

Regulatory Setting

Federal Regulations

National Historic Preservation Act (NHPA) of 1966 (as amended), Section 106. The NHPA declares a national policy of historic preservation to protect, rehabilitate, restore, and reuse districts, sites, buildings, structures, and objects significant in American architecture, history, archaeology, and culture. The NHPA established the National Register of Historic Places (NRHP), State Historic Preservation Offices (SHPOs) and programs, and the Advisory Council on Historic Preservation. This Act applies to all properties on or eligible for inclusion in the NRHP. The Section 106 review process requires consultation to mitigate damage to “historic properties” (defined per 36 CFR 800.16(1) as places that qualify for the NRHP), including Native American traditional cultural places (TCPs). Evaluation of cultural resources consists of determining whether it is significant (i.e., if it meets one or more of the criteria for listing in the NRHP). These eligibility criteria are defined in 36 CFR 60.4 as follows:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association:

- That is associated with events that have made a significant contribution to the broad patterns of our history;
- That is associated with the lives of persons significant in our past;
- That embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; and/or
- That has yielded, or may be likely to yield, information important to prehistory or history.

State Regulations

Comprehensive Statewide Historic Preservation Plan. The primary purpose of California’s comprehensive Statewide Historic Preservation Plan (State Plan) is to provide guidance and implementation of a sound planning procedure for the identification, registration, protection, and preservation of important historical resources. The State Plan identifies the critical preservation issues, needs, challenges, and opportunities for historic preservation in California. The goals and

objectives statements further clarify preservation priorities with recommendations on improving historic preservation needs for technical assistance, education, economic incentives, preservation partnership, and local government participation.

California Environmental Quality Act. A “historic resource” includes, but is not limited to, any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

- CEQA mandates that lead agencies consider a resource to be “historically significant” if it meets the criteria for listing on the California Register of Historic Resources. Such resources meet this requirement if they are (1) associated with events that have made a significant contribution to the broad patterns of California history, (2) associated with the lives of important persons in the past, (3) embody distinctive characteristics of a type, period, region, or method of construction, and/or (4) represent the work of an important creative individual or possesses high artistic value.
- These criteria mimic the criteria utilized to determine eligibility for the NRHP.

Senate Bill 18 (SB18). Signed into law in September 2004, and effective March 1, 2005, SB18 permits California Native American tribes recognized by the Native American Heritage Commission (NAHC) to hold (on terms mutually satisfactory to the tribe and the landowner) conservation easements. The term “California Native American tribe” is defined as “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.”

California Health and Safety Code. The California Health and Safety Code states that if human remains are discovered on-site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact the NAHC by telephone within 24 hours.

Environmental Impact and Mitigation Measures

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less-Than Significant With Mitigation Incorporation. Under CEQA, a “historical resource” is defined as:

- Listed in or eligible for listing in the California Register of Historic Resources (CRHR);
- Listed in a local register of historic places; or
- Determined to be significant in the architectural engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

No such resources have been identified on the site; therefore, the project would not likely cause a substantial adverse change in the significance of a historical resource. Portions of the site are already disturbed with existing wind turbines. However, undocumented subsurface resources could potentially be encountered during grading or excavation activities. Impacts to buried historical resources are considered potentially significant and require mitigation. With implementation of **Mitigation Measure CUL-1**, impacts associated with a substantial adverse change in the significance of a historical resource would be less the significant.

Mitigation Measure CUL-1: During any ground-disturbing activity in native soils or sediments or during construction of the proposed project, a qualified archaeologist monitor shall be present. The monitoring archaeologist shall:

- Be empowered to temporarily divert grading equipment in the event of discovery and allow for sufficient time to evaluate and potentially remove the find;
- Evaluate and coordinate the recovery of any archaeological resources uncovered;
- Ensure that any work or land disruptions in the off-site archaeological areas are avoided.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less-Than Significant With Mitigation Incorporation. This project would not likely cause a substantial adverse change in the significance of an archaeological resource, because no such resources have been identified on the site. However, it is possible that undocumented subsurface archeological resources could be discovered during grading and excavation of the site. Impacts to buried archaeological resources are considered potentially significant and require mitigation. Implementation of **Mitigation Measure**

CUL-1, as stated above, would reduce potential impacts to archaeological resources to less than significant.

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less-Than Significant With Mitigation Incorporation. This project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no such resources have been identified on the site. However, it is possible that undocumented, subsurface paleontological resources could be discovered during grading and excavation of site. This is considered a potentially significant impact and requires mitigation. **Mitigation Measure CUL-2** requires the developer to contact the San Bernardino County Museum of Natural History for determination of appropriate course of action, if any finds are made during project construction. Implementation of mitigation would reduce the significance of this potential impact to less than significant.

Mitigation Measure CUL-2: During any ground-disturbing activity in native soils or sediments or during construction of the proposed project, if any paleontological resources are discovered, the applicant shall halt activity within the vicinity of the find and immediately notify the San Bernardino County Museum of Natural History.

d. Disturb any human remains, including those interred outside of formal cemeteries?

Less-Than Significant With Mitigation Incorporation. This project is not expected to disturb any human remains, including those interred outside of formal cemeteries, because no such burial grounds have been identified on the project site. However, it is possible that undocumented human remains could be discovered during grading and excavation of site. This is considered a potentially significant impact and requires mitigation. **Mitigation Measure CUL-3**, below, would reduce potential impacts human remains to less than significant.

Mitigation Measure CUL-3: During construction of the project, if any human remains are discovered, the applicant's contractor shall contact the County Coroner and the state of California's Native American Heritage Commission for determination of an appropriate course of action. If human remains of Native American Origin are discovered during project construction, the applicant shall comply with state laws relating to the disposition of Native American burials. If any human remains are discovered or recognized in any location, the applicant shall halt all further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent

human remains until the Riverside County Coroner has been informed. In addition, the following guidelines shall be adhered to:

- All discovery remains shall be treated with dignity and respect and unnecessary disturbance of remains or associated objects will be avoided;
- The area of discovery shall be isolated and the State Representative notified; and
- Pursuant to California Health and Safety Code §7050.5, the County Coroner shall be notified to make determination whether the remains are Native American or not; and

Any recovered artifacts shall be collected and prepared for curation according to the State of California Guidelines for the Curation of Archeological Collections standards (May 1993.)

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Expose people or structures to 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Settings

The geologic and seismic information presented in this section is based on the review of the reports listed below. To our knowledge, no geotechnical studies have been completed for the proposed project location (herein referred to as the project) and therefore such studies have not been reviewed.

The project is located within the City of Palm Springs in Riverside County, California along the Peninsular Range and the Colorado Desert geomorphic provinces, and to the north of the Salton trough. The Salton trough is a rift valley, bounded by the San Andreas, San Hills, and Calipatria faults to the northeast, and by the San Jacinto, Coyote Creek, and the Superstition Hills faults to the southwest.

The San Andreas southern fault segment (i.e., the San Bernardino Mountain segment) is the closest active fault to the site. The San Andreas Fault is considered to be the primary fault dominating the seismic hazard in southern California. The Working group on the California earthquake probabilities estimated an earthquake of 7.3 along this segment, which could produce peak horizontal ground accelerations in the Riverside County.

The soil types identified in the EDR reports and the supplementary soils investigations conducted at the project site, indicates the presence of gravelly sand with cobbles to a depth of 25 feet below ground surface (bgs), the maximum targeted depth of the supplementary soils investigations conducted by others.

On November 20, 2000, a supplementary soils investigation was conducted by Sladden Engineering. This investigation consisted of advancing two boreholes in the proposed Southern California Edison Mountain View substation and collected soil samples at depths of 0.5, 2, 5, 10, 15, 20, and 25 feet bgs for laboratory analysis. Fourteen soil samples ranging from 0.5 to 25 feet bgs were analyzed for total recoverable petroleum hydrocarbons (TRPH) analysis by United States Environmental Protection Agency (EPA) Method 418.1, and one composite sample for polychlorinated biphenyls (PCBs) by EPA Method 8082 and metals analysis by EPA Method 6010B.

The samples analyzed for TRPH showed concentrations ranging from 19 and 48 milligrams per kilograms (mg/kg). These concentrations are well below the environmental screening levels (ESLs) established for TRPH for shallow soils where groundwater is not a current or potential source of drinking water at the California Regional Water Quality Control Board-San Francisco Bay Region (November 2007 and revised May 2008) of 2,500 mg/kg for TRPH residual fuels. Therefore, the reported TRPH concentrations do not pose a concern for the area investigated and would not need to be addressed. The

PCB result for the composite sample was below the laboratory reporting limits. The results of the metal analysis were compared to California Human Health Screening Levels (CHHSLs) established for commercial/industrial land use and the Regional Screening Levels (RSLs) for Industrial Soils, Region 9 (December 2009). The only exceedance was arsenic at 3.5 mg/kg (CHHSLs of 0.24 mg/kg and RSL of 1.6 mg/kg). However based on the research paper by the California Department of Toxic Substances Control (DTSC) titled "Determination of a Southern California Regional Background Arsenic Concentration in Soil" by G. Chernoff, W. Bosan and D. Oudiz, DTSC Society of Toxicology - March 2008, documenting analysis of 1,097 samples in Southern California (Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties), the established background concentrations for arsenic is between 10 and 12 mg/kg in Southern California. Therefore the reported arsenic concentration of 3.5 mg/kg is well below the established background concentration for arsenic in Southern California. Therefore, the reported arsenic concentration does not pose a concern for the area investigated and would not need to be addressed.

Regulatory Setting

Federal Regulations

The United States Environmental Protection Agency (USEPA) regulates hazardous air pollutants under National Emissions Standards for Hazardous Air Pollutants (NESHAP) to protect human health. The Asbestos NESHAP standards specify work practices to be followed during demolition and renovation of all structures, installations, and buildings. The regulations require notifications to applicable Cal/EPA regional office, states, and designated local agencies before demolishing or renovating buildings that contain a certain threshold amount of asbestos. Neither the City of Palm Springs nor the Riverside County Air Quality Management District has authority to enforce asbestos NESHAP regulations. In California, the California Air Resource Board (CARB) assists the USEPA in enforcing asbestos NESHAP by conducting inspections, site monitoring, and collection of demolition data from the non-delegated air districts.

The federal Occupational Safety and Health Administration (OSHA) and Cal/OSHA are the agencies responsible for ensuring worker safety in the handling and use of chemicals in the workplace. In California, Cal/OSHA assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices.

State Regulations

The California Environmental Protection Agency (Cal/EPA) has jurisdiction over hazardous materials management in California, with the Department of Toxic Substances (DTSC) regulating

hazardous waste under Title 22, Division 4.5 of the California Code of Regulations (CCR). The DTSC is responsible for permitting, inspection, compliance, and corrective action programs to ensure that entities that generate, store, transport, treat, or dispose of potentially hazardous materials and waste comply with federal and state laws. The Certified Unified Program Agency (CUPA) is an agency certified by the DTSC to conduct the Unified Program, which consists of hazardous waste generator and on-site treatment programs, above and underground storage tank programs, Hazardous Materials Management, Business Plans, and Inventory Statements, and the Risk Management and Prevention Program. The Riverside County Environmental Management Department has been certified by Cal/EPA to implement the Unified Program as CUPA.

