Commission approved the Office of the State Fire Marshal emergency regulations amending the California Code of Regulations, Title 24, Part 2, known as the California Building Code (CBC). These codes include provisions for ignition-resistant construction standards in the WUI.

State Fire Regulations

Fire regulations for California are established in Sections 13000 et seq. of the California Health and Services Safety Code and include regulations for structural standards (similar to those identified in the California Building Code); fire protection and public notification systems; fire protection devices such as extinguishers and smoke alarms; standards for high-rise structures and childcare facilities; and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions within California.

California Governor's Office of Emergency Services

The California Governor's Office of Emergency Services (Cal OES; OES) is the Emergency Management Authority (EMA) for the State of California. Cal OES began as the State War Council in 1943. With an increasing emphasis on emergency management, it officially became OES in 1970. On July 1, 2013, Governor Edmund G. Brown Jr.'s Reorganization Plan #2 eliminated the California Emergency Management Agency (Cal EMA); restored its powers, purposes, and responsibilities to Cal OES; and also merged it with the Office of Public Safety Communications (OPSC).

California Public Resources Code Section 4290

The California Public Resources Code (PRC) Section 4290 was adopted to establish minimum wildfire protection standards in conjunction with building, construction, and development in State Responsibility Areas. Under PRC Section 4290, the future design and construction of structures, subdivisions, and developments in SRAs must provide for basic emergency access and specified perimeter wildfire protection measures. These measures provide for road standards for emergency access; signing and building numbering; water supply reserves; and fuel breaks and greenbelts.

California Emergency Response Plan

California developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments, and private agencies. The plan is administered by the California Governor's Office of Emergency Services, which coordinates the responses of other agencies. When the city experiences an emergency, an Emergency Operations Center may be opened. In the event an Emergency Operations Center is opened, emergency response team members coordinate efforts and work with local

fire and police agencies, emergency medical providers, the California Highway Patrol (CHP), CALFIRE, California Department of Fish and Wildlife (CDFW), and California Department of Transportation (Caltrans).

California Multi-Hazard Mitigation Plan

The California Office of Emergency Services prepares the State Hazard Mitigation Plan (SHMP), which identifies hazard risks and includes a vulnerability analysis and a hazard mitigation strategy (Cal OES 2018). The SHMP is required under the federal Disaster Mitigation Act of 2000 for the State to receive federal funding. The SHMP represents the state's primary hazard mitigation guidance document - providing an updated analysis of the state's historical and current hazards, hazard mitigation goals and objectives, and hazard mitigation strategies and actions. The SHMP represents the state's overall commitment to supporting a comprehensive mitigation strategy to reduce or eliminate potential risks and impacts of disasters in order to promote faster recovery after disasters and, overall, a more resilient state. SHMPs are required to meet the Elements outlined in the Federal Emergency Management Agency (FEMA)'s State Mitigation Plan Review Guide (revised March 2015, effective March 2016). OES is responsible for the development and maintenance of the State's plan for hazard mitigation. The State's SHMP was last approved by FEMA as an Enhanced State Mitigation Plan in 2018. The SHMP is designed to reduce the effects of disasters caused by natural, technological, accidental, and adversarial/human-caused hazards. The SHMP sets the mitigation priorities, strategies, and actions for the state. The SHMP also describes how risk assessment and mitigation strategy information is coordinated and linked from local mitigation plans into the SHMP and provides a resource for local planners of risk information that may affect their planning area. The State of California is required to review and revise its SHMP and resubmit for FEMA approval at least every five years to ensure continued funding eligibility for certain federal grant programs.

California Fire and Building Codes

The California Fire Code is Part 9 of California Code of Regulations (CCR) Title 24. It establishes the minimum requirements consistent with nationally recognized good practices to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structure, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

LOCAL

Palm Springs 2007 General Plan

The updated Safety element of the City's 2007 General Plan contains the following Goals and Policies related to related to wildfire risk in the city:

Safety Element

Goal SA5: Palm Springs residents, business owners, and visitors protected from urban fire and wildfire hazards.

- Policy SA5.3 Continue to refine procedures and processes to minimize the risk of fire hazards by requiring new and existing development to:
  - Utilize fire-resistant building materials.
  - Incorporate fire sprinklers as appropriate.
  - Incorporate defensible-space requirements;
  - Comply with Riverside County Fuel Modification Guidelines.
  - Comply with CAL FIRE Fire Safe Regulations and Fire Hazard Reduction Around Buildings and Structures Regulations.
  - Provide Fire Protection Plans.
  - Comply with the California Building Code and California Fire Code.
  - Allow for adequate access of emergency vehicles.
  - Develop fuel modification in naturalized canyons and hills to protect life and property from wildland fires, yet leave as much of the surrounding natural vegetation as possible.
  - Use selective trimming and obtain permits when necessary in designated areas to preserve environmentally sensitive native plants.
- Policy SA5.5 Ensure that public and private water distribution and supply facilities have adequate capacity and reliability to supply both everyday and emergency firefighting needs.
- Policy SA5.6 Utilize reservoirs, tanks, and wells, as needed, for emergency fire suppression water sources.
- Policy SA5.9 Continue public education efforts to inform residents, business owners, and visitors of fire hazards and measures to minimize the damage caused by fires to life and property.
- Policy SA5.10 Analyze the site plan layout for new projects to ensure they provide an adequate amount of defensible space around structures.
- Policy SA5.12 Require all new commercial and multiple-unit residential development to install fire protection systems and encourage the use of automatic sprinkler systems.
- Policy SA5.13 Require all new construction to use noncombustible roofing materials

City of Palm Springs Code of Ordinances

The City's Code of Ordinances adheres to the California Fire Code requirements for fire safety under new construction, specifically related to fuel modifications, clearance of brush and vegetation, use of equipment and devices generating sparks and open flames, width and turning radii that would be accessible by emergency response vehicles, as well as the use of sprinkler systems and on-site fire prevention such as location of fire extinguishers.

City of Palm Springs Emergency Operations Plan

The City's Emergency Operations Plan (EOP) is a flexible, multi-hazard document that addresses the City of Palm Springs's planned response and short-term recovery to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies. The EOP does not address normal day-to-day emergencies or the well established and routine procedures used in coping with such emergencies. Instead, the operational concepts reflected in this plan focus on potential large-scale disasters that can generate unique situations requiring unusual responses. It is, however, a preparedness document—designed to be read, understood, and exercised prior to an emergency. It is designed to include the City of Palm Springs as part of the Riverside County Operational Area, California Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS). The EOP provides basic planning information. City departments must prepare standard operating

procedures and, in most cases, more detailed checklists that will describe their internal operations under emergency conditions.

4.17.1 IMPACT ANALYSIS

Thresholds of Significance

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance. Wildfire impacts are considered to be significant if the proposed Project is located in or near state responsibility areas or lands classified as very high fire hazard severity zones such that it would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 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?
- 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?
- 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?

Methodology

Evaluation of potential wildfire impacts under the proposed Project was based primarily on information gathered from the US Wildland Fire Assessment System (USWFAS) and the United States Department of Agriculture (USDA) and the United States Forest Service (USFS). Implementation of the proposed Project was compared to the existing conditions to determine the impacts due to wildfire risk. A detailed list of resources used in the completion of the analysis in this section and where each can be found is included under References located at the end of the EIR.

Impacts

Impact 4.17.1: Implementation of the proposed Project would not result in substantially impairing an adopted emergency response plan or emergency evacuation plan and there would be Less than Significant impacts.

The proposed Project site is not located within a VHFHSZ or State Risk Assessment (SRA) area. Nor is the site located in a VHFHSZ, or a FHSZ in a State Responsibility Area. The closest High FHSZ and Moderate FHSZ areas to the proposed Project site are located in the city of Desert Hot Springs, more than approximately six (6) miles to the northeast and over five (5) miles to the northwest of the site, and over seven (7) miles to the southwest in unincorporated Riverside County (State Fire Marshall Fire Hazard Severity Zone; accessed 2024). As discussed under the Settings section of this DEIR, according to CalFire's State Responsibility Area FHSZ map the proposed Project site is located within Federal Risk Assessment (FRA), and Local Risk Assessment (LRA) areas.

The City Fire Station 3, located at 590 E Racquet Club Road, is the closet fire station in proximity to the proposed Project site, about approximately five and a half (5.5) miles to the southeast. Typical services provided by this station includes fire suppression, fire prevention, paramedic services, hazardous materials response, urban search and rescue response and other related services. Fire Station 3's response time is approximately five (5) minutes or less to majority of the areas of the city, including the proposed Project site and its surroundings. Additional fire support services to the proposed Project site would be provided by the RCFD which has two (2) fire stations located over approximately three and a half (3.5) miles to the northeast (Riverside County Fire Station 36) and northwest (Riverside County Fire Station 37) of the site. According to the City of Palm Springs General Plan Safety Element, this portion of the city of Palm Springs and its immediate surroundings are not located in Direct Fire Protection Areas (City of Palm Springs 2007 General Plan; 2007).

The proposed Project site is surrounded primarily by vacant land with no tree coverage, low shrub vegetation and minimal development. Some residential and commercial properties are located approximately between 1,900 feet to 2,800 feet to the north of the site, a few industrial uses are located 1,600 feet to the east of N Indian Canyon Avenue, some retail and warehouse properties, are located south of 19th Avenue, approximately between 1,500 feet to 3,400 feet to the south. An electric substation is situated approximately 1,600 feet to the southwest of the site, while solar farm and wind turbines are located approximately 4,000 feet and 3,500 feet to the southwest and west of the proposed Project site. Paved and constructed transportation access to this portion of the city of Palm Springs is provided by Dillon Road to the north, N Indian Canyon Avenue to the east, a portion of 18th Avenue to the southeast of the proposed Project site, and 19th Avenue and I-10 to the south. Under the proposed Project development, the site would be accessed from N Indian Canyon Avenue and 19th Avenue. 128th Avenue would be paved and connected to the site at its northern boundary. Two (2) internal roadways – Noble Drive and Indigo Drive would be constructed under the proposed Project and would allow for emergency access within the site.

The proposed Project would be required to follow all applicable City of Palm Springs fire safety regulations during construction and operation, including the development and utilization of a circulation plan with sufficient emergency access routes. During construction of the proposed Project, all equipment staging would occur within the property boundary, and worker vehicles would be parked either on the property or in a designated parking lanes along 18th Street that forms the northern boundary of the site, or 19th

Street that forms the southern boundary or along North Indian Avenue, that serves as the eastern boundary for the proposed Project site Construction material delivery and soil export hauling vehicles would require limited travel on city streets due to the proximity of the site to the I-10 off-ramps located to the south of the site. During both site construction and operation, emergency vehicles would be able to access the proposed Project site from I-10, also serves as an emergency evacuation route, located approximately 3,000 feet to the south of the site, N Indian Canyon Avenue which forms the eastern boundary of the site, as well as 19 Avenue which forms the southern boundary for the site. With adherence to these guidelines and applicable policies in the Safety Element of the City's Palm Springs by Design – General Plan 2040, construction and operation activities would not substantially impede emergency vehicle access or impair an emergency response plan or evacuation plan.

The proposed Project would also have to conform to the City's Emergency Operations Plan (EOP) for pre-emergency and emergency response actions as well as recovery and mitigation phases of a natural disasters such as wildland fires (City of Palm Springs; 2012).

The proposed Project would also be required to comply with the applicable goals and policies under the City's General Plan Safety Element. Goal SA5 ensures the protection of employees and business from urban and wildland fires, while adherence to policies SA5.3, SA5.10, SA5.12, and SA5.13 would ensure fire safety under the enforcement of fire safe building standards, the utilization of fire-resistant building materials, the installation of fire sprinklers, the use of defensible space, the development of site specific fire protection plans, as well as adherence to the fire safety requirements under the City's Code of Ordinances. Under policies SA5.5 and SA5.6, the proposed Project would also be required to ensure that water supply distribution to the site have the water sources, capacity and reliability to supply both firefighting needs at the site. The proposed Project would be required to conform to Policy SA5.9 and provide public education to site users regarding fire hazards and measures to minimize the damage caused by fires to life and property.

The proposed Project would not therefore impair existing City emergency response or emergency evacuation plans and impacts would be less than significant.

Mitigation

No mitigation is required.

Impact 4.17.2: The proposed Project would not expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, due to slope, prevailing winds, and other factors that may exacerbate wildfire risks. Impacts would be Less than Significant.

The proposed Project site is located within Coachella Valley, in the northern portion of the city of Palm Springs. The ranges of the Little San Bernardino Mountains are located approximately between six and a half (6.5) to 10 miles to the north and east, respectively. The site is approximately three and a half (3.5) miles to the east of San Jacinto Mountains. According to the Phase I Environmental Site Assessment (ESA) that was conducted for the proposed Project (see **Appendix G**), site is depicted by the United States Geological Survey (USGS) topographic map as being situated at elevations between 780 to 820 feet above mean sea level (msl) with a gradual slope to the south. According to the City's General Plan (see Figure 5.6-2, *Slope Distribution*, of Section 5.6 Geology and Soils), the proposed Project site has a slope angle

between zero (0) and 10 degrees which does not indicate an area that would be susceptible to slope failure (City of Palm Springs 2007 General Plan; 2007).

Construction and operation of the proposed Project may utilize the use of the use of hazardous materials such as petroleum products (see *Section 4.8 Hazards and Hazardous Materials*). The improper use, storage, or transportation of hazardous materials have the potential to result in accidental releases or spills, potentially posing health risks from pollutant concentrations. However, all hazardous materials used at the site would be subject to applicable federal and State laws and regulations related to the proper use, storage, and transport of hazardous materials. Construction equipment would be subject to standard operating procedures that would limit sources of ignition that could generate a wildfire. All construction and operational activities on the site would be required to have all equipment use and worker tasks conform to best management practices (BMPs) as well as fire safety protocols, including, but not limited to, on-site fire extinguishing equipment.

Although the majority of the city is not located in an VHFSHA, HFSHA, or MFSHA under SRA or VHFSHA under LRA, there are some areas in the southern and southeastern portions of the city that are VHFSHA under LRA and SRA. Such areas would be more prone to wildland fires due to the area's climate and topography. Factors for assessing existing wildfire risk include drought, slope steepness, wind speeds, flammability of vegetation, and burn history and severity (length of time from last fire and location of last proximate fire). Since fires burn faster uphill, slope steepness is a crucial factor in fire spread. Vegetation provides fuel for fires, and low relative humidity and strong winds are critical weather conditions that could lead to rapid or dramatic increases in wildfire activity (CALFIRE 2020b).

As discussed earlier, the proposed Project site is not located within a VHFHSZ or FHSZ in a SRA area, although, according to CalFire's State Responsibility Area FHSZ map, the site is located within areas designated as a FRA and a LRA. The closest High FHSZ and Moderate FHSZ areas are located in the city of Desert Hot Springs, more than approximately six (6) miles to the northeast and over five (5) miles to the northwest of the site, and over seven (7) miles to the southwest in unincorporated Riverside County (State Fire Marshall Fire Hazard Severity Zone; accessed 2024). Previously in use as a wind farm, the proposed Project site is relatively flat and scattered with low lying shrubs; no trees exist on the site. The proposed Project site is located between three and half (3.5) to 10 miles from any of the city's surrounding mountain ranges. Therefore, wildfire risk due to slope or vegetation is considered to be low at the site.

According to the City's General Plan EIR, the proposed Project site and the majority of the city's geographic areas are located in a High Slope Erodibility area or have a higher potential for high wind (City of Palm Springs 2007 General Plan; 2007). The surrounding mountains and the general slope of the Coachella Valley floor places most areas of the city at a higher risk of the spread of wildfire. However, as mentioned previously, the proposed Project site itself is relatively flat with a site elevation between 780 to 820 msl, and is located approximately five (5) miles away from steep slopes of the various mountain ranges in and around Riverside County. Further, all components associated with the proposed Project would be subject to the California Building Code (CBC) regulations governing fire protection as well as the City's Code of Ordinances and EOP. Activities on the site would be subject to local and regional restrictions on use or operation during high fire-risk conditions (e.g., open fires or barbeques, use of landscaping equipment that could cause sparks). The proposed buildings on the site would be required to have all the buildings being equipped with fire-sprinklers and other fire safety equipment. All of this would assure risks associated with development catching and spreading fire, with the potential to exposes site occupants to the pollutant concentrations of a wildfire, would be reduced. Additionally, all landscape for the proposed

Project would be required to be reviewed by the RCFD as well as the City's Fire Chief. Furthermore, proposed landscaping would be required to meet the City and State fire safety requirements for defensible space and be routinely maintained and not allowed to become dry or overgrown such that it would create a fire hazard, based on proposed Project design plans.

In addition, the proposed Project would be required to comply with the City's General Plan Safety Element Goal SA5 to protect the lives of employees as well as proposed building structures on the site. The proposed Project's adherence to Policy SA5.9 would educate the proposed Project employees on fire hazards and measures to minimize or avoid potential impacts to lives of the employees and the destruction of property. Policies SA5.10 and SA5.12 would ensure that site planning and building design incorporate the appropriate standards under the City Codes, such as but not limited to the installation of fire sprinklers as appropriate, utilization of fire-resistant building materials, and maintaining defensible spaces. The proposed Project's adherence to policies SR5.5 and SR5.6 would provide adequate water supply for firefighting needs and assist with potential fire suppression. Therefore, development under the proposed Project would ensure that impacts from wildfire risk would be less than significant.

Mitigation

No mitigation is required.

Impact 4.17.3: The proposed Project would not exacerbate fire risk or would not result in temporary or ongoing impacts to the environment through the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities). Impacts would be Less than Significant.

The Project site is relatively flat with primarily open, vacant land and low vegetation. N Indian Canyon Road forms the site's eastern boundary, and 18th Avenue and 19th Avenue form the sites, northern and southern boundaries, respectively, Any development around the site is scattered with large areas of vacant land. Residential and commercial uses are located primarily to the north, while light industrial and commercial uses are located south of 19th Avenue. A primarily vacant business park use is situated to the east of N Indian Canyon Avenue, and open lands with a line of wind turbines and a solar facility if located to the west of the proposed Project site. Although the proposed Project would require development of infrastructure relative to power, water, sewer, stormwater drainage and an internal roadway system - Noble Drive and Indigo Drive, - such improvements under site development would decrease fire risks relative to existing conditions.

The site is not located in or near a SRA and does not contain any land classified as very high fire hazard severity zones. Power would be provided to the site through a new underground distribution line that would extend from 18th Street, 19th Street and North Indian Canyon Drive and also connect to existing power lines and infrastructure located along these roadways. No new power poles would be located on the site. Future maintenance of the proposed Project facilities would not increase the risk of fire because the proposed uses on-site would not include any features that would have the potential to exacerbate fire risk or result in temporary or ongoing impacts to the environment.

The proposed Project site would also provide suitable access for emergency vehicles from 18th Street, 19th Street and North Indian Canyon Drive. Moreover, the proposed Project would not only be required to comply with the City Codes relative to site design, building construction, and the installation and maintenance of infrastructure, but would also be required to obtain all applicable permits upon final

approval under City Codes. The proposed Project would also be required to comply with the City's General Plan Safety Element, particularly Goal SA5 and policies SA5.3, SA5.5, SA5.6, SA5.10, SA5.12 and SA5.13 Adherence to this goal and these policies would ensure that the proposed Project minimize the risk of fire hazards through the installation and maintenance of site infrastructure and the development of emergency fire suppression water resources and distribution systems. Therefore, the proposed Project would have less than significant impact.

Mitigation

No mitigation is required.

Impact 4.17.4: The proposed Project would not 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. Impacts would be Less than Significant.

As discussed under Impact 4.17.2 above and according to the City's Palm Springs by Design – General Plan 2040, the proposed Project site is located within a Wildfire Influence Zone, that is the site and its vicinity consist of wildfire susceptible vegetation within one and a half (1.5) miles from the wildland-urban interface or wildland-urban intermix zones. However, even in such areas, efforts can be made to prevent ignitions and limit wildfire loss by limiting vast areas of landscaping, using more impervious surfaces and fire resistant building materials, and creating defensible spaces so as to limit the spread of fire and reduce the risk to people and property.

The proposed Project would include the construction and operation of two large fulfillment warehouses with limited pervious surfaces, the use of fire resistant building materials. As creating defensible spaces between the structure and other such conditions as required under the City's Code of Regulation and EOC. The site is approximately over one (1) mile to the north of the Whitewater River and over one (1) mile to a Whitewater River Channel to the east. The Colorado River Channel is located over approximately five (5) miles to the north of the site. However, these are primarily dry river channels that may temporarily retain some water during the wet season in the Coachella Valley.

As discussed previously, the proposed Project site is not located in proximity to any mountain ranges nor is the site located within a Fire Hazard Safety Zone. Landslides that include rockfalls, deep slope failure, and shallow slope failure are not likely to occur at the site due to the absence of steep slopes. The site is relatively flat with a site elevation between 780 and 820 feet msl; therefore, the potential for a landslide on the proposed Project site is essentially non-existent. As a result, the proposed Project is not expected to 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. Moreover, the proposed Project would be required to adhere to applicable Goals and Policies in the Safety Element of the City's General Plan, such as Goal SA.5, and policies SA5.3, SA5.5, SA 5.6, SA5.10, SA5.13. Adherence to this goal and these policies would ensure that the proposed Project construction and operation include fire resistant building materials, fire sprinklers, comply with all fire safety codes and regulations, provide for the adequate storage and supply of on site water resources for fire fighting needs, and provide for adequate access to fire and emergency vehicles and personnel. Therefore, impacts would be less than significant.

Mitigation

No mitigation is required.

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5.0 CUMULATIVE IMPACTS

This chapter of the Draft Environmental Impact Report (Draft EIR; DEIR) discusses the cumulative impacts related to the proposed Project. Section §15355 of the California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) evaluates a proposed project's cumulative impacts in relationship to the effects of past projects, other current projects, and reasonable foreseeable future projects. The discussion of cumulative impacts should reflect the severity of the impacts and the likelihood of their occurrence; however, the discussion need not be as detailed as the discussion of environmental impacts attributable to a project alone (State CEQA Guidelines Section 15130(b)).

Under CEQA, the discussion of cumulative impacts should focus on the severity of the impacts and the likelihood of their occurrence. According to CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable. "Cumulatively considerable" means that the additional effects of a project have been evaluated to be considerable when assessed in connection with the effects of past projects, other current projects, and probable future projects (as defined by Section 15130). Cumulative impacts could result from individually minor but collectively significant projects taking place over a period of time." State CEQA Guidelines also requires that an EIR must examine "reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project" (State CEQA Guidelines Sections 15130(a)(3) and 15130(b)(5)). A cumulative impact is not considered significant if the impact can be decreased to below the level of significance through mitigation measure(s), including providing improvements and/or contributing funds through mitigation fee payment programs. CEQA requires that an EIR examine the cumulative impacts associated with a project, in addition to project-specific impacts. The discussion of cumulative impacts, therefore must reflect the severity of the impacts and the likelihood of their occurrence; however, the discussion need not be as detailed as the discussion of environmental impacts attributable to a project alone (State CEQA Guidelines Section 15130(b)).

In addition, the CEQA requirements of Section §15130(b), the requirements for an adequate analysis of a project's cumulative impacts "…shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact…" (State CEQA Guidelines Section 15130(b)). An adequate analysis of a project's cumulative impacts should include an analysis based on either:

A. "A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or"
B. "A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect…"

The proposed development is an industrial fulfillment center facility on a site with a City of Palm Springs General Plan land use designation of *Industrial with Wind Overlay* and City zoning for *M2-Manufacturing Zone*. Since the proposed Project is consistent with the type of development analyzed under the City's anticipated growth under its General Plan and associated EIR, the proposed Project is consistent with the "plan" method under State CEQA Guidelines. Therefore, in accordance with Section §15130(b)(1)(B), the

cumulative impacts analysis in this DEIR is premised on projections of growth anticipated by the City of Palm Springs 2007 General Plan (City of Palm Springs2007 General Plan Update EIR; 2007).

The cumulative analysis for the proposed Project therefore the location and type of development, the geographic area for the proposed development, discusses the nature and summary of each of the environmental resources considered under the proposed Project, as well as a "…reasonable analysis of the cumulative impacts of the relevant projects…" which include all present and anticipated projects within the cities of Palm Springs and Desert Hot Springs, in accordance with CEQA Guidelines Section §15130(b)(1)(B).The list of cumulative projects in the city of Palm Springs is provided in **Table 3.1: City of Palm Springs Cumulative Projects** and **Table 3.2: City of Desert Hot Springs Cumulative Projects** under ***Chapter 3.0 Environmental Settings*** of this DEIR.

Section 5.1 Aesthetics

The proposed Project site is located in a primarily undeveloped area in the northern section of the City of Palm Springs. The site is surrounded by vacant parcels, a small residential community and scattered commercial uses to the north, the Coachillin Business Park with minimal development to the east, light industrial, commercial, vacant parcels and a solar farm to the south, with an utility substation mainly surrounded by vacant land, and wind farms, located to the west. Paved roadways for N Indian Canyon Road forms the eastern boundary of the proposed Project site, with 19th Avenue situated along its southern boundary and Karen Avenue along the site's western border. 18th Avenue forms the northern boundary for the site and is currently an unpaved roadway as is the majority of Karen Avenue. Interstate 10 to the south and Dillon Road to the north, are the closest major arterials from the proposed Project site.

Existing views into the site consist of primarily disturbed and vacant land with minimal shrub vegetation. Views from the site to the north include vacant parcels, the Humane Society of the Desert building and parking, as well as the Jalisco Mexican eatery. Looking to the east from the site, views include vacant parcels, some industrial buildings, solar panels and parking areas. To the north and to the east, very distant views of the San Jacinto Mountains are visible from the proposed Project site. A mix of development, views of roadways and distant ranges of the Santa Rosa Mountains are visible to the south from the site. To the west, the site looks at vacant parcel and windmills, an utility substation, as well as distant views of the San Bernardino Mountain ranges. The proposed development would add new industrial buildings with office spaces, truck and vehicular parking, lighting, landscaping and signage to the currently vacant property.

