

APPENDIX A

The City of Palm Desert CEQA Environmental Checklist and
Initial Study, Notice of Preparation (NOP) and Responses to NOP

Prepared by

Terra Nova Planning and Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211

January 17, 2019



NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

DSRT SURF Specific Plan, Precise Plan, Tentative Tract Map 37369 and associated Disposition and Development Agreement (SP18-0002 and PP18-0009)

LEAD AGENCY: City of Palm Desert
73-510 Fred Waring Drive
Palm Desert, CA 92260

CONTACT PERSON: Eric Ceja, eceja@cityofpalmdesert.org
Phone: (760) 346-0611, **Fax:** (760) 776-6417

PROJECT TITLE: DSRT SURF Specific Plan
Case Nos. SP18-0002, PP18-0009, TTM 37369

PROJECT LOCATION: West side of Desert Willow Drive within the Desert Willow Golf Course
(APN #: 620-420-023, 620-420-024 and 620-400-008).

PROJECT DESCRIPTION: The project site consists of 17.69 acres of land in the City of Palm Desert. The project proposes the development of a 5.5-acre surf lagoon and surf center facilities (restaurant, bar, retail, and similar facilities) and up to 350 hotel rooms and 88 residential villas.

The project includes preparation of a Specific Plan to guide the development of the overall project site. The Specific Plan will address maximum development densities and sets forth the planning principles, land use policies, development standards, and design guidelines for the proposed development and public improvements within the Specific Plan area. In addition, the project includes a Precise Plan for the lagoon and surf center, a Tentative Tract Map to subdivide the site into 5 parcels, and a Disposition and Development Agreement.

The project will also involve off-site improvements including discharge of storm flows and pool and lagoon water to golf course lakes, a potential on- or off-site well, Golf Course turf reduction, overflow parking, and soil removal/storage.

PROBABLE ENVIRONMENTAL EFFECTS: The City has reviewed and considered the proposed Project and has determined that potentially significant impacts could result from the proposed project. The potential environmental effects from the proposed project implementation may include impacts to Aesthetics, Air Quality, Energy, Geology/Soils, Greenhouse Gas Emissions, Hydrology/Water Quality, Land Use/Planning, Noise, Transportation, and Utilities/Service Systems which will be discussed in the EIR.

PUBLIC REVIEW PERIOD: A 30-day public review period for the Notice of Preparation will commence on January 22, 2019 and end on February 20, 2019. Written comments on the Notice of Preparation must be received at the City within the public review period. In addition, you may email comments to the following address: eceja@cityofpalmdesert.org. Copies of the Notice of Preparation are available for review at the City of Palm Desert at 73-510 Fred Waring Drive, Palm Desert, CA 92260.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: DSRT SURF Specific Plan, Precise Plan, TTM 37369 and DDA (SP18-0002 and PP18-0009)

Lead Agency: City of Palm Desert

Contact Person: Eric Ceja

Mailing Address: 73-510 Fred Waring Drive

Phone: (760) 346-0611

City: Palm Desert

Zip: 92260

County: Riverside

Project Location: County: Riverside City/Nearest Community: Palm Desert

Cross Streets: West side of Desert Willow Drive within the Desert Willow Golf Course Zip Code: 92260

Longitude/Latitude (degrees, minutes and seconds): 33 ° 45 ' 49.9 " N / 116 ° 22 ' 2.02 " W Total Acres: 17.69

Assessor's Parcel No.: 620-420-023 & -024, 620-400-008 Section: 4 Twp.: 5S Range: 6E Base: SBBM

Within 2 Miles: State Hwy #: I-10

Waterways: Whitewater River Storm Channel

Airports: Bermuda Dunes Airport

Railways: UPRR

Schools: James Carter Elem.

Document Type:

CEQA: ☒ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) ☐ Draft EIS ☐ Other: ☐ Mit Neg Dec Other: ☐ FONSI

Local Action Type:

☐ General Plan Update ☒ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☒ Site Plan ☒ Land Division (Subdivision, etc.) ☐ Other: DDA

Development Type:

☒ Residential: Units 88 Acres _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____
☒ Commercial: Sq.ft. 30,300 Acres _____ Employees _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
☐ Educational: _____
☒ Recreational: 5.5 acre lagoon
☐ Water Facilities: Type _____ MGD _____
☐ Transportation: Type _____
☐ Mining: Mineral _____
☐ Power: Type _____ MW
☐ Waste Treatment: Type _____ MGD
☐ Hazardous Waste: Type _____
☐ Other: Hotel: 350 rooms

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☐ Fiscal ☒ Recreation/Parks ☒ Vegetation
☒ Agricultural Land ☒ Flood Plain/Flooding ☒ Schools/Universities ☒ Water Quality
☒ Air Quality ☒ Forest Land/Fire Hazard ☐ Septic Systems ☒ Water Supply/Groundwater
☒ Archeological/Historical ☒ Geologic/Seismic ☒ Sewer Capacity ☒ Wetland/Riparian
☒ Biological Resources ☒ Minerals ☒ Soil Erosion/Compaction/Grading ☒ Growth Inducement
☐ Coastal Zone ☒ Noise ☒ Solid Waste ☒ Land Use
☒ Drainage/Absorption ☒ Population/Housing Balance ☒ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☐ Other: _____

Present Land Use/Zoning/General Plan Designation:

Resort and Entertainment District/Planned Residential (PR-5)

Project Description: (please use a separate page if necessary)

The project site consists of 17.69 acres of land. The project proposes the development of a 5.5-acre surf lagoon and surf center facilities (restaurant, bar, retail, and similar facilities) and up to 350 hotel rooms and 88 residential villas. The proposed project includes a Specific Plan, a Precise Plan, a Tentative Tract Map, and a Disposition and Development Agreement which will be analyzed in the forthcoming Draft Environmental Impact Report.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input checked="" type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District #8	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input checked="" type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input checked="" type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input checked="" type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date January 22, 2019

Ending Date February 20, 2019

Lead Agency (Complete if applicable):

Consulting Firm: Terra Nova Planning and Research, Inc.
Address: 42635 Melanie Place, Suite 101
City/State/Zip: Palm Desert, CA 92211
Contact: Nicole Sauviat Criste
Phone: 760-341-4800

Applicant: City of Palm Desert
Address: 73-510 Fred Waring Drive
City/State/Zip: Palm Desert, CA 92260
Phone: 760-346-0611

Signature of Lead Agency Representative: _____

Date: 1/17/19

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Notice of Preparation

Notice of Preparation

To: State Clearinghouse

1400 10th St #12

Sacramento, CA 95814

From: City of Palm Desert

73-510 Fred Waring Drive

Palm Desert, CA 92260

Subject: Notice of Preparation of a Draft Environmental Impact Report

The City of Palm Desert

The City of Palm Desert will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (☒ is ☐ is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Eric Ceja (Principal Planner) at the address shown above. We will need the name for a contact person in your agency.

Project Title: DSRT SURF Specific Plan, Precise Plan, Tentative Tract Map 37369 and associated Disposition and Development Agreement (SP18-0002 and PP18-0009)

Project Applicant, if any: Desert Wave Ventures, LLC

Date

1/17/19

Signature



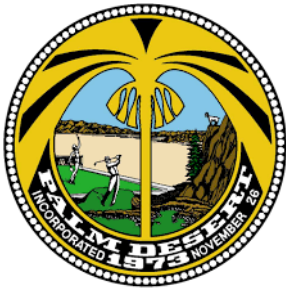
Title

Principal Planner

Telephone

760-346-0611

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.



CITY OF PALM DESERT

CEQA Environmental Checklist & Initial Study

Project Title: DSRT SURF Specific Plan, Precise Plan, Tentative Tract Map 37369 and associated Disposition and Development Agreement (SP18-0002 and PP18-0009)	
Lead agency name and address:	City of Palm Desert 73-510 Fred Waring Drive Palm Desert, CA 92260
Contact persons and phone number:	Eric Ceja, Principal Planner City of Palm Desert 73-510 Fred Waring Drive Palm Desert, CA 92260 (760) 346-0611
Project location: The west side of Desert Willow Drive within the Desert Willow Golf Course (APN #: 620-420-023, 620-420-024 and 620-400-008).	
Project sponsor's name and address:	Desert Wave Ventures LLC P.O. Box 147 Solana Beach, CA 92075
General Plan Designation: Resort and Entertainment District	Zoning: Planned Residential (PR-5)
Description of Project: (Describe the whole action involved, including but not limited to later phases of the Project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)	
Purpose of the Initial Study: <p>The City of Palm Desert, as Lead Agency, under the California Environmental Quality Act (CEQA) is preparing an Environmental Impact Report (EIR) for the proposed DSRT SURF Project including the DSRT SURF Specific Plan, Surf Lagoon Precise Plan, a five-lot Tentative Tract Map, Disposition and Development Agreement, and related off-site improvements, as described below. All these are referred to as “the Project” or “the proposed Project” in this document.</p> <p>This document is an Initial Study that evaluates the potential environmental impacts associated with the implementation of the proposed Project. The Initial Study has been prepared in accordance with CEQA, Public Resources Code Section 21000 et seq., State CEQA Guidelines, and the City of Palm Desert CEQA Environmental Procedures, and serves as the basis for the preparation of a Notice of Preparation (NOP) of an EIR.</p> <p>Based on the environmental review contained in this Initial Study it has been determined that implementation of the Project could have the potential to result in significant impacts to the environment and preparation of an EIR is required. A preliminary evaluation of the Project and its associated impacts to the environment is presented in this Initial Study.</p>	

Project Location:

The Project site is located on approximately 17.69 acres of land on the west side of Desert Willow Drive within the Desert Willow Golf Course in the City of Palm Desert, in the Coachella Valley region of Riverside County (Exhibit 1, 2, and 3).

General Plan and Zoning:

The Project site is designated as Resort and Entertainment District on the City's General Plan Land Use Map, which allows theme parks, hotels, sports facilities, bed and breakfast inns, recreational facilities, small retail, large retail, and lodging, support retail, and commercial services along with specialized entertainment with a commercial floor area ratio (FAR) of up to 0.10, and multi-family residential land uses of up to 10 dwelling units per acre (DU/AC). The City's Zoning Map designates the site as Planned Residential (PR-5), allowing 5 DU/AC.

Project Description:

The Project site consists of three irregular shaped lots (Assessor's Parcel No. 620-420-023, 620-420-024 and 620-400-008). Off-site parcels (Assessor's Parcel No. 620-370-020, 002, 003, 004 and 033) at the southeast corner of Desert Willow Drive and Country Club Drive, owned by the City, will be available for Project-related overflow parking. Currently, the Project site is partially developed and bounded by the Desert Willow Golf Course, Clubhouse and a parking lot on the north, Desert Willow Golf Course and Desert Willow Drive on the east, Desert Willow Golf Course, the Westin Desert Willow Villas, and Willow Ridge Drive on the west, and Desert Willow Golf Course on the south (Exhibit 4).

The Project proposes the development of a 5.5-acre surf lagoon and surf center facilities to include restaurant, bar, retail and similar facilities. It will also include up to 350 hotel rooms and up to 88 residential villas on the site (Exhibit 5). The Project will be implemented in two phases: Phase I includes development of the Surf Lagoon Planning Area, which will consist of the surf lagoon and associated amenities on 11.85 acres. Phase II includes development of the Hotels and Villas Planning Area, which will result in the construction of the hotel(s) and villas on approximately 5.84 acres (Exhibit 5).

The proposed Project includes a Specific Plan that will guide the development of the overall Project site. A Precise Plan for the lagoon and surf center, a Tentative Tract Map to subdivide the site into 5 parcels, and a Disposition and Development Agreement are also a part of the Project.

The Specific Plan will set forth the planning principles, land use policies, development standards, and design guidelines for the proposed development and public improvements within the Specific Plan area. The Project's Specific Plan will address maximum development densities (Table 1), which will be analyzed in the EIR.

Table 1
DSRT SURF Specific Plan
Specific Plan Land Uses

Surf Lagoon Planning Area (11.85 acres)	Max/Min Allowed
Surf Lagoon	Max 6 acres
Surf Center Building, including:	Max 35,000 SF ; Max Height 50 feet
Restaurants/Bars	Max. 8,000* SF
Meetings/Events	Max. 6,000 SF
Retail	Max. 4,000 SF
Ancillary Restrooms/Changing Rooms/Locker Buildings	Max 1,500 SF
Ancillary Rental Building(s)	Max 1,500 SF

East Lagoon Café and Bar	Max 2,750 SF
Maintenance and Equipment Buildings	Max 15,000 SF
Landscaping/OS/Pool /Recreational Space	Minimum 20% Planning Area site coverage
Parking	Per SP parking development code
Hotel and Villas Planning Area (5.84 acres)	Max/Min Allowed
Hotels	Max 350 rooms, Max 200,000 SF; Max Height 50 feet
Hotel Spa	Max 12,500 SF
Villas	Max 88 Villas; 1 to 4 bedrooms
Villa Clubhouse	Max 3,125 SF
Maintenance and Equipment Buildings	Max 2,500 SF
Landscaping/OS/Pool /Recreational Space	Minimum 25% Planning Area site coverage
Parking	Per SP parking development code
* Seating areas only. Does not include kitchens, storage, etc.	

The design, and development standards of the proposed surf lagoon will be regulated through the Specific Plan and a Precise Plan based on City Municipal Code Section 25.72.030 (Precise Plan). A Precise Plan further defines and implements the goals and objectives of the Specific Plan by providing specific designs and plans that ultimately regulate the construction of the Project. (Table 2).

Table 2 DSRT SURF Surf Lagoon Precise Plan Land Uses		
Land Use/Building	SF	AC
Surf Lagoon	239,580	5.50
Surf Center Building, including:	30,300	0.88
Restaurants, Bars and associated kitchens	8,475	--
Meeting Rooms	5,625	--
Administrative offices	2,275	--
Gallery	3,275	--
Mechanical, restrooms, storage, corridors, etc.	11,925	
Ancillary Restrooms/Changing Rooms/Locker Buildings	450	0.02
Ancillary Rental Building(s)	600	0.01
East Lagoon Café and Bar	650	0.06
Maintenance and Equipment Buildings	13,950	0.21
Landscape/OS/Pools/Rec./Amenities	104,789	2.41
Roadways/Driveways/Parking (asphalt paved areas)	120,307	2.76
Parking	239 spaces	

Parking is proposed to be provided both as a surface parking lot, and within a parking structure to be constructed underground.

Surf Lagoon Operational Details:

The Surf Lagoon is anticipated to operate as described in Table 3.

Table 3 Surf Lagoon Operations			
Category	Description		
Hours of Operation	Surf Lagoon (surfers in water): 6:00 AM - 12:00 AM Surf Center: 6:00 AM - 2:00 AM Music Events: Outdoor: Ends at 12:00 AM (Friday - Sunday) Indoor: Ends at 12:00 AM (Friday - Sunday)		
Ticketing	Beach Pass Access to the surf lagoon, pool areas, recreational areas, taco bar, and surf shack/bar	Surf Pass Surf lessons/surf sessions in addition to Beach Pass	Public Access/No Pass Surf center building, shopping, and surf center restaurants
Lagoon Capacity	Regular Days Up to 75 surfers Special Events Up to 95 surfers		
Special Events	Special Events may also be held that could result in 3,500 ticketed spectators. Parking overflow during special events will be located off-site on “Pad E,” which has a capacity for 500 vehicles. A shuttle service will be provided during special events to transport visitors to and from Pad E to the Surf Lagoon.		

The Tentative Tract Map will subdivide the site into 5 parcels, including the perimeter roadway, the surf lagoon and its associated buildings and facilities, the hotel(s) parcel, and multiple parcels for the residential villas (Exhibit 6). As allowed in the Specific Plan, villas may be part of a hotel, or may be timeshare, fractional or ownership units. Depending on their ultimate development, further subdivision of these parcels may occur in the future.

The Disposition and Development Agreement (DDA) will be developed to establish the responsibilities of the Project applicant and the City regarding the Project. Terms of the DDA are expected to include development timelines, financial responsibilities, and other factors relating to the ultimate development of the site.

Access and Circulation:

Desert Willow Drive is a public street that provides access to the existing Desert Willow Clubhouse from Country Club Drive to the south and also provides access to the Intrawest development at Desert Willow south of the subject property. On its north end, Desert Willow Drive terminates with a traffic circle at the clubhouse entrance, immediately northeast of the Project site. Public parking is provided adjacent to the clubhouse and is currently accessed via the Desert Willow traffic circle.