Environmental Impact and Mitigation Measures

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

Less-Than Significant Impact With Mitigation Incorporation. The California Geological Survey lists the City of Palm Springs and the Riverside County as areas affected by the Alquist-Priolo Earthquake Fault Zone with the San Andreas southern fault segment, the closest active fault to the site which may pose a risk of surface fault rupture to future structures. Therefore, the impacts related to rupture of a known earthquake fault is considered as less-than significant impact with mitigation incorporation. As **Mitigation Measure GEO-1**, a site-specific fault study is recommended before the project site is subdivided or structure permitted.

- ii. Strong seismic ground shaking?***

Less-Than Significant Impact With Mitigation Incorporation. Strong seismic ground shaking is considered a seismic hazard for the site. As **Mitigation Measure GEO-2**, the solar array and associated buildings should be designed to accommodate ground shaking in accordance with existing building codes. Therefore, the impact related to ground shaking is considered as less-than significant impact with mitigation incorporation.

- iii. Seismic-related ground failure, including liquefaction?***

Less Than Significant Impact. The impacts for seismic-related ground failure, including liquefaction is considered as less-than significant impact given the soil types (i.e., gravelly sands) identified at the site.

However, site-specific investigations to determine liquefaction potential are recommended. No mitigation measures are required.

iv. Landslides?

Less Than Significant Impact. The proposed project location is relatively flat and construction and operation activities are not anticipated to include major excavation or grading. Therefore, impacts related to landslides are considered less-than significant impact. No mitigation measures are required.

b. Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The site is relatively flat and the proposed demolition and soil removal activities are not likely to result in substantial soil erosion or the loss of topsoil. Therefore, impacts related to soil erosion are considered less-than significant impact and no mitigation measures are required.

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?

Less Than Significant Impact. The site is relatively flat with gravelly sands with cobbles identified at the site to a depth of 25 feet bgs. Therefore instability as a result of the proposed project located on a geologic unit or soil is considered to be less-than significant impact. No mitigation measures are required.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No Impact. The soils identified at the project site and in the surrounding areas are permeable, non-clay, gravelly sands with cobbles. These soils do not have expansive characteristics as defined in Table 18-1 of the Uniform Building Code (1994). Therefore, no impact is anticipated from expansive soils at the project site. However, a site-specific investigation to determine atterberg limits of the soil is recommended. No mitigation measures are required.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

No Impact. The project site does not contain any alternative wastewater disposal systems or septic systems. Therefore, no impacts are anticipated related to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems and no mitigation is required.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

An environmental records search was conducted for the project site by Environmental Data Reports (EDR) on December 16, 2009. A copy of the EDR reports is presented as Appendix D. The EDR report was reviewed to identify known or suspected areas of contamination at or near the project site. No areas of contamination were identified at the project site or within a 1-mile radius search from the project site.

Regulatory Setting

Please see the regulatory setting description in the geology and soils section above.

Environmental Impact and Mitigation Measures

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less-Than Significant Impact With Mitigation Incorporation. Project construction is expected to create a potential hazard to the public through the routine use of transport, use, or disposal of hazardous materials and is considered a less than significant impact with mitigation incorporation. Hazardous materials present at the project site would likely include at the minimum, petroleum-based products (i.e., fuels, oils, grease, lubricants, etc), and construction materials (i.e., solvents, adhesives, paints, etc). As **Mitigation Measure HAZ-1**, any potential impacts that could occur should be directed by the contractor's specifications, transportation plan, health and safety plan, standard Stormwater Best Management Practices (BMPs), Storm Water Pollution Prevention Plan (SWPPP), spill prevention plan, etc., prepared by the applicant. These plans, at a minimum, must be consistent with relevant and applicable regulatory guidelines enforced by the United States Department of Transportation and other applicable agencies.

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?

Less-Than Significant Impact With Mitigation Incorporation. Accidental releases to the soil, groundwater, and/or ambient air of small quantities of hazardous materials used during construction activities is expected to create a potential hazard to the public and the environment and is considered a less than significant impact with mitigation incorporation. Any potential impacts that could occur should be addressed by plans discussed in Section "a" above.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. No schools are located within one-quarter mile of the project site. Therefore there would be no impacts related to hazardous emissions or hazardous materials handling near an existing or proposed school and no mitigation is required.

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?

No Impact. According to the EDR database search, the project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore the project is not expected to create a significant hazard to the public or the environment, and no impacts or mitigation is anticipated.

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 for people residing or working in the project area?

No Impact. No airport land use plan is currently within two miles of the project site. Therefore no impacts or mitigation is anticipated.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. No private airstrip is currently within the vicinity of the project site. Therefore no impacts or mitigation is anticipated.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project construction activities are not anticipated to impair or physically interfere with an adopted emergency response or evacuation plan. Therefore any potential impacts would be less than significant and no mitigation is required.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. The project site is not located within or adjacent to wildlands and therefore no impacts or mitigation is anticipated.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j. Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Environmental Setting

Surface Drainage

The project is located near California State Route 62 and Interstate 10 in Palm Springs, California. The site is bounded to the north by Interstate 10, to the south by the Union Pacific Railroad, to the east by a wind energy site, and to the west by desert, but further west by wind energy sites. Field observations concluded the existing site does not contain distinct flowpaths or drainage channels. The watershed could be characterized as an alluvial fan condition. Alluvial fan flooding is flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and, unpredictable flowpaths (FEMA 2003).

The terrain would be characterized as flat, with slopes ranging from approximately one to three percent, and the ground cover is bare with minimal desert shrubs. There are no storm drain conveyance system connections on or within the project site. Based on the mapping, stormwater flows from the northwest to the southeast. Based on the existing soil condition (fine to coarse grey sand with a scattering of gravel and cobbles) within and outside of the project site, most of the stormwater infiltrates into the soil before entering or leaving the site. Runoff from Interstate 10 drains to a small ditch parallel to the highway; therefore, stormwater from the highway is not discharged onto the project site. The Union Pacific Railroad located near the south end of the site also acts as a berm preventing any runoff discharge to the south. Proposed site grading will not substantially alter the existing drainage pattern.

Flood Control

The Mountain View Solar Project is located within an Unshaded Zone X flood zone designation on Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Map (Panel 06065C0890G, effective date of August 28, 2008). Unshaded Zone X corresponds to areas outside the 500-year annual chance floodplain.

Water Quality

The Clean Water Act (CWA) Section 303(d) established the total maximum daily load (TMDL) process to assist in guiding the application of state water quality standards; it requires states to identify streams whose water quality is “impaired” (affected by the presence of contaminants or pollutants) and to establish a TMDL or the maximum quantity of a particular contaminant that a water body can assimilate without experiencing adverse effects. The Mountain View Solar Project is tributary to the Whitewater River, which is not listed on the 2006 Clean Water Act, Section 303(d).

Regulatory Setting

Federal Regulations

Clean Water Act. The Clean Water Act (CWA), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” The following sections of the CWA are relevant to this project:

- Sections 303 and 304 provide for water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for any federal permit that proposes an activity that may result in a discharge to “waters of the United States” to obtain certification from the State of California that the discharge will comply with other provisions of the CWA. Certification is provided by the California State Water Resources Control Board (SWRCB) and its’ nine Regional Water Quality Control Boards (RWQCB).
- Section 402 establishes the National Pollutant Discharge Elimination System (NPDES), a permitting system for the discharge of any pollutant (except for dredge or fill material) into the waters of the United States. This permit program is administered through the SWRCB and the RWQCB. These agencies issue general and individual NPDES permits to regulate discharges from construction, municipal, and industrial activities.

National Flood Insurance Program. Congress, alarmed by increasing costs of disaster relief, passed the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973. The intent of these acts is to reduce the need for large publicly funded flood control structures and disaster relief by restricting developments in floodplains. The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in

floodplains. FEMA issues Flood Insurance Rate Maps (FIRMs) that delineate flood hazard zones for communities participating in the NFIP.

State Regulations

Porter-Cologne Water Quality Act. The State of California's Porter-Cologne Water Quality Control Act provides the basis for water quality regulation within the state. This act requires a report outlining the extents of any discharge of waste to land or surface waters that may impair a beneficial use of surface or groundwater of the state. Waste discharge requirements resulting from the report are issues by the RWQCB.

General Construction Permit. In 1987, the CWA was amended to added Section 402 to establish a framework for regulating municipal and industrial storm water discharges under the NPDES Program. Construction sites disturbing one acre or more of land are subject to the permitting requirements of the NPDES General Construction Permit. The permit requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off site into receiving waters. Elimination or reduction of non-storm water discharges to storm sewer systems and natural waterways of the nation is also a requirement of the permit. The BMPs must also be inspected and maintained by the owner or owner's representative. Dischargers shall submit a Notice of Intent (NOI) to obtain coverage under this permit. Upon completion of the project, the applicant must submit a Notice of Termination to the RWQCB to indicate that construction is completed.

Local Regulations

Riverside County Water Quality Management Plan. The State of California's Porter-Cologne Water Quality Control Act provides the basis for water quality regulation within the state. This act requires a report outlining the extents of any discharge of waste to land or surface waters that may impair a beneficial use of surface or groundwater of the state. Waste discharge requirements resulting from the report are issues by the RWQCB.

The Riverside County Water Quality Management Plan (WQMP) has been developed to further address post-construction urban runoff from new development and significant redevelopment projects under the jurisdiction of Riverside County (County). Since 1996 the County has addressed the potential post-construction impacts associated with Urban Runoff through Supplement A, New

Development Guidelines, to the Santa Ana River Region and Santa Margarita River Region Drainage Area Management Plans (DAMPs) and the Whitewater River Watershed Stormwater Management Plan (SMP). The municipal separate storm sewer system National Pollutant Discharge Elimination System permit (MS4 Permit) applicable to the Project area is:

- Order No. R7-2008-0001, NPDES No. CAS617002 adopted by the Colorado River Regional Water Quality Control Board on May 21, 2008 for the Whitewater River Watershed.

The WQMP will be implemented with watershed-specific variations to reflect the differences in the MS4 Permits applicable within portions of Riverside County. When approved, the WQMP becomes an enforceable element of the MS4 Permit. The WQMP is intended to provide guidelines for project-specific post-construction Best Management Practices (BMPs) and for regional and sub-regional Source Control BMPs and Structural BMPs to address management of urban runoff quantity and quality to protect receiving waters. The WQMP identifies the BMPs, including design criteria for Treatment Control BMPs that may be applicable. The project-specific WQMP will address management of urban runoff from a project site. The primary objective of the WQMP, by addressing Site Design, Source Control, and Treatment Control BMPs applied on a project-specific and/or sub-regional or regional basis, is to ensure that the project will minimize the impact of urban runoff. The project-specific WQMP must be approved by the City Engineer prior to issuance of Grading Permit. Any off-site tributary drainage area affecting the proposed solar project must be analyzed and quantified by the project proponent. If off-site tributary drainage is intermingled with on-site drainage, both must be treated with on-site BMP's in accordance with an approved project-specific WQMP.