Although the proposed Project has the potential to change the visual character of this primarily undeveloped portion of the city of Palm Springs, as evaluated under potential impacts to aesthetic resources under *Section 4.1: Aesthetics*, the proposed Project would not result in significant impacts to the existing views of scenic resources. Industrial and commercial properties exist to the east and south of the site. Additionally, the site would be developed with industrial uses that are typical and allowed for this area, under the City's General Plan. The proposed Project, as well as other future projects planned and permitted by the General Plan, would be required to be consistent with height limitations included in the Palm Springs Municipal Code and the policies of the General Plan. All future development would also be required to include design features so as to preserve existing views of the slopes and peaks of the surrounding mountains such that the overall view of the mountain ranges remain visible throughout the city. While structures, both at the site and elsewhere in the city, could impact views from surrounding areas, overall impacts related to aesthetics would be minimal and limited in a cumulative context.

Implementation of the City's proposed GPU would result in new development or redevelopment of existing properties in the city that may add to the potential sources or glare and night-time lighting. These new development areas could result in new light sources which intensifies daytime glare and nighttime lighting levels. However, the same standards requiring limited lighting and directional and screened lighting included in the Municipal Code as well as the numerous policies in the City's 2040 GPU that minimize impacts from light and glare, will be applied to future projects. The implementation of these standards and requirements is designed to minimize the impacts of light and glare on adjacent properties throughout the city.

Under the City's General Plan Update EIR, aesthetics and visual resources in the city at buildout of the General Plan were considered to determine the extent to which any future project, combined with the potential visual impacts of the proposed Project would impact the resources, consistent the CEQA Guideline 15130(b)(1)(B). Other projects planned and permitted under the City's General Plan would result in similar impacts as those under the proposed Project. All planned and future projects in the city would be required to comply with the standards in the City's Municipal Code as well as be consistent with the applicable policies and programs in the City's General Plan. Therefore, cumulative projects would be required to preserve scenic views, minimize impacts to scenic vistas with project design and building heights, and minimize impacts of light and glare on adjacent properties. Therefore, the proposed Project impacts on aesthetics, in relation to planned and future projects in the city, would be ***less than cumulatively considerable***.

Section 5.2 Air Quality

Emissions of pollutants are not confined to jurisdiction's boundaries but are dispersed throughout and accounted for by air basin. Therefore, the cumulative area for air quality impacts is the Salton Sea Air Basin (SSAB). California is divided into air basins for the purpose of managing the air resources of the state based on meteorological and geographic conditions. Like greenhouse gas (GHG) emissions impacts, air quality impacts are regional in nature as no single project generates enough emissions that would cause an air basin to be designated as a nonattainment area. Construction emissions generated by cumulative development as well as that proposed under the Project, could exceed South Coast Air Quality Management District's (SCAQMD) project-level significance thresholds and would contribute to the nonattainment designations of the SSAB. The California Ambient Air Quality Standards (CAAQS) designate the city and surrounding region with the greater Coachella Valley, as being in nonattainment for $O_{3;}$ PM10, and $PM_{2.5}$ while the National Ambient Air Quality Standards (NAAQS) designates the Valley as being in nonattainment for O_3 and $PM_{2.5}$.

There are a number of cumulative projects in the project area that have not yet been built or are currently under construction. Since the timing or sequencing of the cumulative projects is unknown, any quantitative analysis to ascertain daily construction emissions that assumes multiple, concurrent construction projects would be speculative. Further, cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. The SCAQMD recommends using two different methodologies: (1) that project-specific air quality impacts be used to determine the potential cumulative impacts to regional air quality;12 and (2) that a project's consistency with the current AQMP be used to determine its potential cumulative impacts.

Project Specific Impacts

The proposed Project area is out of attainment for ozone and PM_{10}. Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the Salton Sea portion of the South Coast Air Basin. The greatest cumulative impact on the quality of regional air cell will be the incremental addition of pollutants mainly from increased traffic volumes from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the SCAQMD methodology, projects that do not exceed the SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. This applies to TACs as well, as the SCAQMD does not have any cumulative TAC thresholds; therefore, projects that do not exceed the SCAQMD TAC threshold criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. A significant impact may occur if a project would add a cumulatively considerable contribution of a federal or state non-attainment pollutant.

Project operations would generate emissions of NOx and ROG, which, would exceed the SCAQMD regional thresholds and would be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Since the project would not introduce any substantial stationary sources of emissions, CO is the benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. As indicated earlier, no violations of the state and federal CO standards are projected to occur for the project, based on the magnitude of traffic the project is anticipated to create.

Therefore, as the proposed project's NOx and ROG emissions are anticipated to exceed SCAQMD's regional thresholds, the operation of the project would result in a cumulatively considerable net increase for non-attainment of criteria pollutants or ozone precursors. As a result, the project would result in a significant and unavoidable cumulative impact for operational emissions.

Air Quality Compliance

The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a proposed project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed Project includes the SCAQMD Air Quality Management Plan (AQMP). Therefore, this section discusses any potential inconsistencies of the proposed project with the AQMP.

The purpose of this discussion is to set forth the issues regarding consistency with the assumptions and objectives of the AQMP and discuss whether the proposed Project would interfere with the region's ability to comply with Federal and State air quality standards. If the decision-makers determine that the proposed Project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP". Strict consistency with all aspects of the plan is usually not required. A project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- Whether the project will exceed the assumptions in the AQMP in 2022 or increments based on the year of project buildout and phase.

Both of these criteria are evaluated in the following sections.

Criteria 1 – Increase in the Frequency or Severity of Violations

Based on the air quality modeling analysis contained in this Air Quality Analysis (see ***Appendix B***), with incorporation of mitigation, short-term construction impacts will not result in significant impacts based on the SCAQMD regional and local thresholds of significance. This Air Quality Analysis for the proposed Project (***Appendix B***) also found that, even with incorporation of mitigation, long-term operations impacts will result in significant impacts based on the SCAQMD regional thresholds of significance. However, the long-term operations impacts will result in less than significant impacts based on the SCAQMD local thresholds of significance.

Therefore, the proposed project is projected to contribute to the exceedance of air pollutant concentration standards and is found to be inconsistent with the AQMP for the first criterion.

Criteria 2 – Exceed Assumptions in the AQMP

Consistency with the AQMP assumptions is determined by performing an analysis of the proposed project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the proposed project are based on the same forecasts as the AQMP. The 2020-2045 Regional Transportation/Sustainable Communities Strategy prepared by SCAG (2020) includes chapters on: the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this project, the City of Palm Springs Land Use Plan defines the assumptions that are represented in the AQMP.

The proposed Project site has a Land Use Designation in the City of Palm Springs General Plan of Industrial with a Wind Energy Overlay and zoned Manufacturing (M-2). The Project proposes to develop the site with two speculative industrial buildings with Building 1 being approximately 1,500,000 square feet and Building 2 being approximately 395,000 square feet. Therefore, the proposed Project is consistent with the City's land use designation. The proposed Project is not anticipated to exceed the AQMP assumptions for the project site and is found to be consistent with the AQMP for the second criterion.

Based on the above, the proposed Project will result in an inconsistency with the SCAQMD AQMP. Therefore, a potentially significant and unavoidable impact will occur.

Therefore, in combination with past, present, and reasonably foreseeable projects elsewhere within the SSAB, the proposed Project's contribution to cumulative air quality impacts would ***be cumulatively significant and unavoidable***.

Health Risk Assessment

In accordance with the SCAQMD methodology, projects that do not exceed the SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. This applies to TACs as well, as the SCAQMD does not have any cumulative TAC thresholds; therefore, projects that do not exceed the SCAQMD TAC threshold criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact.

According to the CalEEMod Output, the project is located in an area with CalEnvironScreen 4.0 score for project location of 33.0,13 with the highest pollution burden coming from ozone and DPM. According to the SCAQMD's MATES-V study, the project area has an estimated multi-pathway cancer risk of 237 in a million and an inhalation pathway cancer risk of 228 in one million. In comparison the average multi-pathway cancer risk for the Salton Sea Air Basin portion of Riverside County is 250 in one million and the inhalation risk is 239 in a million.

The proposed Project is anticipated to generate a total of 439 truck trips per day and the 30.25-yea, cumulative carcinogenic health risk is a maximum of 0.49 in a million at the closest receptor to the site. Therefore, the proposed Project's diesel emissions do not exceed the SCAQMD MICR threshold of 10 in a million and the cumulative impacts for TACs would be ***less than cumulatively considerable***.

Section 5.3 Biological Resources

As a vacant and disked parcel, the proposed Project's existing site conditions do not support any sensitive and/or special status habitats for wildlife and plants species. Sonoran creosote bush scrub is the only dominant plant type on site. Though the site does not currently indicate the presence of any wildlife, the area does provide suitable habitat for burrowing owls. Therefore the proposed Project would be required to adhere to mitigation measures **BIO-1, BIO-2, BIO-3** and **BIO-4**, which would require the implementation of pre-construction surveys and to adhere to the requirements of the MBTA and to protect burrowing owls if they occur on the site.

The cumulative area for impacts to biological resources is the city of Palm Springs. On a cumulative level, the change in land uses under buildout of the city, can potentially contribute to a loss of potential habitat for special-status animal and plant species that currently inhabit the area or could inhabit the area in the future. In addition to potential direct impacts on biological resources, from proposed Project development as well as other development within the city and its SOI, the increased human presence can cause potential indirect impacts that could result in direct mortality, habitat loss, deterioration of habitat suitability, and avoidance of habitat. Although major portions of the city are developed, there are some vacant properties and open areas in the city that may have the potential for wildlife habitation and plant vegetation. Where the native plant and animal habitat is still present in the city, these may be impacted by increased vehicle travel, alteration of soils, vegetation removal, and habitat degradation associated with new development. When considered in combination with other cumulative developments within the city, there is potential for adverse cumulative effects to biological resources. However, as with the proposed Project, all future development in the city would be required to be consistent with local, State, and federal laws and policies under the CVMSHCP and the City's General Plan as well as all applicable permitting requirements of the regulatory and oversight agencies, such as, but not limited to, the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers. A project's adherence to the requirements established by these agencies would protect species, water bodies, and habitats from negative impacts associated with future development. In addition, as with the

proposed Project, all future projects in the city would be required to adhere to applicable federal, State, and local policies, or to develop applicable mitigation in order to reduce cumulative impacts to biological resources to less than significant levels.

Therefore, the proposed Project would have a ***less than cumulatively considerable*** impact on biological resources.

Section 5.4 Cultural Resources

The cumulative area for impacts to cultural and tribal resources is the city of Palm Springs and its SOI, as well as surrounding jurisdictions in Riverside County. Therefore, the areas surrounding the proposed Project site and the surrounding areas of the County must be considered for the purpose of evaluating land use conversion issues associated with cultural resources on a cumulative level. The jurisdictional boundaries of the city form the geographic context in which to analyze cumulative impacts to historical resources. Compliance with the goals and policies in the city's General Plan that are related to cultural resources will be necessary to mitigate potential impacts from potential overall loss of archaeological and historical artifacts unique to this area of the Coachella Valley. However, as with the proposed Project, each future development in the city would be required to be consistent with CEQA review. If any potential impacts to archaeological resources are determined, projects will be subject to standard requirements, mitigation measures (as applicable), and compliance with federal and State law. These requirements and mitigation measures **CUL-1, CUL-2, CUL-3** and **CUL-4** that would be implemented under the proposed Project would reduce impacts and preserve resources across this portion of the Coachella Valley region. However, with all future projects, including the proposed Project, being required to adhere to applicable City General Plan policies as well as relevant federal and State law, implementation of the proposed Project would have a ***less than cumulatively considerable*** impact to cultural resources.

Section 5.5 Energy

The California Energy Commission oversees the achievement of the State's ambitious climate and energy goals and ensures that the State's energy systems remain accessible, reliable, safe and affordable through planning and policy implementation. Therefore, the cumulative area of analysis for energy impacts is the State of California.

Growth within the city is anticipated to increase the demand for electricity, natural gas, and transportation energy, as well as the need for energy infrastructure. Future development projects in the city have the potential to result in the wasteful or inefficient use of energy, either from future projects that would not incorporate sufficient building energy efficiency features or achieve building energy efficiency standards, or that would result in unnecessary use of energy during construction and/or operation. Future development in the city, particularly under multi-family residential, large scale commercial, industrial or regional businesses have the potential to contribute incrementally to local increases in energy consumption. However, all future development in the city, including the proposed Project they should not result in wasteful, inefficient, or unnecessary use of energy since all projects would be required to implement State CBC requirements, including the installation of energy efficient appliances and efficient water fixtures, incorporation of energy design features, increased efficiency in use of construction materials and fixture design, and zero-net-energy designs through the installation of PV solar panels. Future projects would also be subject to the California Energy Code, Title 24 of the State energy standards, and CalGreen, which provide set of energy efficiency standards for residential and nonresidential buildings that are required to be implemented in order to minimize the wasteful and inefficient use of energy. All

future development in the city would also be required to incorporate energy conservation features, and to be consistent with applicable regulations would result in less fuel combustion and energy consumption to achieve carbon neutrality by 2045. In addition, the proposed Project and all future development in the city would be required to be consistent with appropriate goals and policies under the City's General Plan and Municipal Code. The proposed Project in itself does not include any unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities and is industrial project that is not proposing any additional features that would require a larger energy demand than other industrial projects of similar scale and configuration. The energy demands of the project are anticipated to be accommodated within the context of available resources and energy delivery systems. The proposed Project would therefore not cause or result in the need for additional energy producing or transmission facilities, and nor would it not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California

The addition of population and buildings under buildout of the city of Palm Springs and its SOI areas has the potential to have an adverse impact on the environment by using more energy. However, California is transitioning its electricity system to one that relies increasingly on clean energy sources and increasing energy efficiency through building code updates. The 2019 Building Energy Efficiency Standards improve upon the 2016 Energy Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. In addition, the population and anticipated growth in the city would be small in comparison to the growth in Riverside County and the state of California. Therefore, the cumulative impacts of the proposed Project on energy resources are impact to energy is ***less than cumulatively considerable***.

Section 5.6 Geology

The cumulative area for geology impacts is the city, its SOI, as well as surrounding jurisdictions in Riverside County. Future development in the city has the potential to increase total population and therefore expose more people to geological hazards such as ground rupture and shaking from earthquakes, loss of topsoil, landslides, lateral spreading and liquefaction. With the city's vicinity to active fault lines in the southern California region, there is always a chance that a fault located anywhere in the cumulative area could rupture and impact the city. Additionally, construction, grading, excavation, removal of vegetation and loading activities at a project site could temporarily increase runoff, erosion, and sedimentation.

Although most geology and soil hazards associated with future development projects would be site specific, such as the proposed Project, cumulative growth in the city and Riverside County have the potential to expose more people to geologic hazards. The relative risk to safety from potential ground shaking within the city and Riverside County varies by location, geologic conditions and the source of the triggering event. Based upon the geologic history of the Coachella Valley, there is always the possibility that ground-disturbing activities during future construction projects may uncover previously unknown paleontological resources or sites or unique geologic features. However, geologic hazards are often site specific and individual future development in the city would be required to be consistent with applicable federal, State, and local regulations related to seismic hazards and geologic safety standards related to design and construction. Similarly, potential impacts to paleontological resources from future development would be addressed on a case-by-case basis, and appropriate mitigation would be designed to mitigate impacts resulting from future individual projects.

Since geology and soils vary across a region, based on but not limited to, site conditions, localized soil structures, types of soils, impacts to a site's soils and geology would have to be addressed on a project-by-project basis. While cumulative impacts to geology and soils may occur in the region as individual projects are constructed, reliability on the city's General Plan policies and programs, along with state and federal regulations, would reduce the risk to people in the region. Therefore, the proposed Project's cumulative contribution to geology and soils impacts would be ***less than cumulatively considerable***.

Section 5 4.7 Greenhouse Gas Emissions

Although the project is expected to emit GHGs, the emission of GHGs by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. Therefore, in the case of global climate change, the proximity of the project to other GHG emission generating activities is not directly relevant to the determination of a cumulative impact because climate change is a global condition. According to CAPCOA, "GHG impacts are exclusively cumulative impacts; there are no non- cumulative GHG emission impacts from a climate change perspective."32 The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically would be very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. In 2006, under Assembly Bill 32, the state mandated a goal of reducing statewide emissions to 1990 levels by 2020. In November of 2022, the CARB released the 2022 Scoping Plan. The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. In order to achieve these goals, CARB is in the process of establishing and implementing regulations to reduce statewide GHG emissions. Consistent with CEQA Guidelines Section 15064h(3),33 the City, as lead agency, has determined that the project's contribution to cumulative GHG emissions and global climate change would be less than significant if the project is consistent with the applicable regulatory plans and policies to reduce GHG emissions. As discussed in the Consistency With Applicable Greenhouse Gas Reduction Plans and Policies section above, the project is consistent with the goals and objectives of the City of Palm Springs CAP and Climate Action Roadmap. Thus, although the project exceeds the SCAQMD 10,000 MTCO2e per year threshold for industrial uses, given the project's consistency with the City's CAP and Climate Action Roadmap, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Given this consistency, it is concluded that the project's incremental contribution to greenhouse gas emissions and their effects on climate change would be ***less than cumulatively considerable.***

Section 5.8 Hazards and Hazardous Substances

The cumulative area for hazard impacts is the city of Palm Springs, its SOI areas, and immediate neighboring jurisdictions of Desert Hot Springs, Cathedral City and Cahuilla Hills. Development in the region identified in Section 4.0 would change the intensity of land uses in the city and it surroundings. In particular, the implementation of development projects estimated under the city's General Plan would provide additional housing, employment, shopping, and recreational opportunities. Growth in the town could lead to increased noise, risk of flooding, risk of fire, and transport of hazardous materials on the state highways and interstates as well as that also serve the city. In addition, development elsewhere in the region could have a greater effect on the transport and accidental release of hazardous materials.

Although cumulative projects have the potential to increase impacts related to encounters with hazardous materials by construction workers during construction activities and residences and employees exposed to hazardous materials, the use and release of hazardous materials are largely site-specific and would occur on a case-by-case basis for each individual project within a cumulative setting. Hazards are typically site specific unless being transported beyond a project area, and individual development would not create compounding impacts that would affect hazardous conditions on other sites. Future development projects would have to be consistent with all relevant federal, State and local policies in relation to hazards and would also be subject to CEQA review for each project, including compliance with remediation plans as applicable. Other potential impacts from future development would be addressed on a case-by-case basis, and appropriate mitigation would be designed to mitigate impacts resulting from individual projects.

Therefore, the proposed Project's contribution to cumulative hazards and human health impacts would be ***less than cumulatively considerable.***

Section 5.9 Hydrology and Water Quality

The cumulative area for hydrology and water quality is the city of Palm Springs, its SOI areas, and immediate neighboring jurisdictions of Desert Hot Springs, Cathedral City and Cahuilla Hills. All future project implementation in the city will result in physical changes to project sites through grading, construction improvements, addition of water and storm drainage infrastructures that would be needed to serve a proposed development, thereby potentially minimizing cumulative impacts to the City's hydrology and water quality. The proposed buildout envisioned under the City's GPU may also increase construction that results in runoff and the introduction of additional pollutants to runoff. These future development/redevelopment projects have the potential to impact groundwater recharge, impact water quality and alter drainage patterns, among others. However, under State and regional water quality requirements, all future developments are required to include stormwater treatment measures that would retain and treat runoff if 5,000 square feet or greater, of land area is affected.

In addition, the City would implement the same requirements for water quality management and on-site retention for all projects, in order to prevent cumulative hydrology impacts. Therefore, because of the standards implemented by the City, MSWD and other responsible agencies, cumulative impacts associated with hydrology and water quality will remain less than significant for the cumulative projects because all such projects would be subject to the City's retention policy and associated engineering requirements for stormwater management. Compliance with water quality regulations, including the implementation of best management practices at construction sites would prevent erosion and tracking would mitigate construction runoff impacts under a cumulative project setting.

The proposed Project, along with all future development projects in the city, would so be required to implement stormwater management through the implementation of an NPDES permit and City engineering standards. Water uses would be required to comply with MSWD and City water efficiency requirements as well as all applicable General Plan policies related to water quality and flooding hazards. In addition, the proposed Project includes mitigation measures **HYD-1** through **HYD-4** that would ensure that proposed Project impacts to groundwater supplies and recharge are minimized to a less than significant level. Therefore, cumulative impacts with the addition of the proposed Project, would be ***less than cumulatively considerable*** under Hydrology and Water Quality.

Section 5.10 Noise

Ambient noise levels at the currently vacant Project site and its surroundings have the potential to increase due to the construction and operation under cumulative development in the city as well as surrounding jurisdictions. The cumulative setting for Noise impacts is the city of Palm Springs and its SOI areas. Buildout of the city, as envisioned under its General Plan, has the potential to develop currently vacant parcels and redevelop existing parcels with more intense uses, the construction and operation of which would increase existing ambient noise levels at the site and surrounding areas. Construction within the city and its SOI has the potential to expose people and buildings to high levels of ground-borne vibration. Increased development in the city would also increase traffic which would result in increased noise levels along local roadways.

Although a project's construction vibration impacts occur from the operation of heavy equipment on a project site, these construction activities, however, are usually short-term over the life of project construction and would not occur across the city in one given period of time. Construction noise impacts typically result from noise generated by the operation of heavy equipment on a project site, as well as from trucks arriving to and departing from the site. Typical project construction activities normally include demolition, grading/excavation, installation of utilities, and erection of the building. Equipment used in these activities typically include bulldozers, excavators, graders, backhoes, concrete trucks, loaders, and heavy-duty trucks. Although vibration levels from construction activities rarely reach the level of causing building damage, construction-related vibration has the potential to cause annoyance at nearby sensitive receivers. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, and slight structural damage at the highest levels. The effects of construction vibration vary depending on the intensity of the construction activities, local soil type, and distance to/land use type of nearby receptors. In general, site work and demolition activities typically generate the highest levels of vibration throughout a construction project. Since potential impacts from construction would occur only during the permitted hours of construction, and would stop once construction was complete, construction related noise would be an intermittent source of noise and would only lead to a small increase in vibrations at any future proposed site and would not create vibrations large enough to impact surrounding uses. Additionally, future developments (including the proposed Project) would be required to be consistent with Palm Springs Municipal Code Section 8.04.220, which establishes hours of operation for construction activities in order to lessen the impacts of construction noise.

While cumulative projects in the city have the potential to increase off-site transportation noise, noise sensitive areas, such as residential areas and other sensitive land uses, such as schools, churches, or recreational uses, may be exposed to noise levels generated by on-road vehicles which exceed the normally or conditionally acceptable noise-compatibility criterion. However, all future development in the city, including the proposed Project, would be required to meet the City noise requirments established under its General Plan. Since the City applies the State's Community Noise and Land Use Compatibility standards when analyzing compatibility of new development with existing noise sources, it has established interior noise standards of 65 CNEL for manufacturing, warehousing, wholesale, and utility uses. There are no exterior noise standards for these uses.

Since the development of new noise sensitive land uses has the potential to exceed existing noise levels at a project site and its vicinity, future development projects would be required to conduct separate noise study through the City's development review process to determine the level of impacts and required mitigation. In addition, all future projects, including the proposed development analyzed under this DEIR,

would be required to be consistent with the City General Plan goals and policies related to noise. The proposed Project and all future projects will therefore be required to mitigate noise levels above the acceptable levels established in the General Plan.

Buildout under the City's GPU, including the proposed Project, would not therefore result in substantial increase in noise levels. Therefore, cumulative noise impacts are ***less than cumulatively considerable***.

Section 5.11 Population and Housing

The cumulative area for population and housing impacts is the city of Palm Springs, its SOI areas, and immediate neighboring jurisdictions of Desert Hot Springs, Cathedral City and Cahuilla Hills. The proposed Project would develop a currently vacant site with light industrial and office uses related to two (2) warehouse facilities. Since there are no existing housing or people at the site, no replacement of people or the need for replacement housing elsewhere in the city would be required under the proposed Project. However, although there is no housing proposed for the site, the proposed Project has the potential to generate approximately 700 new employment opportunities in the city of Palm Spring. These new additional employees may be drawn from existing city and county residents or from employees relocating to the area who may require additional housing opportunities in the city. This increase in new employment opportunities in the city has the potential to add to the city's estimated increases in population from 44,092 to 94,950, as estimated under the City's General Plan buildout scenario. SCAG forecasts estimate however, a total of approximately 61,600 people by 2045 (Southern California Associate of Governments; 2020).

Future proposed development under the City's General Plan Update has the potential to increase land use intensities within the city and its SOI. Given that population and housing impacts are typically cumulative in nature, and that residents do not always work where they live in the regional area, the general region surrounding the city, including all of Riverside County must be considered when evaluating cumulative land use impacts. Population growth is not, in itself, an environmental impact; however, the direct and indirect effects related to population growth can lead to physical environmental effects. However, the proposed Project and any future development in the city would also be consistent with the Southern California Association of Governments (SCAG) Connect SoCal/2020 Regional Transportation Plan and Sustainable Communities Strategy that reviewed long term growth potential in Riverside County as a whole. Connect SoCal estimated that population in Riverside County would increase to 606,000 persons with an estimated 338,000 employed persons, under SCAG's future growth horizon of 2050. The proposed Project would satisfy the Connect SoCal goal to support a sustainable, efficient and productive regional economic environment that would improve access to jobs in the region, as well as advancing a resilient and efficient goods movement system that supports the economic vitality of the region. Also, the City's 6th Cycle Housing Element estimates that with its existing and planned future residential development, the City would have a surplus of housing units under the City's General Plan buildout scenarios. While the GPU has the potential to increase the intensity of land uses in the city and increase the potential growth of the city, applicable GPU policies would ensure that land uses are compatible with each other and are consistent with zoning, resulting in compatible communities.