The existing Desert Willow Golf Course parking lot will be reconfigured as a part of the proposed Project, and a portion of the existing parking will be incorporated into the Project site. Two access driveways are proposed on Desert Willow Drive – one on the west side of the traffic circle, and one south of the traffic circle. An emergency access will also be provided at the southwestern portion of the Project, from the adjacent Westin resort Willow Ridge roadway.

Off-site Improvements:

The Project will also include off-site improvements as follows:

1. **Stormwater Management:** The Project will be required to provide connections to off-site storm drain improvements to accommodate the Project's increase in stormwater runoff. Some stormwater from the site may be stored on-site, while the remaining site runoff will be conveyed via underground pipe to existing golf course lake(s) located between Willow Ridge and Desert Willow Drive.

2. **Pool/Lagoon Discharge:** Water flushed from pools and the surf lagoon during daily operations will be treated, as required, and conveyed via underground pipe to the golf course lake located south of the Project site.
3. **Golf Course Turf Reduction:** The Project is proposing to remove and replace portions of the existing turf in the Desert Willow Golf Course with desert landscaping.
4. **Landscaping Improvements:** Some off-site areas along the edges of the Project site will require additional and new landscaping improvements.
5. **Overflow Parking:** The Project includes one off-site parking area to accommodate parking demand during special events. This off-site parking area would be located east of Desert Willow Drive, north of Country Club Drive and south of Market Place Drive (Exhibit 4), 1,800± feet southeast of the Project site, and will provide approximately 280± parking spaces.
6. **Soil Removal/Storage:** The site will require levelling, which will result in the exporting of soil from the site. The 5-acre lagoon will require digging to a depth of 8 feet. Excavated soils would be transported off-site to golf course locations within Desert Willow Golf Course or to an off-site location.

Utilities and Service Providers

The following agencies and companies will provide service to the Project site:

1. Sanitary Sewer: Coachella Valley Water District (CVWD)
2. Water: Coachella Valley Water District (CVWD)
3. Electricity: Southern California Edison (SCE)
4. Gas: Southern California Gas Company
5. Telephone: Frontier
6. Storm Drain: City of Palm Desert

Environmental Setting and Surrounding Land Uses

The subject site is currently partially developed and contains sparse native vegetation and a paved parking lot. The subject site sits on generally flat terrain that gently slopes to the southwest. Land uses nearby and adjacent to the site include (Exhibit 4):

North: Desert Willow Golf Course, Clubhouse and a parking lot

South: Desert Willow Golf Course

East: Desert Willow Golf Course and Desert Willow Drive

West: Desert Willow Golf Course, the Westin Desert Willow Villas, Willow Ridge Drive.

Other public agencies whose approval is or may be required (e.g., permits, financing approval, or participation agreement.)

Coachella Valley Water District.

Regional Water Quality Control Board (RWQCB).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

	I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed Project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
X	I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.


Eric Ceja, Principal Planner
City of Palm Desert

1/17/19
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to Projects like the one involved (e.g., the Project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a Project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as Project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site specific conditions for the Project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a Project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