Environmental Impact and Mitigation Measures

a. Violate any water quality standards or waste discharge requirements?

Less-Than Significant With Mitigation Incorporation. The proposed site would implement BMPs listed in the project WQMP and SWPPP to ensure that water quality standards are not impacted and comply with local and state agencies. The following BMPs, including but not limited to the following, would be used for **Mitigation Measure WQ-1**:

- Temporary erosion control measures such as silt fences, gravel bags, and straw wattles would be employed around the perimeter of the site and around disturbed areas.

- Any areas disturbed by grading would be revegetated to restore these areas to their natural vegetation.
- All disturbed areas would have BMPs in place during the rainy season.

Wastewater would not be discharged from the site. The impact to water quality standards or waste discharge requirements would be less than significant with mitigation.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The site would not contain a well; therefore, ground water would not be substantially depleted. The proposed project components include solar panel support foundations and solar panels which would minimally increase impervious area of the site. Although construction of these features would result in a minimal reduction of pervious area, the amount of runoff that would be prevented from infiltrating into groundwater would not significantly reduce groundwater recharge; therefore, the impact would be less than significant and no mitigation measures are required.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact. Field observations concluded the existing site does not contain any distinct flowpaths or drainage channels. The proposed project contains solar panel support foundations and solar panels which require very minimal grading or activities which would alter existing drainage patterns of the site. Less than significant impact would occur and no mitigation measures are required.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less Than Significant Impact. The proposed site contains solar panel support foundations that would raise the solar panels above the ground. This would minimally increase the impervious area of the site which would result in a minor increase of surface runoff. It is anticipated that a significant portion (solar panel foundations and access roads to solar panels) would be cleared and grubbed of existing vegetation prior to site grading activities. Site grading is anticipated to involve minor excavation and will closely match existing grade. Additionally, access roads will be graded to follow existing grade. Although the

impervious area would be increased slightly, proposed site grading would not substantially alter the existing drainage pattern. Less than significant impact would occur and no mitigation measures are required.

e. 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?

Less-Than Significant Impact With Mitigation Incorporation. There are no storm drain conveyance system connections on or within the project site. Due to the minor increase of impervious area, the proposed site would minimally increase surface runoff. It is anticipated that the increase in surface runoff would not impact downstream drainage facilities. There is potential for additional sources of polluted runoff from release of fuels or other hazardous materials associated with necessary construction equipment, trash and debris associated with construction, or sedimentation from excavation which could impair water quality. Implemented BMPs, as discussed previously, would mitigate additional sources of polluted runoff. Less than significant impact with mitigation would occur and no mitigation measures are required.

f. Otherwise substantially degrade water quality?

No Impact. Potential hazardous materials from construction equipment, trash and debris from construction, or sedimentation from excavation which could impair water quality (which will be mitigated by implementing BMPs), as discussed previously, are the only anticipated potential sources of additional polluted runoff due to the proposed project. Substantial degradation of water quality is not expected; no impact would occur and no mitigation measures are required.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The Mountain View Solar Project is located within an Unshaded Zone X flood zone designation on Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Map (FIRM), Panel 06065C0890G, effective date of August 28, 2008. An Unshaded Zone X corresponds to areas outside the 500-year annual chance floodplain; therefore, the project would not place structures within a 100-year flood hazard area. No impact would occur, and thus no mitigation measures are required.

h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. The Mountain View Solar Project is not located in the 100-year annual chance floodplain; therefore, the project would not contain structures which impede or redirect 100-year flows. No impact would occur, and thus no mitigation measures are required.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Less Than Significant Impact. The Mountain View Solar Project is located north of the Whitewater River. According to effective FIRM Panel 06065C0890G, the Whitewater River does not contain levees or dams in the vicinity of the project. Field observations revealed the Union Pacific Railroad located on the north side of the Whitewater River (south of the project) acts as a berm. Although the Whitewater River floodplain is mapped up to the approximate location of this berm, the effective FIRM does not indicate this is a levee. It is unknown if this existing berm was designed to FEMA's requirements outlined in Title 44, Chapter 1 of the Code of Federal Regulations, Section 65.10, for Mapping of Areas Protected by Levees. A detailed flood study analyzing the berm in the event it is breached could be performed to determine if the extent of flooding would impact the project.

The proposed site does not contain commercial or residential structures, or any structures which involve significant human habitation (only the control building will be used for brief periods on an intermittent basis); therefore, people would not be exposed to significant risk of loss, injury or death involving flooding; however, the existing wind turbine towers onsite and the proposed solar panels could be at some risk if the Union Pacific Railroad berm breached. Nonetheless, since effective FIRM Panel 06065C0890G does not indicate this berm is a levee, and the fact that these structures are generally raised approximately five feet off the ground, impact to the existing and proposed structures related to flooding from a levee or dam failure is considered less than significant. No mitigation measures are required.

j. Inundation by seiche, tsunami, or mudflow?

No Impact. The project site has no potential for inundation by seiche, tsunami, or mudflow. The project site is not located near any lakes or reservoirs that could see the effects of a seiche. The project is located in the desert, approximately 75 miles east of the Pacific Ocean. Inundation by tsunami has no impact to the project. Mudflow commonly occurs from heavy rainfall or snowmelt on mountain slopes. The terrain

of the project, and the terrain surrounding the project, is relatively flat with no impact by mudflow. No impact would occur and no mitigation measures are required.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The proposed project site is located within the City of Palm Springs jurisdiction in Riverside County, California. The project site is located adjacent to and south of the Caltrans Interstate 10 right-of-way, approximately 1 mile east of the State Route 62 exit. Locally, the site is east of Indian Canyon Drive and south of Interstate 10. Surrounding land uses include wind farms to the east and west of the project site, the I-10 right-of-way to the north and the Union Pacific Railroad right-of-way to the south. Additional wind farms are located north of I-10 and south of the railroad.

The project site is developed with a wind energy facility (a row of 10 wind turbine towers and two electrical substations which will be retained with implementation of the proposed project. Lands adjacent to the project site are developed with wind energy farms and are designated by the City's General Plan as either 'Industrial' or 'Open Space' and also are subject to the City's 'Wind Energy Overlay' (City of Palm Springs 2007).

Regulatory Setting

Local Regulations

City of Palm Springs General Plan (2007). The current City of Palm Springs General Plan was adopted in 2007. The General Plan represents the community's view of its future; it becomes a blueprint for the City's growth and development. The city council, planning commission, and staff use the goals and policies of the General Plan as a basis on which to make decisions. The City of Palm Springs General Plan designates the project site for Industrial uses (see Table 9-1) (City of Palm Springs 2007).

The City of Palm Springs Zoning Ordinance is composed of Chapters 91, 92, 93 and 94 of the City's Municipal Code. The Zoning Ordinance was adopted "for the purpose of promoting and protecting the public health, safety and welfare of the people of the city of Palm Springs and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources" (City of Palm Springs 1988). Chapter 92 of the Zoning Code sets forth land use regulations and property development and performance standards for lands within the City's jurisdiction. The Zoning Code designates the project site as 'E-I' or 'Energy-Industrial' (see Table 3). Within the E-I zone, solar collectors may be permitted subject to approval of a conditional use permit, as provided in Section 94.02.00 of the Zoning Code.

Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The project site also is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) area. The Plan, adopted in 2007, "is a conservation plan that will protect over 240,000 acres of open space and protect 27 species, safeguarding the desert's natural heritage for future generations. The CVMSHCP will provide a regional vision for balanced growth to meet the requirements of federal and state endangered species laws; help expedite transportation improvement projects, while promoting enhanced opportunities for recreation, tourism and job growth" (CVMSHCP 2009). The proposed project site lies outside any conservation area designated by the plan.

Table 3 - Land Use and Zoning Designations and Definitions

Designation	Definition/Permitted Uses
Industrial (0.50 FAR)	"Industrial uses typically include research and development parks, light manufacturing, laboratories, and industrial services. Retail commercial uses and offices shall be allowed as ancillary uses to the industrial use to encourage projects that are self-sustaining. Industrial development is not a primary use within the City, and any industrial use proposed should not detract from the City's desire to be a premier resort community. Industrial uses adjacent to the

Designation	Definition/Permitted Uses
	airport are also included in this designation, such as, but not limited to: aircraft sales, service, repair and maintenance, washing, painting, storage, tie-down, hangaring, fueling, flight and ground schools, rental and charter flights, car rental facilities and all other uses that are customarily incidental to the operation of an airport and airport-related businesses and activities. New and expanded industrial uses within the City will expand the City's job base and are therefore important to the City's overall economic vitality and balance of land use."
Energy-Industrial	"The 'E-I' energy industrial zone is intended to provide areas for alternative energy development and limited industrial uses in those areas which by virtue of strong prevailing winds are ideally suited for large-scale development of wind energy. Alternative energy development is intended as the principal land use, with the permitted industrial uses serviced directly, and primarily, by alternative energy for electrical needs. The retention of open space is encouraged. No industrial use shall be permitted which, by the nature of its development or operation, will in any way adversely affect the resort environment of the city."

Sources: City of Palm Springs General Plan 2007; City of Palm Springs Zoning Code 1993.

Additional specific General Plan goals and policies that apply to the proposed project are listed below:

Table 4 - General Plan Goals and Policies

Goals and Policies	Definitions
Land Use Goal LU1	Establish a balanced pattern of land uses that complements the pattern and character of existing uses, offers opportunities for the intensification of key targeted sites, minimizes adverse environmental impacts, and has positive economic results.
Land Use Policy LU1.6	Encourage and support projects of exceptional design and architectural quality, societal benefit (historic or environmental sustainability), or revenue generation through incentives in the review process.
Land Use Goal LU3	Attract and retain high-quality industrial and business park development.
Recreation, Open Space and Conservation Goal RC8:	Employ the efficient, sustainable, and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.
Recreation, Open Space and Conservation Policy RC8.2	Support and encourage the use of alternative energy sources, such as cogeneration, solar, wind, ethanol and natural gas, fuel cell technologies, and other alternative and sustainable fuel sources and generating industries to provide more reliability in the supply of electricity to the City and to promote the development of clean, sustainable, and alternative energy

Goals and Policies	Definitions
	industries in the City. The use of alternative energy sources should also be encouraged in the construction of new buildings and retrofit of existing buildings.
Recreation, Open Space and Conservation Policy RC8.13	Make the maximum use of solar electric capabilities on an individual and community wide basis.
Community Design Goal CD33	Create a visually distinctive and attractive entry to Palm Springs along the I-10 corridor that reflects the high-quality architecture and design of Palm Springs.
Community Design Policy CD33.1	Develop a unified design theme for development along the I-10 corridor, including architectural elements, colors, signage, and landscaping.
Community Design Policy CD33.3	Encourage high-quality development along the freeway.
Community Design Policy CD33.4	Buffer unattractive uses with landscaping and walls.