Also, the City's updated Housing Element of the City General Plan planning horizon estimated housing needs and availability in the city for the 2021 to 2029 planning period. The Housing Element estimated that there would be sufficient housing available in the city to accommodate for the City's planned growth from future project such as the proposed Project (Palm Spring by Design: General Plan 2040; 2023). In

addition, the other cities in Riverside County under SCAG's jurisdiction are required to develop 31,125 housing units by 2029. This would ensure that current and future residents of the Coachella Valley are of Riverside County, which include the city of Palm Springs, would have access to adequate housing within the city of Palm Springs, in the surrounding cities, as well as in Riverside County.

Therefore, although implementation of the proposed Project would increase density and intensity of existing land uses in the city, the Project site is planned for such growth in the General Plan and other long-term planning documents, and the proposed Project would not cause a cumulatively considerable contribution to any cumulative impacts associated with population and housing. Therefore, the cumulative impacts to population growth are ***less than cumulatively considerable***.

Section 5.12 Public Services

The cumulative area for impacts to public services and recreation is the city and its SOI areas. A "cumulative impact" typically refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental effects. For the proposed Project's cumulative impact with respect to public services, the cumulative analysis is based on the buildout of the City under its General Plan.

Implementation of the proposed Project in conjunction with other development envisioned under the City's General Plan buildout scenarios, there would be an increase in the demand for fire and police protection services over time. Therefore, all proposed projects in the city would be required to implement all applicable fire safety policies and requirements and develop appropriate fire protection plans that would require review and approval of the City's Fire Safety Marshall. Additionally, the proposed Project and future projects would also be subject to review by the fire and police departments to ensure access and other safety measures are implemented at a site, so as to ensure that all future new development does not result in significant pressure on police and fire facilities.

Any increases in the city's future population could increase the use of existing neighborhood and regional parks and recreational facilities. Since the city is committed to providing public park and recreation facilities that meet the needs of its residents, this commitment may require the city to creatively utilize its existing facilities or to enter into development agreements with neighboring jurisdictions to allow for the creation and maintenance of walkways, trails and bike facilities. The construction (or expansion of existing recreational facilities) would be subject to its own environmental review pursuant to CEQA and State law. While the potential growth at buildout would impact existing resources and services, policies in the proposed GPU would ensure that public services are funded to continue to provide services to the city.

The proposed Project is an industrial development that would allow new employment sources to primarily existing residents within the city and Riverside County. Such residents are currently utilizing city and county facilities for their school, library and other public service needs. Such public facilities currently have the capacities to also serve any new residents into the city as a result of development of the proposed Project. Although future development under all proposed projects in the city of Palm Springs may generate the need for increased school and library spaces, such future need would be assessed on a project by project basis. Therefore, the proposed Project's cumulative impacts to Public Services are ***less than cumulatively considerable.***

Section 5.13 Recreation

The cumulative setting in relation to recreational facilities for the proposed Project is the city of Palm Springs. Any increases in the city's future population could increase the use of existing neighborhood and regional parks and recreational facilities. The proposed Project is an industrial development without any residential components. However, employees at the proposed Project site would require access to parks in their residential neighborhoods. This, along with any increases in the city's future population could increase the use of existing neighborhood and regional parks and recreational facilities. within the area. Much of this growth however, has been anticipated by the city and has been factored in the City's General Plan Land Use Element through appropriate goals and policies. The City is committed to preserving its existing recreation and park facilities to that meet the needs of its residents and all development projects. The Recreation, Open Space, and Conservation Element of its General Plan provides policy direction in the maintenance and creation of recreation spaces and facilities in the city. All cumulative development in the city would be required to adhere to the General Plan policies. In addition, the construction (or expansion of existing recreational facilities) would be subject to its own environmental review pursuant to CEQA and State law such that new development would contribute to the addition of adequate park spaces and recreational facilities. This would ensure that any future growth in the number of city residents is concurrent with adequate parks and open spaces that would serve the city's growth in population. Therefore, the cumulative impact related to Recreation is ***less than cumulatively considerable.***

Section 5.14 Transportation

The cumulative area for transportation impacts is the regional transportation system. As specified in the city of Palm Springs Traffic Impact Analysis (TIA) Guidelines, cumulative impacts shall be considered less than significant if a project is consistent with the region's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), absent substantial evidence to the contrary.

The proposed Project is located within the Southern California Association of Governments (SCAG) Metropolitan Planning Organization (MPO). As specified in the City TIA Guidelines, cumulative impacts shall be considered less than significant if a project is consistent with the RTP/SCS, absent substantial evidence to the contrary. SCAG is the MPO responsible for development of Connect SoCal, the 2020-2045 RTP/SCS for the region. Based on Connect SoCal's Data/Map Book for the city of Palm Springs, the proposed Project site is zoned for Industrial use per SCAG's land use codes and is therefore consistent with the RTP/SCS.

Through the local input process, SCAG solicited input from all 197 local jurisdictions, including the City of Palm Springs, regarding current land use, socio-economic projections, sustainability and transit measures to develop the Connect SoCal plan. The information collected and used in development of the SCAG's long-range plans and environmental goals is documented in Data/Map Books for each jurisdiction. Based on review of the Data/Map Book for the City of Palm Springs, the project site is zoned for Industrial use per SCAG's land use codes and is therefore consistent with the RTP/SCS.

Since the proposed project is both consistent with the SCAG RTP/SCS, the proposed Project's cumulative transportation impacts are considered to be ***less than cumulatively considerable,*** based on the City-established thresholds for cumulative conditions.

Section 5.15 Tribal Cultural Resources

The cumulative area for impacts to tribal resources is the city of Palm Springs and its SOI, as well as surrounding jurisdictions in Riverside County. Therefore, the areas surrounding the proposed Project site and the surrounding areas of the County must be considered for the purpose of evaluating land use conversion issues associated with tribal resources on a cumulative level. The jurisdictional boundaries of the city form the geographic context in which to analyze cumulative impacts to such resources. Impacts would be cumulative if the project, in combination with cumulative development, contributed to the permanent loss of TCRs on a regional scale.

Development in the city and its SOI under the City's General Plan buildout, including the proposed Project site, has the potential to impact Tribal Cultural Resources within the city and surrounding areas of Riverside County. However, as with the proposed Project, all future development projects within the city and surrounding area would also be subject to CEQA review and the same standard requirements, mitigation measures (as applicable), and compliance with federal and State law as well as appliable policies within the city of Palm Springs General Plan. The proposed Project would also be required to comply with mitigation measures **CUL-1, CUL-2, CUL-3,** and **CUL-4** that would be implemented under the proposed Project in order to reduce impacts and preserve tribal cultural resources across this portion of the Coachella Valley region. in order to Although continued development has the potential to cumulatively impact these resources, the continued application of the City's General Plan policies as well as requirements under federal and State law applicable to tribal resources, would result in the proposed Project's cumulative impacts related to tribal resources to be ***less than cumulatively considerable.***

Section 5.16 Utilities and Service Systems

Under buildout conditions under the City's General Plan, additional development allowed by the proposed GPU would increase demand for water, wastewater conveyance, solid waste disposal, energy and telecommunications facilities.

Water Supply

Buildout under the City's General Plan has the potential to result in cumulatively significant impacts to water supplies and infrastructure. However, all current and future development in the city would be required to implement short-term and long-term water conservation efforts, as well as project approvals under the City's and MSWD and DWA regulations.

The water Districts have adopted a water conservation master plan and water efficient landscaping guidelines, which identify several guidelines for more efficient water use practices, such as, but not limited to, efficient landscaping guidelines, efficient landscaping requirements for new development, xeriscape gardens, efficient landscaping incentives, updated water shortage ordinance, a tiered rate structure, drought surcharge, and rebates for water efficient plumbing fixtures. As discussed under Section 4.16 Utilities and Services Systems, based on current and predicted water usage under different types of projects (residential versus commercial versus industrial, etc) the Districts have sufficient amounts of water to serve the city under the proposed Project and as well as future development for the next 20-years.

Therefore, the proposed Project's cumulative impacts related to water usage would be ***less than cumulatively considerable.***

Wastewater

The proposed Project in conjunction with all future development in the city would result in an increase to wastewater flows. Therefore MSWD has undertaken the construction of the MSWD Regional Water Reclamation Facility (RWRF) to meet increasing wastewater demand in the city and its SOI areas. The new facility will treat an additional 1.5 million gallons of wastewater per day. The regional plant and conveyance line projects are expected to lessen flows to the District's Wastewater Treatment Plants and thereby extend the operational life of thee facilities. This, in turn would support future growth in MSWD's service area.

Therefore, the proposed Project's cumulative impacts related to wastewater would be ***less than cumulatively considerable***

Solid Waste

Buildout under the City's General Plan, including development at the proposed Project site, would result in the construction and operation of various residential, office, mixed-use, commercial, and industrial uses which have the potential to result in the increase of solid waste generation in the city. As discussed under the Public Utilities section of this DEIR, the city is primarily serviced by the Lambs Canyon Landfill which has the current capacity and the potential for expansion in order to service solid waste needs in the city. Future development projects in the city would be required to be consistent with all existing waste reduction mandates to reduce the waste stream by 75%. In addition, all future development projects in the city would be required to conform with the City's Municipal Code as well as applicable policies in the City's General Plan with regard to the disposal of solid waste.

Therefore, the proposed Project's cumulative impacts related to solid waste would be l***ess than cumulatively considerable.***

Electricity

Southern California Edison (SCE) is the electricity provider in the city of Palm Springs and its SOI areas. Buildout under the city's General Plan, including the proposed Project, as well as additional forecasted growth in SCE's service area would cumulatively increase the demand for electricity supplies and infrastructure capacity. SCE's planning area consumed approximately 3,959.5 GWh of electricity in 2020. However, the proposed project, and other future development projects in the city would be required to be consistent with all applicable California Energy Code, CALGreen and State energy standards under Title 24, and incorporate energy design features. Site specific but increased efficiency measure in project design would be required to be incorporated by the proposed project as well as all cumulative projects developed within SCE's service area. In addition, the proposed Project and all future development in the city would be required to be consist with the city's Municipal Code and the appropriate goals and policies under the City's General Plan.

Therefore, the proposed Project's cumulative impacts related to of the expansion of facilities to provide electricity would be ***less than cumulatively considerable***.

Natural Gas

SoCal Gas is the natural gas provider in the city and its SOI areas and SoCal Gas has estimated that total gas demand in its service area would decline at an annual rate of 1 percent between 2020-2035. Although buildout of the city has the potential to result in additional natural gas demand, SoCalGas has adequate

policies and programs in place to ensure the provision of energy to its service area for the foreseeable future. In addition, the proposed Project, as well as future development projects in the city would be required to be consistent with applicable General Plan policies and to undertake the assessment of appropriate levels of project needs for natural gas.

Therefore, the impacts related to natural gas from cumulative projects in the city would be ***less than cumulatively considerable.***

Telecommunications

Frontier's and Charter Communications' currently serve the city of Palm Springs and its SOI area for all telecommunications services, and the proposed Project, as well as all future development in the city, would result in increased demand for such services. The proposed Project, as well as all future development in the city, would result in increased demand for telecommunication services. Although infrastructure related to telecommunications exist in the city, future development may require additional connection line and related infrastructure upgrades. However, all future improvements to telecommunication infrastructure would be required to be consistent with all applicable City General Plan polices and required design review and approval plans by the city, nearby jurisdictions, and the appropriate regulatory agencies and utility providers.

Therefore, the cumulative impacts to telecommunication would be ***less than cumulatively considerable***.

Section 5.17 Wildfires

The cumulative area for wildfire impacts is the proposed Project site as well as the city and its SOI areas, and surrounding development within cities of Desert Hot Springs, Cathedral City and Cahuilla Hills, all of which share their southern and western boundaries with the city of Palm Springs.

Development projects have the potential to be cumulatively considerable, when evaluated in the context of other past, present, or reasonably foreseeable projects that make a cumulative contribution to impacts. By its very nature wildfires are cumulative in impact.

Although the majority of the areas in the city are not located in a VHFSHA, HFSHA, or MFSHA under SRA or VHFSHA under LRA, there are some areas in the southern and southeastern portions of the city that are VHFSHA under LRA and SRA. Also, according to the City's Palm Springs by Design – General Plan 2040, portions of the city are located within a Wildfire Influence Zone, Such areas would be more prone to wildland fires due to the area's climate and topography. Factors for assessing existing wildfire risk include drought, slope steepness, wind speeds, flammability of vegetation, and burn history and severity (length of time from last fire and location of last proximate fire). However, even in such areas efforts can be made to prevent ignitions and limit wildfire loss by limiting vast areas of landscaping, using more impervious surfaces and fire resistant building materials, and creating defensible spaces so as to limit the spread of fire and reduce the risk to people and property.

As with the proposed Project, all future development in the city and its SOI would be subject to local and regional restrictions on use or operation during high fire-risk conditions (e.g., open fires or barbeques, use of landscaping equipment that could cause sparks). The proposed as well as all cumulative development projects in the city would also be required to follow all applicable California Building Code (CBC) regulations governing fire protection, State Fire Codes, and all City of Palm Springs EOP and fire safety regulations during construction and operation, including the development and utilization of a circulation plan with sufficient emergency access routes. Future projects would also be required to adhere to

applicable Safety policies under the City's Palm Springs General Plan 2040, in relation to construction activities, emergency vehicle access to a site, as well as the development of a project and site specific emergency response plan or evacuation plan. All proposed buildings on a site would be required to having all the buildings being equipped with fire-sprinklers and other fire safety equipment, thereby reducing risks associated with creation and spreading of fire, that has the potential to exposes site occupants to the pollutant concentrations of a wildfire. Additionally, all building design, adherence to fire safety standards, and use of fire suppressant mechanisms at a site as well as use of defensible space and routine fire safety maintenance at a site, would be required to be reviewed by the RCFD as well as the City's Fire Chief.

Therefore, the proposed Project would have a ***less than cumulatively considerable*** impact on wildfire.

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6.0 OTHER CEQA REQUIRED DISCUSSIONS

This Chapter of the First Palm Springs Commerce Center Draft Environmental Impact Report (Draft EIR; DEIR) addresses the additional environmental considerations and topics mandated under the State CEQA Guidelines that are not included in other chapters. These topics include growth-inducing impacts (per Section §15126.2),significant unavoidable impacts, significant irreversible impacts (per Section§ 21100 (b)(2)), and effects not found to have potentially significant impacts (per Section §15000).

6.1 GROWTH INDUCING IMPACTS

State CEQA Guidelines Section §15126.2(e), Growth Inducing Impact of the Proposed Project, requires that an EIR discuss the ways in which the proposed project could foster economic or population growth; remove obstacles to growth; require the construction of new or expanded facilities such that could cause significant environmental effects; or, encourage and facilitate other activities that may affect the environment. However, the CEQA Guidelines do not require an EIR to predict or speculate specifically where such growth would occur, in what form it would occur, or when it would occur. The CEQA Guidelines also do not provide specific criteria for evaluating growth inducement, but they do indicate that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. Growth inducement cannot generally be quantified but is instead evaluated as either occurring or not occurring with implementation of a project. The identification of growth-inducing impacts is largely informational, and mitigation of growth inducement is not required under CEQA.

6.2 COMPONENTS OF GROWTH

The timing, magnitude, and location of land development and population growth in a community or region are based on various interrelated land use and economic variables. Typical main variables include regional economic trends, market demand for residential and non-residential uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions. Since a community's general plan defines the location, type, and intensity of growth, it is the primary means of regulating development and growth in California.

A project can have direct and/or indirect growth inducement potential. Direct growth inducement could result if a project, for example, involved construction of new housing. A project could have indirect growth inducement potential if it established substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it could involve a construction effort with substantial short-term employment opportunities that could indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, a project could indirectly induce growth if it could remove an obstacle to additional growth and development, such as removing a constraint on a required public service. A project providing an increased water supply in an area where water service historically limited growth could also be considered growth inducing.

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant

and animal habitat, and conversion of agricultural and open space land to developed uses. Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the jurisdiction that is affected by the project.

6.3 SECONDARY EFFECTS OF GROWTH

In general terms, a project may foster spatial, economic, or population growth in a geographic area, if it meets any one of the following criteria:

1. **Does the Project directly or indirectly foster economic or population growth, or the construction of additional housing?**

Growth-inducing potential of the proposed Project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in a jurisdiction's General Plan, master plans, land use plans, or in projections made by regional planning agencies, such as the Southern California Council of Government (SCAG).

According to the Coachella Valley Economic Partnership (CVEP), unemployment in the greater Coachella Valley ranges from 5.5% in the city of Palm Springs to about 11.5% in other cities and towns in the Coachella Valley (CVEP Economic Report; 2023). The proposed Project would contribute to the economic and population growth in the City of Palm Springs and the surrounding areas and would require the need for temporary construction workers and between 700 and 725 operational employees. However, the growth would not be unexpected or constitute substantial unplanned growth. The proposed Project is anticipated to add approximately between 700 and 725 jobs within the city of Palm Springs. According to SCAG's Local Profiles reports, a greater percentage of Coachella Valley Residents commute to work outside their cities of residence While the proposed Project would contribute to employment growth through the development at the site, projected increases in employment from the proposed Project are well within SCAG's 2020-2045 RTP/SCS projected increases for Riverside County and its jurisdictions.

The proposed Project may cause an indirect economic growth as it would generate revenue to the City through taxes generated by the development. Additionally, employees (short-term construction and long-term operational employees) at the site would purchase goods and services in the region, but any secondary increase in employment growth associated with meeting these incremental demands would be marginal, as these goods and services could be accommodated by existing providers. The proposed Project is highly unlikely to result in any new or additional physical impacts to the environment based on the amount of existing and planned future commercial and retail services, which would serve site employees and their families, available in areas near the site and in city or in Riverside County. Therefore, it is highly unlikely that additional commercial or retail services would be required to meet demands for goods and services from employees under the proposed Project.

In addition, the proposed Project would create jobs that a majority of which could potentially be filled by residents of city of Palm Springs and the surrounding unincorporated Riverside County areas. Employees would live in housing either already built or are planned for development in the city and surrounding areas or in unincorporated Riverside County. Since it is anticipated that most of the future employees from industrial and office development at the current site would already be living in the greater Riverside County area, the proposed Project's introduction of employment opportunities would not induce substantial growth in the region and would not cause the need for additional housing.

The proposed Project would implement economic activity that would result in an improvement in the jobs-household ratio by providing employment within the city. As discussed in *Section 4.11: Pouplation and Housing* of this DEIR, the City is currently at an approximate 45.7% employment. The proposed Project would provide additional employment opportunities in the city as well as in Riverside County. In addition, the location of the new employment opportunities would be easily accessible from Interstate 10 and would also accommodate employees in surrounding areas. It is estimated that most of the new jobs that would be created by the proposed Project would be positions that do not require a specialized workforce, and this type of workforce exists in the city and surrounding communities in Riverside County. In addition, the proposed Project would offer space for new warehouse and distribution companies and therefore the proposed Project would not result in the influx of new labor to serve the increased economic activities.

2. Does the Project remove obstacles to population growth?

The elimination of a physical obstacle to growth is considered to be a growth inducing impact. A physical obstacle to growth typically involves the lack of public service infrastructure. The proposed Project would induce growth if it would provide public services or infrastructure with excess capacity to serve lands that would otherwise not be developable.

As described in Section 3.0, Project Description, the proposed Project includes some internal roadway improvements to accommodate the safe passage and turning movements of the vehicles that would access the site. However, the proposed Project does not propose roadway extensions into new undeveloped areas that would allow for additional growth and development. The proposed Project would also require the installation of new potable water lines, irrigation lines, sewer lines, and stormwater drainage facilities on the site that would connect to surrounding, existing infrastructure in order to accommodate the demands at the currently undeveloped site. The proposed Project would not expand water or sewer services into other unplanned areas within the city or its Sphere of Influence. The proposed infrastructure improvements would be designed to serve only the demands of the proposed Project and therefore it would not result in significant growth inducing impacts.

3. Does the proposed Project require the construction of new or expanded facilities that could cause significant environmental effects?

Growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services that requires the construction of new public service facilities, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. The proposed Project would slightly increase the demand for fire protection and emergency response and police protection. However, as described in Section 4.12, Public Services, the proposed Project would not require development of additional facilities or expansion of existing facilities to maintain existing levels of service for public services. Based on service ratios and build out projections, the proposed Project would not create a demand for services beyond the capacity of existing facilities. Therefore, the proposed Project would not have significant growth inducing consequences that would require the need to expand public services to maintain desired levels of service.

4. Does the Project encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively?

Similar to the surrounding cities and unincorporated areas in Riverside County, the city of Plan Springs is in the process of developing large areas of undeveloped land or the development of additional residential and expansion of multiple industrial and commercial developments. Development of the proposed Project site may place further development pressure on areas to the north, west, east, and south, which are currently developed with some residential and commercial uses, large areas of vacant and underdeveloped land, or are being utilized for agricultural or light industrial uses. However, the site has been long planned for industrial/office uses by the City's General Plan and the proposed infrastructure on site would only be sized to serve the proposed Project and would not have capacity to serve additional development projects in the area. The proposed Project would not therefore, individually or cumulatively encourage or facilitate substantial growth.

Based on the foregoing analysis, although the proposed Project would not directly or indirectly result in substantial, adverse growth-inducing impacts, the increases to the overall employment and housing bases in the city and its SOI will help accommodate any future growth in the city as well as surrounding jurisdictions and unincorporated areas of Riverside County.

6.4 EFFECTS NOT FOUND TO HAVE POTENTIALLY SIGNIFICANT IMPACTS

State CEQA Guidelines (14 Cal Code Regs, Section §15000, et. seq.) require that an environmental impact report provide a brief explanation as to why various possible significant impacts were determined to be not significant. The significance of an impact is evaluated in relation to the significance criteria under each section of Chapter 4 of this DEIR. The following therefore are impacts that, either do not exist or have no significant adverse impact on the environment for the proposed project. A summary of all impacts is provided in the Executive Summary of this EIR. The following issues were not included in the detailed analysis of the proposed Project because these resources either do not exist or are not impacted by the proposed Project and therefore have been determined to have no potential impacts related to the proposed Project, and were therefore eliminated from further assessment under this DEIR.

6.5 AGRICULTURAL RESOURCES

Agricultural Resources are typically classified as (Department of Conservation; accessed 2024):

- *Prime Farmland*: Prime Farmland is land that is primarily utilized for the production of crops. It has the soil quality, growing season, and moisture needed to produce high yields of crops. Prime Farmland does not include publicly owned lands for which there is an adopted policy preventing agricultural use.
- *Farmland of Statewide Importance:* This is land other than Prime Farmland that has a combination of physical and chemical characteristics for the production of crops. Although similar to Prime Farmland, this classification of agricultural resources may also include land with greater slopes and less ability to capture and retain moisture. It is land that has been used for the production of irrigated crops at some time but does not include publicly owned lands for which there is an adopted policy preventing agricultural use.
- *Unique Farmlands:* Unique Farmland is land that does not meet the criteria for Prime Farmland or Farmland of Statewide Importance and that has been used for the production of specific flowers and fruits, at some time since these areas have the special combination of soil quality,

location, growing season, and moisture supply needed to produce high yields of a specific crops when treated and managed according to current farming methods.

- *Farmland of Local Importance:* Farmland of Local Importance is either currently producing crops, has the capability of production of crops and livestock. Farmland of Local Importance is land important to the local agricultural economy, as determined by each county in the State. The County of Riverside defines Farmland of Local Importance in Riverside County as: farmlands that lack available irrigation water; lands used for the production of dryland crops such as barley, oats, and wheat; farmlands that produce major crops such as summer squash, okra, eggplant, radishes, and watermelons on irrigated lands; dairylands, including corrals, pasture, milking facilities, hay, and manure storage areas.
- *Grazing Land*: Grazing Land are areas with existing vegetation, whether grown naturally or through management, that are suitable for grazing or browsing of livestock.
- *Urban and Built-up Land*: Urban and Built-up Land is land typically used for residential, industrial, commercial, construction, institutional, or public services and utilities such as, but not limited to cemeteries, airports, golf courses, landfills, sewage treatment plants, highways, railroads, and other transportation facilities.
- *Other Land*: Land not included in any of the other mapping categories such as rural residential, livestock, brush, timber, wetland, riparian areas and water bodies smaller than 40 ac.
- *Water*: Water areas with an extent of at least 40 ac.
- *Land Committed to Nonagricultural Use*: This typically represents existing farmland and grazing land and vacant areas that may be utilized for urban development, permanent infrastructure installation, expansion of public utilities and so on.

Agriculture is an important economic generator for the State of California, which is one of the leading agriculture producing states in the country. Riverside County is the leading agriculture producing county in southern California. The County's General Plan estimated approximately 1.9 million acres of farmland in Riverside County, and in 2020, there were 214,915 acres of agricultural use, excluding ranching, in the County. In 2015, the County had approximately 132,183 acres of Prime Farmland, 42,096 acres of Farmland of Statewide Importance, and 37,726 acres of Unique Farmland (Riverside County General Plan, 2015a). The agricultural sector continues to be a major source of employment and production of crops and livestock in the County.

The proposed Project site is classified as "Other Land" by the California Farmland Mapping and Monitoring Program (FMMP) (CA Department of Conservation; 2022). Other Land is defined as land not included in any other mapping category (i.e., Prime Farmland, Farmland of Statewide or Local Importance, Unique Farmland, or Urban and Built-Up Land). Surrounding areas which include vacant land residential, and some light commercial uses to the north, industrial, light commercial, and vacant lands to the east and south, vacant lands to the west, and are all similarly designated as Other Land under the FMMP classifications for agriculture. There are no agricultural lands, Williamson Act Contracts (WACs), timberland or forestlands around the site or within the city of Palm Springs. The proposed Project site is designated as Industrial with Wind Energy Overlay, under the City's General Plan, and is zoned for M-2: Manufacturing uses. Therefore implementation of the proposed Project would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance, or lands under WACs to nonagricultural uses; therefore there would be no impact. The proposed Project would not result in the loss of conversion of forest land or timberland to non-forest uses and there would be no impact.