CALIFORNIA

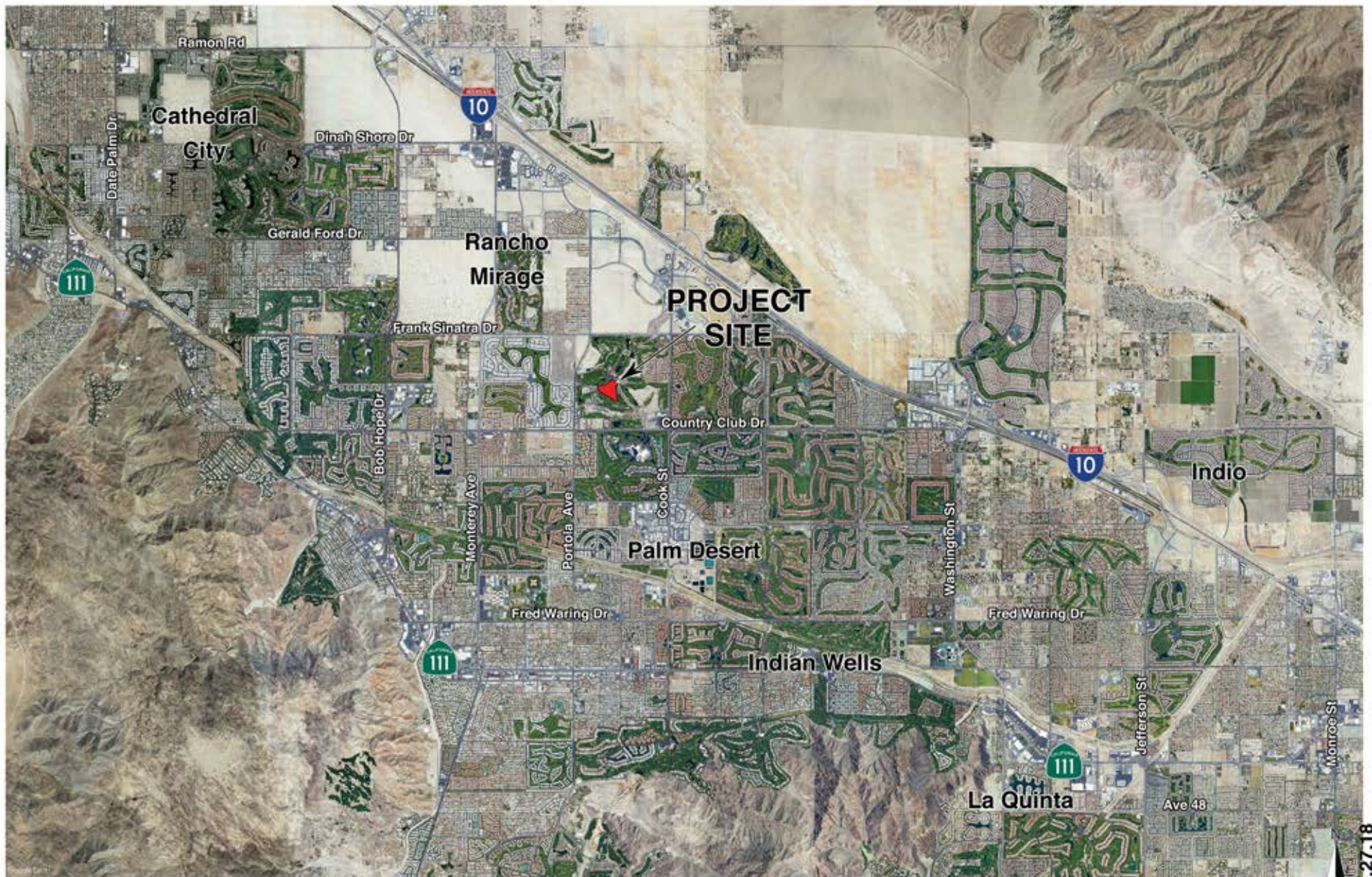
PACIFIC
OCEAN

MEXICO

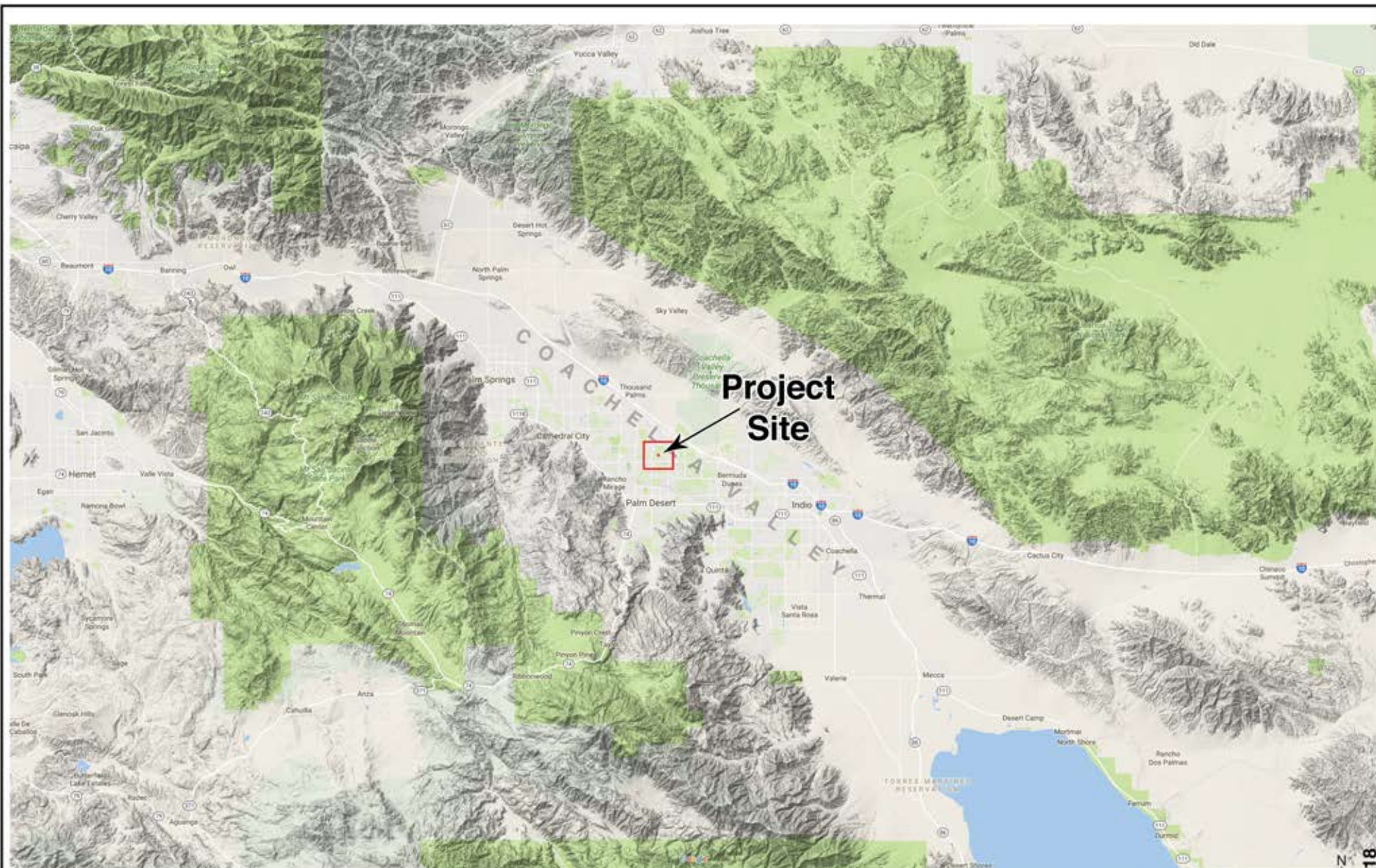


RIVERSIDE COUNTY

N
09.27.18



Source: Google Earth, 2018

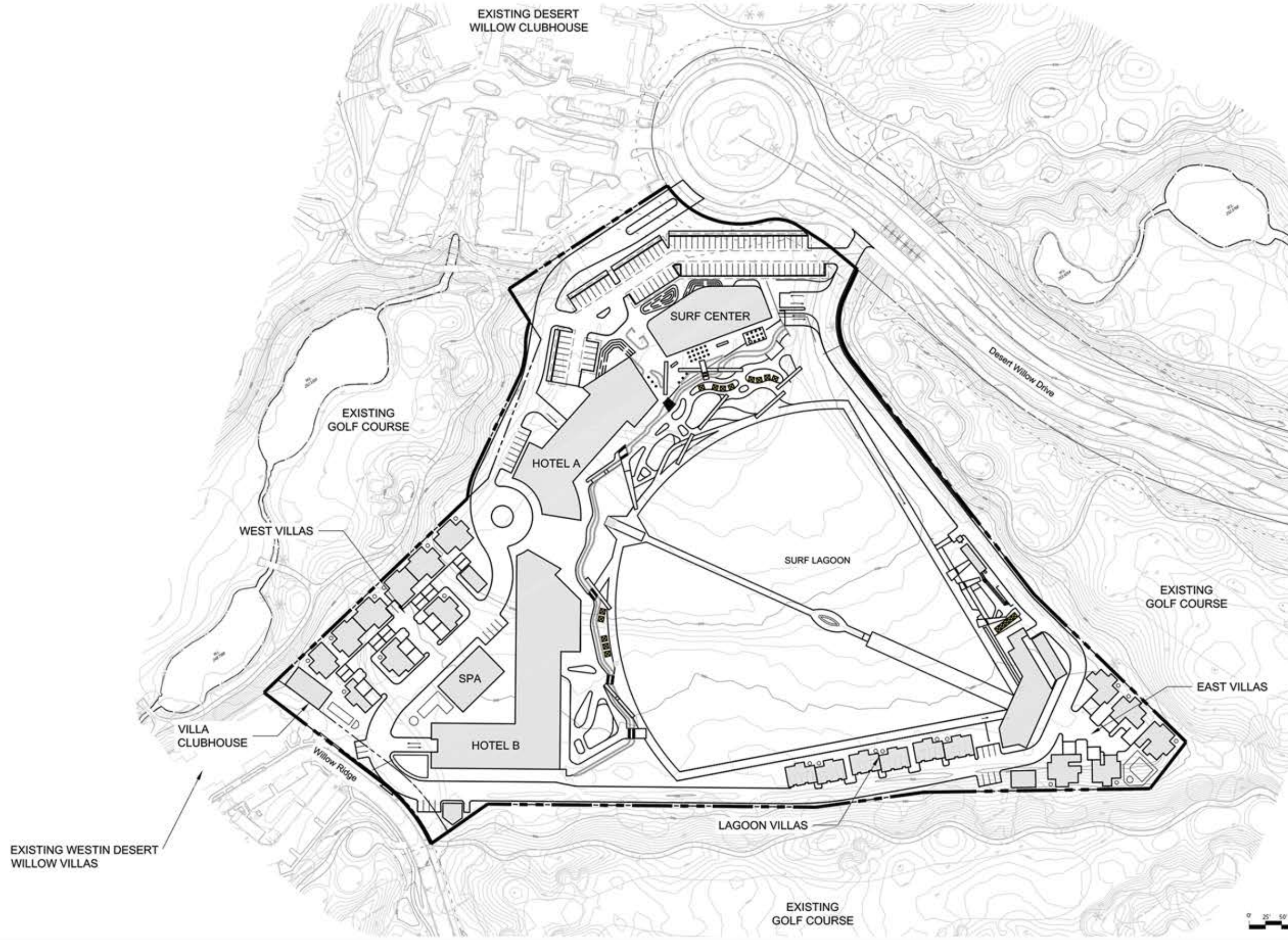


Source: Google Maps, 2017

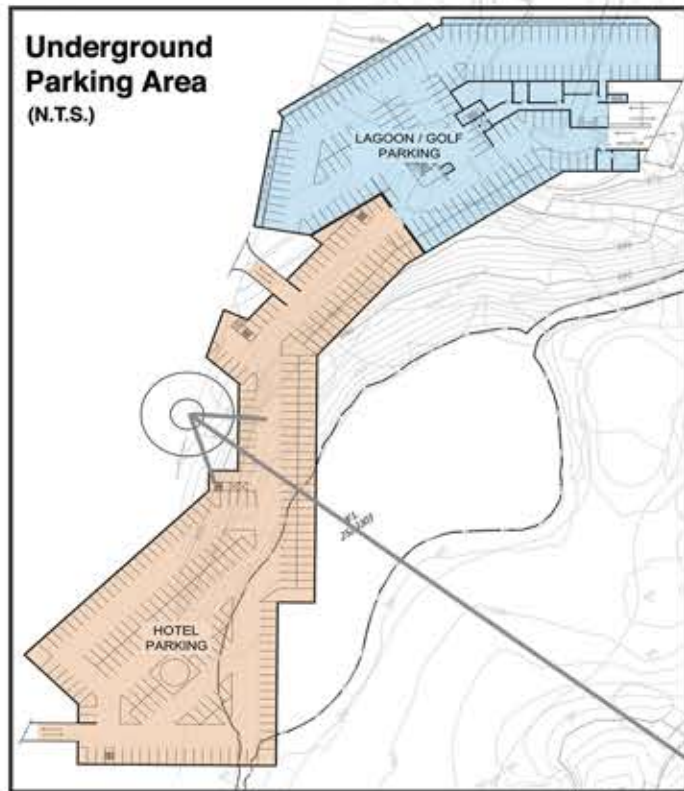


Source: Google Earth, 2018

Source: Delawie Architects, 2018

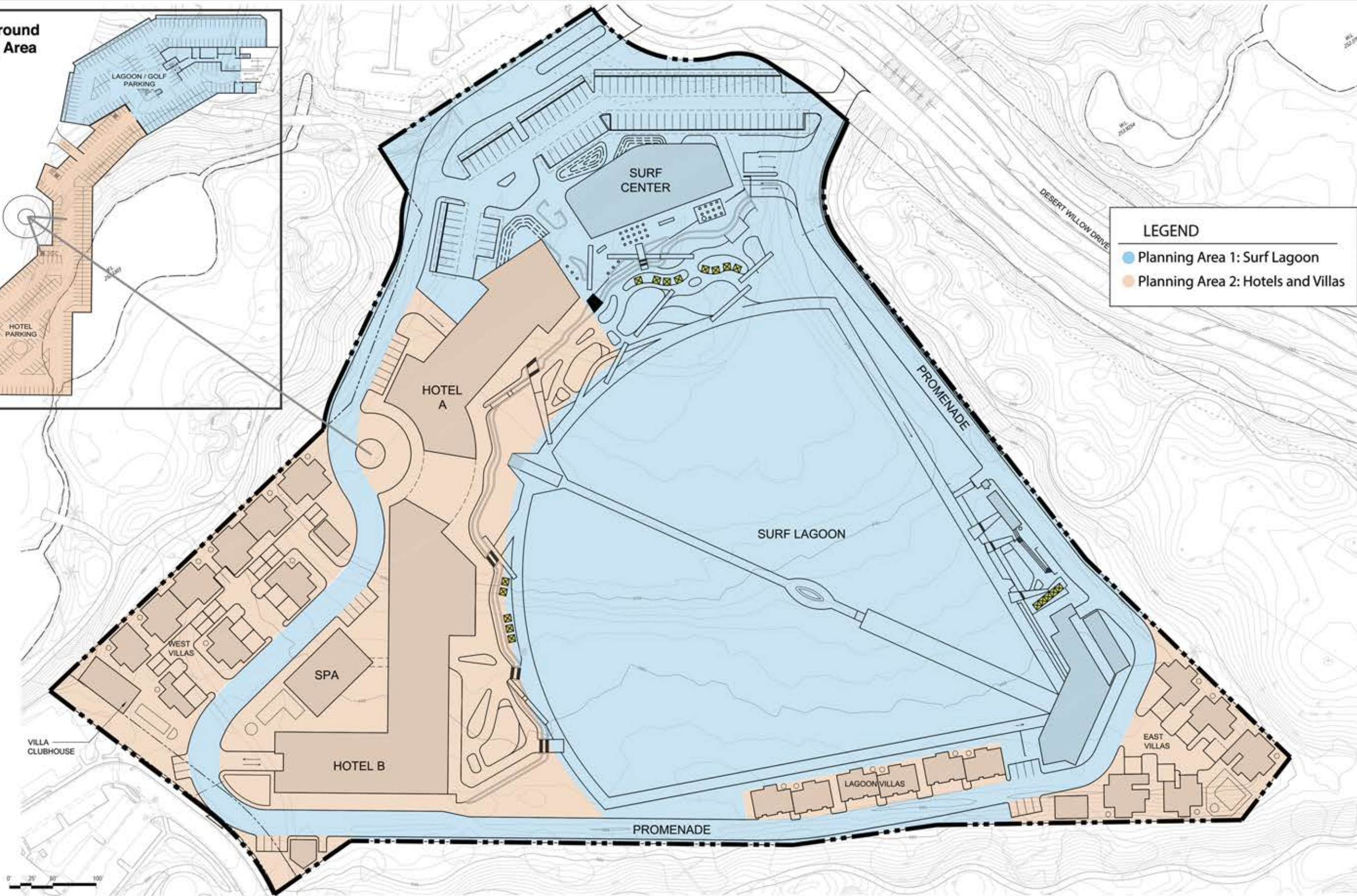


DSRT SURF
Project Site Plan
Palm Desert, California



LEGEND

- Planning Area 1: Surf Lagoon
- Planning Area 2: Hotels and Villas



Source: Delawie Architects, 2018

I. AESTHETICS Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?		✓		
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	✓			

Environmental Setting

The Project site is located in the Coachella Valley which is surrounded by the San Bernardino and Little San Bernardino, San Jacinto, and Santa Rosa Mountain Ranges, and terminates at the San Geronio Pass in the northwest and the Salton Sea in the southeast. The San Bernardino, Santa Rosa, and San Jacinto Mountain Ranges rise significantly above the valley floor with peak elevations of 3,502, 2,657, and 3,302 meters, respectively. The Project site is located on the Palm Springs Sand Ridge, which rises 50 to 100 feet above the valley floor and extends from Cathedral City southeast to Indian Wells. The surrounding mountains are of high aesthetic value across all of the Coachella Valley, including the City of Palm Desert. Therefore, the City regulates new development to ensure that it does not conflict with or adversely impact scenic resource.

Discussion of Impacts

- a) **Less Than Significant with Mitigation Incorporated.** A scenic vista is a view of a valued visual resource. The Project would include two- and three-story residential and hotel buildings on a site that is currently predominantly undeveloped. The Project site is located approximately 3.17 miles northeast of the Santa Rosa Mountains and approximately 4.74 miles southwest of the San Bernardino Mountain Range; both are considered scenic vistas for much of Palm Desert and the Coachella Valley (Exhibit 1, 2, and 3). From the Project site, scenic views of the Santa Rosa and Santa Jacinto Mountains are to the south, southwest and west. The San Bernardino Mountains are visible to the northwest but are somewhat diminished by distance. As the site is located within existing Desert Willow Golf Course and surrounded by golf courses, residential developments, lakes, landscaping, local streets and other developed lands in all directions, views of the lower elevations of the mountain ranges are blocked by intervening development in all directions. However, middle and upper elevations of the mountains are visible.

Lands immediately to the east and west are currently developed and occupied by the Desert Willow Golf Course, Desert Willow Drive, the Westin Desert Willow Villas, landscapes, and Willow Ridge. The Westin Desert Willow Villas are two-story buildings that block foothill views to the east and west; however, upper elevations of the mountains are visible above. In the north and south, the site is bounded by Desert Willow Golf Course where mature landscaping obstructs views of the San Bernardino, Little San Bernardino and Santa Rosa Mountains.

The development site is located near the center of the Desert Willow property. Potentially affected viewers are golfers and other visitors to the golf course. Under current conditions, views to the southwest offer limited visibility of the mountains, due primarily to distance and topography. The inclusion of two- to three-story buildings on the development site would somewhat block southwest views of golf course guests coming and going to the parking lot. Other important views to the west, north and south would not be significantly affected by the Project. Also of note is that interior clubhouse views are oriented to the northeast and away from the Project development site, and will not be affected by development of the Project.

The implementation of the proposed Project will result in full development of approximately 17.69 acres, with building heights of up to 50 feet, a surf lagoon, internal paved streets, parking lots, and landscaping. Project architecture will be consistent with the desert and golf course setting, and complement the clubhouse. The proposed structures could impact some scenic vistas primarily those of golf course and clubhouse users. No surrounding residential development would be affected by the proposed development.

At this time the potential Project impacts on scenic vistas cannot be fully assessed and the EIR will provide further analysis of the Project's potential impacts to scenic vistas.

- b) **Less Than Significant Impact.** The subject property is not located along a state scenic highway. and the proposed development would potentially impact a few existing trees, including desert willow and fan palms. However, no trees, rock outcroppings or other significant aesthetic resources of high scenic quality occur on the subject property. Thus, construction and operation of the Project would result in less than significant impacts to scenic resources. No mitigation measures would be required. No further evaluation in an EIR is required.
- c) **Less Than Significant Impact.** The Project site is currently partially developed and has otherwise been disturbed by past grading activities. The ultimate development of the Project site will result in the construction of residential villas, hotel(s), a surf lagoon and surf center facilities up to 50 feet in height. The scale and intensity of proposed development is comparable to other resort and hotel development within the Desert Willow development. The proposed Specific Plan is generally consistent with the development standards in the City's Zoning Ordinance, and will not substantially change standards associated with height, which have the potential to affect scenic quality. However, the EIR should further analyze the detailed development standards in the Specific Plan as they compare to the City's Zoning Ordinance and General Plan.
- d) **Potentially Significant Impact.** Except for the existing parking lot, the site is currently vacant and there is no lighting onsite. Lighting is provided currently in the parking lot. Surrounding lighting includes that associated with clubhouse entries and security, and low-level pedestrian and parking lot lighting. Proposed site development would increase light and glare levels on-site from hotel and residential entry and parking lighting, security lighting, and night-time use of the surf lagoon and other on-site recreational and commercial venues. The EIR will provide further

analysis of the Project's potential impacts with regard to light and glare. The EIR will identify Project-related sources of light- and glare, analyze whether they will adversely impact surrounding lands, and what changes in design or mitigation measures can reduce these impacts.

Source: City of Palm Desert General Plan, 2016; Palm Desert Zoning Ordinance; Project's Preliminary Site Plan and Architectural Design Plans; Project materials; Project site survey, Fall 2018; Google Earth Pro 7.3.2.5491.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

Environmental Setting

The Project site is designated as Resort and Entertainment District on the City's General Plan land use map. The subject property is located on the Palm Springs Sand Ridge and consists of excessively drained soils. These and surrounding lands are designated as "Urban and Built Up" on the Riverside County Important Farmland Map (2016). The site is partially developed and there are no active agricultural or forest lands within the vicinity of the Project.

Discussion of Impacts

a-e) No Impact.

Prime Farmland: No prime or unique farmland, or farmland of statewide importance exists within the Project site or vicinity. The Project site is not located on or near any property zoned or otherwise intended for agricultural uses. As such, the Project would not convert farmland to non-agricultural use. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

Williamson Act: The project site and surrounding properties are designated for urban uses in the General Plan and Zoning Ordinance. No land on or near the Project site is under Williamson Act contract. Therefore, the Project would not conflict with any zoning for agricultural uses or a Williamson Act Contract. Therefore, no impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

Forest Land: The Project site is located on the desert floor, is currently zoned as Planned Residential (PR-5) and is surrounded by urban uses. The subject site does not contain forest land, timberland or timberland zoned for timberland production. Therefore, the Project would not rezone forest land or timberland as defined by the Public Resources Code. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

Source: City of Palm Desert General Plan, 2016; Palm Desert Zoning Ordinance; Project materials; Google Earth Pro 7.3.2.5491; "Riverside County Important Farmland 2016 Map," sheet 2 of 3, California Department of Conservation, published July 2017.

III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	✓			
c) Expose sensitive receptors to substantial pollutant concentrations?	✓			
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Environmental Setting

The Coachella Valley, including the Project site, is located in the Salton Sea Air Basin (SSAB), which covers part of Riverside County and all of Imperial County. SSAB is characterized largely by the large-scale sinking and warming of air within the semi-permanent subtropical high-pressure center over the Pacific Ocean. The flat terrain near the Salton Sea creates deep convective thermals during the daytime but equally strong surface-based temperature inversions at night. Once the air enters the valley, it gets trapped and influences the local climate.

SSAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). All development within the SSAB is subject to SCAQMD's 2016 Air Quality Management Plan (2016 AQMP) and the 2003 Coachella Valley PM₁₀ State Implementation Plan (2003 CV PM₁₀ SIP). The SCAQMD operates and maintains regional air quality monitoring stations at numerous locations throughout its jurisdiction. The Project site is located within Source Receptor Area (SRA) 30, which includes monitoring stations in Palm Springs and Indio, as well as a newly opened station in the unincorporated community of Thermal.

Criteria air pollutants are contaminants for which state and federal air quality standards have been established. The Salton Sea Air Basin exceeds state and federal standards for fugitive dust (PM₁₀) and ozone (O₃), and is in attainment/unclassified for PM_{2.5}. Ambient air quality in the SSAB, including the Project site, does not exceed state and federal standards for carbon monoxide, nitrogen dioxides, sulfur dioxide, lead, sulfates, hydrogen sulfide, or vinyl chloride.

Discussion of Impacts

- a) **Less Than Significant Impact.** The Project is subject to the provisions of the 2016 South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan, which describes the District's plan to achieve Federal and State air quality standards set forth in Federal and State Clean Air Acts. In addition, the Project is subject to the rules and regulations imposed by the SCAQMD, including Rule 403-1 which governs fugitive dust emissions from Project construction within the Coachella Valley. The proposed Project should be consistent with the goals and policies

of the AQMP, which calls for prudent measures that limit the emission of air pollutants. The EIR will provide further analysis of whether the Project would conflict with or obstruct implementation of SCAQMD's AQMP.

- b) Potentially Significant Impact.** According to CEQA, a significant impact could occur if the Project would result in a considerable increase to any criteria pollutant for which the region is in non-attainment for either a State or federal standard. The Coachella Valley has a history of exceeding regulatory ozone standards and is classified as a “severe-15” ozone non-attainment area under the federal Clean Air Act. The Coachella Valley is also designated a serious non-attainment area for PM₁₀ and is subject to the 2003 SIP and local dust control standards.

Ozone (O₃): O₃ is a strong smelling, pale blue, reactive toxic chemical gas consisting of three oxygen atoms.¹ It is formed when byproducts of combustion react in the presence of ultraviolet sunlight. This process occurs in the atmosphere where oxides of nitrogen combine with reactive organic gases, such as hydrocarbons, in the presence of sunlight. Although also produced within the Coachella Valley, most ozone pollutants are transported by coastal air mass from the Los Angeles and Riverside/San Bernardino air basins, thereby contributing to occasionally high ozone concentrations in the Coachella Valley, which has a history of exceeding regulatory ozone standards, although the number of days and months the Federal one-hour standard is exceeded has dropped steadily over the past decade.

Particulate Matter (PM₁₀ and PM_{2.5}): PM₁₀ and PM_{2.5} are major air pollutants which consist of fine solid or liquid suspended particles of ten microns or smaller in diameter, and are the byproducts of road dust, sand, diesel soot, windstorms, and the abrasion of tires and brakes. The elderly, children and adults with pre-existing respiratory or cardiovascular disease are most susceptible to the effects of PM. Elevated PM₁₀ and PM_{2.5} levels are also associated with an increase in mortality rates, respiratory infections, occurrences and severity of asthma attacks and hospital admissions. The SSAB is a non- attainment area for PM₁₀ and is classified as attainment/unclassifiable for PM_{2.5}.

State and federal standards have been established for PM₁₀ and PM_{2.5}, as well as ozone and are set forth in the table below.

Table 4 State and National Ambient Air Quality Standards				
Pollutant	State Standards		National Standards**	
	Averaging Time	Concentration	Averaging Time	Concentration
Ozone (O ₃)	1-hour 8-hour	0.09 ppm 0.07 ppm	1-hour 8-hour	0.070 ppm
Carbon Monoxide (CO)	1-hour 8-hour	20.0 ppm 9.0 ppm	1-hour 8-hour	35.0 ppm 9.0 ppm
Nitrogen Dioxide (NO ₂)	1-hour AAM	0.18 ppm 0.030 ppm	AAM	0.10 ppm* 0.053 ppm
Sulfur Dioxide (SO ₂)	1-hour 24-hour	0.25 ppm 0.04 ppm	1 & 24 hour AAM	.075ppm**
Particulate Matter (PM ₁₀)	24-hour AAM	50 µg/m ³ 20 µg/m ³	24-hour AAM	150 µg/m ³
Particulate Matter (PM _{2.5})	AAM 24-hour	12 µg/m ³ 35 µg/m ³	AAM 24-hour	12 µg/m ³ 35 µg/m ³
Lead	30-day Avg.	1.5 µg/m ³	3-month Avg.	0.15 µg/m ³
Visibility Reducing Particles	8-hour	No standard	No federal Standard	No federal Standard
Sulfates	24-hour	25µg/m ³	No federal Standard	No federal Standard
Hydrogen Sulfide	1-hour	0.03 ppm	No federal Standard	No federal Standard
Vinyl Chloride	24-hour	0.01 ppm	No federal Standard	No federal Standard
Source: California Air Resources Board, May 4, 2016. Notes: ppm = parts per million; ppb= parts per billion; µg/ m ³ = micrograms per cubic meter of air; AAM = Annual Arithmetic Mean; * Note that this standard became effective on January 22, 2010. ** Final rule signed June 2, 2010, effective as of August 23, 2010				

The project will result in the development of multiple uses, which will generate vehicle and stationary source emissions. The level of these emissions will be calculated in the EIR. As the Valley is currently in a state of nonattainment for ozone and PM₁₀, implementation of the Project could potentially contribute to air quality impacts, which could result in a considerable net increase in both Ozone and PM₁₀. The EIR will provide further analysis of cumulative air pollutant emissions associated with the Project.