Environmental Impact and Mitigation Measures

a. Physically divide an established community?

No Impact. The proposed project would not physically divide an established community. The project site is developed with a wind energy generation facility. Lands adjacent to the project site are developed with wind energy farms and are designated for similar land use as the proposed project by the City's General Plan. No impact would occur. No mitigation measures are required.

b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The proposed project is consistent with both the site's General Plan designation of 'Industrial' and its 'Energy Industrial' zoning designation. The project is consistent with the General Plan goals and policies cited above, including those to promote and encourage use of alternative energy development and solar electric capabilities within the community. Finally, the proposed project would incorporate desert adapted landscaping along the Garnet Avenue frontage, thereby conforming to Community Design Element policies for development within the Interstate 10 corridor. The project would therefore, not conflict with any land use plan, policy, or regulation and no impact would occur. No mitigation measures are required.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The proposed development would not conflict with any applicable conservation plan or natural community conservation plan. The proposed project site is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) but outside any designated conservation area. Projects located outside of the conservation areas are only required to pay a CVMSHCP local development fee. The payment of the fee authorizes the “take” of any habitat type or species on the site covered under the CVMSHCP. The City of Palm Springs is responsible for administration of the CVMSHCP within the City limits. The fee would be assessed and collected by the City of Palm Springs prior to the issuance of the grading permit for the project. Therefore, no impact would occur. No mitigation measures are required.

X. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The primary mineral resource in Palm Springs, and the project area, is sand and gravel, or aggregate. Aggregate is commonly used for asphalt, concrete, road base, stucco, plaster, and other similar construction materials. While the project site is not actively being used for mineral extraction, it is located within MRZ-2 mineral resources zone, as indicated in Figure 5-3 in the Palm Springs 2007 General Plan. MRZ-2 zones are defined as areas where adequate information indicates that significant mineral deposits are present, or there is a high likelihood for their occurrence. These mineral deposits typically are composed of sand and gravel. According to Figure 5-3 of the City's General Plan, one active aggregate mine, the Garnet Plant, owned by Granite Construction Company, is located approximately 2.5 miles southeast of the project site, south of the I-10 / Indian Canyon Drive interchange. No other mineral commodities, such as precious minerals, are developed or are known to be present within the City's boundaries.

Regulatory Setting

State Regulations

The California Geological Survey is the state agency responsible for inventorying and mapping mineral resources in California. Regulations pursuant to the California Geological Survey mineral resource determinations are generally linked with general plan land use elements and other types of local/regional development rules.

The State of California Geological Survey Mineral Resources Project provides the most recent and accurate information about mineral resources in Palm Springs and the surrounding area. Based on an assessment of local and regional mineral deposits, the State of California assigns different Mineral Resource Zones (MRZs) designations. These include:

MRZ 1: Areas where adequate information indicates that no significant mineral deposits are present or likely to be present.

MRZ 2: Areas where significant mineral deposits are present or likely to be present and development should be controlled.

MRZ 3: Areas where the significance of mineral deposits cannot be determined from the available data.

Local Regulations

City of Palm Springs General Plan (2007). The project site is within an area designated as Industrial, with a Wind Energy Overlay in the City's General Plan. As previously indicated, the project site is not actively being used for mineral extraction; however, it is located within MRZ-2 mineral resources zone, as indicated in the General Plan. The City's General Plan does provide mineral resources policies, yet these policies seek to promote the reasonable, safe, and orderly operation of mining and extraction activities within active mining areas, where environmental, aesthetic, and adjacent land use compatibility impacts can be adequately mitigated. Conversely, the policies provided in the Recreation, Open Space and Conservation Element of the General Plan strongly encourage and support renewable energy projects, such as the Mountain View Solar Project and the existing on-site wind energy facility.

Environmental Impact and Mitigation Measures

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?

Less Than Significant Impact. The site is not currently being used for mineral extraction; however, the project site is within an area identified as an MRZ-2 because it contains mineral resources such as sand and gravel. The Project's solar collectors, maintenance paths and ancillary features would cover most of the 77-acre site preventing any concurrent mining of the sand and gravel resources on the site. However, the project would not remove any mineral resources from the site or preclude future mining as the solar collectors have minimal foundations that could be dismantled and removed at some future date. Additionally, the quantity of mineral resources on the site is not substantial considering the quantities that

would remain available in the area. Therefore, the impact on known mineral resources would be less than significant and no mitigation measures are required.

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?

No Impact. No known locally important mineral resources were identified in the project area. Therefore, the proposed Mountain View Solar Project would have no impact on the availability of a locally important mineral resource. No mitigation measure is required.

XI. NOISE

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Noise affects all types of land uses and activities, although some land uses are more sensitive to high noise levels than others. The primary existing sources of noise in the project vicinity are from traffic using Garnet Avenue and Interstate 10 (I-10) to the north. The proposed project site is exposed to 60-65 CNEL by I-10 which is in the "normally acceptable" exposure level. The proposed project site is not within any noise sensitive land area which is defined as being at or closer than 200 feet to residences, schools,

libraries, hospitals and any similar uses. To understand how the significance of noise impacts is determined, it is useful to understand how noise is defined and measured (Table 4).

Table 5 - Noise Terminology

Term	Definition
Ambient Noise	The composite of noise from all sources. In this context, the ambient noise level constitutes the normal or existing level of environmental (background) noise at a given location.
Community Noise Equivalent Level (CNEL)	The average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m. CNEL is the metric used in this document to describe annoyance due to noise.
dB (Decibel)	The unit of measure for loudness based on a logarithmic scale.
dBA (A-weighted decibel)	The A-weighted decibel scale discriminates against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale ranges from zero for the average least perceptible sound to about 130 for the average pain level.
Vibration	Another community annoyance related to noise is vibration. As with noise, vibration can be described by both its amplitude and frequency. Amplitude may be characterized by displacement, velocity, and/or acceleration. Typically, particle velocity (measured in inches or millimeters per second) and/or acceleration (measured in gravities) are used to describe vibration.

Regulatory Setting

Federal Regulations

The Federal government has no enforceable standards or regulations governing environmental noise levels. However, guidelines for the regulation of noise have been issued by the U.S. Environmental Protection Agency (U.S. EPA, 1971 & 1974) and Occupational Safety and Health Administration (OSHA).

Occupational Safety and Health Act of 1970 (29 USC §1910 et seq.). OSHA has adopted regulations designed to protect workers against the effects of occupational noise exposure. These regulations list permissible noise level exposure as a function of the amount of time during which the worker is exposed (Table 6). These codes limit worker exposure to noise levels of 90 dBA or lower over an 8-hour period. Workers shall make hearing protectors available to all employees exposed to an 8-hour time-weighted average of 85 decibels or greater at no cost to the employees. Hearing protectors shall be replaced as necessary. These levels would be applicable during construction and maintenance of the proposed project.

Table 6 - Permissible Noise Exposures*

Duration per day, hours	Sound level dBA slow response
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
1/2	110
1/4 or less	115

*When the daily noise exposure is composed of two or more periods of noise exposure of different levels, their combined effect should be considered, rather than the individual effect of each. If the sum of the following fractions: $C(1)/T(1) + C(2)/T(2) + \dots + C(n)/T(n)$ exceeds unity, then, the mixed exposure should be considered to exceed the limit value. Cn indicates the total time of exposure at a specified noise level, and Tn indicates the total time of exposure permitted at that level. Exposure to impulsive or impact noise should not exceed 140 dB peak sound pressure level.

U.S. Environmental Protection Agency (EPA), Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety, 1974.

The U.S. EPA has established general guidelines for noise levels in sensitive areas. These guidelines have been established to give state and/or local governments' guidance in establishing local laws, ordinances, rules, or standards. The U.S. EPA (1974) guidelines suggest that the average residential outdoor noise level be 55 dBA, and the indoor level be 45 dBA. The indoor level also applies to hospitals, schools, and libraries.

State Regulations

California Government Code Section 65302(f). The State of California does not proclaim statewide standards for environmental noise but requires each legislative body (city, county or any governmental unit) to include a noise element in its general plan.

California Occupational Safety and Health Administration (California Code Regulations, Title 8, §§ 5095-5099). Occupational noise exposure is regulated by California Occupational Safety and Health Administration (Cal-OSHA), which has issued Occupational Noise Exposure

Regulations. These regulations set employee noise exposure limit to noise levels of 85 dBA or lower over an 8-hour period.

Local Regulations

Palm Springs Municipal Code Chapter 11.74 Noise Ordinance. The City of Palm Springs has the authority to set land use noise standards and place restrictions on private activities that generate excessive or intrusive noise. The applicable standards for these activities are specified in the Palm Springs Municipal Code Chapter 11.74 Noise Ordinance. The Palm Springs Noise Ordinance limits sound levels for stationary sources of noise radiated for extended periods from any premises in excess of 60 decibels at the property line. Sound created by construction or building repair of any premises within the City is exempt from the applications of the Municipal Code during the hours of 7:00 a.m. to 7:00 p.m., Monday–Friday, and 8:00 a.m.–5:00 p.m., Saturday (on Sundays and holidays construction is prohibited).

Environmental Impact and Mitigation Measures

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less-Than Significant With Mitigation Incorporation. Two types of short-term noise impacts are considered during the construction:

- The transport of workers and equipments to the construction site which can potentially increase noise levels along the roadways leading to and from the site; and
- Noise generated by the actual on-site construction activities.

In regard to transportation noise, the proposed project construction would have maximum 100 construction workers during the six to nine months construction period. This would generate approximately 200 daily trips which would occur within an area impacted by existing roadways (i.e., Interstate-10, North Indian Canyon Drive). The Coachella Valley Association of Governments (CVAG) 2009 Traffic Census Report indicates that North Indian Canyon Drive south of I-10 has approximately 15,209 average daily trips (ADT), while 2008 Caltrans Traffic Volumes Data show an ADT of 90,000 for I-10 at North Indian Canyon Drive. According to 2007 traffic volumes data by CVAG, average daily trips on Garnet Avenue have been determined as follows: Garnet Ave. from Westbound Garnet Ave to Indian Canyon Dr has 3562 ADT while same street from Eastbound Garnet Ave to Indian Canyon Dr. has 272 ADT. No traffic volumes are available for east-west Garnet Avenue in the project area since the

volume is generally lighter on that street. Typically, it takes a doubling of traffic volumes to result in a 3.0 dBA increase, which is considered the minimum perceivable noise increase (Highway Traffic Noise Analysis and Abatement Policy and Guidance, U.S. Dept. of Transportation, June 1995). Therefore, given the high traffic volumes on adjacent roadways, noise impacts due to the temporary increase in traffic during transportation of workers and equipment are not considered to be noticeable.