6.6 LAND USE AND PLANNING

The proposed Project site had used utilized as a wind farm but is currently undeveloped and vacant. The site is designated as Industrial with Wind Energy Overlay, under the City's General Plan, and is zoned for M-2: Manufacturing uses. Land uses to the north include commercial and residential uses as well as vacant properties to the north, a business park, industrial uses and vacant land to the east, industrial, light commercial, and vacant lands to the south, and primarily vacant land and some wind farm facilities to the west. There are no established communities on the site; therefore, the proposed Project would have no impact.

The site is designated as Industrial with a Wind Energy Overlay (WEO) under the City's General Plan and is zoned for M2-Light Industrial, under the City's Zoning Code. Such designations allow for uses related to clean energy and wind farms, business parks, industrial uses, light manufacturing, commercial and office uses. The proposed Project would be required to comply with all City regulations and permits as well as applicable General Plan policies; therefore, implementation of the proposed Project would have no impact.

6.7 MINERAL RESOURCES

The California Department of Conservation Reclamation Surface Mining and Reclamation Act of 1975 (Section 2710), also known as SMARA, provides a comprehensive surface mining and reclamation policy that permits the continued mining of minerals, as well as the protection and subsequent beneficial use of the mined and reclaimed land. The purpose of SMARA is to ensure that adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition and readily adaptable for alternative land uses. As such, the California Geological Survey and the State Mining and Geology Board are the state agencies responsible for the classification and designation of areas containing, or potentially containing, significant mineral resources. Areas known as Mineral Resource Zones (MRZs) are classified based on geologic factors, without regard to existing land use and land ownership. The areas are categorized into four general classifications (MRZ-1 through MRZ-4) and are defined as follows:

- MRZ-1 Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2 Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- MRZ-3 Areas containing mineral deposits, the significance of which cannot be evaluated from available data.
- MRZ-4 Areas where available data is inadequate for assignment to any other MRZ.

Local agencies, including the City of Palm Springs, utilize the existing information on mineral classifications for land use and plan development and decision-making.
According to the Palm Springs General Plan the project and its surroundings are located within Mineral Resource Zone 3 (MRZ-3), which applies to areas containing mineral deposits where the significance cannot be evaluated from available data. Although mineral resources that are known to exist in the city, these resources primarily consist of sand and gravel, typically found near water bodies in the city, typically deposited along and near local drainages.

The proposed Project site is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, City of Palm Springs General Plan or the resource maps prepared pursuant to

SMARA. The proposed Project is located in an industrial and vacant area of the City, surrounded by other manufacturing/commercial development which is incompatible with mining operations; therefore, proposed Project implementation would not result in the loss of any known mineral resources that are considered important to the area or residents of California.

6.8 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

The CEQA Guidelines §15126, subd. (c), §15126.2, subd. (c), and §15127, that require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the proposed Project be implemented. Therefore, under CEQA Guidelines §15127, the topic of ***Significant Irreversible Environmental Changes*** need be addressed in EIRs prepared in connection with any of the following activities:

- The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;
- The adoption by a local agency formation commission of a resolution making determinations; or
- A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347.

As such, this Draft EIR analysis addresses significant irreversible environmental changes which could be involved in the proposed action should it be implemented [Guidelines, Sections §15126(e) and §15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in
- wasteful use of energy).

With regard to the above considerations, implementation of the proposed Project would allow for construction activities that will entail the commitment of nonrenewable and/or renewable energy resources (such as natural gas and electricity), human resources, and natural resources (such as lumber and other forest products, sand and gravel, asphalt, steel, and other metals, and water). Increased motor vehicle and truck traffic in the city would be accompanied by increased consumption of petroleum products. An increased commitment of public and infrastructure services (e.g., police, fire and water services) will also be required. Such increases in energy and social-services commitments would be permanent long-term obligations, since it would be impossible to return land to its original condition once it has been developed. Although the proposed Project site and majority of the surrounding areas are vacant and undeveloped, the proposed Project has the potential to result in long-term intensification of development and therefore some modification to the current built environment of the city of Palm Springs.

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7.0 ALTERNATIVES

As required by Section §15126.6 of the California Environmental Quality Act (CEQA) Guidelines, this chapter of the Draft Environmental Impact Report (Draft EIR; DEIR) examines the environmental effects of a range of reasonable alternatives to the proposed Project.

In determining what alternatives should be considered in the EIR, it is important to consider the objectives of the project, the project's significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in CEQA Guidelines Section §15126.6(a).

The CEQA Guidelines state that "…a project need not analyze every conceivable alternative to a project. Rather, the EIR should only focus on a reasonable range of feasible alternatives to a proposed project that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects, and those that will foster informed decision making and public participation (CEQA Guidelines Section §15126.6[b]). According to CEQA Guidelines, an EIR must "set forth only those alternatives necessary to permit a reasoned choice." (CEQA Guidelines, Section §15126.6[f]). The CEQA Guidelines therefore provide a definition for a "range of reasonable alternatives". The range of alternatives for a project "…shall include those that could feasibly accomplish most of the objectives…" of the proposed Project, while avoiding or lessening one or more of the significant environmental effects of the proposed Project (CEQA Guidelines Section §15126.6(a).

> "…a range of reasonable alternative to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR is not required to consider alternatives that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."

The range of alternatives therefore may vary by project type since CEQA requires the selection of the range alternatives to be governed by a "rule of reason" such that the Lead Agency decision makers can make a rational choice based upon sufficient information about each alternative to allow for a meaningful comparison to the proposed Project. Analysis of all alternatives considered for a project should take into account the *feasibility of undertaking each alternative* as well as *potential alternative locations for the project* that would avoid or substantially lessen any of the significant impacts of the project (CEQA Guidelines Section §15126.6(f)[1][2]).

In defining "*feasibility*" (e.g., feasibly attain most of the basic objectives of the project), CEQA Guidelines state, in part: "…Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives" (CEQA Guidelines Section §15126.6(f)[1]).

In determining "*alternative locations*", the alternatives analysis is required to factor in whether feasible alternative locations for the project do exist, and if locating the project to alternative location(s) would negate or minimize the significant effects of the proposed project. If the Lead Agency determines that no feasible alternative locations exist for the project, then the EIR should disclose the reasons for this conclusion. In addition, if a previously approved EIR has sufficiently analyzed a range of feasible alternative location(s) for similar types of projects, then the proposed project EIR may rely on the previous CEQA document(s) to determine the feasibility of all of the project's proposed alternatives (CEQA Guidelines Section §15126.6(f)[2]).

The CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines Section §15126.6[d]). Although the alternatives discussion should not be remote and speculative, it does not require the discussion to be presented in the same level of detail as the evaluation of environmental impacts from the proposed project. CEQA Guidelines Section 15126.6(b) further states the purpose of the alternatives analysis is as follows:

> "Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section §21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly."

The CEQA Guidelines further require that the "no project" alternative be considered (CEQA Guidelines Section §15126.6(e)). The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project. The No Project Alternative is required to discuss existing conditions at the project site at the time the project Notice of Preparation (NOP) is published. Should the proposed project be a revision to an existing land use plan, regulatory policies and plans, or ongoing operations, then the No Project Alternative would constitute a furtherance of existing plans, policies or operations. Therefore proposed project impacts should be evaluated in comparison to impacts that would occur under the existing land use plans, regulatory policies and plans, or ongoing operations. For any other type of project, the No Project Alternative is the alternative under which the proposed project does not proceed and the project site remains in its existing conditions. The EIR should then analyze impacts to the existing undeveloped site in comparison to development at the site under the proposed project (CEQA Guidelines Section §15126.6(e)(3)[A}[B]). If the Lead Agency concludes that the No Project Alternative is the environmentally superior alternative, then the EIR is also required to identify an environmentally superior alternative among the other remaining alternatives for that project (CEQA Guidelines Section §15126.6(e)[1][2]).

7.1 PROPOSED PROJECT OBJECTIVES

As described in Chapter ***1.0: Introduction***, the following objectives have been established for the proposed Project and will aid decision makers in their review of potential environmental impacts associated with the proposed Project in relation to evaluated Alternatives.

- Provide development of an underutilized site consistent with the goals and policies of the Palm Springs 2007 General Plan.
- Develop a state-of-the-art fulfillment center in an Industrial zone (with Wind Overlay) within the city of Palm Springs that is consistent with the goals and policies of the Palm Springs 2007 General Plan.
- Create new employment opportunities particularly within the city of Palm Springs Industrial and Regional Business Center land use zones.
- Develop industrial uses near existing roadways and freeways to reduce potential impacts related to traffic congestion, air and greenhouse gas emissions and noise
- Establish new development that would further the City's near-term and long-range fiscal goals.

7.2 ALTERNATIVES CONSIDERED BUT REJECTED

Based on the NOP, the City has determined that the preparation of a Project level EIR was appropriate, due to potentially significant environmental impacts that could result from implementing the proposed Project. This Draft EIR evaluates the existing environmental resources on site and its vicinity, analyzes potential impacts on those resources due to the proposed Project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts.

As described above, CEQA Guidelines Section §15126.6(c) provides that the range of potential alternatives for the project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Alternatives that fail to meet the fundamental project purpose need not be addressed in detail in an EIR.

An EIR is also required to identify any alternatives that were considered by the lead agency but were rejected during the planning or scoping process, and briefly explain the reasons underlying the lead agency's determination. The following alternatives were considered by the City and project applicant but are not evaluated further in this EIR, for the reasons discussed below:

- **Alternate Site Location**: The proposed fulfillment center is compliant with the General Plan existing land use (Industrial with Wind Energy Overlay) and zoning designations (M-2 Manufacturing Zone) established by the City of Palm Springs. The proposed Project location, with surrounding commercial and industrial uses and proximity to I-10 is appropriate for the proposed uses at the site. Although similar vacant parcels zoned for industrial development exist within the city, particularly surrounding the proposed Project site, the Project applicant does not own or control uses at these sites. Other vacant parcels located in the northern portion of the city with similar access to I-10, are zoned M-1P: Planned Research and Development Park, a zoning category would not allow for heavy industrial uses such as those under the proposed Project. Those parcels are also surrounded by land designated for Open Space – Mountain that allows for one (1) dwelling unit (DU) per 40 acres, or as Desert that allows for one (1) DU for 10 per acre. Such parcels are also located in a largely vacant portion of the city with development limited to gas stations along the I-10 interchanges. Similar vacant parcels in the city that would be consistent with the Industrial designation under the City General Plan are limited to vacant parcels in the central and core city areas and surrounding the Palm Springs Internation Airport. Although a number of these parcels are zoned M-1: Service/Manufacturing or M-1P: Planned Research and Development Park. Although other parcels in this area of the city are zoned M1 IL: Service/Manufacturing on Indian Land, these areas are under the jurisdiction of the local Tribal uses.

Moreover, this alternative would not meet the proposed Project objectives of: developing a state-of-the-art fulfillment center in an Industrial zone (with Wind Overlay), creating new employment opportunities particularly within the city of Palm Springs Industrial and Regional Business Center land use zones. Therefore, the relocation of the proposed Project to an alternate site in the city was not considered a feasible alternative and was not evaluated further in this DEIR.

- **Energy Use Alternative:** Since the proposed Project site is designated as Industrial with Wind Energy Overlay under the City's General Plan (City of Palm Springs 2007 General Plan; 2007), development of the proposed Project site with a wind energy system, or a solar farm, or a Battery Energy Storage System (BESS) facility were also considered but rejected as feasible alternatives. Compared to the proposed Project, this alternative has the potential to result in less impacts in relation to Aesthetics, Air Quality, Hydrology, Noise, Public Services, Traffic, and Utilities, since energy projects typically do not have onsite buildings or employees. This alternative would result in impacts equal to that of the proposed Project under the areas of Cultural Resources, Geology and Soils, Hazards, Hydrology, Tribal Resources, Population/Housing, Recreation, and Wildfire. However, potential impacts to Biological Resources and Energy could potentially be greater than those under the proposed Project with effects on the safety and flight paths of birds, especially those of migratory species, as well as the increased use of electricity and natural gas.

  However, this alternative was rejected because this alternative would not meet the proposed Project objectives of developing a state-of-the-art fulfillment center in an Industrial zone (with Wind Overlay) within the city of Palm Springs; creating new employment opportunities particularly within the city of Palm Springs Industrial and Regional Business Center land use zones; developing industrial uses near existing roadways and freeways to reduce potential impacts related to traffic congestion, air and greenhouse gas emissions and noise. Therefore, the development of the proposed Project site as an energy use project was not considered a viable alternative and was not evaluated further in this DEIR.

7.3 ALTERNATIVES UNDER CONSIDERATION

The City of Palm Springs, in its role as lead agency, has determined that the alternatives analyzed in this chapter of the EIR represent a reasonable range of alternatives to the proposed Project. This analysis is guided by the following overarching considerations set forth under CEQA Guidelines:

- An EIR need not consider every conceivable alternative to a project
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process
- Reasons for rejecting an alternative include:
  - Failure to meet most of the basic project objectives
  - Infeasibility
  - Inability to avoid significant environmental effects

Therefore, an analysis of four (4) alternatives to the proposed Project is provided to allow the City decision-makers to consider the proposed Project in light of hypothetical alternative development scenarios, thereby promoting CEQA's purpose as an information disclosure statute. These Alternatives have been developed to provide a reasonable range of options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project. The following alternatives are evaluated in this EIR:

- ***Alternative #1***: No Project Alternative – the proposed Project site will be retained in its current vacant and undeveloped condition,
- ***Alternative #2***: Industrial Business Park Alternative – the proposed Project site was analyzed under this Alternative that assumes a mix of industrial, small business and office spaces, vehicle storage and rental facilities, as well as distribution centers. Alternative 2 would provide employment for 604 employees at the site. It would also provide four (4) warehouse storage facilities at a size of 155,000 square feet (sqft) each, two (2) vehicle storage and rental facilities with each facility averaging 28,000 sqft in size, two (2) manufacturing buildings (26,000 sqft each), two (2) wholesale warehouse structures at 275,000 sqft each, and six (6) small business spaces each averaging 4,500 sqft, in size. This Alternative would account for approximately 946 total parking spaces including 574 personal vehicle parking and 30 handicap parking spaces, as well as 24 bicycle parking spaces, 176 trailer parking stalls, and 134 truck dock positions.
- ***Alternative #3:*** Reduced Intensity Alternative – under this Alternative, the proposed Project would develop the site with a reduced intensity industrial project that would reduce both building sizes by 50 percent. Building 1 would be at a maximum size of 758,090 sqft, while Building 2 would be at a maximum size of 194,265 sqft. Alternative #3 would reduce the number of employees on the site to approximately 350 employees, thereby reducing vehicular trip traffic. This Alternative would also account for 338 car parking spaces and 12 handicap parking spaces, as well as 17 spaces for bicycle parking, 270 trailer parking stalls, and 152 truck dock positions, for a total of 803 onsite parking spaces.
- ***Alternative #4***: Distribution Warehouse Alternative – the proposed Project site would be developed with one (1) large distribution warehouse, at an estimated total square footage of 1,904,704 sqft, to store and distribute goods to wholesalers and retailers. Under this Alternative, total building footprint would remain the same as that for the proposed Project, but the total number of employees needed at the site would be reduced to 250 employees, requiring 240 vehicle parking and 10 handicap parking spaces and only 10 bicycle parking spaces to be provided at the site. Under Alternative 4 the total trailer stalls and dock positions would remain the same as that for Alternative 3, with 267 stalls for trailer parking and 152 truck dock positions, for a total of 607 parking spaces at the site.

7.3.1 Alternative 1: No Project

CEQA, through case law, requires that the "no project" alternatives be evaluated so as to allow the Lead Agency to compare the potential impacts of approving the project versus not approving it. Under State CEQA Guidelines §15126.6(e)(2), "the No Project Alternative shall discuss the existing conditions at the time the notice of preparation is published…as well as what would be reasonably expected to occur in the

foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services."

The No Project analysis discusses both the existing conditions at the time the Notice of Preparation (NOP) for the proposed Project was published, as well as what would be reasonably expected to occur in the foreseeable future if the proposed Project was not approved. This Alternative assumes that the proposed Project are not constructed and that the current site would remain vacant and undeveloped. The No Project Alternative would not fulfill any of the project objectives. Therefore, under Alternative 1, the proposed Project site would remain an approximate 91.97 acre vacant parcel of land.

Impact Analysis

a. Aesthetics

Under the proposed Project the currently vacant site would be developed with two (2) large fulfillment center warehouses, the development of which has the potential to block current views of the surrounding vistas and therefore affect scenic vistas and would degrade the existing visual character of public views of the site. The proposed Project would also introduce new sources of light and glare on the site and its surroundings. However, due to the site's location and its environs within a primarily undeveloped area of the city, impacts to aesthetic resources under the proposed Project were determined to be less than significant.

Under the No Project Alternative, the visual quality on the site would remain the same as a currently vacant parcel of disturbed ground and soil with minimal vegetation.

Scenic views of the surrounding mountains from the interior of the proposed Project site, as well as from the boundaries of the site which include N Indian Canyon Avenue to the east, 19th Avenue to the south, and 18th Avenue to the north, would remain the same as under current conditions; therefore, there would be no impacts to scenic views under Alternative 1.

The currently vacant site has been in historic use as a wind farm and therefore has no buildings or trees on site. Sparse vegetation is located across site, with small scrub and low desert grass. The visual character of the existing site is that of an undeveloped parcel of land as seen from N Indian Canyon Avenue, 18th Avenue or 19th Avenue. SR 62 located approximately over three (3) miles to the west of the proposed Project site, is a designated State Scenic Highway under the California Department of Transportation (Caltrans) state scenic highways (California State Scenic Highway Map; 2023). Since there are large portions of undeveloped land, with some windmills between the proposed Project site and SR 62, existing views of vehicles on this highway are therefore distant and interrupted from the site. Similarly, there are no clear views from SR 62 into the proposed Project site. Under the No Project alternative, no rezoning or development of the proposed Project site would occur and therefore there would be no impact to scenic resources and visual character.

Finally, due to the vacant and undeveloped nature of the site and its immediate surroundings, there are no sources of current light and glare conditions from the site. Existing sources of daytime glare and nighttime light are from the limited number of businesses to the east and south of the site, street lights off N Indian Canyon Drive, 19th Avenue and 19th Avenue, as well as from and passing vehicles on 10th Avenue and N Indian Canyon Drive. Under Alterative 1 no new sources of light and glare would occur on the site and there would be no impact.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** relative to aesthetic resources.

b. Air Quality

Under the No Project Alternative, the site would remain as a vacant and undeveloped site and would not conflict with any Air Quality Management Plans (AQMP) as no development would be introduced on the site. Since there would be no construction on the site, there would be no construction-generated emissions or increases in criteria pollutants. Similarly, under Alternative 1, no topsoil would be disturbed either during construction or operation and there would be no impacts to Toxic Air Contaminants (TACs). Furthermore, localized CO hotspots that may occur at intersections or at the on- and off-ramps to SR 86 would remain the same. No new odors would be introduced as the site is currently non-operational and

would remain so under Alternative 1. Therefore, there would be no impacts related to air quality under the No Project Alternative.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** to air quality.

c. Biological Resources

The proposed Project site is a currently vacant and undeveloped parcel in the city. Although a number of plant and animal species were identified within the site and surrounding areas, these species are typical of developed/disturbed areas. In addition to Sonoran creosote scrub and perennial plants, existing vegetation on the site and its surroundings include areas of Russian Thistle (Salsola tragus), Red Brome (Bromus Madritensis), Barley (Hordeum Murinum), Oats (Avena fatua), Summer Mustard (Hirschfeldia incana), Creosote Bush (Larrea tridentata). No special status plant species exist at the site.

Several animal species have the potential to exist in the area surrounding the proposed Project site. These include: Casey's June beetle (Dinacoma caseyi), California red-legged frog (Rana draytonii), Sierra Madre yellow-legged frog (Rana Draytonii), Desert tortoise (Gopherus agassizii), Coachella Valley fringe-toed lizard (Uma inornate [CVFTL], Golden eagle (Aquila chrysaetos), Least Bell's vireo (Vireo bellii pusillus), Pennisular bighorn sheep (Ovis canadensis nelsonii), Desert bighorn sheep (Ovis canadensis nelson). However, none of these species were observed on the site during the biological resources surveys conducted for the proposed Project, and no habitat for any of these species were observed at the site. Although no burrowing owls were spotted on the site during biological resources field surveys, the proposed Project site supports the potential for the burrows and habitat for burrowing owls.

Although no birds were observed at the site, the potential does exist for birds to nest and breed during typical avian nesting seasons.

There are no bodies of water or riparian corridors at the proposed Project site and therefore no fish, amphibian or reptile habitats at the site.

The current undeveloped nature of the site does not supply suitable habitat, dense foliage cover, and vegetation communities that would provide nursery sites or contribute to wildlife corridors.

Under the proposed Project the currently vacant and sparsely vegetated site would be developed with two (2) large fulfillment center warehouses, site clearing under the proposed Project would clear all existing vegetation on the site and therefore has the potential to impact the habitat and foraging areas for burrowing owls, as well as providing nesting habitat for migratory birds. Therefore, impacts to biological resources relative to avian nursery sites habitat for burrowing owls were determined to be less than significant with the incorporation of mitigation measures **BIO-1, BIO-2,** and **BIO-3**.

Under Alternative 1, the limited vegetation on the site, as well as any potential animal species (such as a burrowing owls) that may inhabit the site, would not be disturbed and there would be no direct impacts to special status species. Similarly, there would be no impact on riparian habitat, wetlands, burrowing owl habitat, or to federally or State-protected wetlands or to habitat for sensitive species under the No Project Alternative. There are no riparian corridors or bodies of water on the site and Alternative 1 would have no impact on fish, amphibian or reptile habitats at the site.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** relative to biological resources.

d. Cultural Resources

The Cultural Resources report (see ***Appendix D: Cultural and Tribal Resources*** of this DEIR) conducted for the proposed Project revealed that the site and its surroundings have been inhabited by Native ethnic groups since 1,350 YBP (years before present). The Cultural Resources report has identified 54 resources (eight prehistoric and 46 historic) within one (1) mile of the site. Although currently vacant and undeveloped, implementation of the proposed Project therefore has the potential to impact undiscovered historic, archaeological, and human remains at the site under the proposed developments. Impacts were therefore determined to be less than significant with the incorporation of mitigation measures **CUL-1, CUL-2** and **CUL-3.**

Under the No Project Alternative, construction would not occur, which would eliminate potential impacts to previously unidentified archaeological resources, human remains, and historic and paleontological resources.

Therefore, Alternative 1 would have **reduced impacts** in relation to cultural, historic, or archaeological resources.

e. Energy

The proposed Project site is currently undeveloped and vacant, with no on-site energy generation such as street or site lighting. Under the No Project Alternative, the current conditions would remain in place and no new, energy-saving components would be built at the site. There would be no construction and no increased operational energy consumption. Under Alternative 1, since the site would remain vacant and inoperable, there would be no energy consumption created, or renewable energy generated at the proposed Project site; therefore, there would no obstruction in State or local energy reduction plans. Therefore, under Alternative 1, there would be no impact under the No Project Alternative.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** in relation to energy.

f. Geology and Soils

The proposed Project site is currently vacant and undeveloped located in the northern portion of the city of Palm Springs. According to the California Department of Conservation data and maps, the Banning Strand of the San Andreas Fault passes northeast along the site's northern boundary at 18th Avenue. This places the city in a high potential of liquefaction risk and earthquake induced settlement due to potential ground shaking. Therefore, the proposed Project has the potential to place people and structures in a seismically active area and thus in danger of impacts from earthquake fault ruptures, liquefaction, soil subsidence and collapse. Incorporation of mitigation measures **GEO-1** through **GEO-5** under proposed Project design, construction and operation would minimize potential impacts to less than significant levels.

Under the No Project Alternative, construction or operation at the site would not occur and the site would remain unoccupied. As such, if severe ground shaking were to occur, the risk of loss, injury, or death would be limited. In addition, the site would have low risks associated with lateral spreading or development induced landslide hazards or loss of topsoil and erosion. Since no construction would occur at the site under Alternative 1, there would be impact related to the discovery and destruction of unique paleontological resources.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** in relation to geology and soils.

g. Greenhouse Gas Emissions

The proposed Project site is currently vacant and therefore there are no operable sources of greenhouse gas (GHG) emissions on the site Under the No Project Alternative, the site would remain undeveloped and vacant with no sources for GHG emissions. Therefore Alternative 1 would have **reduced impacts** in relation to GHG emissions.

h. Hazards and Hazardous Materials

The Phase I Environmental Site Assessment (ESA) conducted for the proposed Project indicated the presence of five (5) hazardous sites located to the northeast of the site, as well as a transmission pipeline situated along the site's northern boundary on 18th Avenue. No recognized environmental conditions related to hazardous materials were identified at the proposed Project site. As a currently vacant parcel, there are no use, storage or transport of any type of hazardous materials to and from the site. Therefore Alternative 1 would have no impact relative to the storage, transport and use of hazardous materials.

There are no existing or proposed school located within a quarter mile of the proposed Project site; since the site would remain undeveloped, the No Project Alternative would have no impact to schools.

Although the proposed Project site is located in close proximity to two (2) area airports, the site itself is not located within an airport land use plan or private airstrip. The City of Palm Springs International Airport is located approximately five (5) miles to the southeast, and the Bermuda Dunes Airport is located over approximately 18 miles southeast of the proposed Project site. Under the No Project Alternative, there would be no development on the site and therefore no exposure of individuals to any airport noise. There would be no impact under Alternative 1.

The proposed Project would develop the currently vacant approximate 91.96 acre property with two large structures, office uses, truck loading and parking areas. Proposed Project construction and operation has the potential for less than significant impacts related to the use, storage, handling and release of hazardous materials at the site.