- c) **Potentially Significant Impact.** The nearest sensitive receptors to the subject property are located approximately 150 feet northwest of the site. The Project has the potential to expose sensitive receptors to substantial, if short-term, pollutant concentrations. This potential and associated impacts will be analyzed further in the EIR. To determine if the proposed Project has the potential to generate significant adverse localized air quality impacts and expose sensitive receptors to substantial pollutant concentrations, the appropriate mass rate Localized Significance Threshold (LST) Look-Up Table for SRA 30 (Coachella Valley) shall be utilized and analyzed in the EIR.
- d) **Less Than Significant Impact.** A significant impact could occur if emissions are released to generate objectionable odors adversely affecting sensitive receptors. Odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other

strong-smelling elements used in manufacturing processes, as well as in sewage treatment facilities and landfills. The proposed Project will be developed with residential, commercial, and retail uses.

All the buildings will be equipped with the proper ventilation systems and are not expected to generate significant objectionable odors at Project buildout. The proposed surf lagoon will be an outdoor facility; however, it would not generate any objectionable odor during operations.

Based on preliminary analysis, during the construction phase, short-term odors associated with paving and construction activities could be generated; however, any such odors would be quickly dispersed below detectable levels as distance from the construction site increases. Project impacts would not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. Nonetheless, the potential impact of the proposed Project shall be analyzed in the EIR.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491; SCAQMD CEQA Air Quality Handbook (1993); SCAQMD Rule 402; 2016 Air Quality Management Plan, SCAQMD; Coachella Valley PM₁₀ State Implementation Plan (2003 CV PM₁₀ SIP).

IV. BIOLOGICAL RESOURCES Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Environmental Setting

The Coachella Valley is located within the Sonoran Desert which is a subdivision of the Colorado Desert. Sonoran Desert contains a wide range of biological resources that are highly specialized and endemic to the region. The central portion of the valley, in which the Project area is located, is predominantly composed of sand dunes and sand fields that are divided into three sub-communities: active sand dunes, active sand fields, and stabilized and partially stabilized desert sand fields. A biological assessment will be prepared for this Project to assess the potential impacts to biological resources.

Undeveloped portions of the City of Palm Desert contain a wide range of significant biological resources, many of which are species that are highly specialized and endemic to the valley. Ten (10) special-status plant species and fifteen (15) special-status wildlife species are known to occur in the City. Due to the loss of viable habitat some of these species have been listed as threatened or endangered by the federal and state governments. The City is within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), a comprehensive Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan encompassing approximately 1,136,400 acres in the Coachella valley. The City of palm Desert is one of the CVMSHCP's Permittees and as such is subject to its provisions.

The subject property is surrounded by urban development, including the Desert Willow golf course and clubhouse, and hotel and residential development. Retail commercial is located a short distance to the southeast. The subject property has been previously graded, and portions have had some recent disturbance. As noted, the northern portion of the site is currently developed for golf clubhouse parking. Conditions are the same for the proposed overflow/event parking area that is located adjacent to a neighborhood shopping center and has been completely cleared and graded for several years.

Discussion of Impacts

- a) **Less Than Significant with Mitigation Incorporated.** The Project site is currently partially developed and has been previously disturbed during development of the Desert Willow project. The site has since been somewhat “renaturalized” with volunteers of both native and non-native species of shrubs and herbaceous plants. Vegetation coverage is generally sparse. The surface soil on the subject site is predominantly Myoma fine sand: MaB (0 to 5 percent slopes) and MaD (5 to 15 percent slopes), which consists of soft sediments.

Native plant species found on-site include those associated with brittle bush scrub habitat (*Encelia farinosa* Shrubland Alliance), scattered broom baccharis (*Baccharis sarothroides*), California croton (*Croton californicus*), and scalebroom (*Lepidospartum squamatum*), etc. A number of wildlife species are expected to occur on the site. The site has very low to low potential to have sensitive wildlife species, due to its isolation within a developed environment, and its disturbed nature.

Should native protected species occur on the Project site, the City is a signatory to and a Permittee under the CVMSHCP, which permits the taking of special status species with payment of a fee which is used to purchase and manage a reserve system for native species. Based on the preliminary analysis, the Project will be required to pay the Development Mitigation Fee. Potential impacts to special status species will be further evaluated in the EIR.

With regard to the potential for nesting birds, although sparsely vegetated, the majority of the property is in its renaturalized state, and contains scattered vegetation that may provide nesting opportunities for birds covered under the Migratory Bird Treaty Act (MBTA). The EIR shall provide further analysis of the Project’s potential to impact nesting birds covered by the MBTA.

Overall, potential impacts to sensitive plant and wildlife species shall be further evaluated in the EIR.

- b, c) **No Impact.** The Project site does not contain any streams, riparian habitat, marshes, protected wetlands, vernal pools or sensitive natural communities protected by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.
- d) **No Impact.** The subject property is an isolated piece of land located within an urban area and surrounded by golf courses, landscaping, residential and commercial developments, and roadways. Due to surrounding human activity over many years, the site does not contain features that are suitable for a migratory wildlife corridor. Potential impacts to nesting birds will be analyzed pursuant to the MBTA; however, in general and give the subject property’s context, it will not impede the use of a native wildlife nursery site. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

- e, f) No Impact.** The subject property is located within the boundaries of the CVMSHCP but is outside the boundaries of any of the Plan's Conservation Areas. Lands not developed prior to 1996 are subject to the payment of a Development Mitigation Fee to mitigate impacts of urban development to covered species. The site is not within or adjacent to a CVMSHCP-designated Conservation Area; thus, the implementation of the proposed Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other related plans. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

V. CULTURAL RESOURCES				
Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?			✓	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓		
c) Disturb any human remains, including those interred outside of formal cemeteries?			✓	

Environmental Setting

The City of Palm Desert is located in the Coachella Valley where the ancestors of the Cahuilla Indians settled centuries ago. The Cahuilla Indians are a Takic-speaking people that before European settlement consisted of hunters and gatherers who are generally divided into three groups based on their geographic setting: the Pass Cahuilla of the Beaumont/Banning area; the Mountain Cahuilla of the San Jacinto and Santa Rosa Mountains; and the Desert Cahuilla from the Coachella Valley, as far south as the Salton Sea.

According to the City's General Plan, at the beginning of the historic period, the City of Palm Desert fell within the vast traditional lands of the local Cahuilla Indian tribes. In the Coachella Valley, the Cahuilla typically lived in camps of between 75 and 100 individuals, preferentially located along the lower edges of alluvial fans near permanent sources of water, food and fiber. One such camp was the Palm Oasis at modern day Thousand Palms, along the fault scarp where diked groundwater rises to the surface to support several palm groves (*Washingtonia filifera*). The camps characteristically contained community houses and sweat lodges, with houses being semi-excavated and having heavy and flat roofs supported by large cottonwood poles.

The subject property is located on the Palm Springs Sand Ridge, which has not been a source of water or ethnobotanical resources, such as mesquite, palms, reeds or other valued resources. Neither did these lands contain habitation sites or trails or pot-drops. These lands are not expected to harbor lithic workshops, milling sites or camps.

In the 1930s, the City of Palm Desert was an unincorporated cluster of a few homes located on the north side of Highway 111. After World War II, a group of businessmen (four brothers – Clifford, Randall, Phil, and Carl Henderson) came to this region between Indian Wells and Rancho Mirage. Instead of desert and scrubland, they visualized “fine homes and swimming pools, schools, churches, and culture that would draw visitors and families from far and wide,” and in 1945 they formed the Palm Desert Corporation. In 1946, they started constructing streets and commercial buildings which later became known as Palm Desert.

Development in the vicinity of the subject property began in earnest in the 1980s with numerous nearby residential resort developments, hotels and commercial establishments. The Desert Willow development began in the 1990s with the completion of two golf courses, and infill resort and residential development followed.

An historical/archaeological resources survey and assessment will be conducted on the subject development site and will be analyzed in the EIR.

Discussion of Impacts

- a) **Less Than Significant Impact.** Section 15064.5 of the CEQA Guidelines generally defines a historic resource as a resource that is: (1) listed in, or determined to be eligible for listing in the California Register of Historical Resources (California Register); (2) included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code); or (3) identified as significant in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code). Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register. The California Register automatically includes all properties listed in the National Register of Historic Places (National Register) and those formally determined to be eligible for listing in the National Register.

To determine if historical resources are located on the Project site, qualified professional archaeologists will conduct an historical/archaeological resources records search and pursue historical background research. As part of that assessment, a records search will be conducted at the Eastern Information Center (EIC). There is no evidence that the site harbors any significant historic resources as defined in § 15064; therefore the potential for impacts is considered very low and no mitigation measures would be required. No further evaluation in an EIR is required.

- b) **Less Than Significant with Mitigation Incorporated.** Section 15064.5(a)(3)(D) of the CEQA Guidelines generally defines archaeological resources as any resource that “has yielded, or may be likely to yield, information important in prehistory or history.” Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community. Archaeological resources are not known to occur on the project site. However, the cultural resource analysis will determine whether they occur, or have the potential to occur. The State Native American Heritage Commission (NAHC) and associated tribes of the Coachella Valley will be contacted to assure the security of the tribes and their archaeological resources pursuant to § 15064.5.

The Project site is not known to contain any archaeological resources pursuant to § 15064.5., however, impacts to archaeological resources could occur if they are uncovered during site grading. The EIR should evaluate the level of potential impacts and provide mitigation measures, if needed, to avoid or minimize such impacts.

- c) **Less Than Significant Impact.** The Project site is located within an urbanized area and a portion of it has been subject to grading and development. No known traditional burial sites have been identified on the site. The low potential for traditional burials on-site notwithstanding, the Project will require excavation at depths greater than those having previously occurred on the site. Therefore, a very limited potential exists for the Project to uncover human remains, and the EIR will provide further analysis of the Project’s potential impacts to human remains.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

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

Environmental Setting

Primary energy sources include nuclear energy, fossil fuels (oil, coal and natural gas) and renewable sources like wind, solar, geothermal and hydropower.

Southern California Edison (SCE) provides electrical services to the City of Palm Desert. Currently, SCE serves approximately 4.4 million residential service accounts and 520,000 commercial service accounts which use up to 69% of the electricity generated by SCE in its service area.²

Natural gas is provided by the Southern California Gas Company (SoCalGas). Its service territory encompasses approximately 20,000 square miles in diverse terrain throughout Central and Southern California, from the City of Visalia to the Mexican border.³

Discussion of Impacts

d) Less Than Significant Impact with Mitigation Incorporated.

Electricity: Electrical power would be consumed to construct and operate the Project. SCE will provide electricity for the Project. The amount of electricity required is not yet known, and will be calculated in the EIR. The EIR will further evaluate the Project's impact on SCE supplies, the effectiveness of any proposed conservation measures and the adequacy of the existing infrastructure to serve the Project.

Natural Gas: The Project will require natural gas for operational activities at the hotel, the villas, and the surf center. The amount of natural gas required is not yet known, and will be calculated in the EIR. The EIR will evaluate Project's impact on SoCalGas supplies, the effectiveness of any proposed conservation measures and the adequacy of the existing infrastructure to serve the Project.

e) Less Than Significant Impact. It is expected that the Project would comply with the State Green Building Code to reduce energy consumption by implementing energy efficient building designs, reducing indoor and outdoor water demand, and installing energy-efficient appliances and equipment. The Project plans include the use of solar energy panels in the Surf Center design. Solar energy may also be provided to other components of the project. These will be considered

² Errata to Southern California Edison Company's Amended Energy Efficiency Rolling Portfolio Business Plan For 2018-2025 by SCE (May 15, 2017) – Page 42 and 43.

³ SoCalGas, Company Profile, <https://www.socalgas.com/about-us/company-profile>, Accessed November 2018.

in the EIR. In addition, the Project will be evaluated for conformance with the City's Sustainability Plan, whose intent includes improving energy and water efficiency in buildings, decreasing per-capita energy use, and using energy efficient appliances and equipment. The EIR will include further evaluation of Project-related energy use and reduction strategies to determine whether the Project conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the use of energy resources.

Source: City of Palm Desert General Plan, 2016; City's Environmental Sustainability Plan (2010); Google Earth Pro 7.3.2.5491.

VII. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?		✓		
iii) Seismic related ground failure, including liquefaction?		✓		
iv) Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?		✓		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	✓			
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			✓	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	

Environmental Setting

Regional Geologic Setting

The Coachella Valley is located in the northwestern portion of the Salton Trough which is bounded by the San Bernardino Mountains on the northwest, San Jacinto Mountains on the west, Santa Rosa Mountains on the south, and Little San Bernardino Mountains and Indio Hills on the northeast. The geology and seismicity of the valley is highly influenced by the tectonics of San Andrea and San Jacinto fault systems.

Episodic flooding of major regional drainages, including the Whitewater River, results in the deposition of sand and gravel on the valley floor. Strong sustained winds emanating from the San Geronio Pass cause wind erosion and transport and deposit dry, finely granulated, sandy soils on the central valley floor, which has created the Palm Springs Sand Ridge on which the subject property occurs.

Regional soils range from rocky outcrops within the mountains bordering the valley to coarse gravels of mountain canyons and recently laid fine- and medium-grained alluvial (stream deposited). Wind-blown or aeolian deposited sediments on the central valley floor make up the soils of the sand ridge.

Discussion of Impacts

a.i) No Impact. The subject property is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone. The nearest earthquake fault is the Banning fault of the San Andreas Fault Zone, approximately six miles northeast of the site. This active fault is capable of generating earthquakes of magnitude >5.0 . There are no active faults in the vicinity of the subject property. No fault-related surface rupture would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

a.ii) Less Than Significant with Mitigation Incorporated. The Project site is located in a seismically active region where earthquakes originating on local and regional seismic faults can produce severe ground shaking. Buildings proposed for the site will be required to conform to the most recent edition of the California Building Code (CBC) and Palm Desert Municipal Code Section 15.24.010 (Adoption of the California Existing Building Code) to provide collapse-resistant design. These building standards are designed to minimize the catastrophic failure of buildings, thereby lowering the potential impacts to life and property.

The location of the Project site within a seismically active area in proximity to the San Andrea and San Jacinto fault systems could expose people or structures to strong seismic ground shaking. Therefore, further analysis of this issue will be provided in the EIR. The EIR analysis will identify the potential for seismic ground shaking and will take into consideration the impact of seismic activity on future development, as well as compliance with the most recent regulatory requirements regarding seismic safety.

a.iii) Less Than Significant with Mitigation Incorporated. The Project site is located in an area that has a low susceptibility for liquefaction (Riverside County General Plan; Figure S-3). Onsite underlying soils consist of Myoma fine sand group: MaB (0 to 5 percent slopes) and MaD (5 to 15 percent slopes), which consists of soft sediments, which could not be susceptible to liquefaction.

According to GEOTRACKER GAMA, currently, there is no active well at the Project site. The nearest test well site (3310001-063) is located at Acapulco Drive where the water depth is reported more than 200 feet below ground surface. That test well site is located approximately 0.41 miles southwest of the subject site.

The Project would provide water for the surf lagoon in one of three ways: installation of a new groundwater well at the southeastern corner of the site; via a connection to the existing Desert Willow groundwater well located south of the site near Country Club Drive; or utilization of potable water from CVWD.