The site preparation phase of the Mountain View Solar Project, which includes excavating and grading of the site, tends to generate the highest noise and vibration levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Pole drivers may be use to install rammed pole foundations for the solar collectors. Construction equipment noise emission levels used in similar construction projects have been presented in Table 7. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Construction of the proposed project is expected to require the use of a few earthmovers, bulldozers, and water and pickup trucks. Noise levels associated with construction activities within the project corridor would be less than significant and would vary according to the type and number of machinery and vehicles used. Therefore, noise associated with construction activity at the nearest existing residences, schools, parks and similar uses (no noise sensitive area within 200 feet of the project site) will not be in excess of standards established in the Noise Ordinance.

Table 7 - Construction Equipment Noise Emission Levels

		NOISE LEVEL (dBA) AT 50 FEET				
		60	70	80	90	100
EQUIPMENT POWERED BY INTERNAL COMBUSTION ENGINES EARTH MOVING	Compactors (Rollers)		■			
	Front Loaders		■	■		
	Backhoes		■	■	■	
	Tractors		■	■	■	
	Scrapers, Graders			■	■	
	Pavers				■	
	Trucks			■	■	

		NOISE LEVEL (dBA) AT 50 FEET				
		60	70	80	90	100
STATIONARY MATERIALS HANDLING	Concrete Mixers		■	■		
	Concrete Pumps			■		
	Cranes (Movable)		■	■		
	Cranes (Derrick)				■	
STATIONARY	Pumps	■	■			
	Generators		■	■		
	Compressors		■	■		
SOURCE: United States Environmental Protection Agency, 1971, "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances,"						

The noise impacts during construction could be mitigated to less than significant levels by limiting hours of construction and maintaining construction equipment in good working order based on the Palm Springs Municipal Code Chapter 11.74 Noise Ordinance. As **Mitigation Measure NOI-1**, typically, it requires that sound created by construction within the City is exempt from the applications of the Municipal Code during the hours of 7:00 a.m. to 7:00 p.m., Monday–Friday, and 8:00 a.m.–5:00 p.m., Saturday (on Sundays and holidays construction is prohibited). However, exemptions are allowed for temporary construction except on Sundays and federal holidays. There may be a need to work outside of the local ordinance standards in order to take advantage of low electrical draw periods during the nighttime hours. The applicant would comply with variance procedures established by local authorities, if a variance is required. After construction, the project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Therefore, the noise impacts during construction could be mitigated to less than significant levels.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. After construction, the project will not expose persons to or generate excessive ground-borne vibration or ground-borne noise levels. The proposed project may create some

machinery vibration during construction. However, the impacts are anticipated to be less-than-significant. No mitigation measures are required.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Long-term impacts are associated with impacts on surrounding land uses generated by the project such as on-going maintenance and operations. Once constructed, operation of the project will not generate any high audible noise as well as any significant levels of ground borne noise or vibrations. Since there is no noise sensitive land within 200 feet from the proposed project site, the impacts related to operational noise will be less than significant. No mitigation measures are required.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less-Than Significant With Mitigation Incorporation. While short-term construction-related noise levels will not be in excess of standards established in the Palm Springs Municipal Code, the construction will require noise mitigation by limiting construction activities to week days and day light hours noise impacts would be reduced during the peak times when outdoor activities take place by residents (weekends) and limited to hours when noise levels are typically louder (daytime versus nighttime). [Mitigation Measure NOI-1] There may be a need to work outside of the local ordinance standards in order to take advantage of low electrical draw periods during the nighttime hours.

After construction, the project will not likely expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The noise impacts during construction could be mitigated to less than significant levels.

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 expose people residing or working in the project area to excessive noise levels?

No Impact. Palm Springs International Airport is the closest airport located six miles southeast of the proposed project site. The Palm Springs International Airport Master Plan Study (May 2003) and Riverside County Airport Land Use Compatibility Plan (RCALUCP) identify the 65 CNEL contours from aircraft operations extend into residential areas northwest of the airport near the intersection of Vista Chino and Sunrise Way (Palm Springs General Plan, 8.0 Noise Element, 2007) . Since the project is not located within an airport land use plan area or within 2 miles of a public/public use airport, no impacts are anticipated and no mitigation measures are required.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project is not within the vicinity of a private airstrip. Therefore, the project would have no such impact. No mitigation measures are required.

XII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

As discussed in the project description, the project site is located in Riverside County, within the City of Palm Springs, east of Indian Canyon Drive and south of Interstate 10. According to the Southern California Association of Governments (SCAG), the population of Palm Springs was 47,251 in 2008, and the total number of housing units was 33,479 (SCAG 2009).

The project site is developed with a wind energy facility (a row of 10 wind turbine towers, two electrical substations), which will be retained with implementation of the proposed project. Lands surrounding the project site are presently developed with wind energy generation facilities. No housing exists on or adjacent to the project site. An isolated neighborhood of scattered single-family residences is located in the unincorporated County area approximately 0.3 miles to the west of the project site.

Regulatory Setting

Local Regulations

The Housing Element of the City of Palm Springs' General Plan was prepared as required by California State law in order to identify and accommodate the City's fair share of existing and future housing needs for all income groups. The Housing Element contains proactive goals,

policies, and programs that are designed to facilitate the development, improvement, and preservation of housing commensurate with the City's housing needs (City of Palm Springs 2007). The Housing Element is consistent with the goals and policies identified within the Land Use and other General Plan elements.

The City's General Plan Land Use Element identifies the proposed project site for 'Industrial' uses and surrounding parcels as either 'Industrial' or 'Open Space.' Also, the project site and lands within its vicinity are subject to the City's 'Wind Energy Overlay' and are not planned for housing (City of Palm Springs 2007).

Environmental Impact and Mitigation Measures

a. Induce substantial 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)?

No Impact. The project proposes the development of an approximately 13 MW photovoltaic solar energy farm to be co-located on the site of an existing wind energy facility. The proposed project is not anticipated to directly induce substantial growth in the area, because it would not provide any new housing or develop any business that would necessitate a substantial new workforce. The project does not propose to extend roads or other infrastructure (sewer, water or other utility lines) to the project site; therefore, it would not indirectly induce population growth in the area. Although electricity is a necessity for residential and commercial development, the generation of power itself would not indirectly induce population growth in an area, as would the extension of new utility lines. The energy produced by the project will be sold to a major utility or potentially to a large industrial customer through a power purchase agreement. In either case, the project would help to increase the proportion of energy generated by renewable sources and, in time, incrementally allow for a decrease in non-renewable energy generation. For these reasons, no significant adverse impacts related to growth inducement are identified or are anticipated, and no mitigation measures are required.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project would not displace any existing housing. The project site is developed with a wind energy generation facility, and lands surrounding the proposed project area are developed with similar uses. No housing exists on or adjacent to the project site. Therefore, no significant adverse

impacts associated with the displacement of existing housing or the construction of replacement housing are identified or anticipated, and no mitigation measures are required.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. As described above, no housing exists on or adjacent to the project site. Therefore, no significant adverse impacts related to the displacement of people are identified or anticipated, and no mitigation measures are required.

XIII. 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:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Public services include fire and police protection, schools, parks, and other public facilities. The Proposed Project will be within the borders of City of Palm Springs. Primary public service providers and their current level of service are discussed below. Table 8 lists applicable public service providers near the project site.

Fire Protection

The Palm Springs Fire Department (PSFD) provides the fire protection services for the City. The nearest station, Palm Springs Fire Department Station 3, is located in 4.32 miles southeast of the proposed project site. The Palm Springs Fire Department has 66 employees. 57 firefighters are stationed out of the city's five fire stations. There are a total of 18 firefighters on duty every day and they work a 24 hour shift. There are three shifts, each with 18 firefighters and collectively they provide 24/7 protection of the city. Included in these numbers are 3 fire engineers assigned to each shift (9 in total) that provide aircraft rescue firefighting and emergency medical service to the airport. The Fire Department is an all-risk emergency response force with capabilities to provide fire and rescue operations, basic and advanced (paramedic) emergency medical service, heavy rescue, swift water rescue, trench rescue, and hazardous materials incident response and decontamination. In addition, the Fire Department conducts fire

prevention inspections, public education programs, and responds to a variety of public service calls. In calendar year 2008 the Department responded to 7,057 calls for service.

Police Protection

The police protection services are provided by the City of Palm Springs, Police Department where the closest station is located in 6.73 miles southeast of the proposed project site. The City of Palm Springs Police Department (PSPD) has currently authorized 94 sworn police officer positions, which includes the Chief, two Captains, three Lieutenants, and 14 sergeants. Geographically, the City of Palm Springs is spread out over almost 96 square miles. The population is estimated at nearly 50,000 people year-round, but that figure doubles during the winter "snowbird" season. Palm Springs is known worldwide as a destination resort, so in addition to the residents, Palm Springs hosts approximately 2.5 million visitors annually. PSPD is organized and prepared to provide police protection services for the guests and residents of the City during snowbird season as well.

Schools

The proposed project site is located in the Palm Springs Unified School District boundary. Desert Hot Springs High School is the closest public school located 4.75 miles northeast of the project site. Desert Springs Middle School and Julius Corsini Elementary School are located 5.58 and 7.22 miles northeast of the project site, respectively.

Parks

Palm Springs owns and maintains 156 acres of developed parkland, 160 acres of City-owned golf courses open to the public, as well as miles of developed greenbelts along major thoroughfares throughout the City. The City of Palm Springs has two local parks (for programmed recreational needs such as swimming classes etc.), three specialty parks (heritage park, medical park and dog park), two neighborhood parks (for non-programmed recreational needs) and three community parks, and eleven golf courses. The closest park to the project site is Desert Highland Park, an 18-acre community park that serves north Palm Springs. The park is located 3.1 miles southeast of the project site. The project site does not include any public park or recreational facilities. Since there is no housing component associated with the proposed project, it will not increase the population to a level where new park facilities would be required.

Other public facilities

Located at 1150 N Indian Canyon Dr., Desert Regional Medical Center is the closest health care facility to the project site. Desert Regional Medical Center offers a comprehensive array of services.

Table 8 - Public Services Providers

City of Palm Springs Public Service Provider	
Palm Springs Fire Protection	Current response time: Estimated six to eight minutes PSFD Station 3 590 E. Racquet Club, Palm Springs, CA
Palm Springs Police Protection	Current response time: Estimated two to five minutes PSPD 200 S Civic Dr. Palm Springs, CA
Schools	Desert Hot Springs High School 65850 Pierson Blvd., Desert Hot Springs, CA Desert Springs Middle School 66755 Two Bunch Palms Trl. Desert Hot Springs, CA Julius Corsini Elementary School 68750 Hacienda Ave Desert Hot Springs, CA
Hospitals	Desert Regional Medical Center 1150 N Indian Canyon Dr., Palm Springs, CA

Regulatory Setting

Local Regulations

Palm Springs General Plan 2007, Chapter 6, Safety Element.