However, in comparison to the proposed Project, since the site would remain vacant and undeveloped under Alternative 1, this would have **reduced impacts** in relation to hazards and hazardous materials.

i. Hydrology and Water Quality

The proposed Project site is located within the Mission Creek Subbasin of the Colorado River hydrologic region. The site is in the flood plain Zone X based on FEMA Map Number 06065C0895G.

Although groundwater is a major source of potable water for this area of Riverside County, since the site would underutilized and vacant under the No Project Alternative, there would be no requirement for groundwater supplies and therefore there would be no impact.

Parcels within floodplain zone X have a 0.2 percent to one (1) percent chance (in areas with average depths of less than one (1) foot) of annual flood (FEMA Flood Zone Map; accessed November 2023). Therefore there would be no impact related to flooding under Alternative 1.

Since the site would remain undeveloped under the No Project Alternative, impacts related to stormwater drainage and retention would remain the same as is under existing conditions. Therefore, impacts to stormwater and drainage would remain less than significant.

Since the City and the proposed Project site are not within a tsunami inundation zone, there would be no impacts from seiches and tsunamis.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** to hydrology.

j. Noise

As a currently vacant parcel, the site is inoperative with no sources of noise at the proposed Project site. Surrounding noise in the proximity of the site is traffic related on N Indian Canyon Drive and 19th Avenue, as well as operational activities at neighboring parcels. Under the No Project Alternative, no new uses would be developed and the site would remain vacant.

Since Alternative 1 would not require any construction, there would be no changes to existing noise levels at the proposed Project site due to construction or operation; nor would the No Project Alternative expose people to excessive noise levels from an airport and there would be no impacts.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** in relation to noise.

k. Population and Housing

The proposed Project site had been utilized as a wind farm in recent years but is currently disturbed and vacant land with sparse, low shrub coverage. There are no residential structures on the site. The proposed Project would develop a vacant parcel in the city with industrial warehouse uses and would employ approximately 700 people at the site. Based on current employment/unemployment levels and availability of housing stock in the city ad within Riverside County, it was determined that the proposed Project would result in less than significant impact with regard to population growth. Since there are no existing houses on the site, there would be no displacement of people at the site under the proposed Project.

The No Project Alternative would not induce any growth as no new residential units would be built or new jobs generated under this Alternative and there would be no impact.

Since no residential units exist on the site currently, Alternative 1 would not displace people or existing housing and there would be no impact.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** relative to population and housing.

l. Public Services

The proposed Project site is a currently underutilized and vacant parcel with no existent uses at the site. Under the No Project Alternative, the site would remain vacant without the demand for increased services from police protection services, fire protection services, schools, libraries, and hospital services that would result in the provision of new or physically altered buildings which could result in significant environmental impacts. Therefore, there would be no impact.

Although the proposed Project would develop the approximate 97.93 ace site with large fulfillment center facilities, it has been determined that local police and fire services in the city and Riverside County have sufficient emergency staff and equipment to serve the site. Employees at the site would be able to access schools, libraires and healthcare facilities in their areas of residence and the proposed Project would not require an expansion in these service facilities. Impacts would therefore be less than significant.

In comparison, the proposed Project site would remain undeveloped with no requirement for public services at the site. Therefore, Alternative 1 would have **reduced impacts** in relation to public services.

m. Recreation

The proposed Project site is a currently underutilized and vacant parcel with no existent recreational uses at the site. Under the No Project Alternative, the site would remain vacant without the need for residents or employees on site and therefore the need for recreational facilities. There would be no impact.

Under the proposed Project, the site would be developed with fulfilment center uses and would generate approximately 700 new employment opportunities in the city. It is anticipated that new employees under the proposed development would be drawn from exiting residents in the city and surrounding areas of Riverside County. Should the proposed Project result in new residents relocating to the city of Palm Springs, there are sufficient recreation spaces and facilities within the city and County such that no new recreation facilities would be required under the proposed Project. Impacts were therefore determined to be less than significant.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** relative to recreation.

n. Transportation

The proposed Project is anticipated to generate 3,451 daily vehicle trips, including 286 vehicle trips during the AM peak hour and 305 vehicle trips during the PM peak hour. This results in a Vehicle Miles Travelled (VMT) threshold of 98.5 under proposed Project operations which exceeds the City's established threshold of 36.6 VMT per service population within the city. Even with the implementation of all feasible mitigation such as modifying the proposed Project's built environment or participating in a VMT fee program, proposed Project generated VMT would remain higher than projected regional VMT. Even though the City would require the proposed Project to implement Transportation Design Measures (TDM) in order to reduce single-occupancy vehicle trips, given the nature of operations to be constructed at the site, implementation of such measures are not anticipated to reduce the project's impact to a less than significant level. Therefore, transportation impacts under the proposed Project were determined to be significant and unavoidable.

The proposed Project site is currently vacant and underutilized. Although N Indian Canyon Drive and 19th Avenue border the site to the east, north, and south, respectively, there are no transportation trips, 18th Avenue, or traffic currently being generated to or from the site. Under the No Project alternative, the site would remain vacant with no traffic on the site and there would be no warrant for the use of transit or bicycle facilities on the site or emergency access to the site. There would be no additional VMT impacts to existing conditions under Alternative 1 and therefore there would be no impact.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** to transportation.

o. Tribal Cultural Resources

An archaeological records search for the proposed Project site and its surrounding area was completed in 2024 (see ***Appendix D: Cultural and Tribal Resources*** of this DEIR). The Eastern Information Center (EIC) records search identified 54 resources (eight [8] prehistoric and 46 historic) within one (1) mile of the proposed Project site. No properties or historic features listed on the National Register of Historic Places (NRHP) were found within the proposed Project site. Historic United States Geological Survey (USGS) maps and aerial photographs further support that no structures were historically located within the subject property. Buildings on the site's periphery, within a 500-foot buffer, seem to have been constructed between 1984 and 1996. Wind turbines on the site were erected between 1996 and 2002, and while visible on earlier aerial photographs, a recent survey confirmed their removal and return of the land to its current vacant state.

Although no tribal properties listed on the NRHP were found within the proposed Project site and its surroundings, Plat maps from 1856 does depict an "Indian Trail" south of the property.

Under the No Project Alternative, the proposed Project site would remain vacant with no development and therefore no new earth moving or ground disturbing activities to occur on the site. Under Alternative 1, construction would not occur, which would eliminate potential discovery of previously unidentified tribal cultural resources.

While some ground disturbance activities were undertaken by previous wind farm use on the site, such uses were limited in structure and land coverage. The proposed Project would develop the entire 91.97 acre (approximate) site with large buildings, parking, and truck storage facilities, the construction of which has the potential to unearth previously unknown tribal artifacts, cultural artifacts, and human remains during ground disturbing activities. Mitigation measures CUL-1 through CUL-3 would be required under the proposed Project so that impacts are reduced to less than significant levels.

In comparison to the proposed Project, the site would remain undisturbed with no potential top unearth tribal artifacts and human remains under Alternative 1. Therefore, the No Project Alternative would have **reduced impacts** relative to tribal cultural resources

p. Utilities and Service Systems

Since the site is a currently vacant parcel in a primarily under-developed area of the city of Palm Springs, development under the proposed Project would require new and expanded connections to water, sewer, electric, gas and telecommunication facilities. It was determined that the city had adequate infrastructure resources to serve the proposed Project and impacts would be less than significant.

Under the No Project Alternative, no new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities would be built as the site would remain the same as existing conditions. There would be no new development under Alternative 1 and therefore, there would be no demand for water or wastewater treatment, and solid waste would not be generated and there would be no impacts.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** in relation to utilities and service systems.

q. Wildfire

The proposed Project is site currently vacant and undeveloped. According to CalFire's State Responsibility Area FHSZ map, although the proposed Project site is located within FRA and LRA zones, the site is not located in a VHFHSZ, or a FHSZ in a SRA zone. The closest High FHSZ and Moderate FHSZ areas to the proposed Project site are located in the city of Desert Hot Springs, more than approximately six (6) miles to the northeast and over five (5) miles to the northwest of the site, and over seven (7) miles to the southwest in unincorporated Riverside County (State Fire Marshall Fire Hazard Severity Zone; accessed 2024).

The proposed Project would develop the site with large scale buildings, office and parking spaces. Due to the site's location within a LRA fire hazard area with the potential for spread of wildfire due to prevailing winds and onsite vegetation, the proposed Project has the potential to exacerbate wildfire risks over the existing conditions. However, construction and operation at the site would be required to comply with State and local fire safety regulations as well as adherence to the applicable goals and policies in the City

of Palm Springs General Plan and the updated Safety Element; therefore, impacts under wildfire would be less than significant.

Since the site has the potential for wildfire spread due to prevailing winds, although the No Project Alternative would not exacerbate wildfire risks over the existing conditions, impacts at the site due to potential wildfire would also be less than significant.

Under the No Project Alternative, the site would remain undeveloped with no structures on the site. Therefore, Alternative 1 would not interfere with the implementation of an emergency response or evacuation plan and no impact would occur.

Likewise, the No Project Alternative would not 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 and impacts would be less than significant.

Therefore, in comparison to the proposed Project, Alternative 1 would have **reduced impacts** relative to wildfire.

7.3.2 Alternative 2: Industrial Business Park Alternative

The Industrial Business Park Alternative would develop the site with a mix of industrial, small business and office spaces, vehicle storage and rental facilities, as well as distribution centers. Alternative 2 would generate 604 new employment opportunities in the city of Palm Springs. It would develop the site with four (4) warehouse storage facilities at a size of 155,000 square feet (sqft) each, two (2) vehicle storage and rental facilities with each facility averaging 28,000 sqft in size, two (2) manufacturing buildings (26,000 sqft each), two (2) wholesale warehouse structures at 275,000 sqft each, and six (6) small business spaces each averaging 4,500 sqft, in size. This Alternative would account for approximately 946 total parking spaces including 574 personal vehicle and 30 handicap parking spaced, 24 bicycle parking spaces, 176 trailer parking stalls, and 134 truck dock positions**.**

Impact Analysis

a. Aesthetics

The Industrial Business Park Alternative would develop a currently vacant site with 14 buildings and associated infrastructure, the development of which has the potential to degrade the existing visual character of the site by blocking the scenic views of the surrounding mountains from the interior of the site, as well as from the surrounding land uses. However, these mountain ranges are approximately between 10 miles to the east and 25 miles to the north from the site and current views of these mountains from the site are distant and partially interrupted by building structures to the south and by street light poles and electric cables to the north, east and west of the site, and by wind turbines and a power utility station to the west. While Alternative 2 has the potential to limit views of the distant mountains, site development would be limited to smaller building mass, less lighting and signage. In addition, all development under this Alternative, as with the proposed Project, would be required to comply with the City's 2007 General Plan Policies such that proposed architecture, building height and materials and landscaping are compatible to the area topography and views. This would ensure that the Reduced Intensity Alternative's impacts on existing views of nearby scenic vistas are at less than significant levels.

Public views into the site are primarily from Indian Canyon Avenue and 19th Avenue. Since vehicles and travelers along these roadways currently have clear views into the currently vacant site, development of

the proposed building mass under Alternative 2 has the potential to affect these current views of open land. However, the proposed warehouse buildings would be smaller in mass, require less areas for vehicle and truck parking, have fewer truck loading docks, and would be required to be designed according to City design standards, and any building articulation would have to conform to the City's Municipal Code and General Plan requirements and policies. The implementation of Industrial Business Park Alternative as with the proposed Project, would not substantially degrade the existing visual character of public views of the site and surroundings. Impacts would be less than significant.

Currently, there are no sources of current light and glare conditions from the site and the site is surrounded primarily by vacant land to the immediate, north, east and west. Existing sources of daytime glare and nighttime light are from the limited number of businesses to the east and south of the site, street lights off N Indian Canyon Drive, 19th Avenue and 19th Avenue, as well as from and passing vehicles on 10th Avenue and N Indian Canyon Drive. Under the Industrial Business Park Alternative, new sources of daytime glare with light reflecting off the building surface and windows, streetlight along internal roadways and parking areas, site signage, exterior building lighting, reflection and headlights from vehicular traffic on the site would introduce new sources of light and glare to the site and general area. Impacts under light and glare would be less than significant under Alternative 3 as it would be under the proposed Project.

In comparison, the proposed Project would develop two (2) large buildings and associated infrastructure all centered towards the middle of the property. In comparison to the proposed Project the Industrial Business Park Alternative would include 14 buildings with associated lighting, signage, internal roadways and lighting that would be developed throughout the site. However, Alternative 2 would develop the site with smaller building mass, provide for views of the surrounding mountains between the buildings, and provide more opportunities for landscaping to visually obstruct building sight lines and reduce reflections off buildings. With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies, the Industrial Business Park Alternative would have **reduced impacts** relative to aesthetic resources.

b. Air Quality

Under the Industrial Business Park Alternative, the site would be developed with four (4) 155,000 square feet each of warehouse storage facilities, two (2) 28,000 square feet each of vehicle storage and rental facilities, two (2) 26,000 square feet each of manufacturing buildings, two (2) 275,000 square feet each of wholesale warehouse structures, and six (6) 4,500 square feet each of small business spaces. Therefore, the total building size for Alternative 2 is approximately 1,305,000 square feet which is approximately 601,824 square feet less building space than that of the proposed Project. The Industrial Business Park Alternative would have less overall building square footage as compared to that of the proposed Project, Alternative 2 would result in potentially lower construction-related emissions and construction related air quality impacts would be less than significant as under the proposed Project.

As documented in the *First Palm Springs Commerce Center Project (TMP 38790) Transportation Assessment for Project Alternatives* (Ganddini Group, September 4, 2024) ["Transportation Assessment for Project Alternatives memorandum"], the Industrial Business Park Alternative is forecast to generate approximately 4,398 daily vehicle trips, including approximately 744 daily truck trips. Therefore, this alternative would generate approximately 947 additional daily vehicle trips (+27%) compared to the proposed Project, including 305 additional truck trips per day (+69%). In addition, as is shown in Appendix B of the Air Quality Study (see ***Appendix B*** of this DEIR), the mobile source emissions were the largest

source of emissions generated by the proposed Project for the majority of the modeled operational pollutants. Therefore, even though there is a reduction in overall building size, since development under Alternative 2 would increase daily vehicle and truck trips from that of the proposed Project, it can be anticipated that the overall operational air quality emissions associated with the Industrial Business Park Alternative would be greater than the modeled emissions of the proposed Project.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **greater impacts** with regard to air quality.

c. Biological Resources

The proposed Project site is a currently vacant and undeveloped parcel in the city. There are no bodies of water or riparian corridors at the site and therefore no fish, amphibian or reptile habitats at the site. The current undeveloped nature of the site does not supply suitable habitat, dense foliage cover, and vegetation communities that would provide nursery sites or contribute to wildlife corridors. Therefore due to the lack of waterbodies on the site there would be no impact on riparian habitat, wetlands, or to federally or State-protected wetlands or to habitat for sensitive species under Alternative 2.

Although a number of plant and animal species were identified within the site and surrounding areas, these species are typical of developed/disturbed areas. No special status plant species exist at the site.

Several animal species have the potential to exist in the area surrounding the proposed Project site. However, none of these species were observed on the site during the biological resources surveys conducted for the proposed Project, and no habitat for any of these species were observed at the site. Although no burrowing owls were spotted on the site during biological resources field surveys, the proposed Project site supports the potential for the burrows and habitat for burrowing owls.

Although no birds were observed at the site, the potential does exist for birds to nest and breed during typical avian nesting seasons.

Similar to the proposed Project, the Industrial Business Park Alternative would develop the currently vacant and sparsely vegetated site and clearing and grubbing activities under site construction would clear all existing vegetation on the site and therefore has the potential to impact the habitat and foraging areas for burrowing owls, as well as providing nesting habitat for migratory birds. With site disturbance and development under Alternative 2, the limited vegetation on the site, as well as any potential animal species (such as a burrowing owls) that may inhabit the site would be disturbed and there could be potential impacts to special status species and avian nursey sites. However, with the incorporation of mitigation measures **BIO-1, BIO-2** and **BIO-3**, impacts to biological resources would also be less than significant under Industrial Business Park Alternative, as under the proposed Project.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **similar impacts** relative to biological resources.

d. Cultural Resources

The Cultural Resources report (Appendix ??) conducted for the proposed Project revealed that the site and its surroundings have been inhabited by Native ethnic groups since 1,350 YBP (years before present). The Cultural Resources report has identified 54 resources (eight prehistoric and 46 historic) within one (1)

mile of the site. Implementation of the Business Park Alternative therefore has the potential to impact undiscovered historic, archaeological, and human remains at the site under the proposed developments.

Similarly, under Alternative 2, construction and operation at the site has the potential to unearth undiscovered historic, archaeological, and human remains at the site. Impacts however would be less than significant with the incorporation of mitigation measures **CUL-1, CUL-2** and **CUL-3**.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Industrial Business Park Alternative would have **similar impacts** in relation to cultural, historic, or archaeological resources.

e. Energy

Energy consumption under construction activities for the Industrial Business Park Alternative would be temporary and limited to the use of power tools and the operation of machinery, large equipment and construction vehicle trips. Since the site would be developed with building structures smaller in size to that of the proposed Project, site construction activities would require less construction days than under the proposed Project. However, since Alternative 2 would result in less overall building square footage as compared to that of the proposed Project, the Industrial Business Park Alternative would result in potentially lower construction and operational energy needs than that under the proposed Project. As with the proposed Project, Alternative 2 would adhere to State or local energy reduction plans.

Site operations under the Industrial Business Park Alternative is forecast to generate approximately 4,398 daily vehicle trips, including approximately 744 daily truck trips. Therefore, this alternative would generate approximately 947 additional daily vehicle trips (+27%) compared to the proposed Project, including 305 additional truck trips per day (+69%). 947 additional daily vehicle trips (+27%) compared to the proposed Project, including 305 additional truck trips per day (+69%). Based on the operational aspects at the site under Alternative 2, energy consumption would be similar to that of the proposed Project. With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Industrial Business Park Alternative would have **similar impacts** in relation to energy resources.

f. Geology and Soils

The proposed Project site is currently vacant and undeveloped located in the northern portion of the city of Palm Springs. Since the site is relatively flat and not in proximity to any mountain ranges, the proposed Project site has low risks associated with landslide hazards. However, according to the California Department of Conservation data and maps, the Banning Strand of the San Andreas Fault passes northeast along the site's northern boundary at 18th Avenue. This places the city in a high potential of liquefaction risk and earthquake induced settlement due to potential ground shaking. Therefore, the proposed Project has the potential to place people and structures in a seismically active area and thus in danger of impacts from earthquake fault ruptures, liquefaction, soil subsidence and collapse. With development on the site, the proposed Project also has the potential for the discovery and destruction of unique paleontological resources and would therefore require the incorporation of mitigation measures **GEO-1** through **GEO-5** under proposed Project design, construction and operation which would minimize potential impacts to less than significant levels.

Since the site is located in a seismically active area, under the Industrial Business Park Alternative, construction or operation at the site has the potential to place the structure and employees at risk from

ground shaking, fault ruptures, liquefaction, subsidence and collapse, resulting in the risk of loss of the warehouse structure, and injury, or death of site employees. Similarly, under site development activities Alternative 2 has the potential to impact the discovery and destruction of unique paleontological resources. However, with the incorporation of mitigation measures **GEO-1** through **GEO-5**, impacts to geology and soils under the Industrial Business Park Alternative would be less than significant.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Industrial Business Park Alternative would have **similar impacts** in relation to geology and soils.

g. Greenhouse Gas Emissions

The Industrial Business Park Alternative would provide four (4) 155,000 square feet each of warehouse storage facilities, two (2) 28,000 square feet each of vehicle storage and rental facilities, two (2) 26,000 square feet each of manufacturing buildings, two (2) 275,000 square feet each of wholesale warehouse structures, and six (6) 4,500 square feet each of small business spaces. Therefore, the total building size of Alternative 2 would be approximately 601,824 square feet less building space than that of the proposed project, at a total of 1,906,824 square feet. As the Industrial Business Park Alternative has less overall building square footage than the proposed Project, Alternative 2 would be anticipated to result in potentially lower construction-related emissions. Therefore, regarding construction-related greenhouse gas emissions impacts, the Industrial Business Park Alternative is likely to result in a similar less than significant finding as was found for the proposed Project.

Alternative 2 is forecast to generate approximately 4,398 daily vehicle trips, including approximately 744 daily truck trips. Therefore, this Alternative would generate approximately 947 additional daily vehicle trips (+27%) compared to the proposed Project, including 305 additional truck trips per day (+69%). In addition, as is shown in Appendix B of the Air Quality Study (***Appendix B*** of this DEIR), the mobile source emissions were the largest source of emissions generated by the proposed Project for the majority of greenhouse gas emissions. Therefore, even though there is a reduction in overall building sizes, since the Industrial Business Park Alternative increases daily vehicle and truck trips from that of the proposed Project, it can be anticipated that the overall operational and greenhouse gas emissions associated with the Industrial Business Park Alternative would be greater than the modeled emissions of the proposed Project. Therefore, the Industrial Business Park Alternative is likely to result in a greater impact and similar findings of a significant and unavoidable impact with incorporation of mitigation measure **GHG-1** for operational and greenhouse gas emissions as was found for the proposed Project.

With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, in comparison to the proposed Project, Alternative 2 would have **greater impacts** in relation to greenhouse gas emissions.

h. Hazards and Hazardous Materials

The Phase I Environmental Site Assessment (ESA) conducted for the proposed Project indicated the presence of five (5) hazardous sites located to the northeast of the site, as well as a transmission pipeline situated along the site's northern boundary on 18th Avenue. No recognized environmental conditions related to hazardous materials were identified at the site. There are no existing or proposed school located within a quarter mile of the site. Although the proposed Project site is located in close proximity to two (2) area airports, the site itself is not located within an airport land use plan or private airstrip.

As with the proposed Project, the Industrial Business Park Alternative would store, transport and utilize hazardous materials during site construction and operation, which has the potential for accidental release of hazardous materials on site. Since development under Alternative 2 would also be required to adhere to all regulations for the handling and storage of hazardous materials, impacts would be less than significant impacts relative to the storage, transport and use of hazardous materials.

As with the proposed Project, the site is not located within proximity to local schools and airports and Industrial Business Park Alternative would have no impact to schools, nor would it expose individuals to any airport noise. There would be no impact to these issue areas under Alternative 2.

Alternative 2 would employ approximately 604 new workers at the site who have the potential to be exposed to hazardous conditions at the site, as under the proposed Project with its estimated 704 employees. Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **similar impacts** in relation to hazards and hazardous materials.

i. Hydrology and Water Quality

As with the proposed Project, the Industrial Business Park Alternative would require the construction of internal roadway systems, landscaping, lighting and signage. The proposed Project site is located within the Mission Creek Subbasin of the Colorado River hydrologic region within flood plain Zone X and therefore has a 0.2 percent to one (1) percent chance (in areas with average depths of less than one (1) foot) of annual flood (FEMA Flood Zone Map; accessed November 2023). Therefore, there would be less than significant impact related to flooding under Alternative 2.

As with the proposed Project, construction clearing and grubbing activities associated with Alternative 2 would have the potential to impact water quality through soil erosion and increase in the amount of silt and debris carried in runoff on and around the site. Additionally, the use of construction materials, such as fuels, solvents, and paints may present a risk to surface water quality in the city and surrounding areas in Riverside County. Finally, the refueling and parking of construction vehicles and other equipment onsite during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the City's existing storm drain system. In order to minimize potential construction and operational level impacts, development of Industrial Business Park Alternative would require the preparation and implementation of a SWPPP. As with the proposed Project, Alternative 2 would be required to comply with the CWA, all NPDES permit requirements as well as all State and local requirements for the maintenance of water quality standards and wastewater discharge through the preparation and maintenance of a WQMP.

As discussed under ***Section 4.9: Hydrology and Water Quality***, local water supplies under MSWD have the capacity to meet demand at the site. In comparison to the proposed Project, Alternative 2 would result in less building development at the site, so Alternative 2 has the potential to result in reduced water demand. Although landscaped areas under the Industrial Business Park Alternative would be greater than that under the proposed Project, development under this Alternative as with the proposed Project, would be subject to the City's water efficient landscape ordinance. water usage for these areas would not be significantly greater than those under the proposed Project.

Site development under Alternative 2 would be required to implement all applicable measures and industry standards for non-structural and structural pollution source control such that the Industrial

Business Park Alternative would not result in stormwater runoff conditions that would affect infiltration and groundwater recharge. The proposed site development may also be required to obtain and maintain an Industrial General Permit in compliance with the State of California's Groundwater Program. As with the proposed Project, development under Alternative 2 would increase impervious land at the site with the development of building structures, landscaping and street infrastructure. However, development under Industrial Business Park Alternative would be required to incorporate underground retention along with onsite retention basins. This would ensure that urban runoff and pollutant discharges into the area's storm drainage systems are prevented such that groundwater quality is protected at the site. Therefore, as with the proposed Project, potential impacts to hydrology under the Industrial Business Park Alternative would be less than significant with the implementation of mitigation measures **HYD-1** through **HYD-4**.

Since the City and the proposed Project site are not within a tsunami inundation zone, there would be no impacts from seiches and tsunamis.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **similar impacts** relative to hydrology and water quality.

j. Noise

While the proposed buildings associated with Alternative 2 will be different in number and size in comparison to the proposed Project, the disturbance area will likely be the same as the proposed Project. Assuming a similar equipment list, phasing, and associated construction vehicle trips, Alternative 2 is not anticipated to result in a substantial difference in construction noise from that of the proposed Project. The significance of construction noise impacts associated with Alternative 2 would likely be the same as those analyzed and disclosed for the proposed Project.