Based on preliminary analysis, the water depth is reported to be more than 200 feet below ground surface at the site. If the Project would involve installation of a new groundwater well, it would not induce liquefaction at the site. However, the Project includes the construction of a six-acre lagoon, leakage from which or other Project water infrastructure has the potential to create a localized liquefaction hazard. Therefore, as the potential for seismic activity and induced liquefaction could be created on the Project site, the EIR shall include a more detailed analysis of this issue. The EIR analysis will identify the potential for ground failure and will take into consideration the impact of seismic activity on future development and compliance with regulatory requirements.

a.iv) No Impact. The Project site is on the sand ridge portion of the valley floor, which consists of and is surrounded by gently sloping land and relatively flat terrain. The nearest hillsides and mountainous slopes are approximately 3.40 miles southwest of the property. Therefore, no impacts associated with landslides would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

b) Less Than Significant with Mitigation Incorporated. The Coachella Valley floor on which the subject property is located is highly susceptible to wind erosion (General Plan; Figure 8-3). The proposed Project will include excavation, site preparation, grading, paving, building construction, and other ground disturbance of the existing vacant land by heavy machinery that could result in the loss of some topsoil and generate particulate matter. Grading and construction may require removal of the topsoil; however, grading and construction activities would occur in accordance with erosion control requirements, including grading and dust control measures imposed by the City pursuant to grading permit regulations. Specifically, Project construction would be required to comply with the City's Municipal Code, including submittal and approval of grading permits, site and building plans, and inspections to ensure that the Project does not generate excessive soils erosion.

In addition, the Project will be required to prepare a Project-specific Water Quality Management Plan (WQMP) (See Section IX, Hydrology and Water Quality). As part of the WQMP, Best Management Practices (BMPs) would be implemented during grading and construction to reduce sedimentation and soil erosion to the maximum extent practicable. In addition, Project construction contractors will be required to comply with City grading permit regulations, which require dust control measures to reduce sedimentation and erosion. The EIR will further evaluate the potential impacts and provide mitigation measures, if needed.

c) Potentially Significant Impact. The Project site is currently partially developed and does not contain unstable soils or geologic units. Also, the site is not susceptible to on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; this is due to on-site conditions, distance from sloping terrain and foothills, and depth to groundwater.

As discussed above, the Project could include an onsite groundwater well to serve the surf lagoon. Groundwater extraction can cause ground subsidence in the vicinity of the proposed well and careful monitoring of well levels may be necessary. This issue will be further addressed in the Project-specific geotechnical report and EIR. The EIR analysis will address impacts associated with soil stability, lateral spreading, subsidence, liquefaction, and collapse, and will also address regulatory compliance requirements.

d) Less Than Significant Impact. Expansive soils typically contain large amounts of clay that expands when water is absorbed and shrinks when it dries. As described in Section VI-a.iii, above, the site's underlying soils consist of the Myoma fine sand group: MaB (0 to 5 percent slopes) and MaD (5 to 15 percent slopes), which have low shrink-swell potential. The project specific geotechnical analysis and the EIR will further identify the potential for expansive soils on the development site and will include site-specific recommendations, as needed, while assuring compliance with regulatory requirements.

e) No Impact. The Project site is located in an area served by existing sewerage infrastructure, including lines serving the development site. The CVWD Cook Street plant will receive and treat sewage discharged into its collection system. The Project would not require the use of septic tanks or alternative wastewater disposal systems. The Project would not result in impacts related to the ability of soils to support septic tanks or alternative wastewater disposal systems. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

- f) **Less Than Significant Impact.** Paleontological resources are the fossilized remains of organisms that have lived in a region in the geologic past and whose remains are found in the accompanying geologic strata. This type of fossil record represents the primary source of information on ancient life forms, since the majority of species that have existed on earth from this era are extinct. The Project site is not known to contain unique paleontological features. Also, there are no unique geological features (river, lake, hills, faults, and folds etc.) located on-site that can directly or indirectly be destroyed. The surface soils consist of light brown, fine-to-coarse alluvial sands mixed with small rocks. Recent deposits are not conducive to the location of paleontological resources.

The proposed Project will result in the development of two- to three-story residential and hotel buildings, a surf lagoon, a well, and an underground parking structure, which would require deep excavation. Although portions of the Project site have been previously graded and developed, the Project would require grading and excavation to greater depths, which would have the potential to disturb undiscovered paleontological resources in the very unlikely event they occur within the Project site. Nonetheless, the EIR will provide further analysis of the Project's potential impacts to paleontological resources.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491; "Geotechnical Investigation for the Proposed Westin Desert Willow Resort Villas," prepared by Sladden Engineering in 2006; "Soil Survey of Riverside County, California, Coachella Valley Area," U.S. Dept. of Agriculture Soil Conservation Service, 1980.

VIII. GREENHOUSE GAS EMISSIONS				
Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	✓			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	✓			

Environmental Setting

Air quality has become an increasing concern because of human health issues, but also because greenhouse gas emissions are contributing to global warming and climate change. The primary contributor to greenhouse gas emissions is the burning of fossil fuels through the use of automobiles, power and heat generators, and industrial processes.

The principal greenhouse gases (GHGs) include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃), and water vapor (H₂O), which are generated by both moving and stationary sources, including vehicles, electricity and natural gas use, and emissions associated with water pumping and application of fertilizers.

The State of California has taken a leading role to curb GHG emissions and has developed laws and regulations to reduce these emissions. State legislation and regulations call for better integrated land use planning and curtailing energy production away from nonrenewable sources and toward new renewable sources, such as solar and wind. California SB 375 in part implements greenhouse gas reduction targets set forth in AB 32 and encourages regional land use planning to reduce vehicle miles traveled; it also requires jurisdictions to adopt a sustainable communities strategy. The California Air Resources Board is continuing to draft regulations to implement the Scoping Plan. Senate Bill 2X requires that, by the year 2020, 33% of the electricity used in California is from renewables to help reduce statewide GHG emissions.

State law mandates that all cities decrease their GHG emissions to 1990 levels by the year 2020. Executive Order B-30-15 set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in Executive Order S-3-05.

a, b) Potentially Significant Impact. The implementation of the proposed Project would have the potential to emit substantial amounts of GHGs during both construction and operation. The EIR will describe and quantify the potential GHG emissions associated with the Project. The EIR will include further evaluation of Project-related emissions and possible reduction strategies to determine whether the Project conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Mitigation measures will be provided in the EIR, if needed, that reduce GHG emissions to the greatest degree practicable.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491; Assembly Bill 32 and 2016 California Green Building Standards Code.

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		✓		
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Environmental Setting

The subject property is surrounded by golf course, clubhouse and related facilities, and resort residential development. The nearest commercial retail uses are approximately 1,800 feet to the southeast. There is no evidence of any spillage or discharge of waste materials or liquids on the subject development site. Neither is there any evidence of such discharges on the proposed overflow/event parking site located to the southeast.

Proposed development would bring a variety of commonly used but potentially hazardous materials, including chlorine for pools and chemicals and products typical of hotel, resort and residential developments. No unusual or especially hazardous materials are expected to be associated with the site development or operation.

Hazardous materials transport, storage, and use in the City of Palm Desert is strictly regulated for large quantity users, such as industrial processes and commercial dry cleaners. The City implements the General Plan's Safety Element through regular consultation with the Regional Water Quality Control Board (RWQCB), Fire Department and County Department of Environmental Health.

The State Water Resources Control Board's online database (GeoTracker) indicates that the City of Palm Desert contains 53 sites that are either listed or permitted as hazardous material sites under the California Department of Toxic Substances Control (DTSC). The majority of these sites are located along Country Club Drive, Hovley Lane East, Cook Street, Hwy 111, Monterey Avenue, and Washington Street.

Discussion of Impacts

- a, b) Less Than Significant Impact.** The types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used in residential, hotel, restaurant, bar, and retail developments (e.g., household cleaning solvents, pesticides for landscaping, painting supplies, chlorine and petroleum products). The surf lagoon would use basic cleaning equipment and chemicals to maintain the pH levels for surfers. Project hazardous materials usage will be limited to small amounts.

Construction of the Project would also involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations. The EIR will further evaluate the potential impact to the public or the environment through the routine transport, use, or disposal of hazardous materials as a result of development or operation of the proposed Project.

- c) No Impact.** There is no school located within ¼ mile of the Project site. James Earl Carter Elementary School is the nearest public elementary school and is located approximately 1.10 miles south of the proposed site. Two private educational facilities (Desert Adventist Academy and Boehm Child Development Center) are located approximately 0.30 miles southwest of the proposed site. As discussed above, Project construction and operations would involve the limited use of hazardous materials in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.
- d) No Impact.** The Project site is partially developed with an existing parking lot. There are no hazardous materials or waste sites located on or near the Project site. In addition, the proposed site is not included on a list compiled pursuant to Government Code Section 65962.5. The proposed Project will not create a significant hazard to the public or environment. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.
- e) No Impact.** The Bermuda Dunes Airport (UDD) is located approximately 4.8 miles east of the subject property. The Project planning area is located well outside the airport planning boundary and operational and navigational hazard area. Therefore, the proposed Project would not result in a safety hazard or excessive noise for people residing or working at the Project site, and no mitigation measures would be required. No further evaluation in an EIR is required.
- f) Less Than Significant with Mitigation Incorporated.** The Project site is located within the Desert Willow Golf Course, a square mile development area bounded on the west by Portola Avenue, on the east by Cook Street, on the north by Frank Sinatra Drive and on the south by Country Club Drive. According to the City's General Plan, the Project site is not located along a designated emergency evacuation route. The nearest disaster routes are Portola Avenue and Cook Street approximately 0.24 mile to the west and 0.54 mile east of the site, respectively. The majority of construction activities for the Project would be confined to the Project site itself; however,

limited off-site infrastructure improvements may require some work in adjacent street rights-of-way (i.e. Desert Willow Drive, Willow Ridge, and Market Plaza Drive). As such, some partial lane closures adjacent to the Project site, including on Desert Willow Drive and Willow Ridge, may occur. However, these closures would be temporary in nature and even in the event of partial lane closures, both directions of travel on area roadways would be maintained.

Desert Willow Drive is a public street that provides access to the existing Desert Willow Clubhouse and resort development from Country Club Drive to the south. The existing clubhouse parking lot will be reconfigured and a portion of the existing parking will be incorporated into the Project site. An emergency access will also be provided at the southwestern portion of the Project site on Willow Ridge Road, from the adjacent Westin resort project. Desert Willow Drive provides the main access point to the Desert Willow Golf Resort clubhouse and associated facilities and amenities. Temporary closure could temporarily interfere with emergency response to the Desert Willow Golf Course but access would be maintained during and following development. Nonetheless, the potential impact of the proposed Project to Desert Willow Drive for emergency response during construction shall be evaluated in the Project EIR.

The Project would provide adequate parking, including on-site and off-site parking within the Desert Willow development, and internal circulation to accommodate vehicular traffic without impeding through-traffic movements on City streets. However, the potential impact of the proposed Project to emergency response during operation shall further be evaluated in the Project EIR.

- g) No Impact.** The Project site is located in the City's urban core, and is not located in a wildland fire hazard zone and is not susceptible to wildfires. Therefore, the Project would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure to wildland fires. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		✓		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		✓		
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:		✓		
(i) result in substantial erosion or siltation on- or off-site;		✓		
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;		✓		
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		✓		
(iv) impede or redirect flood flows?		✓		
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		✓		
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓

Environmental Setting

Domestic Water Supplier

The Coachella Valley Water District (CVWD) provides domestic water to the City of Palm Desert, including the Project site. Its primary source of water is groundwater extracted by deep wells from the Whitewater River subbasin. The total storage capacity of the Whitewater River subbasin is approximately 28.8 million acre-feet and it currently contains approximately 25 million acre-feet. It is capable of meeting the water demands of the Coachella Valley, including the City, for extended normal and drought periods. CVWD's domestic water system includes 50± wells with an average depth of 900 feet to serve its customer base. CVWD has a total of 27 reservoirs, with an average capacity of 1.8 million gallons.

CVWD currently has water infrastructure within the Desert Willow project, including both domestic (potable) and recycled water lines. Recycled water lines are currently used to irrigate landscaped areas. The proposed Project will require both potable water for use in residential, hotel and commercial

buildings, and recycled water for irrigation of landscaping. In addition, three potential sources of water are being considered for the surf lagoon:

- Installation of a new groundwater well at the southeastern corner of the site;
- Connection to the existing Desert Willow groundwater well located south of the site near Country Club Drive; or
- Utilization of the potable water from CVWD.

The proposed Project will result in a mixed-use resort residential development on approximately 17.69 acres in the City of Palm Desert. State Water Code Section 10910(a) states that any city or county that determines that a “Project”, as defined in Water Code Section 10912, shall prepare a water supply assessment for the Project. The threshold defined by the Water Code is 500 dwelling units, 500,000 square feet of commercial development, or a combination thereof resulting in the equivalent of 500 dwelling units. The City has determined that the proposed Project requires the preparation of a water supply assessment. Therefore, being subject to Senate Bill 610 (SB 610) and Senate Bill 221 (SB 221), a water supply assessment (WSA) and water supply verification (WSV) will be prepared for the Project and submitted in support of the EIR’s analysis.

Wastewater Treatment Provider and Sewer System

CVWD provides wastewater collection and treatment services to the City of Palm Desert. In the Project vicinity, CVWD treats and recycles wastewater at two wastewater treatment plants (WRP-9 and WRP-10). These two plants have a total capacity of 18.40 million gallons per day. Recycled water is used for golf course and greenbelt irrigation in the Palm Desert area, thereby reducing demand on the groundwater basin. CVWD continually increases the capacity of its wastewater reclamation facilities by constructing new treatment ponds, aeration, and other structures.

CVWD also implements the requirements of the Regional Water Quality Control Board pertaining to domestic water quality and wastewater discharge. According to Palm Desert Municipal Code Section 8.55.050, all new properties, buildings and structures are required to connect to the available public sewer systems

Flood Control

The Project site is located in the central portion of the Coachella Valley where the average rainfall is approximately 3.76 inches per year. Several watersheds drain the adjoining elevated terrain of the San Jacinto and Santa Rosa Mountains towards the valley floor. The Project site slopes gently to the south and is surrounded by golf course and resort development; there are no or limited tributary flows to and from the site. Within the Desert Willow development, on-site drainage is managed via the use of golf course fairways and lakes used as stormwater retention facilities in accordance with the stormwater master plan developed by the City when the project was designed.

The Project area is subject to City requirements relating to flood control. The City implements standard requirements for the retention of storm flows, and participates in the National Pollution Discharge Elimination System (NPDES) to protect surface waters from pollution.

Discussion of Impacts

- a, e) Less Than Significant with Mitigation Incorporated.** A significant impact may occur if a Project discharges water which does not meet the quality standards of agencies that regulate surface or ground water quality and water discharge into stormwater drainage systems.

The National Pollutant Discharge Elimination System (NPDES) Program regulates stormwater discharges to surface waters. The Project site is located in the Whitewater River watershed where all water providers are required to comply with Regional Water Quality Control Board standards for the protection of water quality, including the preparation of site-specific Water Quality Management Plans (WQMP) for surface waters.

The proposed Project would be required to connect to readily available sanitary sewer lines which connect to existing main lines within Country Club Drive and Cook Street. Construction of the on-site line will be subject to all CVWD requirements; therefore, the Project will not violate water quality standards or waste discharge requirements.

Based on preliminary design, excess stormwater runoff from the development site will be conveyed to one of the Desert Willow Golf Course lakes located south of the site and north of Country Club Drive. This lake will also be the receiving body for the swimming pools and surf lagoon backwash water, which will be treated before being discharged and conveyed to the golf course lake. Project construction will incorporate the use of a wide range of Best Management Practices (BMPs) to ensure that surface runoff during construction will not adversely affect surface or groundwater quality. These provisions should be further analyzed in the Project EIR.

The Project will also be required to comply with National Pollutant Discharge Elimination System (NPDES) regulations, which minimize the pollutant load associated with urban runoff. To reduce discharge of pollutants into runoff, the proposed Project will be required to implement Best Management Practices (BMPs). Implementation of BMPs will preclude and/or intercept pollutants of concern that could potentially enter nearby properties or retention basins. BMPs will also help reduce short and long-term water quality impacts caused by the construction and operation of the proposed Project. BMPs will be further discussed and analyzed in the EIR.

The EIR shall further evaluate the potential impact of the proposed Project to surface and ground water quality, and provide mitigation measures to avoid violation of any applicable water quality standards or waste discharge requirements.

- b) **Less Than Significant with Mitigation Incorporated.** The proposed Project will require water for domestic use and landscape irrigation for the residential villas, hotel(s), surf lagoon and other pools, and other amenities. CVWD has developed demand factors for various land use categories (i.e. residential, commercial, industrial, schools/institutional, and landscaping irrigation). However, CVWD currently has no water demand factor specifically for surf lagoons; however, factors have been developed for swimming pools and additional data on lagoon water demand will be developed for the EIR.