Fire Protection

The Palm Springs Fire Department, with a rating of Insurance Services Office "ISO" Class 3, protecting 96 square miles of the Palm Springs area, constantly monitors fire hazards in the City and has ongoing programs for investigation and alleviation of hazardous situations. Firefighting resources in the Palm Springs area include five fire stations located throughout the City so that the response time to any resident is under five minutes, the standard used by the Department for maximum first-response time. All structures built beyond the five-minute response area are required by the City's Community Fire Protection Plan and Municipal Code to install automatic fire sprinklers and other built-in fire protection equipment, as deemed appropriate by the Fire Department. In addition, the Palm Springs Fire Department strives to meet the National Fire Protection Association (NFPA) Standard 1710 requirements for response time. NFPA 1710 requires that fire departments establish a six-minute response time for the first-due engine company 90 percent of the time, which includes one minute for dispatch, one minute for "turnout" in the station, and four minutes for travel to the incident. NFPA 1710 also requires an eight-minute response 90 percent of the time for a full-alarm assignment.

Police Protection

The Palm Springs Police Department offers response service, criminal investigation, traffic enforcement, and preventive patrol for the City. The desired response times for priority one calls (emergencies) and priority two calls (non-emergencies) are 5 minutes and 30 minutes, respectively. The Palm Springs Police Department has reciprocal agreements with other local law enforcement agencies in the event of a major incident that exceeds the department's resources.

Environmental Impact and Mitigation Measures

a. Fire protection?

Less-Than Significant With Mitigation Incorporation. The proposed project would result in development of additional structures within the City of Palm Springs. However, the proposed solar energy generation facility will consist of mostly non-habitable structures with negligible risk of fire hazards. After construction, all trash and debris will be removed from the site, further reducing risk of fires at the site. In addition to this, there would not be any hazardous chemicals on the site since the cleaning of panels would be by water only. As **Mitigation Measure PS-1**, since the project site is out of the 5-minute-response area, some additional measures would be taken such as the use of non-combustible building materials such as steel, concrete, or block subject to PSFD approval. Thus the impacts could be mitigated to less than significant impacts with mitigation incorporation.

Mitigation Measure PS-1: All structures built beyond the five-minute response area are required by the City's Community Fire Protection Plan and Municipal Code to install automatic fire sprinklers and other built-in fire protection equipment, as deemed appropriate by the Fire Department.

b. Police protection?

No Impact. The police protection services are provided by the City of Palm Springs, Police Department where the closest station is located 6.73 miles southeast of the proposed project site. The project will develop a solar energy generation facility which is not expected to increase calls for police services. No impacts to City police protection services are anticipated to occur as a result of project implementation.

c. Schools?

No Impact. The project site is located within the Palm Springs Unified School District (PSUSD). Desert Hot Springs High School is the closest public school in the region. Since the project will not result in

occupied structures and will not generate substantial new population and employment opportunities, and thus new student generation, no impacts are anticipated and no mitigation measures are required.

d. Parks?

No Impact. This project will not 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. Since there is no housing component associated with the proposed project, and no substantial permanent employment would be generated, the project will not increase the population to a level where any new facilities would be required. Therefore, no impacts are anticipated and no mitigation measures are required.

e. Other public facilities?

No Impact. Because the proposed project does not involve a residential component or increase in population, it would not result in substantial adverse physical impacts associated with the provision of and/or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios and other performance objectives for any of the public services including county and city library services as well as City or County health services.. Therefore, no impacts are anticipated and no mitigation measures are required.

XIV. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Palm Springs owns and maintains 156 acres of developed parkland, 160 acres of City-owned golf courses open to the public, as well as miles of developed greenbelts along major thoroughfares throughout the City. The City of Palm Springs has two local parks (for programmed recreational needs such as swimming classes etc.), three specialty parks (heritage park, medical park and dog park), two neighborhood parks (for non-programmed recreational needs) and three community parks, and eleven golf courses. The closest park to the project site is a community park called Desert Highland Park which is an 18-acre Park that serves north Palm Springs, and is located 3.1 miles southeast of the project site. The project site does not include any public access or recreational facilities. Since there is no housing component associated with the proposed project, it will not increase the population to a level where any new facilities would be required.

Regulatory Setting

Local Regulations

City of Palm Springs General Plan. The City of Palm Springs General Plan Recreation, Open Space & Conservation Element determines the need for neighborhood and regional parks on a per capita basis as defined by the Quimby Act. The Quimby act of 1975 authorizes a city to adopt a local ordinance that can require dedications of land or in-lieu fees for development of new, or rehabilitation of existing, park facilities as a condition of subdivision map approval. The amount of

fees paid or land dedicated can, at most, provide for five acres of parklands and recreational facilities per thousand persons.

Environmental Impact and Mitigation Measures

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?

No Impact. The proposed project is an industrial facility with no housing component and no permanent on-site employees. As a result, the project will not 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. Therefore, no impacts are anticipated and no mitigation measures are required.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. This project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for recreational facilities. Therefore no impacts are anticipated and no mitigation measures are required.

XV. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The Mountain View Solar project is located in northern portion of the City of Palm Springs, Riverside County, California. The proposed site for the PV solar power farm facility is located south of Interstate 10 (I-10) on Garnet Avenue approximately 0.3-miles east of Wall Road within an existing wind power farm. The project lies within the west half of the west half of Section 16, Township 3 South, Range 4 East and the north half of the northwest quarter of Section 21, Township 3 South, Range 4 East, San Bernardino Meridian. The project site is bounded on the north by Garnet Avenue/I-10 and by the Union Pacific

Railroad to the south. The only significant roadway providing access to proposed project site is Garnet Avenue.

A traffic/transportation capacity analysis was not performed due to the low traffic volumes anticipated. However, based upon the City of Palm Springs Public Works Department request, a traffic memo was prepared by AZTEC (Applicant's Engineering Consultant Firm) on Jan 12, 2010. The assumptions and conclusions stated below are based on the available traffic data, site reconnaissance and past experience/knowledge concerning the construction and maintenance of a typical PV solar plant of this size.

The immediate surrounding area consists of Garnet Avenue/I-10 to the north; an existing wind farm to the east; the Union Pacific Railroad to the south; and native undeveloped desert to the west. Existing Garnet Avenue is an east-west two-lane roadway with unpaved shoulders and a posted speed limit of 55 mph in the vicinity of the project site. The two nearest significant intersections to the project site along Garnet Avenue include Wall Road (approximately 0.3 miles west of the project site) and North Indian Canyon Drive (approximately 1.8 miles east of the project site). In addition to these two significant intersections, there are a few minor intersecting local roadways/driveways that provide access to adjacent properties or maintenance to existing wind farms.

Wall Road

It is a north-south two lane roadway that provides access for local vehicular traffic to access either Garnet Avenue or 20th Avenue (parallel to and north of I-10). Wall Road includes an I-10 overpass.

North Indian Canyon Drive

It is a key north-south two to five lane arterial roadway that has been designated as a Major Thoroughfare by the City of Palm Springs. North Indian Canyon Drive provides access to the I-10 by means of the I-10/North Indian Canyon Drive Traffic Interchange. The roadway is also classified as a National Highway System Connector by the Federal Highway Administration (FHWA) and Caltrans because of its connection to the Palm Springs Regional Airport.

Regional Roadways

Interstate and regional access to the City of Palm Springs is provided primarily by Interstate 10 (I-10). In addition, access to the City from other Coachella Valley cities is provided by State Route 111 (SR-111). Twenty-Nine Palms Highway (SR-62) connects to the I-10 from the north, and the Palms to Pines Highway (SR-74) connects to SR-111 from the south, providing additional access to the City.

Scenic Highways

California's Scenic Highway Program was created to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. Currently SR-111 is classified as Eligible Scenic Highway – Not Officially Designated. The status of a State Scenic Highway changes from “eligible” to “officially designated” when the local jurisdiction adopts a scenic corridor protection program, applies to the California Department of Transportation for scenic highway approval, and receives notification from Caltrans that the highway has been designated as a Scenic Highway.

Roadway Network

Interstate and regional access to the City is provided predominantly by I-10. In addition, access to the City from other Coachella Valley cities is provided by State Route 111 (SR-111). State Route 62 (Twenty Nine Palms Highway) connects to the I-10 from the north, providing an additional gateway to the City.

Freeways

I-10 is a northwest-southeast freeway traversing through the northern limits of the City providing direct access to Los Angeles County to the northwest and the State of Arizona to the east. This facility is comprised of four general purpose lanes in each direction for its entire length of approximately seven miles through the City. I-10 has three interchanges within the City limits, located at SR-111, Indian Canyon Drive and Gene Autry Trail.

SR-111, referred to by different names at different locations within the City, provides access between Palm Springs and its neighboring Coachella Valley cities. This highway has four lanes divided by a median and provides at-grade access to other arterials within the City. The alignment of this highway is northwest-southeast in the western part of the City, where it is also called Palm Canyon Drive. At the junction of Palm Canyon Drive and Vista Chino, east of Palm Canyon Drive, SR-111 follows the alignment of Vista Chino and cuts across the City in an east-west direction. Following the junction with Gene Autry Trail, the highway follows the alignment of Gene Autry Trail, south of Vista Chino, and traverses the City in a north-south direction. Subsequent to the junction with East Palm Canyon Drive, east of Gene Autry Trail, SR-111 changes its direction to northwest-southeast and follows the alignment of East Palm Canyon Drive.

Level of Service

Level of Service (LOS) is a qualitative means of measuring speed and travel time, traffic interruptions, freedom to maneuver, safety, and driving comfort and convenience on the City's existing and future roadway network.

Levels of service are designated by grades of A (excellent, free flow) through F (failure, jammed conditions). LOS can also be represented as volume-to-capacity ratios (V/C), or in other words, the average daily traffic (ADT) volume for the roadway divided by the theoretical roadway capacity as defined by its designated roadway classification. As the V/C ratio approaches 1.0, the roadway approaches LOS F. Table 9 describes LOS descriptions and their corresponding V/C ratios (See Table 2 for approximate number of construction and installation personnel for the project).

Table 9 Level of Service Definitions for Roadway Segments

Level of Service	Volume-to-Capacity Ratio	Definition
A	0.00 – 0.60	EXCELLENT. Free flow, light volumes
B	0.61 – 0.70	VERY GOOD. Free to stable flow, light to moderate volumes
C	0.71 – 0.80	GOOD. Stable flow, moderate volumes, freedom to maneuver noticeably restricted.
D	0.81 – 0.90	FAIR. Approaches unstable flow, moderate to heavy volumes, limited freedom to maneuver
E	0.91 – 0.99	POOR. Approaches unstable flow, heavy volumes, maneuverability and psychological comfort extremely poor
F	Varies (> 1.00)	FAILURE. Forced or breakdown conditions, slow speeds, tremendous delays with continuously increasing queue lengths

Source: Highway Capacity Manual Special Report, 2009, Transportation Research Board, 2000.

Regulatory Setting

Federal Regulations

Federal-Aid Highway Act of 1956. The Interstate System was authorized by the Federal-Aid Highway Act of 1956, popularly known as the National Interstate and Defense Highways Act of 1956 for all roads that are of national importance. Generally, it includes the interstate system; other routes identified as having strategic defense characteristics; routes providing access to major ports, airports, public transportation, intermodal transportation facilities; and routes of particular

importance to local governments. Indian Canyon Drive from I-10 to Tahquitz Canyon Way and Tahquitz Canyon Way to the Airport are identified as National Highway System connectors.