The Noise Impact Analysis conducted for the proposed Project site (see ***Appendix E*** of this EIR) concluded that operational noise impacts to nearby residential uses were found to be below the threshold of significance for the proposed Project. Therefore, assuming that the Industrial Business Park Alternative consists of similar on-site noise sources (e.g., parking lot noise, loading docks, and HVAC units), Alternative 2 is unlikely to result in new impacts to nearby residential uses compared to those previously identified for the proposed project. The modeling of operational noise levels for the proposed Project at adjacent industrial/ manufacturing/energy uses was estimated to range between 42.0 and 54.6 dBA Leq, which is just below the threshold between the hours of 10:00 PM and 7:00 AM. Since operational noise modeling is sensitive to design specifications such as building layouts and heights, it is possible that the Industrial Business Park Alternative could result in new operational noise impacts to adjacent industrial uses compared to the proposed Project. Alternative 2 could result in new operational noise impacts which may exceed the thresholds of significance that currently exist at the site.

The Industrial Business Park Alternative is forecast to generate approximately 4,398 daily vehicle trips, including approximately 744 daily truck trips which are approximately 947 additional daily vehicle trips (+27%) and 305 additional truck trips per day (+69%). Even though there is a reduction in overall building sizes, in comparison to the proposed Project, the Industrial Business Park Alternative increases daily vehicle and truck trips from that of the proposed Project. While automobile trips associated with Alternative 2 are unlikely to cause increases in ambient noise levels, the substantial increase in automobile and truck trips under Alternative 2 could result in greater increases in ambient noise levels than those of the proposed Project. Other factors that will affect the increase in noise levels due to vehicle traffic are

driveway location and trip distribution patterns. Therefore, Alternative 2 could potentially result in new operational noise impacts compared to those identified for the proposed Project, impacts related to noise would still be less than significant.

With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **similar impacts** in relation to noise.

k. Population and Housing

The proposed Project site had been utilized as a wind farm in recent years but is currently disturbed and vacant land with sparse, low shrub coverage. There are no residential buildings on the site. Based on current employment/unemployment levels and availability of housing stock in the city and within Riverside County, it was determined that the proposed Project would result in less than significant impact with regard to population growth. Since there are no existing houses on the site, there would be no displacement of people at the site under the proposed Project.

Similarly, under the Industrial Business Park Alternative, although the currently vacant site would be developed, since no residential units exist on the site currently, Alternative 2 would not displace people or existing housing and there would be no impact.

Due to the nature of the Industrial Busineess Park Alternative, this Alternative has the potential to generate 604 new jobs in the city. As with the proposed Project, Alternative 2 would employ existing residents from the city of Palm Springs and neighboring areas in Riverside County. Should the development under the Industrial Business Park Alternative result in all of the 604 new residents and their families relocating to the city of Palm Springs, there is sufficient housing currently vacant and available in the city. The City's 6th Housing Element estimated that the City currently has a total of 36,702 housing units of which 23,889 units are occupied and 12,813 units that are vacant, resulting in an overall vacancy rate of 9.5% (US Bureau of Census – American Community Survey data; 2023).

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **similar impacts** relative to population and housing.

l. Public Services

Under the Industrial Business Park Alternative, the site would be developed with 16 buildings smaller in total square footage than that under the proposed Project, However, since Alternative #2 would develop currently vacant and unused parcels in the city with industrial and office uses, it would therefore result in increased demand for police and fire protection services at the property. As with the proposed Project, local police and fire services in the city and Riverside County have sufficient emergency staff and equipment to serve the site under Alternative 2. The Industrial Business Park Alternative would also be required to adhere to applicable City goals and policies related to safety, CBC, and City Fire codes. Final reviews under the Riverside County and City fire departments would be required prior to final project approvals.

Under the Industrial Business Park Alternative employees at the site would be able to access schools, libraires and healthcare facilities in their areas of residence and the proposed Project would not require an expansion in these service facilities. Impacts would therefore be less than significant.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **similar impacts** in relation to public services.

m. Recreation

The proposed Project site is a currently underutilized and vacant parcel with no existent recreational uses at the site. Under the Industrial Business Park Alternative, the site would be developed for an industrial use generating approximately 604 new employment opportunities within the city. In comparison, the proposed Project is anticipated to generate approximately 704 new employees to the city of Palm Springs and Riverside County. However, as with the proposed Project, Alternative 2 would employ existing residents from the city of Palm Springs and neighboring areas in Riverside County who would continue to utilize recreational facilities at their neighborhoods of residence. Similar to the proposed Project, should Alternative 2 result in new residents moving into the city of Palm Springs, there are sufficient recreation spaces and facilities within the city and County such that no new recreation facilities would be required under the Industrial Business Park Alternative. Impacts would continue to be less than significant.

Also, as with the proposed Project, Alternative 2 would be required to adhere to applicable local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project. However, since the Industrial Business Park Alternative would have fewer employees than that under the proposed Project, there would be less demand for recreation services and Alternative 2 would have **reduced impacts** relative to recreation.

n. Transportation

As discussed previously, the proposed Project is anticipated to generate 3,451 daily vehicle trips, including 286 vehicle trips during the AM peak hour and 305 vehicle trips during the PM peak hour. This would result in a Vehicle Miles Travelled (VMT) threshold of 98.5 which would exceed the City's established threshold of 36.6 VMT per service population within the city. Transportation impacts under the proposed Project were determined to be significant and unavoidable.

Table 7.0-1: Trip Generation under the Industrial Business Park Alternative shows the trip generation estimate under Alternative 2 which is forecast to generate approximately 4,398 daily vehicle trips, including approximately 744 daily truck trips. Therefore, this alternative would generate approximately 947 additional daily vehicle trips (+27%) compared to the proposed Project, including 305 additional truck trips per day (+69%).

While increases in employment density generally improve VMT efficiency, such improvements would be wholly or partially offset by the increase in VMT associated with employee site usage. Retail components of this alternative may have a VMT-reducing effect similar to local-serving retail; however, it is unlikely to outweigh the employment component of the project's VMT. Overall, the Industrial Business Park Alternative may generate slightly lower VMT per service population compared to the proposed project; however, the proposed project VMT per service population far exceeded the City-established threshold. Therefore, the Industrial Business Park Alternative would result in a significant and unavoidable VMT impact.

Table 7-0.1: Trip Generation under the Industrial Business Park Alternative

Trip Generation Rates Per TSF								
Vehicle Type	**Source**	**AM Peak Hour**			**PM Peak Hour**			**Daily Rate**
		In	**Out**	**Rate**	**In**	**Out**	**Rate**	
All Vehicle Trucks Only	ITE 130 ITE 130	81% 45%	19% 55%	0.340 0.040	22% 38%	78% 62%	0.340 0.040	3.370 0.570
Passenger Car (88.2%-AM, 88.2% PM, 83.1% Daily) Truck (11.8% AM, 11.8% PM, 16.9% Daily)	_____	0.243 0.018	0.057 0.022	0.300 0.040	0.033 0.015	0.234 0.025	0.300 0.040	2.800 0.570
Truck Mix: 2-Axle Trucks (7.9%) 3-Axle Trucks (7.1%) 4+-Axle Trucks (85.0%)	Fontana	0.001 0.001 0.015	0.002 0.002 0.019	0.003 0.003 0.034	0.001 0.001 0.013	0.002 0.002 0.021	0.003 0.003 0.034	0.045 0.040 0.485

VEHICLE TRIPS GENERATED							
Vehicle Type	**AM Peak Hour**			**PM Peak Hour**			**Daily**
	In	**Out**	**Total**	**In**	**Out**	**Total**	
Passenger Car	317	74	391	86	305	391	3,654
Trucks							
2-Axle Trucks	1	3	4	1	3	4	59
3-Axle Trucks	1	3	4	1	3	4	52
4+ Axle Trucks	20	25	45	17	27	44	633
Subtotal	22	31	53	19	33	52	744
Total Vehicle Trips Generated	339	105	444	105	338	443	4,398

Source Appendix H
Notes: 1 TSF = Thousand Square Feet
ITE = Institute of Transportation Engineers Trip Generation Manual (11th Edition, 2021); ITE Land Use Code. Fontana - City of Fontana Truck Trip Generation Study (August 2003); recommended truck mix for Industrial Park classification.

Therefore, even with adherence to city, local and State regulations, as well as City of Palm Springs General Plan goals and policies, Alternative 2 would have **greater impacts** than the proposed Project under transportation. Impacts would remain significant and unavoidable

o. Tribal Cultural Resources

An archaeological records search for the proposed Project site and its surrounding area was completed in 2024 (see ***Appendix D: Cultural and Tribal Resources*** of this DEIR). The Eastern Information Center (EIC) records search identified 54 resources (eight [8] prehistoric and 46 historic) within one (1) mile of the proposed Project site. No properties or historic features listed on the National Register of Historic Places (NRHP) were found at the site and Historic United States Geological Survey (USGS) maps and aerial photographs further support that no structures were historically located within the subject property. Buildings on the site's periphery, within a 500-foot buffer, seem to have been constructed between 1984 and 1996. Wind turbines on the site were erected between 1996 and 2002, and while visible on earlier

aerial photographs, a recent survey confirmed their removal and return of the land to its current vacant state.

Although no tribal properties listed on the NRHP were found on or around the site, Plat maps from 1856 does depict an "Indian Trail" south of the property.

As with the proposed Project, under the Industrial Business Park Alternative, the site would be developed and therefore would require earth moving or ground disturbing activities to occur on the site. Construction of the warehouse facility may result in potential discovery of previously unidentified tribal cultural and tribal artifacts as well as human remains during ground disturbing activities. Therefore, mitigation measures **CUL-1** through **CUL-3** would be required under Alternative 2 as well as the proposed Project in order to minimize impacts to less than significant levels.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies, Alternative 2 as well as the proposed Project would have **similar impacts** to tribal cultural resources.

p. Utilities and Service Systems

As with the proposed Project, development under the Industrial, Business Park Alternative would require new and expanded connections to water, sewer, electric, gas and telecommunication facilities. The City has adequate infrastructure resources to serve the site and its surroundings through connection off 19th Avenue and N Indian Canyon Drive. Although offsite water and sewer lines would be required to connect the site to existing City lines, as with the proposed Project, the water and sewer lines that would be required under Alternative 2 would be similar in size and would still connect at existing lines along 19th Avenue. The service providers in the city also provide utility and telecommunication services to the neighboring uses and would continue to provide services to the site under the Industrial Business Park Alternative.

Although Alternative 2 would develop less buildings on the site, the intensity of uses and number of employees utilizing the site would be similar to that under the proposed Project. Therefore, the Industrial Business Park Alternative would generate similar or slightly less amounts of solid water and wastewater and would require similar or slightly less electric, gas, and telecommunications. As with the proposed Project, impacts to utilities on the site would be less than significant under Alternative 2.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Industrial Business Park Alternative would have **similar impacts** in relation utilities and service systems***.***

q. Wildfire

As discussed previously, although the proposed Project site is currently vacant and undeveloped, it is located within FRA and LRA zones according to CalFire's State Responsibility Area FHSZ map. However, the site is not located in a VHFHSZ, or a FHSZ in a SRA zone. Therefore, there is the potential for spread of wildfire due to prevailing winds and onsite vegetation would be the same under the Industrial Business Park Alternative as it would under the proposed Project. Alternative 2 therefore has the potential to exacerbate wildfire risks over the existing conditions. However, as with the proposed Project, construction and operation at the site under the Industrial Business Park Alternative would be required to comply with State and local fire safety regulations, all CBC regulations, all applicable City of Palm Springs EOP fire safety requirements as well as the City's fire safety regulations during construction and operation. With

adherence to these guidelines and the Safety policies under the City's Palm Springs by Design – General Plan 2040, construction and obstruction activities would not substantially impede emergency vehicle access or impair an emergency response plan or evacuation plan. All site facilities would be required to be equipped with fire-sprinklers and other fire safety equipment and would utilize landscaping materials that have been reviewed by the RCFD as well as the City's Fire Chief for its requirements to meet the City and State fire safety requirements for defensible space. Therefore, impacts would be less than significant.

Since the site is located within a Wildfire Influence Zone, all the buildings on site would be required to incorporate construction efforts and operation design features such as to prevent ignitions and limit wildfire loss by limiting vast areas of landscaping, using more impervious surfaces and fire resistant building materials, and creating defensible spaces so as to limit the spread of fire and reduce the risk to people and property. Therefore, impacts would be less than significant under Alternative 2.

The relatively flat site is not in proximity to any mountain ranges nor is the site located within a Fire Hazard Safety Zone; therefore, landslides include rockfalls, deep slope failure, and shallow slope failure are not likely to occur at the site due to the absence of steep slopes. As a result, the Industrial Business Park Alternative would not 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. Therefore, impacts would be less than significant.

Since Alternative 2 would require development of infrastructure relative to power, water, sewer, stormwater drainage and an internal roadway system, such improvements would decrease fire risks relative to existing conditions. The site is not located in or near a SRA and does not contain any land classified as very high fire hazard severity zones. As with the proposed Project, power would be provided to the site through new underground distribution lines that would connect to existing power lines and infrastructure located along the surrounding roadways. The site would also provide suitable access for emergency vehicles from 18th Street, 19th Street and North Indian Canyon Drive. Therefore, development under the Industrial Business Park Alternative would result in less than significant impacts with the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that generally may exacerbate fire risk.

However, since Alternative 2 would develop a currently vacant site with numerous buildings and associated infrastructure, with the Industrial Business Park Alternative's adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 2 would have **similar impacts** relative to wildfire.

7.3.3 Alternative 3: Reduced Intensity Alternative

Under this Alternative, the proposed Project site would be developed with a reduced intensity industrial project that would reduce both building sizes by 50 percent. Building 1 would be at a maximum size of 758,090 sqft, while Building 2 would be at a maximum size of 194,265 sqft. Alternative 3 would reduce the number of employees to 350 employees on site and would therefore total number of parking to be required on the site. This Alternative would also account for a reduced number of trailer parking spots and truck dock positions.

Impact Analysis

a. Aesthetics

As discussed previously, the approximate 91.95 acre site had previously been used as a wind farm site but is currently vacant parcels with low lying brush, scrubs, sparse desert grass, and small rock deposits scattered throughout the site. There are no existing historic building structures, trees, or rock outcroppings located on the site. Some light scale industrial development are located to the east and south of the site. A solar energy facility and an electrical service facility are located to the west of the site. The existing visual character of the site is that of an undeveloped parcel of land as seen from N Indian Canyon Drive, 18th Avenue or 19th Avenue. There are no residential or commercial structures in the vicinity of the site, and nor is the site located within any scenic highways as designated by the California Department of Transportation (California State Scenic Highway Map; 2023). Scenic resources from the site include the Little San Bernardino Mountains to the north, the San Jacinto and San Gorgonio Mountains to the east, and the Santa Rosa Mountains to the west.

Under the Reduced Intensity Alternative, the currently vacant site would be developed with two (2) smaller fulfillment center buildings, the development of which has the potential to degrade the existing visual character of the site by blocking the scenic views of the surrounding mountains from the interior of the site, as well as from the surrounding land uses. However, these mountain ranges are approximately between 10 miles to the east and 25 miles to the north from the site and current views of these mountains from the site are distant and partially interrupted by building structures to the south and by street light poles and electric cables to the north, east and west of the site, and by wind turbines and a power utility station to the west. While Alternative 3 has the potential to limit views of the distant mountains, site development would be limited to smaller building mass, less lighting and signage. In addition, all development under this Alternative, as with the proposed Project, would be required to comply with the City's 2007 General Plan Policies such that proposed architecture, building height and materials and landscaping are compatible to the area topography and views. This would ensure that the Reduced Intensity Alternative's impacts on existing views of nearby scenic vistas are at less than significant levels.

Public views into the site are primarily from Indian Canyon Avenue and 19th Avenue. Since vehicles and travelers along these roadways currently have clear views into the currently vacant site, development of the proposed building mass under Alternative 3 has the potential to affect these current views of open land. However, the proposed warehouse buildings would be smaller in mass, require less areas for vehicle and truck parking, have fewer truck loading docks, and would be required to be designed according to City design standards, and any building articulation would have to conform to the City's Municipal Code and General Plan requirements and policies. The implementation of Reduced Intensity Alternative, as with the proposed Project, would not substantially degrade the existing visual character of public views of the site and surroundings. Impacts would be less than significant.

Currently, there are no sources of current light and glare conditions from the site and the site is surrounded primarily by vacant land to the immediate, north, east and west. Existing sources of daytime glare and nighttime light are from the limited number of businesses to the east and south of the site, street lights off N Indian Canyon Drive, 19th Avenue and 19th Avenue, as well as from and passing vehicles on 10th Avenue and N Indian Canyon Drive. Under the Reduced Intensity Alternative, although new sources of daytime glare with light reflecting off the building surface and windows, streetlight along internal roadways and parking areas, site signage, exterior building lighting, reflection and headlights from

vehicular traffic on the site, these new sources of daytime glare and nighttime lighting would be less than that under the proposed Project. However, impacts under light and glare would be less than significant under Alternative 3 as it would be under the proposed Project.

Therefore, in comparison to the proposed Project, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies, Alternative 3 would have **reduced impacts** relative to aesthetic resources.

b. Air Quality

The Reduced Intensity Alternative would result in a maximum of approximately 952,355 square feet for both buildings, which is a 50% reduction in building size from the proposed project. As the project site is the same and the overall building components would be reduced from that of the proposed Project, the Reduced Intensity Alternative would be anticipated to result in less construction time and therefore lower construction-related emissions. Therefore, the Reduced Intensity Alternative is likely to result in construction-related air quality impacts that are less than significant as was found for the proposed Project.

As with the city of Palm Springs, the site is located within a nonattainment region under State and federal ambient air quality standards. Based on the reduced masses of site construction, Alternative 3 would result in less than significant impacts under the implementation of an applicable air quality plan.

The Reduced Intensity Alternative is forecast to generate approximately 1,724 daily vehicle trips, including approximately 219 daily truck trips. Therefore, Alternative 3 would generate approximately 1,727 fewer daily vehicle trips (-50%) compared to the proposed Project, including 220 fewer truck trips per day (-50%). In addition, as shown in Appendix B of the Air Quality Study (see ***Appendix B*** of this DEIR), the mobile source emissions were the largest source of emissions generated by the proposed Project for most of the modeled operational pollutants. Therefore, as Reduced Intensity Alternative is to have a 50% reduction in building size and fewer daily vehicle and truck trips than the proposed Project, it can be anticipated that the overall operations associated with the Reduced Intensity Alternative would be less than the modeled emissions of the proposed Project.

The nearest residences are located approximately over 2,700 feet to the northeast of the site. Construction activities and odors under Alternative 3 would be temporary and would result in short-term TACs from diesel particulate matter (DPM) at a level similar to that under the proposed Project. This would result in similar incremental cancer risk related to construction source DPM emissions for the nearest sensitive receptors as those under the proposed Project. Therefore, like the findings of the proposed Project, DPM emissions associated with Alternative 4 are not likely to cause a significantly elevated cancer risk or significant non- cancer-related health risk to nearby receptors and impacts would be less than significant. Furthermore, as the Reduced Intensity Alternative has a reduction in truck trips per day (-50%), it is likely that the health risk would be less than that modeled for the proposed Project. Therefore, like the findings of the proposed Project, DPM emissions associated with the Reduced Intensity Alternative are not likely to cause a significantly elevated cancer risk or significant non-cancer-related health risk to nearby receptors.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Reduced Intensity Alternative would have **similar impacts** relative to biological resources.

c. Biological Resources

The proposed Project site is a currently vacant and undeveloped parcel in the city. There are no bodies of water or riparian corridors at the site and therefore no fish, amphibian or reptile habitats at the site. The current undeveloped nature of the site does not supply suitable habitat, dense foliage cover, and vegetation communities that would provide nursery sites or contribute to wildlife corridors. Therefore, due to the lack of waterbodies on the site there would be no impact on riparian habitat, wetlands, or to federally or State-protected wetlands or to habitat for sensitive species under Alternative 3.

Although a number of plant and animal species were identified within the site and surrounding areas, these species are typical of developed/disturbed areas. No special status plant species exist at the site.

Several animal species have the potential to exist in the area surrounding the proposed Project site. However, none of these species were observed on the site during the biological resources surveys conducted for the proposed Project, and no habitat for any of these species were observed at the site. Although no burrowing owls were spotted on the site during biological resources field surveys, the proposed Project site supports the potential for the burrows and habitat for burrowing owls.

Although no birds were observed at the site, the potential does exist for birds to nest and breed during typical avian nesting seasons.

Similar to the proposed Project, the Reduced Intensity Alternative would develop the currently vacant and sparsely vegetated site would be developed with two (2) smaller fulfillment center warehouses. Site clearing under Alternative 3 would clear all existing vegetation on the site and therefore has the potential to impact the habitat and foraging areas for burrowing owls, as well as providing nesting habitat for migratory birds.

With site disturbance and development under the Reduced Intensity Alternative, the limited vegetation on the site, as well as any potential animal species (such as a burrowing owls) that may inhabit the site would be disturbed and there could be potential impacts to special status species and avian nursey sites. However, with incorporation of mitigation measures **BIO-1, BIO-2** and **BIO-3**, impacts to biological resources would also be less than significant under Alternative 3, as under the proposed Project.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Reduced Intensity Alternative would have **similar impacts** relative to biological resources.

d. Cultural Resources

The Cultural Resources report (Appendix ??) conducted for the proposed Project revealed that the site and its surroundings have been inhabited by Native ethnic groups since 1,350 YBP (years before present). The Cultural Resources report has identified 54 resources (eight prehistoric and 46 historic) within one (1) mile of the site. Although currently vacant and undeveloped, implementation of the Reduced Intensity Alternative therefore has the potential to impact undiscovered historic, archaeological, and human remains at the site under the proposed developments.

Similarly, under Alternative 3, construction and operation at the site has the potential to unearth undiscovered historic, archaeological, and human remains at the site. Impacts however would be less than significant with the incorporation of mitigation measures **CUL-1, CUL-2** and **CUL-3**.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Reduced Impact Alternative would have **similar impacts** in relation to cultural, historic, or archaeological resources.

e. Energy

Energy consumption under construction activities for the Reduced Intensity Alternative would be temporary and limited to the use of power tools and the operation of machinery, large equipment and construction vehicle trips. Since the site would be developed with building structures smaller in size to that of the proposed Project, site construction activities would require less construction days than under the proposed Project.

Site operations under Alternative 3 is forecast to generate approximately 1,724 daily vehicle trips, including approximately 219 daily truck trips. Therefore, this alternative would generate approximately 1,727 fewer daily vehicle trips (-50%) compared to the proposed Project, including 220 fewer truck trips per day (-50%). However, based on the operational aspects at the site under Alternative 3, energy consumption under the Reduced Intensity Alternative would be less than that of the proposed Project. With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **reduced impacts** in relation to energy.

f. Geology and Soils

The proposed Project site is currently vacant and undeveloped located in the northern portion of the city of Palm Springs. Since the site is relatively flat and not in proximity to any mountain ranges, the proposed Project site has low risks associated with landslide hazards. However, according to the California Department of Conservation data and maps, the Banning Strand of the San Andreas Fault passes northeast along the site's northern boundary at 18th Avenue. This places the city in a high potential of liquefaction risk and earthquake induced settlement due to potential ground shaking. Therefore, the proposed Project has the potential to place people and structures in a seismically active area and thus in danger of impacts from earthquake fault ruptures, liquefaction, soil subsidence and collapse. With development on the site, the proposed Project also has the potential to the discovery and destruction of unique paleontological resources and would therefore require the incorporation of mitigation measures **GEO-1** through **GEO-5** under proposed Project design, construction and operation which would minimize potential impacts to less than significant levels.

Since the site is located in a seismically active area, under the Reduced Intensity Alternative, construction or operation at the site has the potential to place the structure and employees at risk from ground shaking, fault ruptures, liquefaction, subsidence and collapse, resulting in the risk of loss of the warehouse structure, and injury, or death of site employees. Similarly, under site development activities Alternative 3 has the potential to impact the discovery and destruction of unique paleontological resources. However, with the incorporation of mitigation measures **GEO-1** through **GEO-5**, impacts to geology and soils under the Reduced Intensity Alternative would be less than significant.

Since the Reduced Intensity Alternative would develop the site with 50% less building mass and few employees on site, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **reduced impacts** in relation to geology and soils.

g. Greenhouse Gas Emissions

The Reduced Intensity Alternative would result in a maximum of approximately 952,355 square feet for both buildings, which is a 50 percent reduction in building size from the proposed project. This would result in a reduced use and operation of construction equipment for a shorter duration at the site.

With a 50% reduction in building mass and use, Alternative 3 is forecast to generate approximately 1,724 daily vehicle trips, including approximately 219 daily truck trips. Therefore, this alternative would generate approximately 1,727 fewer daily vehicle trips (-50%) compared to the proposed Project, including 220 fewer truck trips per day (-50%). In addition, as is shown in Appendix B of the Air Quality Study (included in Appendix 2 of this DEIR), the mobile source emissions were the largest source of emissions generated by the proposed Project for most of the modeled operational pollutants as well as greenhouse gases. Therefore, as Alternative 3 would have a reduction in building size and fewer daily vehicle and truck trips than the proposed Project, it can be anticipated that the overall operational and greenhouse gas emissions associated with the Reduced Intensity Alternative would be less than the modeled emissions of the proposed Project. However, as ROG and NOx were the only pollutants that exceeded SCAQMD regional operational thresholds for the proposed Project, with the reduction in building size and mobile source emissions, the operational emissions could result in a lower significance than the proposed Project. However, as the total greenhouse gas emissions provided in the Air Quality Study (see ***Appendix B*** of this DEIR) were 23,732.06 MTCO2e which greatly exceeded the SCAQMD industrial threshold of 10,000 MTCO2e, even with a reduction in emissions, the Reduced Intensity Alternative is likely to result in similar findings of a significant and unavoidable impact with incorporation of mitigation for greenhouse gas emissions as was found for the proposed Project. Alternative 3 would therefore also require the incorporation of mitigation measure **GHG-1** for operational and greenhouse gas emissions impacts.