As discussed above, this Project is subject to water use and supply analysis pursuant to SB 610 and SB 221, as codified in Water Code Section 10910(a), and is thereby required to prepare a water supply assessment and water supply verification. The purpose of the water supply assessment will be to determine whether the CVWD water supply is sufficient to meet the demand associated with the proposed land uses.

Project landscaped areas will be limited in size and will be required to use drought-tolerant planting materials and water-efficient irrigation. Recycle water is available from CVWD and may be used for Project landscaping, which is not expected to contribute substantially to Project water demands.

The Project may construct a new on-site groundwater well and will also implement a turf reduction program within the golf course. It is uncertain at this time what effect, if any, the proposed well will have on area groundwater levels and/or nearby wells. Water sources and demand, as well as the potential effects of the proposed on-site well, will be further analyzed in the WSA and EIR.

Based on the preliminary analysis, the Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge to cause a net deficit in aquifer volume or a lowering of the local groundwater table level. The EIR will analyze whether the proposed Project will impede sustainable groundwater management of the basin. The EIR shall further evaluate the potential impact of the proposed Project on the CVWD water supply, and on the production rate of pre-existing nearby wells. As necessary the EIR shall include mitigation measures to avoid and minimize impacts.

- c) (i) **Less Than Significant with Mitigation Incorporated.** The subject site sits on generally flat terrain that gently slopes to the southwest and contains no rivers or streams. Development of the proposed Project will increase impermeable surfaces on-site, and therefore increase on-site storm flows. The City will require the preparation of a hydrology analysis, and will require that the applicant demonstrate that 100-year storm runoff can be retained and stored on-site, according to its standards as included in the master drainage plan for the Desert Willow project. It is understood that for stormwater management purposes, the hydrologic unit of the Desert Willow Resort in which the Project is located is to be considered “on-site.”

The hydrology analysis will be required to demonstrate that the release of Project storm flows into existing facilities within the golf course will not cause erosion or siltation. The EIR will consider the hydrologic analysis to determine whether the design will eliminate erosion and siltation, and will consider whether mitigation measures are required to address the issue and reduce its impacts.

- (ii), (iii) **Less Than Significant with Mitigation Incorporated.** As described above, the Project’s hydrology design will integrate into the master planned Desert Willow flood control system. This system was designed to accommodate storm flows from all developments within Desert Willow, and is sized appropriately. Implementation of applicable City requirements will assure that the Project will not generate or contribute runoff that would result in flooding either on- or off-site, or exceed the capacity of the stormwater systems or provide substantial additional sources of polluted runoff. Nonetheless, the EIR will further evaluate the potential runoff generated by the Project and its impact to the capacity of existing or planned stormwater drainage systems. Mitigation measures to avoid off-site runoff to the greatest degree practicable will be included, as needed.

- iv) **Less Than Significant with Mitigation Incorporated.** As described above, the Project’s hydrology design will be required to integrate into the master plan designed for the Desert Willow project as a whole. As such, the Project’s flood control systems are not expected to impede or redirect storm flows. However, the EIR will consider the design, analyze its effect on the Desert Willow master plan of drainage, and include mitigation measures to assure that the Project will not impede or redirect the master plan’s design.

- d) **Less Than Significant with Mitigation Incorporated.** A seiche is an oscillation of a body of water in an enclosed or semi enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a sea wave or pulse typically caused by undersea earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity.

The subject property is not vulnerable to tsunami or mudflows. The Project is proposing to build a 7±-million-gallon lagoon with adjacent and nearby residential and commercial structures. This Project site is also in a seismically active region where strong seismic waves could cause oscillations in the lagoon. The potential of the lagoon to generate potentially damaging seismically-induced waves will be further assessed in the EIR.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

XI. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

Environmental Setting

The site is designated as a Resort and Entertainment District in the General Plan Land Use Map. The site is zoned as Planned Residential (PR-5) and is governed by the policies and land use designations of the City of Palm Desert General Plan and Zoning Ordinance.

The City of Palm Desert participates in the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), as discussed above under Biological Resources, and is a Permittee under that Plan.

Discussion of Impacts

- a) **No Impact.** The subject property is currently partially developed with an existing surface parking lot and is located within the Desert Willow Golf Course. The Desert Willow development, which includes two championship golf courses, the Firecliff Course and Mountain View Course, as well as residential and resort development will not be affected by the proposed Project.

The existing Desert Willow clubhouse parking lot will be reconfigured and a portion of the existing parking will be incorporated into the Project site. Development of the surf lagoon, surf center facilities (including a restaurant, bar, retail and similar facilities), hotel(s), residential villas, and parking would occur on the currently vacant portion of the Desert Willow site located between the Firecliff and Mountain View Golf Courses. The Project would not interrupt these golf areas, neighborhood community or connectivity, or otherwise physically divide an established community.

The surrounding established communities are physically separate from and operate independently of the proposed Project. The proposed Project will not be physically divided any community. This issue will not be further analyzed in the forthcoming EIR.

- b) **Less Than Significant Impact.** The Project site is located on the north side of Country Club Drive between Portola Avenue and Cook Street in the approximate center of the square mile Desert Willow development, which is a part of the City's 1989 North Sphere Specific Plan. The Project site is located within planning area 10 (PA 10) of that plan and is designated for hotel and resort development.

Currently, the Project site is designated as Resort and Entertainment District on the City's General Plan Land Use Map, which allows bed and breakfast inns, recreational facilities, small retail, large retail, and lodging, support retail, and commercial services along with specialized entertainment with a commercial floor area ratio (FAR) of up to 0.10, and multi-family residential land uses of up to 10 dwelling units per acre (DU/AC). These uses are generally consistent with the proposed Project.

The City's Zoning Map designates the site as Planned Residential (PR-5), allowing 5 units per acre. The Planned Residential zone also allows for the development of hotels with approval of a Conditional Use Permit (CUP), but prohibits the development of "Commercial Recreation Facilities" (Section 25.10.030-Allowed Land Uses and Permit Requirements). Commercial Recreation Facilities are defined as "any use or development either public or private, providing amusement, pleasure, or sport, which is operated or carried on primarily for financial gain". The proposed Specific Plan would supersede the current zoning designations on the Project site.

Municipal Code Section 25.10.40 (Specific Use Standards), however, inconsistently states that Commercial Recreational Facilities are permitted in the PR zone with approval of a Conditional Use Permit "when not related to a permitted residential development." This portion of the Zoning Ordinance would allow the proposed surf lagoon with approval of a CUP. This inconsistency is rectified through preparation of the proposed Specific Plan.

The proposed Specific Plan will guide the development of the Project overall. The Project also includes a Precise Plan, Tentative Tract Map and a Development Agreement. The proposed Specific Plan will set forth the planning principles, land use policies, development standards, and design guidelines for the proposed development, and on-site and off-site public improvements. The Project's Specific Plan will address maximum development densities (Table 1), which will be analyzed in the EIR. The land use, design, and development standards of the first phase of development will be regulated through a Precise Plan process pursuant to City Municipal Code Section 25.72.030.

All lands surrounding the site are currently designated as Resort and Entertainment and developed as golf course except the Westin Desert Willow Villas to the southwest of the subject development site. The Project site appears to be appropriate for mixed used development of the type proposed. It is an isolated piece of land within the Desert Willow development, and proposes resort residential development comparable to that permitted elsewhere within the Desert Willow development. The proposed hotel(s) will also be consistent with the other hotels (i.e. Embarc Palm Desert, Residence Inn by Marriott Palm Desert, and Courtyard by Marriott Palm Desert) in the surrounding area. Nonetheless, the EIR will provide further analysis the proposed land uses and the Project's consistency with all applicable land use plans, policies, and regulations.

Source: City of Palm Desert General Plan, 2016; Palm Desert Zoning Ordinance (as amended); Palm Desert North Sphere Specific Plan, 1989; Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP) 2013; Project materials; Google Earth Pro 7.3.2.5491.

XII. MINERAL RESOURCES Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

Environmental Setting

The subject property is located on the Palm Springs Sand Ridge, which is underlain primarily by wind-blown sandy soils. There are no minable sand or gravel resources located on the subject property or in the vicinity. The majority of the City is made up of valley floor sands and silts transported by fluvial and aeolian forces. In some locations, sand and gravel located on alluvial fans at the base on rocky foothills surrounding the valley are an economic resource and commonly used for road base and other building materials. Small amounts of limestone, copper and gold have been explored from some parts of the city in the past. No existing sand or gravel resources occur on or in the vicinity of the Project site.

Discussion of Impacts

- a, b) No Impact.** The Projects site is currently partially developed. It and the surrounding lands are located in a State-designated Mineral Zone MRZ-3, which indicates an “area containing mineral deposits; however, the significance of these deposits cannot be evaluated from available data.” The Project site occurs in an urban setting and is not designated for mineral resource extraction so it would not result in the loss of availability of a mineral resource or a mineral resource recovery site. No impacts would occur and no mitigation measures would be required. No further evaluation in an EIR is required.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491; Updated Mineral Land Classification Map for Portland Cement Concrete-Grade Aggregate in the Palm Springs Production-Consumption (P-C) Region, Riverside County, California (2007).

XIII. NOISE Would the Project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	✓			
b) Generation of excessive groundborne vibration or groundborne noise levels?	✓			
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

Environmental Setting

In the City of Palm Desert, noise sources can be divided into two basic categories, transportation sources (primarily traffic) and non-transportation or “stationary” sources. Transportation sources are by far the largest contributor to community noise levels. Local government has little direct control over transportation noise; rather, state and federal agencies assume the responsibility to control vehicle noise emission levels. The effective methods to reduce the impacts of noise on sensitive land uses include vehicle trip reduction, noise barriers, setbacks and other means.

City’s Noise Standards

Table 4.12-1 (Maximum Allowable Noise Exposure – Land Use Compatibility) of the General Plan EIR shows the local interior and exterior noise standards/thresholds. Acceptable exterior noise levels for residential development range from 45 to 65 dBA CNEL, and 45 to 70 dBA CNEL for commercial development, including neighborhood parks and offices. These allowable noise levels do not include construction-related noise levels, as construction activities generate temporary noise. General Plan standards are supplemented by Municipal Code 9.24.030, Sound Level Limits, which regulate noise throughout the City.

Discussion of Impacts

- a) **Potentially Significant Impact.** The Project site is located within an urbanized area that contains various sources of noise. The most predominant source of noise in the Project area is associated with traffic from nearby roadways. The Project site is currently partially developed with surface parking and is subject to existing on-site noise sources primarily associated with vehicle noises and similar parking lot activity.

During Project construction, the use of heavy equipment (e.g., bulldozers, backhoes, cranes, loaders, etc.) would generate noise on a short-term basis. Additionally, the implementation of the Project would introduce new permanent residential and commercial land uses to the Project site. The proposed Project includes development of a surf lagoon where propulsion equipment would be used to generate water waves. Wave equipment will operate in an enclosed building. In addition

to periodic surf competition events, the site would also be a venue for musical entertainment with amplified music. The potential noise impacts associated with this equipment and live musical events is currently unknown. Project traffic has the potential to increase local noise levels along adjacent lands and roadways. Therefore, a noise impact analysis will be prepared, and further analysis of this issue in an EIR is required.

- b) **Potentially Significant Impact.** Construction of the Project could generate groundborne noise and vibration in association with site excavation and grading, compacting activities, and construction equipment. Primary noise sources will be heavy equipment, some of which will operate in proximity to sensitive receptors, including residents west and southwest of the development site. The EIR's vibration analysis will take into consideration the potential for the Project to cause groundborne vibration at nearby sensitive buildings and receptors.

In addition, the increase in on-site uses may also result in periodic increases in noise levels. The City will require that construction activity comply with Section 9.24.070 of the Municipal Code, which limits construction activity to between 7 a.m. to 5:30 p.m. on weekdays and 8 a.m. to 5 p.m. on Saturdays. No activity is permitted on Sundays and holidays. Construction and operational noise has the potential to increase ambient noise levels above existing levels. Therefore, further analysis of this issue in an EIR is required.

- c) **No Impact.** The Project site is located approximately five miles west of the Bermuda Dunes Airport (UDD) and is well outside existing and modeled future airport noise contours. Therefore, no impacts would occur, and no mitigation measures would be required. No further evaluation in an EIR is required.

Source: City of Palm Desert General Plan, 2016; Palm Desert Municipal Code 9.24.030; Project materials; Google Earth Pro 7.3.2.5491.

XIV. POPULATION AND HOUSING Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

Environmental Setting

As of 2018, the population of the City of Palm Desert is 52,769, a 1.4 percent increase over 2017. The City is composed of a mix of single-family and multi-family development, but the majority (55%) of housing units are single-family homes. The Southern California Association of Governments (SCAG) estimates that the City will have a total population of 61,700 in 2040.⁴

Discussion of Impacts

- a) **Less Than Significant Impact.** The Project would result in the construction of 88 new residential villas, up to 350 hotel rooms and amenities, and a surf lagoon with surf center facilities to include restaurant, bar, retail and similar facilities.

Given the city's average household size of 2.16 persons⁵, 88 new residential villas of the Project could potentially include a permanent population of approximately 190 persons. This represents 0.3% of the City's anticipated 2040 population of 61,700, which would have a less than significant impact on the overall population of the area.

The proposed surf center and hotel(s) will generate a variety of new jobs, including retail and hotel service jobs, as will the villas if operated as extensions of the hotel(s) or as timeshare or fractional units. However, on-site employment opportunities are expected to be filled by people already living in the valley; therefore, new employment opportunities associated with the proposed Project are expected to be minor and less than significant. The Project is not expected to attract a substantial number of new residents to the area.

Local public streets will not be affected by the proposed Project in such a way that would require new off-site road construction. Local utilities, including water, sewer and electricity, are already provided to the Project site and surrounding development. Use of these facilities by the proposed Project will not induce additional urban development.

The EIR will provide additional information regarding any employment and population growth that could be associated with the buildout of the proposed Project.

⁴ 2016-2040 Demographics and Growth Forecast by Southern California Association of Governments – Page 27.

⁵ City's General Plan EIR 2016 – Page 4.13-3.

- b) No Impact.** The subject property is largely vacant and the proposed Project would not displace any existing housing. The development of the Project would also not cause the displacement of any persons or require the construction of housing elsewhere. No impact will occur, and no further analysis is required in an EIR.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

XV. PUBLIC SERVICES				
Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?		✓		
Police protection?		✓		
Schools?			✓	
Parks?			✓	
Other public facilities?			✓	

Environmental Setting

Fire Protection

The City of Palm Desert contracts with Riverside County Fire Department to receive fire protection services. The nearest fire station is Riverside County Fire Station 71 at 73995 Country Club Drive, approximately 0.53 mile southwest of the Project site. This station also receives backup fire support from station No. 55 in Indian Wells and Stations No. 50 and No. 69 in Rancho Mirage. The Cove Communities Fire Department has 84 personnel in total, distributed among the three cities, all of which operate under a Regional Fire Protection Program.

Police Protection

The City of Palm Desert contracts with the Riverside County Sheriff's Department for police protection services. The nearest police station is the Palm Desert Police Station on Gerald Ford Drive and approximately 1.60 mile to the northwest. Staffing consists of 70 sworn officers that include 45 deputies, 10 of which are dedicated to traffic enforcement. The City of Palm Desert currently provides about 1.75 sworn officers for every 1,000 residents. The average response time for the highest priority emergency calls was 4.6 minutes.

Schools

The City of Palm Desert is located within the jurisdictions of two school districts: Desert Sands Unified School District (DSUSD) and Palm Springs Unified School District (PSUSD). The nearest elementary school is James Earl Carter Elementary School, located on Hovley Lane approximately 1.10 miles southwest from the Project site.

Parks

In the City of Palm Desert, a total of 163 acres of park lands currently occur, with an additional 56 acres dedicated for future parks. The nearest public park to the Project site is Hovley Soccer Park located less than 1.09 mile south of the proposed Project.

Discussion of Impacts

Fire Protection:

Less Than Significant with Mitigation Incorporated. The proposed development will comply with the California Fire Code and regulations of the County Fire Department to reduce fire protection impacts to less than significant levels. County requirements will include, but not be limited to:

- Sufficient supply of firefighting water available at the Project site;
- Connections for fire apparatus in unobstructed areas easily accessible in all weather conditions; and
- Fire hydrants or water tanks, and roads of all-weather surfaces meeting County specifications to support heavy fire apparatus.