Regional Regulations

Riverside County Congestion Management Program (CMP). The intent of the CMP is to create more direct links between land use, transportation, and air quality, thereby prompting reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality. The City has established that roadways and intersections shall operate at LOS D or better to maintain a successful circulation system; however, the CMP allows LOS E.

Riverside County Airport Land Use Compatibility Plan and the Palm Springs International Airport Master Plan (January 2003): The plan provide long-term development programs for the airport to ensure that it will provide a safe, efficient, economical, and environmentally acceptable air transportation facility. Should the City make changes to its transportation network and related programs, the major objectives identified in both airport plans must be considered to ensure the safety and vitality of one of the City’s most critical transportation facilities.

Local Regulations

City of Palm Springs General Plan Circulation Element (2007). The City of Palm Springs’ General Plan contains the following policies regarding the Circulation Element that is applicable to the proposed project (Table 10).

Table 10 - General Plan Goals and Policies- Circulation Element

Goals and Policies	Definitions
Circulation Element Goal 1	Establish and maintain an efficient, interconnected circulation system that accommodates vehicular travel, walking, bicycling, public transit, and other forms of transportation.
Goal 1 Policies	CR1.1 Develop a system of roadways that provides travel choices and reduces traffic congestion. CR1.9 Maintain a truck route system that serves business districts, industrial areas, and the Airport. CR1.5 Local public street rights-of-way may be reduced to 44 feet in width, subject to determination by the City Council that there is no significant impact to circulation or the health, safety, and welfare of the residents of the neighborhood. CR1.13 Require the owner or applicant of new development projects to fund the cost to mitigate traffic impacts generated by the new development project to LOS D or better.

Goals and Policies	Definitions
	CR1.15 Private roads shall be developed in accordance with the City's published engineering standards for public streets, unless otherwise approved by the City Engineer. CR1.5 Require Traffic Impact Analysis for new development projects to identify specific mitigation to traffic impacts generated by the new development. Traffic Impact Analyses shall be submitted in a format acceptable to the City Engineer and be subject to his/her review and approval.
Circulation Element Goal 2	Establish improved levels of service for efficient traffic flow and provide a safe circulation system.
Goal 2 Policies	CR2.1 Maintain Level of Service D or better for the City's circulation network, as measured using "in season" peak hour conditions. CR2.4 Encourage the development of, and cooperate in, valleywide visioning and initiatives to assure an LOS D on I-10.
Circulation Element Goal 8	Develop a system of parking facilities and operations that serve current and future commercial and residential uses and preserve the quality of life in residential neighborhoods.
Goal 8 Policies	CR8.1 Require sufficient parking to serve each use, including employee and visitor parking needs. CR8.10 Provide appropriate and consistent signage to direct motorists to public and private parking areas.

Environmental Impact and Mitigation Measures

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

Less-Than Significant With Mitigation Incorporation. Based on the traffic analysis memo, during the construction peak period (grading/trenching/foundation activities), the maximum number of construction workers could be as many as 100 people. This would generate approximately 200 daily trips within an area impacted by existing roadways (i.e. I-10, North Indian Canyon Drive, Wall Road and Garnet Avenue).

Upon completion of construction of the proposed Mountain View Solar Project (estimated in Summer 2011), O&M activities are anticipated to consist of potentially 3 to 4 trips a day by AES Solar O&M staff intermittently throughout a 24-hour day for monitoring and maintenance purposes. AES O&M staff will be stationed at the nearby AES facility located on 19435 Ruppert Street in Palm Springs (north side of I-10 approximately 0.2 miles west of Indian Canyon Drive) and would typically access the proposed Mountain View PV Solar Plant via 20th Avenue, Wall Road and Garnet Avenue rather than North Indian Canyon Drive. In addition, every 2 to 3 months or after severe dust storms, it is anticipated that O&M staff would access the site to clean the solar collector panels. Cleaning activities typically take 1 to 2 days

to complete and would produce approximately 4 to 6 trips a day periodically, dependent of weather conditions. These O&M trips would be in addition to the O&M trips required for the existing wind power farm, which are approximately 1 to 2 trips a day.

Existing and projected traffic volumes and levels of service are consistent with the City's General Plan Policies. Traffic congestion and delays can occur during construction and can result in an adverse effect; however, these adverse effects can be avoided through standard construction period traffic management planning that includes timely notification of any road closures and detours to police and fire department, and other emergency service providers. Therefore, above mentioned low level of trip generation is not likely to impact the LOS of nearby intersections and would be a less than significant impact with **TRANS/TRAFF-1 Mitigation Measure** identified below:

During construction, it is recommended that traffic control measures are utilized in order to warn and mitigate traffic activities along Garnet Avenue. It is recommended that during construction temporary "Trucks Entering" signs be installed to notify motorists of potential frequent turning movements entering and exiting the project site. On occasion, flaggers should be utilized to stop motorists while oversized vehicles enter/exit the site.

The only significant roadway in the proposed project area, Garnet Avenue, is considered a secondary thoroughfare. Secondary thoroughfares connect various areas of the City, provide access to major thoroughfares, and serve secondary traffic generators such as small business centers, schools, and major parks. Typical street right-of-way width is 88 feet, which can be divided or undivided. Garnet Avenue is considered a secondary thoroughfare. Garnet Avenue along the frontage of APN 668-412-001-04 has an existing right-of-way of 60 ft. The proposed project is required to dedicate an additional 28 ft of public right-of-way along the south side of the existing right-of-way in order to comply with the 2007 General Plan width of secondary thoroughfares as being 88 ft. wide. Due to the minimal increase in generated trips as a result of the proposed Mountain View Solar Project, the applicant proposes to defer the Garnet Avenue improvements to a date when traffic volumes warrant these improvements if allowed by the City of Palm Springs. The City Public Works Department is requiring that curb, gutter, sidewalk, asphalt paving, and a driveway approach be constructed on the south side of Garnet Avenue along the solar project frontage in conjunction with the development. ~~The Planning commission may waive these requirements and defer to a Street Improvement Covenant, if the project proponent makes a request for the Planning Commission to consider.~~

However, these improvements will be deferred to a Street Improvement Covenant. For the reasons stated above, proposed project's impacts to traffic increase would be less than significant with mitigation incorporation (TRAFF-1).

b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

Less Than Significant Impact. The City has established that roadways and intersections shall operate at LOS D or better to maintain a successful circulation system; however, the CMP allows LOS E. All roads affected by the proposed project currently have LOS "D" or better, and project's implementation would not negatively impact this LOS. Therefore no impacts to LOS are anticipated and no mitigation measure is required.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. The proposed project does not include any components that could impact air traffic operations. The proposed project is located approximately 5.2 miles from the Palm Springs International Airport, however the proposed height of the structures for the project are well under the requirements contained in the Airport Land Use Compatibility Plan. Additionally, according to the FAA Regulations, due to the project's relatively close proximity to the airport, the applicant contacted with a FAA representative for further guidance. The project is required to file a Notice to Proceed Construction or Alteration application (FAA Form 7460-1) to the FAA. The form was submitted to FAA on Jan 11, 2010. Based on the project's distance and non-air operational activities, no impacts are anticipated. Therefore, no mitigation measures are required.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The proposed project will not substantially increase hazards due to the design features. Emergency access to the proposed project site will comply with the requirements identified by the City of Palm Springs Fire Department. Therefore, no impacts are anticipated and no mitigation measure is required.

e. Result in inadequate emergency access?

No Impact. The proposed project would not have an adverse effect on emergency response, planning, emergency access and risk exposure. The proposed project includes land uses that are similar to other

development in the project vicinity. The circulation system does not include any tight curves or other design hazards. As discussed in responses *a* and *b* above, the minor amount of average daily trips would not substantially increase congestion on local roadways given the existing and projected traffic levels. For these reasons, there would be no adverse impacts related to roadway hazards or interference with emergency access. No mitigation measure is required.

f. Result in inadequate parking capacity?

No Impact. The project will be designed in accordance with the requirements of the Palm Springs Zoning Ordinance for off-street parking. Therefore, no significant impacts would occur. No mitigation measure is required.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Impact. The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. Therefore, this impact would be less than significant. No mitigation measure is required.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
	a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Water/Wastewater/Stormwater

Three water purveyors (the Coachella Valley Water District, the Desert Water Agency, and the Mission Springs Water District) provide water service within the City of Palm Springs; however, no potable or

recycled water service is presently available to the site (City of Palm Springs 2007). Water, if required to service existing wind generation facility operations, is hauled to the site.

The City contracts with Veolia Water North America to operate a comprehensive wastewater treatment program, including a City-owned, 10.9 million gallon per day (mgd) trickling filter wastewater treatment plant, which currently accommodates approximately 6.5 mgd of sewage flow (City of Palm Springs 2007). No sewer service is presently available to the project site. Portable toilets are located on-site, as needed in conjunction with the existing wind generation facility, for use by maintenance workers.

No stormwater conveyance facilities presently exist on-site. The site is comprised of mostly native soil and permeable surfaces.

Gas/Electricity/Solid Waste

The proposed project site is located within the service area of Southern California Edison for electrical service and the Southern California Gas Company for natural gas service. A 33 foot-wide easement containing two 30-inch pressure gas mains runs across the central portion of the site. However, the project has no natural gas service requirements.

Existing electric power transmission lines and onsite substations will connect the proposed solar collectors to the electrical grid. As a generator and net exporter of electrical power, the proposed project would pull power from the grid only when no power is being generated or the plant is off-line.

Palm Springs Disposal Services provides solid waste disposal service to the City of Palm Springs and sphere of influence areas. Palm Springs Disposal Services transports solid waste from Palm Springs to Edom Hill Transfer Station in Cathedral City. Edom Hill is permitted to receive 2,600 tons of waste per day as a transfer station. From Edom Hill, waste is trucked to Lamb Canyon Sanitary Landfill in Beaumont, approximately 24 miles west of Palm Springs. (City of Palm Springs 2007).

Regulatory Setting

Local Regulations

The City of Palm Springs General Plan (2007), Chapter 4 Circulation Element. The Circulation Element sets forth goals and policies relative to the expansion, location and operation of utility systems within the City including water, wastewater, storm drain, solid waste, electricity, natural gas and telecommunications. The City of Palm Springs also regulates water, wastewater

and storm drain systems, the installation of dry utilities and solid waste disposal and diversion within the Municipal Code.