With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, in comparison to the proposed Project, Alternative 4 would have **reduced impacts** in relation to greenhouse gas emissions.

h. Hazards and Hazardous Materials

The Phase I Environmental Site Assessment (ESA) conducted for the proposed Project indicated the presence of five (5) hazardous sites located to the northeast of the site, as well as a transmission pipeline situated along the site's northern boundary on 18th Avenue. No recognized environmental conditions related to hazardous materials were identified at the site. As a currently vacant parcel, there are no use, storage or transport of any type of hazardous materials to and from the site. There are no existing or proposed school located within a quarter mile of the site. Although the proposed Project site is located in close proximity to two (2) area airports, the site itself is not located within an airport land use plan or private airstrip.

As with the proposed Project, the Reduced Intensity Alternative would store, transport and utilize hazardous materials during site construction and operation. Alternative 3 also has the potential for accidental release of hazardous materials on site. Since development under the Reduced Intensity Alternative would also be required to adhere to all regulations for the handling and storage of hazardous materials, impacts would be less than significant impacts relative to the storage, transport and use of hazardous materials.

As with the proposed Project, the site is not located within proximity to local schools and airports and Alternative 3 would have no impact to schools, nor would it expose individuals to any airport noise. There would be no impact to these issue areas under the Reduced Intensity Alternative.

Although Alternative 3 would develop the site with fewer employees and buildings and associated infrastructure at a ratio of 50% less than that under the proposed Project, the Reduced Intensity Alternative would utilize, store and dispose of hazardous materials on site during proposed Project construction and operation. With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **similar impacts** in relation to hazards and hazardous materials.

i. Hydrology and Water Quality

Although the Reduced Intensity Alternative would reduce building mass on the site by 50%, site development would require the construction of internal roadway systems, landscaping, lighting and signage. The proposed Project site is located within the Mission Creek Subbasin of the Colorado River hydrologic region within flood plain Zone X and therefore has a 0.2 percent to one (1) percent chance (in areas with average depths of less than one (1) foot) of annual flood (FEMA Flood Zone Map; accessed November 2023). Therefore, there would be less than significant impact related to flooding under Alternative 3.

As with the proposed Project, construction clearing and grubbing activities associated with Alternative 3 would have the potential to impact water quality through soil erosion and increase in the amount of silt and debris carried in runoff on and around the site. Additionally, the use of construction materials, such as fuels, solvents, and paints may present a risk to surface water quality in the city and surrounding areas in Riverside County. Finally, the refueling and parking of construction vehicles and other equipment onsite during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the City's existing storm drain system. In order to minimize potential construction and operational level impacts, development of Alternative 3 would require the preparation and implementation of a SWPPP. As with the proposed Project, the Reduced Intensity Alternative would be required to comply with the CWA, all NPDES permit requirements as well as all State and local requirements for the maintenance of water quality standards and wastewater discharge through the preparation and maintenance of a WQMP.

As discussed under ***Section 4.9: Hydrology and Water Quality,*** local water supplies under MSWD have the capacity to meet demand at the site. In comparison to the proposed Project, since Alternative 3 would result in less building development at the site, this has the potential to result in reduced water demand. Although landscaped areas under the Reduced Intensity Alternative would be greater than that under the proposed Project, development under this Alternative as with the proposed Project, would be subject to the City's water efficient landscape ordinance. water usage for these areas would not be significantly greater than those under the proposed Project.

Site development under Alternative 3 would be required to implement all applicable measures and industry standards for non-structural and structural pollution source control such that the Reduced Intensity Alternative would not result in stormwater runoff conditions that would affect infiltration and groundwater recharge. The proposed site development may also be required to obtain and maintain an Industrial General Permit in compliance with the State of California's Groundwater Program. As with the proposed Project, although development under Alternative 3 would result in smaller building masses, development under the Reduced Intensity Alternative would increase impervious land at the site with the

development of building structures, landscaping and street infrastructure. Development under Alternative 3 would be required to incorporate underground retention along with onsite retention basins. This would ensure that urban runoff and pollutant discharges into the area's storm drainage systems are prevented such that groundwater quality is protected at the site. Therefore, as with the proposed Project, potential impacts to hydrology under Reduced Intensity Alternative would be less than significant with the implementation of mitigation measures **HYD-1** through **HYD-4**.

Since the City and the proposed Project site are not within a tsunami inundation zone, there would be no impacts from seiches and tsunamis.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **similar impacts** relative to hydrology and water quality.

j. Noise

As documented in the Transportation Assessment for Project Alternatives Memo, the Reduced Intensity Alternative is expected to generate 1,724 daily vehicle trips, including approximately 219 daily truck trips. Increases in ambient noise levels due to vehicle traffic associated with Alternative 3 would be less than what would occur with implementation of the proposed Project.

As with the proposed Project, under the Reduced Intensity Alternative, although site construction would increase ambient noise levels at the currently undeveloped site, construction activities would not result in noise levels that would exceed City standards. The nearest sensitive noise receptors are located approximately over 2,000 feet to the northeast of the site. Assuming a similar equipment list, phasing, and associated construction vehicle trips, the Reduced Intensity Alternative is not anticipated to result in a substantial difference in construction noise from that of the proposed Project. The significance of construction noise levels and ground borne vibrations under Alternate 3 as under the proposed Project, would be less than significant.

It is assumed that the Reduced Intensity Alternative would result in fewer buildings and/or less square footage and impacts associated with Alternative 3 operational noise would likely be the same or less than that of the proposed Project; however, operational noise levels are sensitive to design specifications such as building layouts and heights. and it is possible that the Reduced Intensity Alternative could result in new operational noise impacts to adjacent industrial uses compared those analyzed and disclosed in the proposed Project Noise Impact Analysis (NIA). Other factors that affect the increase in existing noise levels are due to vehicle traffic are driveway location and trip distribution patterns. These additional noise impacts may exceed the thresholds of significance and require additional mitigation measures compared to the proposed Project NIA *(see **Appendix E** of this EIR).*

The Noise Impact Analysis conducted for the proposed Project site concluded that operational noise impacts to nearby residential uses were found to be below the threshold of significance for the proposed Project. Although building sizes under the Reduced Intensity Alternative would be 50% less than those under the proposed Project, it may be assumed that Alternative 3 would consist of similar on-site noise sources (e.g., parking lot noise, loading docks, and HVAC units). Alternative 3 is unlikely to result in new impacts to nearby residential uses as compared to those previously identified for the proposed Project. The modeling of operational noise levels for the proposed Project at adjacent industrial/ manufacturing/energy uses was estimated to range between 42.0 and 54.6 dBA Leq, which is just below

the threshold between the hours of 10:00 PM and 7:00 AM. Operational noise levels are sensitive to design specifications such as building layouts and heights, as with the proposed Project, Alternative 3 would result in new operational noise impacts at a currently vacant site. However, since operational noise modeling is sensitive to design specifications such as building layouts and heights, it is possible that the Reduced Intensity Alternative could result in operational noise impacts would likely be less than that of the proposed Project.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **reduced impacts** relative to noise.

k. Population and Housing

The proposed Project site had been utilized as a wind farm in recent years but is currently disturbed and vacant land with sparse, low shrub coverage. There are no residential buildings on the site. Based on current employment/unemployment levels and availability of housing stock in the city and within Riverside County, it was determined that the proposed Project would result in less than significant impact with regard to population growth. Since there are no existing houses on the site, there would be no displacement of people at the site under the proposed Project.

Similarly, under the Reduced Intensity Alternative, although the currently vacant site would be developed, since no residential units exist on the site currently, Alternative 3 would not displace people or existing housing and there would be no impact.

Due to the nature of the Reduced Intensity Alternative, this Alternative has the potential to generate 350 new jobs in the city. As with the proposed Project, Alternative 3 would employ existing residents from the city of Palm Springs and neighboring areas in Riverside County. Should the development under the Reduced Intensity Alternative result in all of the 350 new residents and their families relocating to the city of Palm Springs, there is sufficient housing currently vacant and available in the city. The City's 6th Housing Element estimated that the City currently has a total of 36,702 housing units of which 23,889 units are occupied and 12,813 units that are vacant, resulting in an overall vacancy rate of 9.5% (US Bureau of Census – American Community Survey data; 2023).

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **reduced impacts** relative to population and housing.

l. Public Services

The proposed Project site is a currently underutilized and vacant parcel with no existent uses at the site. Under the Reduced Intensity Alternative, the site would be developed and therefore result in potential demand for police and fire protection services at the property. As with the proposed Project, local police and fire services in the city and Riverside County have sufficient emergency staff and equipment to serve the site under Alternative 3. The Reduced Intensity Alternative would also be required to adhere to applicable City goals and policies related to safety, CBC, and City Fire codes. Final reviews under the Riverside County and City fire departments would be required prior to final project approvals. Employees at the site would be able to access schools, libraires and healthcare facilities in their areas of residence and the proposed Project would not require an expansion in these service facilities. Impacts would therefore be less than significant.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **similar impacts** in relation to public services.

m. Recreation

The proposed Project site is a currently underutilized and vacant parcel with no existent recreational uses at the site. Under the Reduced Intensity Alternative, the site would be developed for an industrial use generating approximately 350 employees. As with the proposed Project, Alternative 3 would employ existing residents from the city of Palm Springs and neighboring areas in Riverside County who would continue to utilize recreational facilities at their neighborhoods or residence. Similar to the proposed Project, should the Reduced Intensity Alternative result in new residents moving into the city of Plam Springs, there are sufficient recreation spaces and facilities within the city and County such that no new recreation facilities would be required under Alternative 3. Impacts would continue to be less than significant.

Also, in comparison to the proposed Project, since the Reduced Intensity Alternative would employ significantly lower number of employees, any new residents added to the city under the Alternative 3 would require less recreational use facilities than under the proposed Project. With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **reduced impacts** relative to recreation.

n. Transportation

As discussed previously, the proposed Project would result in a Vehicle Miles Travelled (VMT) threshold of 98.5 which would exceed the City's established threshold of 36.6 VMT per service population within the city. Even with the implementation of all feasible mitigation such as modifying the proposed Project's built environment or participating in a VMT fee program, proposed Project generated VMT would remain higher than projected regional VMT. Therefore, transportation impacts under the proposed Project were determined to be significant and unavoidable.

The Reduced Intensity Alternative would result in a maximum of approximately 952,355 sqft feet for both buildings on the site. **Table 7.0-2: Trip Generation Under the Reduced Intensity Alternative** shows the trip generation is forecast to produce approximately 1,724 daily vehicle trips, including approximately 219 daily truck trips. Therefore, this alternative would generate approximately 1,727 fewer daily vehicle trips (-50%) compared to the proposed Project, including 220 fewer truck trips per day (-50%).

Although Alternative 3 would result in fewer trips generated, the VMT per service population is expected to be the same as the proposed Project due to the reduced employment. For example, although the project-generated VMT may be reduced by half, the denominator (i.e., service population) is also reduced by half, thus resulting in the same VMT per service population. Therefore, the Reduced Intensity Alternative would result in a significant and unavoidable VMT impact as would the proposed Project.

Table 7.0-2: Trip Generation under the Reduced Intensity Alternative

TRIP GENERATION RATES PER TSF[1]								
Vehicle Type	Source[2]	AM Peak Hour			PM Peak Hour			Daily Rate
		In	Out	Rate	In	Out	Rate	
All Vehicles	ITE 155	81%	19%	0.150	39%	61%	0.160	1.810
Trucks Only	ITE 155	50%	50%	0.020	46%	54%	0.010	0.230
Passenger Car (86.7% AM, 93.8% PM, 87.3% Daily)		0.105	0.025	0.130	0.059	0.092	0.151	1.580
Truck (13.3% AM, 6.3% PM, 12.7% Daily)		0.010	0.010	0.020	0.005	0.005	0.010	0.230
Truck Mix:	SCAQMD							
2-Axle Trucks (16.7%)		0.002	0.002	0.004	0.001	0.001	0.002	0.038
3-Axle Trucks (20.7%)		0.002	0.002	0.004	0.001	0.001	0.002	0.048
4+ Axle Trucks (62.6%)		0.006	0.006	0.012	0.003	0.003	0.006	0.144

VEHICLE TRIPS GENERATED							
Vehicle Type	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Passenger Car	100	24	124	56	88	144	1,505
Trucks							
2-Axle Trucks	2	2	4	1	1	2	36
3-Axle Trucks	2	2	4	1	1	2	46
4+ Axle Trucks	6	6	12	3	3	6	137
Subtotal	10	10	20	5	5	10	219
Total Vehicle Trips Generated	110	34	144	61	93	154	1,724

Notes: 1 TSF = Thousand Square Feet
2 ITE = Institute of Transportation Engineers Trip Generation Manual (11th Edition, 2021); ITE Land Use Code. Fontana - City of Fontana Truck Trip Generation Study (August 2003); recommended truck mix for Industrial Park classification.

The Reduced Intensity Alternative would also be required to adhere to applicable City, local and State regulations, as well as City of Palm Springs General Plan goals and policies. Although in comparison to the proposed Project, Alternative 3 would have **reduced impacts** to transportation, impacts to VMT would still remain significant and unavoidable.

o. Tribal Cultural Resources

As discussed previously, archaeological records search for the proposed Project site and its surrounding area identified 54 prehistoric and historic resources within one (1) mile of the proposed Project site. No properties or historic features listed on the National Register of Historic Places (NRHP) were found at the site although Plat maps from 1856 does depict an "Indian Trail" south of the property.

As with the proposed Project, under the Reduced Intensity Alternative, the site would be developed and therefore would require earth moving or ground disturbing activities to occur on the site. Construction of the warehouse facility may result in potential discovery of previously unidentified tribal cultural and tribal artifacts as well as human remains during ground disturbing activities. Therefore, mitigation measures **CUL-1** through **CUL-3** would be required under Alternative 4 as well as the proposed Project in order to minimize impacts to less than significant levels.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies, Alternative 3 as well as the proposed Project would have **similar impacts** to tribal cultural resources.

p. Utilities and Service Systems

The Reduced Intensity Alternative would require new and expanded connections to water, sewer, electric, gas and telecommunication facilities. The City has adequate infrastructure resources to serve the site and its surroundings through connection off 19th Avenue and N Indian Canyon Drive. The service providers in the city also provide utility and telecommunication services to the neighboring uses and would continue to provide services to the site under Alternative 3. However, with 50% less building and office spaces and therefore less employees under the Reduced Intensity Alternative, in comparison to the proposed Project, Alternative 3 would generate less solid water and wastewater and would require less electric, gas, and telecommunications. As with the proposed Project, impacts to utilities on the site would be less than significant under the Reduced Intensity Alternative.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **reduced impacts** in relation utilities and service systems***.***

q. Wildfire

As discussed previously, although the proposed Project site is currently vacant and undeveloped, it is located within FRA and LRA zones according to CalFire's State Responsibility Area FHSZ map. However, the site is not located in a VHFHSZ, or a FHSZ in a SRA zone.

Although the Reduced Intensity Alternative would develop the site with two (2) industrial buildings about 50% less in square footage, lower parking and truck storage and loading areas than that under the proposed Project, Alternative 3 would still be located within a LRA fire hazard area with the potential for spread of wildfire due to prevailing winds and onsite vegetation. The Reduced Intensity Alternative therefore has the potential to exacerbate wildfire risks over the existing conditions. However, as with the proposed Project, construction and operation at the site under the Reduced Intensity Alternative would be required to comply with State and local fire safety regulations, all CBC regulations, all applicable City of Palm Springs EOP fire safety requirements as well as the City's fire safety regulations during construction and operation. With adherence to these guidelines and the Safety policies under the City's Palm Springs by Design – General Plan 2040, construction and obstruction activities would not substantially impede emergency vehicle access or impair an emergency response plan or evacuation plan. Even with a reduction in building sizes, the warehouse facilities would be required to be equipped with fire-sprinklers and other fire safety equipment and would utilize landscaping materials that have been reviewed by the RCFD as well as the City's Fire Chief for its requirements to meet the City and State fire safety requirements for defensible space. Therefore, impacts would be less than significant.

Since the site is located within a Wildfire Influence Zone, all the buildings on site would be required to incorporate construction efforts and operation design features such as to prevent ignitions and limit wildfire loss by limiting vast areas of landscaping, using more impervious surfaces and fire resistant building materials, and creating defensible spaces so as to limit the spread of fire and reduce the risk to people and property. Therefore, impacts would be less than significant under Alternative 3.

The relatively flat site is not in proximity to any mountain ranges nor is the site located within a Fire Hazard Safety Zone; therefore, landslides include rockfalls, deep slope failure, and shallow slope failure are not likely to occur at the site due to the absence of steep slopes. As a result, the Reduced Intensity Alternative would not 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. Therefore, impacts would be less than significant.

Although Alternative 3 would require development of infrastructure relative to power, water, sewer, stormwater drainage and an internal roadway system, such improvements would decrease fire risks relative to existing conditions. The site is not located in or near a SRA and does not contain any land classified as very high fire hazard severity zones. As with the proposed Project, power would be provided to the site through new underground distribution lines that would connect to existing power lines and infrastructure located along the surrounding roadways. The site would also provide suitable access for emergency vehicles from 18th Street, 19th Street and North Indian Canyon Drive. Therefore, development under the Reduced Intensity Alternative would result in less than significant impacts with the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that generally may exacerbate fire risk.

However, since Alternative 3 would develop a currently vacant site with two (2) large warehouse buildings and associated infrastructure, with the Reduced Intensity Alternative's adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 3 would have **similar impacts** relative to wildfire.

7.3.4 Alternative 4: Distribution Warehouse Alternative

Under this Alternative, the proposed Project site would be developed with one (1) 1,904,704 sqft distribution warehouse to store and distribute goods to wholesalers and retailers. Under this Distribution Warehouse Alternative total building footprint would remain the same as that for the proposed Project, while vehicular and bicycle parking would be reduced, total trailer stalls and dock positions provided would remain the same as that for Alternative 3. The total number of employees on site would be reduced to 250 persons.

Impact Analysis

a. Aesthetics

The approximate 91.95 acre site is currently empty land with low lying brush, located in the northeastern portion of the city of Palm Springs, in the County of Riverside. Under the Distribution Warehouse Alternative, the currently vacant site would be developed with one (1) large warehouse building, the development of which has the potential to degrade the existing visual character of the site by blocking the scenic views of the surrounding mountains from the interior of the site, as well as from the surrounding areas. However, these mountain ranges are approximately between 10 miles to the east and 25 miles to the north from the site and current views of these mountains from the site are distant and partially

interrupted by building structures to the south and by street light poles and electric cables to the north, east and west of the site, and by wind turbines and a power utility station to the west. While Alternative 4 has the potential to limit views of the distant mountains, this Alternative as with the proposed Project, would be required to comply with the City's 2007 General Plan Policies such that proposed architecture, building height and materials and landscaping are compatible to the area topography and views. This would ensure that, similar to the proposed Project, the Distribution Warehouse Alternative's impacts on existing views of nearby scenic vistas are at less than significant levels.

Public views into the site are primarily from Indian Canyon Avenue and 19th Avenue. Since vehicles and travelers along these roadways currently have clear views into the currently vacant site, development of the proposed building mass under Alternative 4 has the potential to affect these current views of open land. As with the proposed Project, although the proposed warehouse building would be required to be designed according to City design standards, and any building articulation would have to conform to the City's Municipal Code and General Plan requirements and policies, the very mass and size of the building under Alternative 4 has the potential to degrade the existing visual character of public views of the site and surroundings. Existing views of open spaces surrounding the site would be blocked under development of the Distribution Warehouse Alternative and impacts would be less than significant.

Currently, there are no sources of current light and glare conditions from the site and the site is surrounded primarily by vacant land to the immediate, north, east and west. Existing sources of daytime glare and nighttime light are from the limited number of businesses to the east and south of the site, streetlights off N Indian Canyon Drive, 19th Avenue and 19th Avenue, as well as from and passing vehicles on 10th Avenue and N Indian Canyon Drive. Under Alterative 4, the currently vacant parcels would generate new sources of daytime glare and nighttime light, with light reflecting off the building surface and windows, streetlight along internal roadways and parking areas, site signage, exterior building lighting, reflection and headlights from vehicular traffic on the site.

As under the proposed Project development of the site under the Distribution Warehouse Alternative would be required to adhere to applicable City requirements and CBC regulations in terms of height and light direction of onsite light poles, size of signage, use of exterior building materials, as well as adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies. Since Alternative 4 would develop only one (1) large building on the site with no internal roadways, there would be less exterior building lighting, signage, and reduced daytime glare and nighttime lighting at the site and the Distribution Warehouse would have **reduced impacts** relative to aesthetic resources.

b. Air Quality

Under the Distribution Warehouse Center Alternative the total building footprint, vehicular and bicycle parking, total trailer stalls and dock positions provided would remain the same as that for the proposed Project. As both the site and the overall building components would remain the same as the proposed Project, Alternative 4 would be anticipated to result in similar construction-related emissions. Therefore, the Distribution Center Alternative is likely to result in a construction-related air quality impact of less than significant as was found for the proposed Project.

As shown in the Transportation Assessment for Project Alternatives memorandum (see ***Appendix B*** of this DEIR), Alternative 4 is forecast to generate approximately 2,672 daily vehicle trips, including approximately 422 daily truck trips. Therefore, this Alternative would generate approximately 779 fewer daily vehicle trips (-23%) compared to the proposed Project, including 17 fewer truck trips per day (-4%). In addition,

under the Distribution Warehouse Alternative, the mobile source emissions were the largest source of emissions generated under most of the modeled operational pollutants. Therefore, as this Alternative is expected to have the same overall building aspects with fewer daily vehicle and truck trips than the proposed Project, it can be anticipated that the overall operational air quality impacts associated with the Distribution Warehouse Center Alternative would likely be slightly less than the modeled emissions of the proposed Project. As the total emissions provided in the Air Quality Study (***Appendix B***) greatly exceeded thresholds, mainly in regard to greenhouse gases, the Distribution Center Alternative is likely to result in similar findings of a significant and unavoidable impact with incorporation of mitigation for operational air quality impacts as was found for the proposed Project.

Furthermore, as the Distribution Center Alternative has a slight reduction in truck trips per day (-4%) with the same overall layout as the proposed Project, it is likely that the health risk would be similar to that modeled for the proposed Project. With regard to health risks associated with Alternative 4, construction emission levels under the Distribution Warehouse Center Alternative would be low such that their impact may not be detected in the regional models currently utilized to determine air quality related to health risks. Potential health risks associated with localized construction and operational emissions and odors would be less than significant for sensitive residential and school uses. There are no schools located within this section of the city or Riverside County. The nearest residences are located approximately over 2,700 feet to the northeast of the site. Construction activities and odors under the Distribution Warehouse Center Alternative would be temporary and would result in short-term TACs from diesel particulate matter (DPM) at a level similar to that under the proposed Project. This would result in similar incremental cancer risk related to construction source DPM emissions for the nearest sensitive receptors as those under the proposed Project. Therefore, like the findings of the proposed Project, DPM emissions associated with Alternative 4 are not likely to cause a significantly elevated cancer risk or significant non- cancer-related health risk to nearby receptors and impacts would be less than significant.

With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **similar impacts** relative to air quality.

c. Biological Resources

There are no bodies of water or riparian corridors at the proposed Project site and therefore no fish, amphibian or reptile habitats at the site. The current undeveloped nature of the site does not supply suitable habitat, dense foliage cover, and vegetation communities that would provide nursery sites or contribute to wildlife corridors. Therefore, due to the lack of waterbodies on the site there would be no impact on riparian habitat, wetlands, or to federally or State-protected wetlands or to habitat for sensitive species under Alternative 4. Although a number of plant and animal species were identified within the site and surrounding areas, these species are typical of developed/disturbed areas. No special status plant species exist at the site.

Several animal species have the potential to exist in the area surrounding the site. However, none of these species were observed on the site during the biological resources surveys conducted for the proposed Project, and no habitat for any of these species were observed at the site. Although no burrowing owls were spotted on the site during biological resources field surveys, the site supports the potential for the burrows and habitat for burrowing owls.

Although no birds were observed at the site, the potential does exist for birds to nest and breed during typical avian nesting seasons.

Under the Distribution Warehouse Alternative, the currently vacant and sparsely vegetated site would be developed with one (1) large warehouse. Site clearing would eliminate all existing vegetation on the site and therefore has the potential to impact the habitat and foraging areas for burrowing owls, as well as providing nesting habitat for migratory birds. With site disturbance and development under Alternative 4, the limited vegetation on the site, as well as any potential animal species (such as a burrowing owls) that may inhabit the site would be disturbed and there could be potential impacts to special status species and avian nursey sites. However, with incorporation of mitigation measures **BIO-1, BIO-2** and **BIO-3**, impacts to biological resources would also be less than significant under Distribution Warehouse Alternative as under the proposed Project.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **similar impacts** relative to biological resource

d. Cultural Resources

The Cultural Resources report (Appendix ??) conducted for the proposed Project revealed that the site and its surroundings have been inhabited by Native ethnic groups since 1,350 YBP (years before present). The Cultural Resources report has identified 54 resources (eight prehistoric and 46 historic) within one (1) mile of the site. Although currently vacant and undeveloped, implementation of Alternative 4 therefore has the potential to impact undiscovered historic, archaeological, and human remains at the site under the proposed developments. Similarly, under the Distribution Warehouse Alternative, construction and operation at the site has the potential to unearth undiscovered historic, archaeological, and human remains at the site. Impacts however would be less than significant with the incorporation of mitigation measures **CUL-1, CUL-2** and **CUL-3**.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **similar impacts** in relation to cultural, historic, or archaeological resources.

e. Energy

Under the Distribution Warehouse Center Alternative, energy consumption under construction activities would be temporary and limited to the use of power tools and the operation of machinery, large equipment and construction vehicle trips.