The Fire Department will review the Project site plan to ensure it meets applicable fire standards and regulations and to determine if the requirements for these public agencies were being met. Based on the preliminary analysis, the proposed Project could potentially impact response times during the special event, therefore, the EIR shall analyze Project's access roads, facility locations, power shutoffs, gas shutoff, confirmed space, chemicals, and safety in detail.

It should also be noted that the proposed Project will be required to pay City development impact fees to pay its fair share of future facilities and apparatus. The Project will also generate property tax, sales tax and transient occupancy tax that will further help to offset costs associated with fire protection within the Project.

Although no construction of new fire facilities is required for the proposed Project, the EIR shall evaluate the potential impacts of the Project to affect emergency response times or introduce hazardous design elements, and may include mitigation measures to reduce potential impacts.

Police Protection:

Less Than Significant with Mitigation Incorporated. The proposed Project could potentially increase the number of police service calls due to an increase in onsite residences, hotel and commercial guests, employees and visitors. Based on the type and intensity of the proposed uses, the Project would not require the construction of new or expanded police station facilities. It is uncertain whether the proposed Project could potentially impact police response times during special events. Therefore, the EIR shall further analyze Project access, facility locations, video surveillance systems with recording and archiving capabilities, and uniformed on-site security patrols in detail.

Police patrol personnel will be able to access the site using Desert Willow entrances off of Country Club Drive, Portola Avenue, and Cook Street. The EIR shall evaluate the potential impacts of the Project to site access and emergency response times, and include mitigation measures, as needed, to reduce potential impacts.

Schools:

Less Than Significant Impact. The Project includes the development of 88 residential villas which could generate a demand for students. In the event these residential units are divided as time shares or the like, they may generate little or no additional school-age children. Depending on the

number of jobs created, the Project could have a modest effect on new household formation and a commensurate increased demand for school services and facilities. The Project will be required to pay mandated school development impact fee to offset direct and indirect costs associated with increases in student population. These fees and a portion of property taxes generated by the Project will help to reduce impacts to local schools. While the impacts to area schools are expected to be less than significant, the EIR will evaluate the potential impacts of the Project to schools.

Parks/ Other public facilities:

Less Than Significant Impact. Although the Project proposes onsite recreational amenities and open spaces for both planning areas, the Project's residences, guests, employees and visitors could generate an increased use of City park and recreation facilities. To reduce the potential impacts, the Project may be required to pay the development impact fee for parks which is imposed on all new development in the City.

Overall, Project build out is expected to marginally impact local and/or regional parks/other public facilities. While no additional public facilities are required for the proposed Project to accommodate the residents/guests, the EIR will further evaluate the potential impacts of the Project to the public parks and other facilities.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

XVI. RECREATION				
Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Environmental Setting

Palm Desert has a total of 163 acres of improved park lands, with an additional 56 acres dedicated for future parks. The nearest public park to the Project site is Hovley Soccer Park located 1.09 mile south of the proposed Project. The Desert Willow golf course is a public course developed and owned by the City, providing discount golf to City residents. Other City park facilities include numerous mini, neighborhood and community parks, as well as school parks, community center, senior center, and extensive bike lanes and hiking trails.

Discussion of Impacts

- a, b.) No Impact.** The primary Project uses that might generate a demand for City recreation facilities would be residents associated with the proposed 88 villa residences. To a lesser degree hotel and surf park guests may also make use of some City recreational facilities. The proposed villas could generate an estimated permanent population of 190 residents, depending on how they are sold and occupied. The proposed villas will include onsite recreational amenities, as required in the Specific Plan. The hotel(s) will include its own onsite recreational amenities including swimming pools, gymnasium and event spaces. Hotel guests can be expected to utilize onsite recreational amenities as well as local and regional recreational facilities. In the overall, and in light of the planned on-site recreational facilities associated with the proposed Project, it will not induce substantial population growth that would result in significant impacts to existing neighborhood and regional parks or other recreational facilities. No further analysis is required.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

XVII. TRANSPORTATION				
Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		✓		
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			✓	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
d) Result in inadequate emergency access?		✓		

Environmental Setting

In the City of Palm Desert, all roadways are classified into nine different roadway types. Country Club Drive, which will provide primary access to the proposed development site, is designated a “Major Arterial”. Other major arterial roadways serving the site include Portola Avenue and Cook Street, which are also divided four-lane roadways. The City’s acceptable Level of Service (LOS) for both roadway segments and intersection operations in LOS D or better. All area roadways and intersections currently operate at LOS D or better.

The proposed Project would consist of differing traffic generators, including commercial recreation and retail uses, hotels, and residences, each of which generate traffic at differing times of the day. The manner in which the proposed villas are occupied may also affect the volumes of traffic from these residences. A traffic study is being prepared for the proposed Project, which will evaluate the effects of each of the proposed land uses and the overall impact on roads and intersections.

Discussion of Impacts

- a) **Less Than Significant with Mitigation Incorporated.** Construction of the Project has the potential to affect existing City roadways through the hauling of excess soil, the transport of construction equipment, delivery of construction materials, and travel by construction workers to and from the Project site. This impact is expected to be less than significant but will be further evaluated in the Project EIR.

Operation of the Project would result in an increase in daily and peak-hour traffic in the Project vicinity. The Project’s residences, guests, employees and visitors would generating vehicle and transit trips throughout the day and could affect roadway and/or intersection capacities. Therefore, further analysis of the Project’s impacts on the local transportation network will be evaluated in the Project traffic report and EIR.

Furthermore, SunLine Transit Agency provides bus transit services to the Coachella Valley, including the City of Palm Desert. Sunline Line # 20 currently provides service along Cook Street. The closest bus stop to the Project is on Cook Street, at Country Club Drive.

Based on the Coachella Valley Association of Governments (CVAG) Active Transportation Plan, bicycle facilities exist along Country Club Drive, however, no additional facilities are proposed along Country Club Drive or Desert Willow Drive.

The proposed Project will not have a significant effect on nor will it conflict with policies regarding public transit, bicycle, or pedestrian facilities, nor will it otherwise decrease the performance or safety of such facilities. This impact is expected to be less than significant but will be further evaluated in the Project EIR.

- b) **Less Than Significant Impact.** According to Section 15064.3, a significant impact could occur if the Project would result in a significant increase in vehicle mile traveled. The proposed Project would result in new trip generation to and from the subject site. The Project's residences, guests, employees and visitors would be generating vehicle and transit trips throughout the day and could affect roadway and/or intersection capacities. Therefore, further analysis of the vehicle miles traveled as a result of the proposed project and associated impacts on the local transportation network will be evaluated in the Project traffic report and EIR.
- c) **No Impact.** The proposed Project is located within the largely developed Desert Willow Golf Resort and is accessed via Country Club Drive and Desert Willow Drive. Its development will not introduce any new roadway hazards for any mode of user, and roadways and intersections serving the site and vicinity will be unaffected and unaltered as a consequence of Project development. Therefore, the proposed Project will not increase any type of transportation hazard and no further analysis is required in the EIR.
- d) **Less Than Significant with Mitigation Incorporated.** There are at least three major points of access to the Project site, including two on Desert Willow Drive and one through the Westin Villas site on Willow Ridge. Even golf course paths may be used by at least some emergency vehicles if the need arises. Project construction activities could temporarily affect emergency access in the vicinity of the property and the adjoining clubhouse facilities. The Project would also generate construction traffic, particularly haul trucks, which may affect accessibility to adjacent streets. In addition, as part of the Project, existing site access would be modified. Therefore, further analysis of this issue and the preservation of emergency access to this and other affected lands shall be further evaluated in the Project EIR.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		✓		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		✓		

Environmental Setting

As discussed above in Section V, Cultural Resources, the subject property and the valley were settled centuries ago by the ancestors of today's Cahuilla Indians. The Cahuilla Indians are a Takic-speaking people that before European settlement consisted of hunters and gatherers who are generally divided into three groups based on their geographic setting: the Pass Cahuilla of the Beaumont/Banning area; the Mountain Cahuilla of the San Jacinto and Santa Rosa Mountains; and the Desert Cahuilla from the Coachella Valley, as far south as the Salton Sea. Today, Native Americans of Pass or Desert Cahuilla heritage are mostly affiliated with one of the Indian reservations in and near the Coachella Valley, including the Cabazon, Augustine, Torres Martinez, Twenty-nine Palms, Agua Caliente, and Morongo.

The subject property is located in a traditional use area of the Cahuilla but does not occur within any tribal reservation. The potential for the subject property to harbor tribal cultural resources, such as a site, feature, place, or cultural landscape, is considered to be low. This is due to the property's location on the Palm Springs Sand Ridge of the desert floor, which does not provide water sources, ethnobotanical resources, lithic resources or unique landscape features. Nonetheless, a cultural resources report was prepared that evaluates and addresses the potential for the site to harbor such resources.

Discussion of Impacts

a) i), ii) **Less Than Significant with Mitigation Incorporated.** Based on historical background research, no historical or archaeological resources are expected on the Project sites that would be listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

In addition, no resource listed or determined by the City as significant for a California Native American tribe is expected to occur on the site. The Project would require excavation at depths greater than those having previously occurred on the site (existing parking lot), it is possible that the Project could uncover cultural resources of significant value to local tribes. Therefore, the cultural resource report and EIR will provide further analysis of the Project's potential impacts to tribal cultural resources. The analysis of this issue will be addressed in accordance with CEQA Guidelines Section 5024.1.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

XIX. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		✓		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		✓		
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		✓		
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Environmental Setting

CVWD is a public water agency who provides domestic water and wastewater collection and treatment services to majority of the Coachella Valley including the City of Palm Desert and the subject property. CVWD is also one of the primary managers of the valley's groundwater basins. For purposes of this Project, the management of stormwater is under the jurisdiction of the City.

Burrtec Waste and Recycling Services provides solid waste disposal services through a franchise agreement with the City and will be responsible for collection and disposal of solid waste from the Project site. Trash and recycled materials are collected from customers and transported to the Edom Hill transfer station facility operated by Burrtec. The transfer station at Edom Hill is permitted to receive 2,600 tons of waste per day. From there solid waste is taken to the Lamb Canyon landfill in Beaumont, which has a permitted capacity of 3,000 tons per day, and a remaining capacity of 20,908,000 cubic yards. Its projected closure date is 2023. Badlands Landfill, located at 31125 Ironwood Avenue, Moreno Valley and other possible alternatives include the Lamb Canyon Landfill and El Sobrante Landfill. The County of Riverside operates all these landfills.

Discussion of Impacts

a), c) **Less Than Significant with Mitigation Incorporated.**

Water

CVWD will provide domestic water for the Project. The Project could have an on-site private groundwater well to provide surf lagoon's water which will be regulated by Regional Water Quality Control Board and the County's Department of Environmental Health. Otherwise, the Project could connect to the existing Desert Willow groundwater well located south of the site near Country Club Drive or utilize potable water from CVWD.

The residential, resort and commercial uses within the Project will connect to existing domestic water mains located within the Willow Ridge Road and Desert Willow Drive rights-of-way.

Wastewater

CVWD provides wastewater collection and treatment services for the Projects site and is currently treating and recycling City-generated wastewater at two wastewater treatment plants (WRP-9 and WRP-10). These two plants have a total capacity of 18.40 million gallons per day. Recycled water from these facilities is being used for golf course and greenbelt irrigation, thereby reducing demand on the groundwater basin.

The Project site is currently partially developed with surface parking for the Desert Willow clubhouse. Upon implementation of the Project, wastewater generated from the proposed Project would be collected in CVWD sewer mains. Backwash and maintenance water will periodically be generated by Project swimming pools and the surf lagoon, which will be treated on-site and discharged into one of the Desert Willow golf course lakes for course irrigation.

The proposed Project will require construction of on-site sewer infrastructure to connect to the existing sewer mains located in the Desert Willow Drive and Willow Ridge Road rights-of-way. Sewage will be conveyed south along Cook Street to the CVWD plant near the Whitewater River Stormwater Channel two miles to the south. The Project wastewater discharges will be typical of residential and commercial uses. No industrial discharge into the wastewater system would occur.

Stormwater

Storm water infrastructure within the City consists of a network of regional and local drainage channels. Ultimately, all major storm flows in the City are conveyed to the Whitewater/Coachella Valley Stormwater Channel, which discharges into the Salton Sea. The proposed Project will not discharge into either regional or local drainages. Rather, it will manage stormwater on-site and convey excess flows via a new underground pipe to one of the existing Desert Willow golf course lakes located south of the Project development site.

As required by the City's Municipal Code, Section 8.50.190., a Preliminary Water Quality Management Plan will be prepared for the Project. As discussed above in Section IX, Hydrology and Water Resources, the Project site will incorporate BMPs for construction and post-construction conditions, designed to control pollutants that enter the on-site and off-site (lake) system, and will not affect water quality. Nonetheless, the EIR shall further analyze the Project's stormwater infrastructure and provide mitigation measures to reduce impacts where necessary.

Other Utilities

Furthermore, the proposed Project will require construction of on-site electric power, natural gas, or telecommunications infrastructure to connect to the existing infrastructure located around the

Project site. The Project would not result in the construction of new electric power, natural gas, or telecommunications facilities off-site to cause significant environmental effects. The EIR shall further evaluate the potential volume of waste the Project could generate and compliance with waste discharge requirements.

Wastewater treatment will be in compliance with the State's wastewater treatment requirements. In addition, electric power, natural gas, or telecommunications usage will be in compliance with the State's, SCE's, SoCalGas's, and Frontier's energy use requirements. The EIR shall further evaluate the potential impacts of the Project on existing electric power, natural gas, and telecommunications facilities that could generate and compliance with energy use requirements.

- b) Less Than Significant with Mitigation Incorporated.** As discussed in Section X, the proposed Project will require water for domestic use and landscape irrigation for the residential villas, hotel(s), surf lagoon and other pools, and other amenities which will be discussed in the WSA.

An analysis of the Project's water demand is currently under way and will be documented in a Water Supply Assessment and the forthcoming Project EIR. CVWD's primary water source is local groundwater from Whitewater River sub-basin. The proposed Project will be required to implement a variety of water conservation measures imposed by CVWD under both normal and drought conditions and over the life of the Project. The EIR will further evaluate the Project's water demand, its impact to groundwater supplies, effectiveness of any proposed conservation measures and the adequacy of the existing infrastructure to serve the Project. The EIR shall consider mitigation measures to reduce the Project's water demand, where applicable.

- d, e) Less Than Significant Impact.** Construction and operations-related solid waste from the site will be collected and disposed by Burrtec, a regional commercial vendor that serves the City and other municipalities to haul solid waste to transfer and recycling centers, some of which it operates. Among its services, Burrtec collects and recycles construction waste. The proposed Project would be required to comply with requirements of AB 939 for diversion of solid waste. Sufficient landfill capacity exists to serve the proposed Project.

The solid waste generated by the proposed Project will be quantified in the EIR and it is not anticipated that the Project would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure to impair the attainment of solid waste reduction goals. Impacts would be less than significant. Nonetheless, the EIR will further analyze Project's potential to impact local or regional landfills, or the service provider.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491.

XX. WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓

Environmental Setting

Wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. A wildland-urban interface is an area where urban development is located in proximity to open space or “wildland” areas. The potential for wildland fires represents a hazard where development is adjacent to open space or within close proximity to wildland fuels or designated fire severity zones.

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 severity zones (FHSZ) based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather where urban conflagration could result in catastrophic losses.

The City of Palm Desert is exposed to fire-related hazards from two potential sources: wildfires and fires that occur in urban settings. Wildfire hazards are highest in areas of the community near the wildland-urban interface (WUI). Southern portions of the City are susceptible to the risk of wildland fires. The project site is located in the center of the City’s developed area, and is not adjacent to a wildland fire area.

To reduce the wildfire risk, the City of Palm Desert has incorporated state requirements with the adoption of the 2016 edition of the California Building Standards Code and the 2016 edition of the California Fire Code. In addition, the City has adopted an emergency response plan which established procedures for fire conditions.

Discussion of Impacts

- a) **No Impact.** The primary emergency evacuation routes in the City include I-10, Highway 111, Monterey Avenue, Portola Avenue, Cook Street, and Washington Street. The project site is located between Portola Avenue and Cook Street, which provide access in an emergency for the majority of the central city.