Environmental Impact and Mitigation Measures

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No Impact. No new connection to wastewater treatment facilities would occur in conjunction with the proposed project. Water for cleaning solar panels would be hauled to the site as necessary. Portable toilets would be provided on-site for work crews, as needed. Therefore, there would be no impacts related to exceedance -of wastewater treatment requirements of the Regional Water Quality Control Board and no mitigation measures are required

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No Impact. No new connection to any public water or wastewater treatment system, nor the construction or expansion of existing systems would be necessitated by the proposed project. Water for cleaning solar panels would be hauled to the site as necessary. Portable toilets would be provided on-site for work crews, as needed. Therefore, there would be no impacts related to the expansion or construction of water or wastewater systems and no mitigation measures are required.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No Impact. No new storm drain system or new connection to any existing stormwater conduit would occur with implementation of the proposed project. The solar collector arrays would be located in east-west rows separated by 10-foot unimproved maintenance pathways. The open rows will allow rainwater to reach the ground surface and percolate into the soil, thereby precluding the need for new stormwater collection and drainage systems. Therefore, no impacts associated with the construction of such facilities or additional connections would occur. No mitigation measures are required.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

No Impact. As described above, no new connection to a public water system would occur in conjunction with the proposed project. Demand for water by the project would be negligible. Water required for cleaning of the solar panels would be approximately 50,000 gallons per year and would be brought to the site by a private hauler. The panels may require cleaning up to three to four times per year. Therefore, no impacts associated with the expansion of water systems or additional required entitlements would occur. No mitigation measures are required.

e. 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?

No Impact. As described above, no new connection to a public wastewater system would occur in conjunction with the proposed project. Therefore, no impacts to existing wastewater treatment facilities or impacts associated with the expansion of wastewater systems would occur. No mitigation measures are required.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less Than Significant Impact. Solid waste generation and disposal would primarily occur during construction of the proposed project. Solid waste would be collected by Palm Springs Disposal Services and ultimately disposed of at Lamb Canyon Sanitary Landfill in Beaumont. According to the City of Palm Springs General Plan Circulation Element, the landfill has capacity to serve the City through its anticipated closing date of 2023 (City of Palm Springs 2007). Therefore, impacts related to service by a landfill with sufficient permitted capacity would be less than significant with implementation of the proposed project, and no mitigation is required.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

Less Than Significant Impact. The project would be required to comply with all local, state, and Federal regulations pertaining to solid waste. Solid waste disposal primarily would be limited to the construction phase, as project operations would generate negligible waste. Adherence to local, state and federal regulations would ensure that potential impacts would be less than significant and no mitigation is required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Does the project have the potential to 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, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Impact and Mitigation Measures

a. Does the project have the potential to 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, 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?

No Impact. The proposed project would not degrade the quality of the environment; result in an adverse impact on prehistoric cultural resources because the project components do not include any construction or development on areas that are currently identified as sensitive. No substantial reduction of habitat of a fish or wildlife species is anticipated. No important examples of major periods of California history or

prehistory in California were identified, and mitigation identified in Section 3 would ensure that subsurface resources, if present, would be protected.

Prehistoric or historic cultural resources would not adversely be affected because no archaeological or historic resources are known to exist in the proposed project area. The project does not propose construction, development or grading activities in which cultural or historical resources would be anticipated to be discovered. Further, project implementation includes compliance with appropriate procedures for avoiding or preserving artifacts or human remains if they are discovered.

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)?

No Impact. The proposed project would involve the construction of an approximately 13 MW PV solar project which will be developed consistent with existing land use designations. The project would not involve the development of additional housing or result in direct population growth. Instead, the project would provide electricity that would serve the needs of California customers and fulfill Federal and State policies for renewable energy. For the reasons outlined above, the proposed project is not considered to have a significant growth inducing impact.

Furthermore, as discussed throughout this Initial Study, the proposed project would be developed consistent with the City of Palm Springs General Plan. Since the proposed project is located within the existing wind farm development in the San Geronio Pass (Mountain View IV Wind Energy Project), cumulative impacts as analyzed in the 2008 Mountain View IV Wind Energy Project Final EIS/EIR remain valid, and this project would not result in new or increased cumulative effects.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact. As discussed in Environmental Checklist Section of this IS, temporary air quality impacts, potential cultural impacts, drainage and water quality impacts, temporary noise impacts, public services impacts, temporary traffic impacts, have the potential to adversely affect human health, however, all potential significant impacts on human beings would be reduced to less than significant levels by mitigation measures identified in Section 5.

Chapter 4 Mitigation Measures

The following section summarizes mitigation measures to mitigate all identified potentially significant impacts to a level of less than significant. These mitigation measures and their implementation are considered conditions of project approval.

AIR QUALITY

Mitigation Measure AQ-1:

- Apply soil stabilizers to inactive areas as soon as possible and practical.
- Water exposed surfaces three times daily.
- Reduce speed on unpaved areas to 15 mph.
- Manage haul road dust by watering two times daily.
- All equipment engines shall be maintained in good condition, in proper tune (per manufacturer's specifications), and in compliance with all State and Federal requirement.

Mitigation Measure AQ-2: The project will be required to prepare a Fugitive Dust Control Plan (Plan) for approval by the City of Palm Springs prior to initiating construction activities.

Mitigation Measure AQ-3: Re-establish low growing native vegetation (that will not interfere with the solar panels) under and between the panels to obtain a vegetative cover equivalent to the existing condition; or apply long-term chemical stabilizers under and between the panels on an as needed basis to control long-term emissions of fugitive dust during high wind events.

BIOLOGICAL RESOURCES

Mitigation Measure BIO-1: Projects that are outside of CVMSHCP conservation areas are subject to the mitigation fee. Potential impacts to candidate, sensitive, special status species or their habitat would be mitigated by paying the mitigation fee.

Mitigation Measure BIO-1: Potential impacts to migratory bird species covered by the Migratory Bird Treaty Act (MBTA) would be mitigated by limiting disturbance related activities such as brushing and grading to a period outside the migratory bird breeding season before February 1 and after August 31 (U.S.C. 1998).

CULTURAL RESOURCES

Mitigation Measure CUL-1: During any ground-disturbing activity in native soils or sediments or during construction of the proposed project, a qualified archaeologist monitor shall be present. The monitoring archaeologist shall:

- Be empowered to temporarily divert grading equipment in the event of discovery and allow for sufficient time to evaluate and potentially remove the find;
- Evaluate and coordinate the recovery of any archaeological resources uncovered;
- Ensure that any work or land disruptions in the off-site archaeological areas are avoided.

Mitigation Measure CUL-2: During any ground-disturbing activity in native soils or sediments or during construction of the proposed project, if any paleontological resources are discovered, the applicant shall halt activity within the vicinity of the find and immediately notify the San Bernardino County Museum of Natural History.

Mitigation Measure CUL-3: During construction of the project, if any human remains are discovered, the applicant's contractor shall contact the County Coroner and the state of California's Native American Heritage Commission for determination of an appropriate course of action. If human remains of Native American Origin are discovered during project construction, the applicant shall comply with state laws relating to the disposition of Native American burials. If any human remains are discovered or recognized in any location, the applicant shall halt all further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Riverside County Coroner has been informed. In addition, the following guidelines shall be adhered to:

- All discovered remains shall be treated with dignity and respect and unnecessary disturbance of remains or associated objects will be avoided;
- The area of discovery shall be isolated and the State Representative notified; and
- Pursuant to California Health and Safety Code §7050.5, the County Coroner shall be notified to make determination whether the remains are Native American or not; and

Any recovered artifacts shall be collected and prepared for curation according to the State of California Guidelines for the Curation of Archeological Collections standards (May 1993.)

GEOLOGY AND SOILS

Mitigation Measure GEO-1: The California Geological Survey lists the City of Palm Springs and the Riverside County as areas affected by the Alquist-Priolo Earthquake Fault Zone with the San Andreas southern fault segment, the closest active fault to the site, which may pose a risk of surface fault rupture to future structures. A site-specific fault study is recommended before the project site is subdivided or structure permitted.

Mitigation Measure GEO-2: Strong seismic ground shaking is considered a seismic hazard for the site. The solar array and associated buildings should be designed to accommodate ground shaking in accordance with existing building codes.

HAZARDS AND HAZARDOUS MATERIALS

Mitigation Measures HAZ-1: Any potential impacts that could occur should be addressed by the contractor's specifications, transportation plan, health and safety plan, standard Stormwater Best Management Practices (BMPs), Storm Water Pollution Prevention Plan (SWPPP), spill prevention plan, etc., prepared by the applicant. These plans, at a minimum, must be consistent with relevant and applicable regulatory guidelines enforced by the United States Department of Transportation and other applicable agencies.

HYDROLOGY/WATER QUALITY

Mitigation Measure WQ-1:

- Temporary erosion control measures such as silt fences, gravel bags, and straw wattles would be employed around the perimeter of the site and around disturbed areas.
- Any areas disturbed by grading would be revegetated to restore these areas to their natural vegetation.
- All disturbed areas would have BMPs in place during the rainy season.

NOISE

Mitigation Measure NOI-1: During construction noise impacts could be lowered by limiting hours of construction and maintaining construction equipment in good working order based on the Palm Springs Municipal Code Chapter 11.74 Noise Ordinance. Typically, it requires that sound created by construction within the City is exempt from the applications of the Municipal Code during the hours of 7:00 a.m. to 7:00 p.m., Monday–Friday, and 8:00 a.m.–5:00 p.m., Saturday (on Sundays and holidays construction is prohibited). However, exemptions are allowed for temporary

construction except on Sundays and federal holidays. There may be a need to work outside of the local ordinance standards in order to take advantage of low electrical draw periods during the nighttime hours. The applicant would comply with variance procedures established by local authorities, if a variance is required.

PUBLIC SERVICES

Mitigation Measure PS-1: All structures built beyond the five-minute response area are required by the City's Community Fire Protection Plan and Municipal Code to install automatic fire sprinklers and other built-in fire protection equipment, as deemed appropriate by the Fire Department. Measures would be taken such as the use of non-combustible building materials (e.g. steel, concrete, or block) subject to PSFD approval.

TRAFFIC/TRANSPORTATION

Mitigation Measure TRANS/TRAFF-1: A construction traffic routing plan shall be developed and submitted for approval that demonstrates, to the extent feasible, avoidance of routes with adjacent noise sensitive receptors (i.e., route construction traffic to/from Garnet Avenue).

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Chapter 6 Agencies and Persons Consulted

Cultural Resources

Consultation with Native American Heritage Commission who responded on January 6, 2010

Land Use

Sullivan, Jim, Coachella Valley Association of Governments
Personal communication with Greg Konar, November 11, 2009

Public Services

Cantu, Albert, Patrol Officer (Watch Commander), Palm Springs Police Department.
Personal communication with Yesim Korkmaz, December 16, 2009.

Goetz, Blake G., Fire Chief, Palm Springs Fire Department.
Personal communication with Yesim Korkmaz, December 16, 2009.

Traffic/Transportation

Jenkins, Richard, Engineer, City of Palm Springs Department of Public Works.
Personal communication with Gulsum Rustemoglu, Jan 07, 2010.

Marcus Fuller, City of Palm Springs Public Works and Engineering Department,
Meeting with Chris Woolery and Scott Mckenzie (AZTEC Engineering)
Dec 9th and Dec 14th, 2009.

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B.A. in Sociology, San Diego State University, 1977

ULTRASYSTEMS (Cultural Resources)

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B.A. in Anthropology, California State University, Long Beach, CA, 1979