Site operations under Alternative 4 would result in reduced on and off-site vehicle trips at 779 fewer daily vehicle trips (-23%) compared to the proposed Project, including 17 fewer truck trips per day (-4%). Based on the operational aspects at the site under Alternative 4, energy consumption under the Distribution Warehouse Alternative would be similar to that of the proposed Project. With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **similar impacts** in relation to energy.

f. Geology and Soils

The proposed Project site is currently vacant and undeveloped located in the northern portion of the city of Palm Springs. Since the site is relatively flat and not in proximity to any mountain ranges, the proposed

Project site has low risks associated with landslide hazards. However, according to the California Department of Conservation data and maps, the Banning Strand of the San Andreas Fault passes northeast along the site's northern boundary at 18th Avenue. This places the city in a high potential of liquefaction risk and earthquake induced settlement due to potential ground shaking. Therefore, the proposed Project has the potential to place people and structures in a seismically active area and thus in danger of impacts from earthquake fault ruptures, liquefaction, soil subsidence and collapse. With development on the site, the proposed Project also has the potential to the discovery and destruction of unique paleontological resources and would therefore require the incorporation of mitigation measures **GEO-1** through **GEO-5** under proposed Project design, construction and operation which would minimize potential impacts to less than significant levels. Since the proposed Project site is located in a seismically active area, under the Distribution Warehouse Alternative, construction or operation at the site has the potential to place the structure and employees at risk from ground shaking, fault ruptures, liquefaction, subsidence and collapse, resulting in the risk of loss of the warehouse structure, and injury, or death of site employees. Similarly, under site development activities Alternative 4 has the potential to impact the discovery and destruction of unique paleontological resources. However, with the incorporation of mitigation measures **GEO-1** through **GEO-5**, impacts to geology and soils under the Distribution Warehouse Alternative would be less than significant.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, in comparison to the proposed Project, Alternative 4 would have **similar impacts** in relation to geology and soils.

g. Greenhouse Gas Emissions

Under the Distribution Warehouse Center Alternative the total building footprint, vehicular and bicycle parking, total trailer stalls and dock positions provided would remain the same as that for the proposed Project. As both the site development and the overall building components would remain the same as the proposed Project, the Distribution Center Alternative would be anticipated to result in similar construction-related emissions. Therefore, the Distribution Center Alternative is likely to result in a construction-related greenhouse gas impact of less than significant as was found for the proposed Project.

Alternative 4 is estimated to generate approximately 2,672 daily vehicle trips, including approximately 422 daily truck trips. Therefore, this Alternative would generate approximately 779 fewer daily vehicle trips (-23%) compared to the proposed Project, including 17 fewer truck trips per day (-4%). In addition, as is shown in Appendix B of the Air Quality Study (included in ***Appendix B*** of this DEIR), the mobile source emissions were the largest source of emissions generated by the proposed Project for most of the modeled operational pollutants as well as greenhouse gases. Therefore, as the Distribution Warehouse Center Alternative is expected to have the same overall building aspects with fewer daily vehicle and truck trips than the proposed project, it can be anticipated that the overall operational and greenhouse gas emissions associated with the Distribution Center Alternative would likely be either similar to or slightly less than the modeled emissions of the proposed Project. As the total emissions greatly exceeded thresholds, mainly in regard to greenhouse gases, Alternative 4 is likely to result in similar findings of a potentially significant impact as that for the proposed Project. The Distribution Warehouse Center Alternative would therefore also require the incorporation of mitigation measure **GHG-1** for operational and greenhouse gas emissions impacts.

Since Alternative 4 would only result in less than 25% of the daily vehicle trips as under the proposed Project, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, in comparison to the proposed Project, Alternative 4 would have **similar impacts** in relation to greenhouse gas emissions.

h. Hazards and Hazardous Materials

The Phase I Environmental Site Assessment (ESA) conducted for the proposed Project indicated the presence of five (5) hazardous sites located to the northeast of the site, as well as a transmission pipeline situated along the site's northern boundary on 18th Avenue. No recognized environmental conditions related to hazardous materials were identified at the proposed Project site. As a currently vacant parcel, there are no use, storage or transport of any type of hazardous materials to and from the site. There are no existing or proposed school located within a quarter mile of the proposed Project site. Although the proposed Project site is located in close proximity to two (2) area airports, the site itself is not located within an airport land use plan or private airstrip.

As with the proposed Project, the Distribution Warehouse Center Alternative would store, transport and utilize hazardous materials during site construction and operation. Alternative 4 also has the potential for accidental release of hazardous materials on site. Since development under the Distribution Warehouse Alternative would also be required to adhere to all regulations for the handling and storage of hazardous materials, impacts would be less than significant impacts relative to the storage, transport and use of hazardous materials.

As with the proposed Project, the site is not located within proximity of local schools and airports and Alternative 4 would have no impact to schools, nor would it expose individuals to any airport noise. There would be no impact to these issue areas under Alternative 4.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Distribution Warehouse Alternative would have **similar impacts** in relation to hazards and hazardous materials.

i. Hydrology and Water Quality

The Distribution Warehouse Center Alternative would not reduce total building mass on the site and site development would also require the construction of internal roadway systems, landscaping, lighting and signage across the approximate 97 acre site. The proposed Project site is located within the Mission Creek Subbasin of the Colorado River hydrologic region. The site is in the flood plain Zone X based on FEMA Map Number 06065C0895G. As discussed earlier, parcels within floodplain zone X have a 0.2 percent to one (1) percent chance (in areas with average depths of less than one (1) foot) of annual flood (FEMA Flood Zone Map; accessed November 2023). Therefore, there would be less than significant impact related to flooding under Alternative 4.

As with the proposed Project, construction clearing and grubbing activities associated with Alternative 4 would have the potential to impact water quality through soil erosion and increase in the amount of silt and debris carried in runoff on and around the site. Additionally, the use of construction materials, such as fuels, solvents, and paints may present a risk to surface water quality in the city and surrounding areas in Riverside County. Finally, the refueling and parking of construction vehicles and other equipment onsite during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the City's existing storm drain system. In order to minimize potential construction and operational level

impacts, development of the proposed Project would require the preparation and implementation of a SWPPP. As with the proposed Project, the Distribution Warehouse Center Alternative would be required to comply with the CWA, all NPDES permit requirements as well as all State and local requirements for the maintenance of water quality standards and wastewater discharge through the preparation and maintenance of a WQMP.

As discussed under ***Section 4.9: Hydrology and Water Quality,*** local water supplies under MSWD have the capacity to meet demand at the site. As with site development under the proposed Project, Alternative 4 would result in building development at a currently vacant site, and this has the potential to result in increased water demand. Although landscaped areas under the Distribution Warehouse Alternative would be greater than that under the proposed Project, development under this Alternative as with the proposed Project, would be subject to the City's water efficient landscape ordinance. water usage for these areas would not be significantly greater than those under the proposed Project.

Site development under Alternative 4 would be required to implement all applicable measures and industry standards for non-structural and structural pollution source control such that the Distribution Warehouse Center Alternative would not result in stormwater runoff conditions that would affect infiltration and groundwater recharge. The proposed site development may also be required to obtain and maintain an Industrial General Permit in compliance with the State of California's Groundwater Program. As with the proposed Project, although development under Alternative 4 would increase impervious land at the site with the development of building structures, landscaping and street infrastructure, development under the Distribution Warehouse Center Alternative would be required to incorporate underground retention along with onsite retention basins. This would ensure that urban runoff and pollutant discharges into the area's storm drainage systems are prevented such that groundwater quality is protected at the site. Therefore, as with the proposed Project, potential impacts to hydrology under Alternative 4 would be less than significant with he implementation of mitigation measures **HYD-1** through **HYD-4**.

Since the City and the proposed Project site are not within a tsunami inundation zone, there would be no impacts from seiches and tsunamis.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **similar impacts** relative to hydrology and water quality.

j. Noise

Alternative 4 would develop the proposed Project site with 16 separate buildings. The total building footprint, vehicular and bicycle parking, total trailer stalls and dock positions provided would remain the same for the Distribution Warehouse Center Alternative as for the proposed Project.

Similar to the proposed Project, Alternative 4 would result in significant noise levels during construction since construction equipment utilized under the Distribution Warehouse Center Alternative would include similar equipment and construction activities as under the proposed Project. Moreover, Alternative 4 would also be required to comply with existing City standards for construction noise.

The Distribution Warehouse Center Alternative is forecast to generate substantially fewer vehicle trips compared to the proposed Project (approximately 2,672 compared to 3,451, respectively), including 17 fewer truck trips per day. Increases in ambient noise due to implementation of the Distribution Warehouse

Center Alternative would be less than those associated with the proposed Project. Therefore, assuming all other aspects such as building layouts and heights, parking and loading locations, HVAC equipment, and other operational noise sources are the same as for the proposed Project, operational noise impacts funder Alternative 4, as under the proposed Project would be less than significant.

Calculation of groundborne noise associated with proposed Project construction assumes the use of the most vibratory piece of equipment in the proposed disturbance area nearest to the nearest off-site structure. As the nearest structure is at approximately 120 feet away from the property line and the most vibratory equipment would need to be operating closer than 25 feet to a structure to even have the possibility of resulting in structural damage, groundborne vibration impacts associated with the Distribution Warehouse Center Alternative would be the same or less than those of the proposed Project. This would result in less than significant impacts.

The closest airport to the project site is the Palm Springs International Airport, with airport runways located as close as approximately over five (5) miles to the northwest of the proposed Project site. As with the proposed Project, the Warehouse Distribution Center Alternative would not therefore expose people residing or working in the project area to excessive noise levels associated with airports and therefore there would be no impact.

Alternative 4 would also be required to comply with all applicable local and State regulations, as well as City of Palm Springs General Plan goals and policies related to potential noise impacts. Since the Warehouse Distribution Center Alternative would result in less than significant impacts relative to noise, as with the proposed Project, Alternative 4 would have **similar impacts** to noise.

k. Population and Housing

The proposed Project site had been utilized as a wind farm in recent years but is currently disturbed and vacant land with sparse, low shrub coverage. There are no residential structures on the site. The proposed Project would develop a vacant parcel in the city with industrial warehouse uses and would employ approximately 700 people at the site. Based on current employment/unemployment levels and availability of housing stock in the city and within Riverside County, it was determined that the proposed Project would result in less than significant impact with regard to population growth.

Similarly, under the Distribution Warehouse Alternative, although the currently vacant site would be developed, since no residential units exist on the site currently, Alternative 4 would not displace people or existing housing and there would be no impact.

Due to the nature of the Distribution Warehouse Alternative, this Alternative has the potential to generate 250 new jobs in the city. As with the proposed Project, Alternative 4 would employ existing residents from the city of Palm Springs and neighboring areas in Riverside County. Should the development under the Distribution Warehouse Alternative result in all of the 260 new residents and their families relocating to the city of Palm Springs, there is sufficient housing currently vacant and available in the city. The City's 6th Housing Element estimated that the City currently has a total of 36,702 housing units of which 23,889 units are occupied and 12,813 units that are vacant, resulting in an overall vacancy rate of 9.5% (US Bureau of Census – American Community Survey data; 2023).

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **reduced impacts** relative to population and housing.

l. Public Services

The proposed Project site is a currently underutilized and vacant parcel with no existent uses at the site. Under the Distribution Warehouse Alternative, the site would be developed and therefore result in potential demand for police and fire protection services at the property. As with the proposed Project, local police and fire services in the city and Riverside County have sufficient emergency staff and equipment to serve the site under Alternative 4. The Distribution Warehouse Alternative would also be required to adhere to applicable City goals and policies related to safety, CBC, and City Fire codes. Final reviews under the Riverside County and City fire departments would be required prior to final project approvals. Employees at the site would be able to access schools, libraires and healthcare facilities in their areas of residence and the proposed Project would not require an expansion in these service facilities. Impacts would therefore be less than significant.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **similar impacts** in relation to public services.

m. Recreation

The proposed Project site is a currently underutilized and vacant parcel with no existent recreational uses at the site. Under the Distribution Warehouse Project, the site would be developed for an industrial use generating approximately 260 employees. As with the proposed Project, Alternative 4 would employ existing residents from the city of Palm Springs and neighboring areas in Riverside County who would continue to utilize recreational facilities at their neighborhoods or residence. Similar to the proposed Project, should the Distribution Warehouse Alternative result in new residents moving into the city of Palm Springs, there are sufficient recreation spaces and facilities within the city and County. Impacts would continue to be less than significant.

Also, in comparison to the proposed Project, since Alternative 4 would employ significantly lower number of employees, any new residents added to the city under the Distribution Warehouse Alternative would require less recreational use facilities. With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **reduced impacts** relative to recreation.

n. Transportation

The proposed Project is anticipated to generate 3,451 daily vehicle trips, including 286 vehicle trips during the AM peak hour and 305 vehicle trips during the PM peak hour. This results in a Vehicle Miles Travelled (VMT) threshold of 98.5 under proposed Project operations which exceeds the City's established threshold of 36.6 VMT per service population within the city. Even with the implementation of all feasible mitigation such as modifying the proposed Project's built environment or participating in a VMT fee program, proposed Project generated VMT would remain higher than projected regional VMT. Even though the City would encourage the proposed Project to implement Transportation Design Measures (TDM) in order to reduce single-occupancy vehicle trips, given the nature of operations to be constructed at the site, implementation of such measures are not anticipated to reduce the project's impact to a less than significant level. Therefore, transportation impacts under the proposed Project were determined to be significant and unavoidable.

Table 7.0-3: Trip Generation Under the Distribution Warehouse Alternative shows the trip generation estimate for the Distribution Warehouse Center Alternative. As indicated, Alternative 4 is would employ approximately 250 employees and is forecast to generate approximately 2,672 daily vehicle trips, including approximately 422 daily truck trips. Therefore, the Distribution Warehouse Alternative would generate approximately 779 fewer daily vehicle trips (-23%), including 17 fewer truck trips per day (-4%) in comparison to the proposed Project. Under this alternative, employment would be than that under the proposed Project based on employment factors obtained from the County of Riverside General Plan for VMT modeling purposes. Thus, the VMT per service population is expected to be the same as that for the proposed Project. Even though Alternative 4 would be required to comply with all applicable As with the proposed Project, the Distribution Warehouse Alternative would result a significant and unavoidable VMT impact.

Table 7.0-3: Trip Generation under the Distribution Warehouse Alternative

Trip Generation								
Vehicle Type	**Source[2]**	**AM Peak Hour**			**PM Peak Hour**			**Daily Rate**
		In	**Out**	**Rate**	**In**	**Out**	**Rate**	
All Vehicles	ITE 154	77%	23%	0.080	28%	72%	0.100	1.400
Trucks Only	ITE 154	49%	51%	0.020	47%	53%	0.010	0.220
Passenger Car (75.0% AM, 90.0% PM, 84.3% Daily)		0.046	0.014	0.060	0.025	0.065	0.090	1.180
Truck (25.0% AM, 10.0% PM, 15.7% Daily)		0.010	0.010	0.020	0.005	0.005	0.010	0.220
Truck Mix:	SCAQMD							
2-Axle Trucks (16.7%)		0.002	0.002	0.004	0.001	0.001	0.002	0.037
3-Axle Trucks (20.7%)		0.002	0.002	0.004	0.001	0.001	0.002	0.046
4+ Axle Trucks (62.6%)		0.006	0.006	0.012	0.003	0.003	0.006	0.138
VEHICLE TRIPS GENERATED								
Vehicle Type		**AM Peak Hour**			**PM Peak Hour**			**Daily**
		In	**Out**	**Total**	**In**	**Out**	**Total**	
Passenger Car		88	27	115	48	124	172	2,250
Trucks								
2-Axle Trucks		4	4	8	2	2	4	71
3-Axle Trucks		4	4	8	2	2	4	88
4+ Axle Trucks		11	11	22	6	6	12	263
Subtotal		19	19	38	10	10	20	422
Total Vehicle Trips Generated		107	46	153	58	134	192	2,672

Notes: 1 TSF = Thousand Square Feet
2 ITE = Institute of Transportation Engineers Trip Generation Manual (11th Edition, 2021); ITE Land Use Code. Fontana - City of Fontana Truck Trip Generation Study (August 2003); recommended for non-cold storage high-cube warehouse.

Therefore, with adherence to City, local and State regulations, as well as City of Palm Springs General Plan goals and policies, the Distribution Warehouse Alternative would have **reduced impacts** to transportation. However, impacts to VMT would still remain significant and unavoidable.

o. Tribal Cultural Resources

An archaeological records search for the proposed Project site and its surrounding area was completed in 2024 (**Appendix D**). The Eastern Information Center (EIC) records search identified 54 resources (eight [8] prehistoric and 46 historic) within one (1) mile of the proposed Project site. No properties or historic features listed on the National Register of Historic Places (NRHP) were found at the site and Historic United States Geological Survey (USGS) maps and aerial photographs further support that no structures were historically located within the subject property. Buildings on the site's periphery, within a 500-foot buffer, seem to have been constructed between 1984 and 1996. Wind turbines on the site were erected between 1996 and 2002, and while visible on earlier aerial photographs, a recent survey confirmed their removal and return of the land to its current vacant state.

Although no tribal properties listed on the NRHP were found on or around the site, Plat maps from 1856 does depict an "Indian Trail" south of the property.

As with the proposed Project, under the Distribution Warehouse Alternative, the site would be developed and therefore would require earth moving or ground disturbing activities to occur on the site. Construction of the warehouse facility may result in potential discovery of previously unidentified tribal cultural and tribal artifacts as well as human remains during ground disturbing activities. Therefore, mitigation measures CUL-1 through CUL-3 would be required under Alternative 4 as well as the proposed Project in order to minimize impacts to less than significant levels.

Therefore, with adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies, the Distribution Warehouse Alternative as well as the proposed Project would have **similar impacts** to tribal cultural resources.

p. Utilities and Service Systems

Since the site is a currently vacant parcel in a primarily under-developed area of the city of Palm Springs, development under the Distribution Warehouse Alternative would require new and expanded connections to water, sewer, electric, gas and telecommunication facilities. The City has adequate infrastructure resources to serve the site and its surroundings through connection off 19th Avenue and N Indian Canyon Drive. The service providers in the city also provide utility and telecommunication services to the neighboring uses and would continue to provide services to the site under Alternative 4, as it would under the proposed Project. Due to its nature as a Distribution Warehouse facility, Alternative 4 would not require site operation and onsite staff on a daily basis and therefore would not require the use of water, wastewater, or sewer facilities as frequently as under the proposed Project. Also, since the site would be accessed and used on a limited basis, solid waste generated at the site under Alternative 4 would be less than that under the proposed Project. Impacts to utilities and service systems would be less than significant.

With adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, Alternative 4 would have **reduced impacts** in relation utilities and service systems.

q. Wildfire

According to CalFire's State Responsibility Area FHSZ map, although the site is located within FRA and LRA zones, the site is not located in a VHFHSZ, or a FHSZ in a SRA zone. Alternative 4 would develop the site with one (1) large scale building, office and parking spaces. Due to the site's location within a LRA fire hazard area with the potential for spread of wildfire due to prevailing winds and onsite vegetation, the Distribution Warehouse Alternative has the potential to exacerbate wildfire risks over the existing conditions. Construction and operation at the site would be required to comply with State and local fire safety regulations. Similar to the proposed Project, development under the Distribution Warehouse Alternative would be required to follow all applicable City of Palm Springs EOP fire safety requirements as well as the City's fire safety regulations during construction and operation, including the development and utilization of a circulation plan with sufficient emergency access routes. With adherence to these guidelines and the Safety policies under the City's Palm Springs by Design – General Plan 2040, construction and obstruction activities would not substantially impede emergency vehicle access or impair an emergency response plan or evacuation plan. Therefore, impacts would be less than significant.

Although the site itself is relatively flat and is located approximately five (5) miles away from steep slopes of the various mountain ranges in and around Riverside County. As with the proposed Project, all components associated with Alternative 4 would be subject to the California Building Code (CBC) regulations governing fire protection and activities and would be subject to local and regional restrictions on use or operation during high fire-risk conditions (e.g., open fires or barbeques, use of landscaping equipment that could cause sparks). The proposed warehouse building on the site would be required to be equipped with fire-sprinklers and other fire safety equipment. Additionally, all landscaping materials to be used at the site would be reviewed by the RCFD as well as the City's Fire Chief, would be required to meet the City and State fire safety requirements for defensible space, and would be routinely maintained such that it would create a fire hazard. Therefore, as with the proposed Project the Distribution Warehouse Alternative would not exacerbate wildfire risk and this impact would be less than significant.

The site is located within a Wildfire Influence Zone; this means that the site and its vicinity consists of wildfire susceptible vegetation within 1.5 miles from the wildland-urban interface or wildland-urban intermix zones. Therefore, site development under Alternative 4 would incorporate construction efforts and operation design features such as to prevent ignitions and limit wildfire loss by limiting vast areas of landscaping, using more impervious surfaces and fire resistant building materials, and creating defensible spaces so as to limit the spread of fire and reduce the risk to people and property.

The site is not in proximity to any mountain ranges nor is the site located within a Fire Hazard Safety Zone; therefore, landslides include rockfalls, deep slope failure, and shallow slope failure are not likely to occur at the site due to the absence of steep slopes. The site is relatively flat; therefore, the potential for a landslide on the proposed Project site is essentially non-existent. As a result, Distribution Warehouse Alternative would not 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. Therefore, impacts would be less than significant.

Although Alternative 4 would require development of infrastructure relative to power, water, sewer, stormwater drainage and an internal roadway system, such improvements would decrease fire risks relative to existing conditions. The site is not located in or near a SRA and does not contain any land classified as very high fire hazard severity zones. As with the proposed Project, power would be provided to the site through new underground distribution lines that would extend from 18th Street, 19th Street and North Indian Canyon Drive and also connect to existing power lines and infrastructure located along these roadways. The site would also provide suitable access for emergency vehicles from 18th Street, 19th Street and North Indian Canyon Drive. Development under Alternative 4 would result in less than significant impacts with the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that generally may exacerbate fire risk.

However, since Alternative 4 would develop a currently vacant site with a large building and associated infrastructure, with the Distribution Warehouse Alternative's adherence to local and State regulations, as well as City of Palm Springs General Plan goals and policies in comparison to the proposed Project, the Distribution Warehouse Alternative would have **similar impacts** relative to wildfire.

7.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

State CEQA Guidelines Section §15126.6(e)(2) mandates that a n Environmental Impact Report (EIR) analyze alternatives to a proposed project, the intent of which is to explain potentially feasible ways to avoid or minimize the significant effects identified for the project. This analysis can then be utilized to identify an environmentally superior alternative among those evaluated in the EIR. If it is determined that the "no project" alternative would be the environmentally superior alternative, then the EIR is required to identify an environmentally superior alternative among the other project alternatives. Based on the Alternatives Analysis presented earlier in this chapter, shows a comparison of impact levels between the proposed Project and each of the four (4) Alternatives evaluated for the proposed Project.

Alternative 1

Would result in the least impacts in comparison to the proposed Project. With no development on the currently vacant site, Alternative 1 would eliminate potential impacts to each of the issue areas analyzed in the Draft EIR. With regard to wildfire, as with the proposed Project, the No Project Alternative would have less than significant impacts. In comparison to other three (3) Alternatives, Alternative 1 is the nvironmentally superior alternative. However, none of the proposed Project objectives would be met under the No Project Alternative, nor is it guaranteed that the site would remain undeveloped in perpetuity and therefore not result in any environmental impacts under CEQA. Section §15126.6(e)(2) of the CEQA Guidelines states that if the No Project Alternative is identified as the environmentally superior alternative, then an environmentally superior alternative should be identified among the other alternatives evaluated in the EIR.

Alternative 2

Would be likely to result in incremental increased impacts to air quality, greenhouse gas emissions, and transportation. These increases under the Industrial Business Park Alternative are due to the employees that would on-site as well as the daily trips associated with the various industrial businesses. Since Alternative 2 would develop the approximate 97.93 acre site with storage, commercial, and some industrial uses similar to that under the proposed Project, the Industrial Business Park Alternative would

result in greater impacts to air quality, greenhouse gas, as well as transportation and traffic. Impacts to transportation and traffic would remain significant and unavoidable under the Industrial Business Park Alternative as it would under the proposed Project. Alternative 2 would result in similar and comparable impacts to biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, tribal cultural resources, utilities and service systems, and wildfire. All applicable mitigation measures as under the proposed Project would be required under Alternative 2. Impacts to aesthetics and recreation would be reduced under Alternative 2 in comparison to the proposed Project. The Industrial Business Park Alternative meets most of the objectives proposed for the proposed Project with the exception of the development of a fulfillment center in an existing industrial section of the city of Palm Springs. However, Alternative 2 does not reduce impacts compared to the proposed Project, and in fact. results in greater impacts to three (3) issue areas. Therefore, the Industrial Business Park Alternatives is not considered environmentally superior to the proposed Project.

Alternative 3

In comparison to the proposed Project, the Reduced Intensity Alternative would not result in greater impacts to any of the issues areas. Building mass and sizes would be reduced by 50% under Alternative 3 which would also require less vehicle and truck trips as well as the employment of city of Palm Springs and Riverside County residents. The Reduced Intensity Alternative would result in less impacts with regard to aesthetics, energy, geology and soils, noise, population and housing, recreation, as well as transportation and traffic. Impacts to transportation and traffic would remain significant and unavoidable under the Reduced Intensity Alternative as it would under the proposed Project. Impacts to air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, public services, tribal cultural resources, utilities and service systems, as well as wildfire would remain the same as under the proposed Project with the application of the same mitigation measures as under the proposed Project. The Reduced Intensity Alternative however, would meet all of the objectives of the proposed Project; and is therefore the environmentally superior alternative.

Alternative 4

This alternative has the potential to result in reduced impacts in relation to aesthetics, population and housing, recreation, traffic and transportation, as well as utilities and service systems. Impacts to transportation and traffic would remain significant and unavoidable under the Distribution Warehouse Alternative as it would under the proposed Project However, the Distribution Warehouse Alternative would result in similar impacts to air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services, tribal cultural resources, and wildfire. In addition, as a warehouse site without consistent daily operations, Alternative 4 would not meet the proposed Project objective of the development of the site as a fulfillment center with daily traffic and employment opportunities in the city. Therefore, the Distribution Warehouse Alternatives is not considered to be environmentally superior to the proposed Project.

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