Development on the subject property would not substantially impair the City's adopted emergency response plan or Palm Deserts' emergency evacuation plan as the project is not proposing to amend these routes to impede the emergency evacuation. No impact is anticipated.

- b), c) **No Impact.** The project site is not located within a wildfire hazard severity zone nor a wildland-urban interface (WUI). The project is located in the urban core of the City, and miles from an area of wildland fire potential. Urban roadways exist surrounding the project, but no new wildfire risk infrastructure will be required. No impacts would occur, and no mitigation measures would be required. No further evaluation in an EIR is required.

- d) **No Impact.** The project site is located within the City's urban core, on the valley floor where there is no potential for flooding, landslide, or post-fire slope instability. Therefore, the implementation of the proposed Project would not expose people or structures to significant risks such as downslope or downstream flooding or landslides, post-fire slope instability, or drainage changes. No impacts would occur, and no mitigation measures would be required. No further evaluation in an EIR is required.

Source: City of Palm Desert General Plan, 2016; Project materials; Google Earth Pro 7.3.2.5491; City of Palm Desert Emergency Response Plan.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE Does the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
b) Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?	✓			
c) Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	✓			

a) Less Than Significant with Mitigation Incorporated:

Biological Resources

The Project site is not located within the CVMSHCP-designated conservation area and does not contain any wildlife corridors or biological linkage areas. However, on-site vegetation could provide habitat for nesting birds; therefore, the Project’s potential to impacts sensitive biological resources it will be further evaluated in the EIR.

Cultural Resources

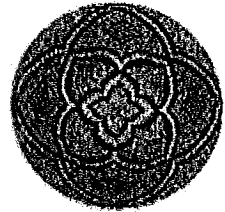
The Project site does not lie within the traditional land use area of local Cahuilla Indian Tribes. The site has a low probability of containing archaeological resources. There are no historic structures on site or in the Project vicinity that represent a major period of California history or prehistory. The potential, although low, exists that resources could be uncovered during site excavation and grading, which could result in a significant impact to archaeological resources; the potential for impacts will be further evaluated in the EIR.

- b) Potentially Significant Impact.** The potential for cumulative impacts occurs when the independent impacts of the Project are combined with impacts from other development to result in impacts that are cumulatively potentially significant. Located within the vicinity of the proposed Project are other current and reasonably foreseeable projects whose development, in conjunction with that of the Project, may contribute to potential cumulative impacts. Impacts of the Project on both an individual and cumulative basis will be addressed in the EIR.
- c) Potentially Significant Impact.** It is not known at this time whether the proposed Project could cause substantial adverse effects on human beings, either directly or indirectly. The EIR will evaluate the potential for such impacts and may recommend mitigation measures that avoid or minimize such effects.

Responses to Notice of Preparation

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-026-2018-002

January 25, 2019

[VIA EMAIL TO: eceja@cityofpalmdesert.org]
City of Palm Desert
Mr. Eric Ceja
73-510 Fred Waring Drive
Palm Desert, CA 92260

Re: DSRT SURF Specific Plan

Dear Mr. Eric Ceja,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Desert Willow Golf Development project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

- *A cultural resources inventory of the project area by a qualified archaeologist prior to any development activities in this area.
- *A copy of the records search with associated survey reports and site records from the information center.
- *Copies of any cultural resource documentation (report and site records) generated in connection with this project.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6956. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Lacy Padilla
Archaeological Technician
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-026-2018-002

February 14, 2019

[VIA EMAIL TO: eceja@cityofpalmdesert.org]
City of Palm Desert
Mr. Eric Ceja
73-510 Fred Waring Drive
Palm Desert, CA 92260

Re: DSRT SURF SPECIFIC PLAN- SB 18

Dear Mr. Eric Ceja,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Desert Willow Golf Development project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

- *A copy of the records search with associated survey reports and site records from the information center.

- *Copies of any cultural resource documentation (report and site records) generated in connection with this project.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6956. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Lacy Padilla
Archaeological Technician
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS



AUGUSTINE BAND OF CAHUILLA INDIANS

PO Box 846 84-481 Avenue 54 Coachella CA 92236

Telephone: (760) 398-4722

Fax (760) 369-7161

Tribal Chairperson: Amanda Vance

Tribal Vice-Chairperson: William Vance

Tribal Secretary: Victoria Martin

City of Palm Desert

FEB 19 2019

Community Development

February 15, 2019

Eric Ceja
City of Palm Desert
73-510 Fred Waring Drive
Palm Desert, CA 92260

**Re: Project Title: DSRT SURF Specific Plan
Case Nos. SP18-0002, PP18-0009, TTM 37369**

Dear Mr. Ceja-

Thank you for the opportunity to offer input concerning the development of the above-identified project. We appreciate your sensitivity to the cultural resources that may be impacted by your project, and the importance of these cultural resources to the Native American peoples that have occupied the land surrounding the area of your project for thousands of years. Unfortunately, increased development and lack of sensitivity to cultural resources has resulted in many significant cultural resources being destroyed or substantially altered and impacted. Your invitation to consult on this project is greatly appreciated.

At this time we are unaware of specific cultural resources that may be affected by the proposed project. We encourage you to contact other Native American Tribes and individuals within the immediate vicinity of the project site that may have specific information concerning cultural resources that may be located in the area. We also encourage you to contract with a monitor who is qualified in Native American cultural resources identification and who is able to be present on-site full-time during the pre-construction and construction phase of the project. Please notify us immediately should you discover any cultural resources during the development of this project.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Victoria Martin", is written over a horizontal line.

Victoria Martin

Tribal Secretary



Sands Unified School District

10000 e Palms Road • La Quinta, California 92253 • (760) 777-4200 • FAX: (760) 771-8505

EDUCATION: Michael Duran, Donald B. Griffith, Wendy Jonathan, Linda Porras, Gary Tomak

SUPERINTENDENT: Scott L. Bailey

FACILITIES SERVICES

January 30, 2019

SENT VIA EMAIL ONLY

(eceja@cityofpalmdesert.org)

Eric Ceja
City of Palm Desert
73-510 Fred Waring Drive
Palm Desert, CA 92260

Request for Comments: DSRT SURF Specific Plan, Precise Plan, Tentative Tract Map 37369 and associated Disposition and Development Agreement (AP18-0002 and PP18-0009)

Mr. Ceja:

This is in response to your request for comments on the above referenced project and its effect on public schools.

All actions toward residential and commercial development will potentially result in an impact on our school system. The District's ability to meet the educational needs of the public with new schools has been seriously impaired in recent years by local, state, and federal budgets that have an impact on the financing of new schools.

As you are aware, there is a school mitigation fee that is currently collected on all new development at the time building permits are issued.

Please feel free to call me if you have further questions.

Sincerely,

Patrick Cisneros, Director
Facilities Services



NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

**DSRT SURF Specific Plan, Precise Plan, Tentative Tract Map 37369 and associated
Disposition and Development Agreement (SP18-0002 and PP18-0009)**

LEAD AGENCY: City of Palm Desert
73-510 Fred Waring Drive
Palm Desert, CA 92260

CONTACT PERSON: Eric Ceja, eceja@cityofpalmdesert.org
Phone: (760) 346-0611, **Fax:** (760) 776-6417

PROJECT TITLE: DSRT SURF Specific Plan
Case Nos. SP18-0002, PP18-0009, TTM 37369

PROJECT LOCATION: West side of Desert Willow Drive within the Desert Willow Golf Course
(APN #: 620-420-023, 620-420-024 and 620-400-008).

PROJECT DESCRIPTION: The project site consists of 17.69 acres of land in the City of Palm Desert. The project proposes the development of a 5.5-acre surf lagoon and surf center facilities (restaurant, bar, retail, and similar facilities) and up to 350 hotel rooms and 88 residential villas.

The project includes preparation of a Specific Plan to guide the development of the overall project site. The Specific Plan will address maximum development densities and sets forth the planning principles, land use policies, development standards, and design guidelines for the proposed development and public improvements within the Specific Plan area. In addition, the project includes a Precise Plan for the lagoon and surf center, a Tentative Tract Map to subdivide the site into 5 parcels, and a Disposition and Development Agreement.

The project will also involve off-site improvements including discharge of storm flows and pool and lagoon water to golf course lakes, a potential on- or off-site well, Golf Course turf reduction, overflow parking, and soil removal/storage.

PROBABLE ENVIRONMENTAL EFFECTS: The City has reviewed and considered the proposed Project and has determined that potentially significant impacts could result from the proposed project. The potential environmental effects from the proposed project implementation may include impacts to Aesthetics, Air Quality, Energy, Geology/Soils, Greenhouse Gas Emissions, Hydrology/Water Quality, Land Use/Planning, Noise, Transportation, and Utilities/Service Systems which will be discussed in the EIR.

PUBLIC REVIEW PERIOD: A 30-day public review period for the Notice of Preparation will commence on January 22, 2019 and end on February 20, 2019. Written comments on the Notice of Preparation must be received at the City within the public review period. In addition, you may email comments to the following address: eceja@cityofpalmdesert.org. Copies of the Notice of Preparation are available for review at the City of Palm Desert at 73-510 Fred Waring Drive, Palm Desert, CA 92260.

RECEIVED
JAN 23 2019
D.S.U.S.D.
FACILITIES SERVICES

Ceja, Eric

From: Tribal Historic Preservation Office <thpo@morongo-nsn.gov>
Sent: Monday, February 04, 2019 10:48 AM
To: Ceja, Eric
Subject: DSRT SURF Specific Plan

Hello,

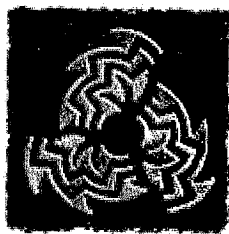
Thank you for your letter regarding this project.

We have no additional information to provide at this time and defer to the Agua Caliente Band of Cahuilla Indians for this project.

Thank you for reaching out to our office.

Sincerely,

Travis Armstrong
Tribal Historic Preservation Officer
Morongo Band of Mission Indians
951-755-5259
Email: thpo@morongo-nsn.gov



Ceja, Eric

From: Tribal Historic Preservation Office <thpo@morongo-nsn.gov>
Sent: Thursday, February 28, 2019 9:02 AM
To: Ceja, Eric
Subject: SB 18 - DSRT Surf Specific Plan

Hello,

Thank you for your letter regarding the project.

We have no additional information to provide at this time and defer to the Agua Caliente Band of Cahuilla for this project.

Thank you for reaching out to our office.

Sincerely,

Travis Armstrong
Tribal Historic Preservation Officer
Morongo Band of Mission Indians
951-755-5259
Email: thpo@morongo-nsn.gov



NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department

1550 Harbor Blvd., Suite 100

West Sacramento, CA 95691 Phone (916) 373-3710

Email: nahc@nahc.ca.govWebsite: <http://www.nahc.ca.gov>

Twitter: @CA_NAHC

City of Palm Desert

FEB 14 2019

Community Development

February 12, 2019

Eric Ceja
City of Palm Desert
73-510 Fred Waring Drive
Palm Desert, CA 92260RE: SCH# 2019011044 DSRT SURF Specific Plan, Precise Plan, TTM 37369 and DDA (SP18-0002 and PP18-0009),
Riverside County

Dear Mr. Ceja:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

Gayle.Totton@nahc.ca.gov.

Sincerely,



for

Gayle Totton
Associate Governmental Program Analyst

cc: State Clearinghouse

From: [Rull, Paul](#)
To: [Ceja, Eric](#)
Subject: SP18-0002, PP18-0009, TTM37369 transmittal ALUC comments
Date: Wednesday, January 23, 2019 10:51:51 AM

Good Morning Eric,

Thank you for transmitting the above reference project to ALUC for review. Please note that the project is not located within an airport influence area, and therefore ALUC review is not required. However, it is important to note that the project is located in the vicinity of Bermuda Dunes Airport, and that aircraft bird strikes is a potential hazard to flight. In order to mitigate this potential impact, the proposed surf lagoon should be analyzed as a potential bird attractant in relation to the aircraft flight patterns at Bermuda Dunes Airport.

If you have any questions, please feel free to contact me.

Paul Rull

ALUC Principal Planner



Riverside County Airport Land Use Commission

4080 Lemon Street, 14th Floor

Riverside, Ca 92501

(951) 955-6893

(951) 955-5177 (fax)

PRULL@RIVCO.ORG

www.rcaluc.org

Confidentiality Disclaimer

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure. If you are not the author's intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.

[County of Riverside California](#)



A Public Agency

MEMBERS: Desert Hot Springs Palm Springs Cathedral City Rancho Mirage
Palm Desert Indian Wells La Quinta Indio Coachella Riverside County

February 11, 2019

City of Palm Desert

Eric Ceja, Principal Planner
City of Palm Desert
Planning Department
73-510 Fred Waring Drive
Palm Desert, CA 92260

FEB 12 2019

Community Development

RE: Desert Surf Specific Plan

Dear Mr. Eric Ceja:

This letter responds to your request for comments regarding the proposed Desert Surf Specific Plan located west side of Desert Willow Drive within the Desert Willow Golf Course in the City of Palm Desert. The SunLine Transit Agency (SunLine) staff has reviewed the project and offers the following comments.

SunLine currently provides service within proximity to the project site, with the closest bus stop # 271 located 1.4 miles from the project served by Lines 20 and 21 at Cook and Country Club.

SunLine staff's assessment concludes the proposed annexation will have no impact on transit services. Please keep staff informed of any approvals and/or future changes to the proposed Desert Surf project so we can keep all existing bus stops and services routes current. Additionally, if there is a need for transit service and/or transit amenities in the future, SunLine staff will coordinate it with the City of Palm Desert.

Should you have questions or concerns regarding this letter, please contact me at 760-343-3456, ext. 1603.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor A. Duran", with a long, sweeping horizontal line extending to the right.

Victor A. Duran
Transit Planning Manager

cc: Lauren Skiver, CEO/General Manager
Stephanie Buriel, Chief of Administration

Subject: FW: SCAQMD Staff NOP Comments for the DSRT SURF Specific Plan
Date: Tuesday, February 19, 2019 at 8:16:26 AM Pacific Standard Time
From: eceja@cityofpalmdesert.org
To: Nicole Criste, Kelly Clark
CC: Kimberly Cuza
Attachments: Mimecast Attachment Protection Instructions.eml, ATT00001.txt, RVC190122-05 NOP DSRT SURF Specific Plan_20190219.pdf

Hello,

Attached is the NOP response from SCAQMD.

Eric Ceja

Principal Planner

Ph: 760.346.0611 Direct: 760.776.6384

eceja@cityofpalmdesert.org

From: Lijin Sun [mailto:LSun@aqmd.gov]
Sent: Tuesday, February 19, 2019 7:25 AM
To: Ceja, Eric <eceja@cityofpalmdesert.org>
Subject: SCAQMD Staff NOP Comments for the DSRT SURF Specific Plan



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA USPS AND E-MAIL:

February 19, 2019

ecceja@cityofpalmdesert.org

Eric Ceja, Principal Planner
City of Palm Desert, Planning Department
73-510 Fred Waring Drive
Palm Desert, CA 92260

Notice of Preparation of an Environmental Impact Report for the Proposed DSRT SURF Specific Plan

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Environmental Impact Report (EIR). Please send SCAQMD a copy of the EIR upon its completion. Note that copies of the EIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the EIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files¹. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from SCAQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on SCAQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

SCAQMD has also developed both regional and localized significance thresholds. SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts.

¹ Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

SCAQMD's CEQA regional pollutant emissions significance thresholds can be found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the Proposed Project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis.

In the event that the Proposed Project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Guidance² on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

Mitigation Measures

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are

² In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's Air Quality and Land Use Handbook: A Community Health Perspective. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 “Mitigating the Impact of a Project” of SCAQMD’S *CEQA Air Quality Handbook*. SCAQMD’s CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD’s Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD’s Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA’s *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Alternatives

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a “no project” alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project.

Permits and SCAQMD Rules

In the event that the Proposed Project requires a permit from SCAQMD, SCAQMD should be identified as a Responsible Agency for the Proposed Project in the EIR. The assumptions in the air quality analysis in the EIR will be the basis for permit conditions and limits. For more information on permits, please visit SCAQMD’s webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD’s Engineering and Permitting staff at (909) 396-3385.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling SCAQMD’s Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available at SCAQMD’s webpage at: <http://www.aqmd.gov>.

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality and health risk impacts are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov or (909) 396-3308.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources