

JUN 18 2008

Notice of Completion & Environmental Document Transmittal

LARRY W. WARD, CLERK

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

SCH # By J. Marshall Deputy

Project Title: Museum Market Plaza Specific Plan

Lead Agency: City of Palm Springs Contact Person: Craig Ewing
Mailing Address: 3200 E. Tahquitz Canyon Way Phone: 760-323-8245
City: Palm Springs, CA Zip: 92262 County: Riverside

Project Location: County: Riverside City/Nearest Community: Palm Springs
Cross Streets: Tahquitz Canyon and Palm Canyon Zip Code: 92262
Lat. / Long.: 33 ° 49' 24.27" N/ 116 ° 32' 52.72" W Total Acres: 20.6
Assessor's Parcel No.: See below Section: 15 Twp.: 4 South Range: 4 East Base: SBBM
Within 2 Miles: State Hwy #: 111 Waterways:
Airports: Railways: Schools:

Document Type:

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

Local Action Type:

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

Development Type:

[X] Residential: Units 955 Acres Employees
[] Office: Sq.ft. Acres Employees
[X] Commercial: Sq.ft. 400000 Acres Employees
[] Industrial: Sq.ft. Acres Employees
[] Educational
[] Recreational
[] Water Facilities: Type MGD
[] Transportation: Type
[] Mining: Mineral
[] Power: Type MW
[] Waste Treatment: Type MGD
[] Hazardous Waste: Type
[] Other: 620 Hotel Rooms

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

Existing Commercial Development/Central Business District & High Density Residential/Central Business District & Small Hotel

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

APNs: 513-092-010-3, 513-092-009-3, 513-092-003-7, 513-560-002-0, 513-560-004-4, 513-560-007-7, 513-560-008-8, 513-560-009-9, 513-143-017, 513-141-113, 513-141-004.

Specific Plan to allow the construction of up to 955 multi-family units, 400,000 s.f. of commercial retail or office space, RK and 620 hotel rooms on a 20.6 acre site which is currently fully developed with commercial uses.

Declaration, Ntc Determination Filed per P.R.C. 21152 POSTED

Note: The state Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in. January 2008

JUN 18 2008

Removed:

By: Dept. County of Riverside, State of California

Reviewing Agencies Checklist

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

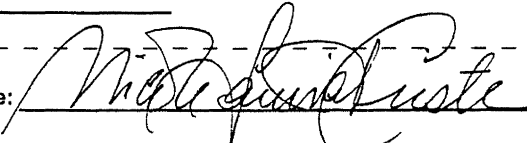
- | | |
|---|---|
| <input type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California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

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

Starting Date June 16, 2008 Ending Date July 17, 2008

Lead Agency (Complete if applicable):

Consulting Firm: <u>Terra Nova Planning & Research, Inc.</u>	Applicant: <u>Wessman Development</u>
Address: <u>400 S. Farrell Drive, Suite B-205</u>	Address: <u>300 S. Palm Canyon Drive</u>
City/State/Zip: <u>Palm Springs, CA 92262</u>	City/State/Zip: <u>Palm Springs, CA 92262</u>
Contact: <u>Nicole Sauviat Criste</u>	Phone: _____
Phone: <u>760-320-9040</u>	

Signature of Lead Agency Representative:  Date: 6/13/08

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

**TRANSMITTAL MEMORANDUM
NOTICE OF PREPARATION**

Date: June 13, 2008

To; Responsible Agencies and Interested Parties

From: Nicole Sauviat Criste, Planning Consultant, City of Palm Springs

Subject: Transmittal of Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for Museum Market Plaza Specific Plan, in the City of Palm Springs, Riverside County, California

Enclosed please find the above referenced Initial Study and NOC for the Museum Market Plaza Specific Plan. These documents comprise the Notice of Preparation for the project.

The project involves Specific Plan which sets the development standards and guidelines to allow the construction of up to 955 high density residential units, 400,000 square feet of commercial retail and office development, and 620 hotel rooms. The site area for the Specific Plan is 20.6 acres. The project is generally located at the northwest corner of North Palm Canyon and Tahquitz Canyon, in the City of Palm Springs. A location map and site plan are included in the Initial Study for reference.

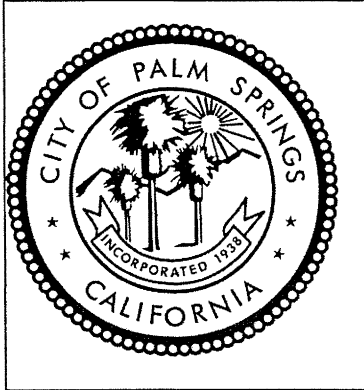
The Initial Study is attached, and describes the project, and the potential impacts the City has identified.

The NOP comment period runs from June 16 to July 17, 2008. If you have comments, please submit them prior to July 17, 2008. A scoping meeting has been scheduled for July 1, 2008, at 2:00 PM, in the Council Chambers at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

You may FAX comments to the attention of Nicole Sauviat Criste, City Planning Consultant, at FAX No. (760) 322-2760, or to Craig Ewing, Director of Planning Services, at the City at FAX No. (760) 322-8360 within this time frame. Please also send hard copies to the City, attention Mr. Ewing, via mail to the address below to assure legible and reproducible originals.

Mr. Craig A. Ewing, AICP
City of Palm Springs
3200 East Tahquitz Canyon Way
La Quinta, CA 92253

If you have any questions regarding the enclosed or require additional information, please do not hesitate to contact me at (760) 320-9040 or Mr. Ewing at the City of Palm Springs at (760) 323-8245.



INITIAL STUDY

Project Title:	Museum Market Plaza Specific Plan	
Case Nos.		
Assessor's Parcel No.	513-092-010-3, 513-092-009-3, 513-092-003-7, 513-560-002-0, 513-560-004-4, 513-560-007-7, 513-560-008-8, 513-560-009-9, 513-143-017, 513-141-113, 513-141-004	
Lead Agency Name and Address:	City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Project Location:	The northwest corner of Tahquitz Canyon Way and Palm Canyon Drive, as well as lands on the east side of North Palm Canyon, and on the east side of Belardo Road, south of Tahquitz Canyon Way. See Exhibit 1, Location Map.	
Project Sponsor's Name and Address:	Wessman Development	300 South Palm Canyon Drive Palm Springs, CA 92262
General Plan Designation(s):	Central Business District, Small Hotel	
Zoning:	Central Business District, High Density Residential	
Contact Person:	Craig Ewing, Director of Planning Services	
Phone Number:	(760) 323-8245	
Date Prepared	June 13, 2008	

Description of the Project

The Specific Plan proposes policies and development standards for a master planned, mixed use project to include Retail, Office, High Density Residential and Resort development on 20.6 acres. The proposed project site is irregular in shape, but is generally bounded by Andreas Road on the north, Tahquitz Canyon Way on the south, Museum Drive on the west, and Indian Canyon Drive on the east.

The Specific Plan consists of the following components, which have been divided in the Specific Plan into three Planning Areas (please see Exhibit 2, Project Site Plan):

- Planning Area 1 (PA1) represents the core of the site and all lands north of Tahquitz Canyon Way. This Planning area allows for the broadest range of development, with a mixed use theme. Retail commercial is required to be developed on the ground floor on Palm Canyon Drive, with some exceptions. A mix of professional office and/or retail development is envisioned on the ground floor on all other project roadways, and on the second and/or third floors of Blocks A, C, D and F. Residential development is allowed above the ground floor in Blocks A and C, and on all floors in Blocks D, E, F, G H and K. Also allowed in this Planning Area are hotels, timeshare projects, condo-hotels and similar projects.
- Planning Area 2 (PA2) is at the southwest corner of Cahuilla and Tahquitz Canyon Way. Land uses for PA2 include limited ground floor retail, High Density Residential, Resort Residential, parking and compatible accessory uses.
- Planning Area 3 (PA3) encompasses the Mercado Plaza parking lot, and is planned for a parking structure with three levels. PA3 is currently planned for parking structure development only and is intended to support the commercial and resort uses in PA1 and PA2 and the existing Mercado Plaza.

The Specific Plan allows the following:

**Table 1
Maximum Land Use Intensities**

Land Use	Planning Area 1	Planning Area 2	Planning Area 3	Total
Retail or Office (square feet)	385,000	15,000	N/A	400,000
Residential (dwelling units)	900	55	N/A	955
Hotel (rooms)	565	55	N/A	620

The Specific Plan allows for an average maximum building height of 60 feet throughout the Specific Plan area. Building height within PA1 may extend to 67 or 79 feet, depending on the area, while maximum building height is proposed at 44 feet in PA2, and 34 feet in PA3.

The project includes the following access points:

- Palm Canyon Drive is constructed at its ultimate width within an 80 foot right of way. The project proposes to alter the layout of the roadway to provide angled parking on both its west and east side, on the project frontage. This will provide for three lanes of traffic, angled parking on the west side, and parallel parking on the east side. The roadway will also include 15 feet of sidewalk on each side.

- Indian Canyon Drive is also developed at its ultimate right of way. The project will implement angled parking along its frontage on the west side of Indian Canyon, allowing for three lanes of traffic, parallel parking on the east side, and the angled parking on the west side.
- Tahquitz Canyon Way is constructed to a paved width of 50 feet, within an 88 foot right of way. The recently adopted General Plan downgraded Tahquitz Canyon to a Collector, with a 60 to 66 foot right of way. In the project area, the north side of Tahquitz Canyon will be designed to allow one lane of westbound traffic, a center turn lane, and parallel parking within a 26-foot half width. A 14-foot sidewalk will be provided on the north side of Tahquitz Canyon.
- Belardo Road will be extended through the project area with a 62-foot right of way, to allow one lane of travel in each direction, and angled parking on each side. A 12-foot sidewalk will also be provided.
- Museum Drive will be a 48 foot of right of way, with a single lane of traffic in each direction, and parallel parking adjacent to the project frontage. A 12-foot sidewalk will be provided adjacent to the project.
- Private Street (Museum Way) will be a new east-west street. It will be constructed within a 60 foot right of way, and will accommodate one lane of traffic in each direction, and angled parking on each side.

Environmental Setting and Surrounding Land Uses

The proposed Specific Plan occurs in the center of the City's Downtown. The project area is currently developed with the under-utilized Desert Fashion Plaza, the Mercado Plaza parking lot, and small scale retail buildings. The area surrounding the Specific Plan area is consistent in land use, consisting of residential, hotel, commercial and public uses. Specifically, surrounding land uses include:

North: Existing hotel and retail commercial development along North Palm Canyon, North Indian Canyon, and Baristo

South: hotel and retail commercial development, the Wellwood Murray Library, and single family homes

East: retail commercial development on North Palm Canyon and Indian Canyon, and the Spa Hotel

West: Palm Springs Art Museum and the O'Donnell Golf Course

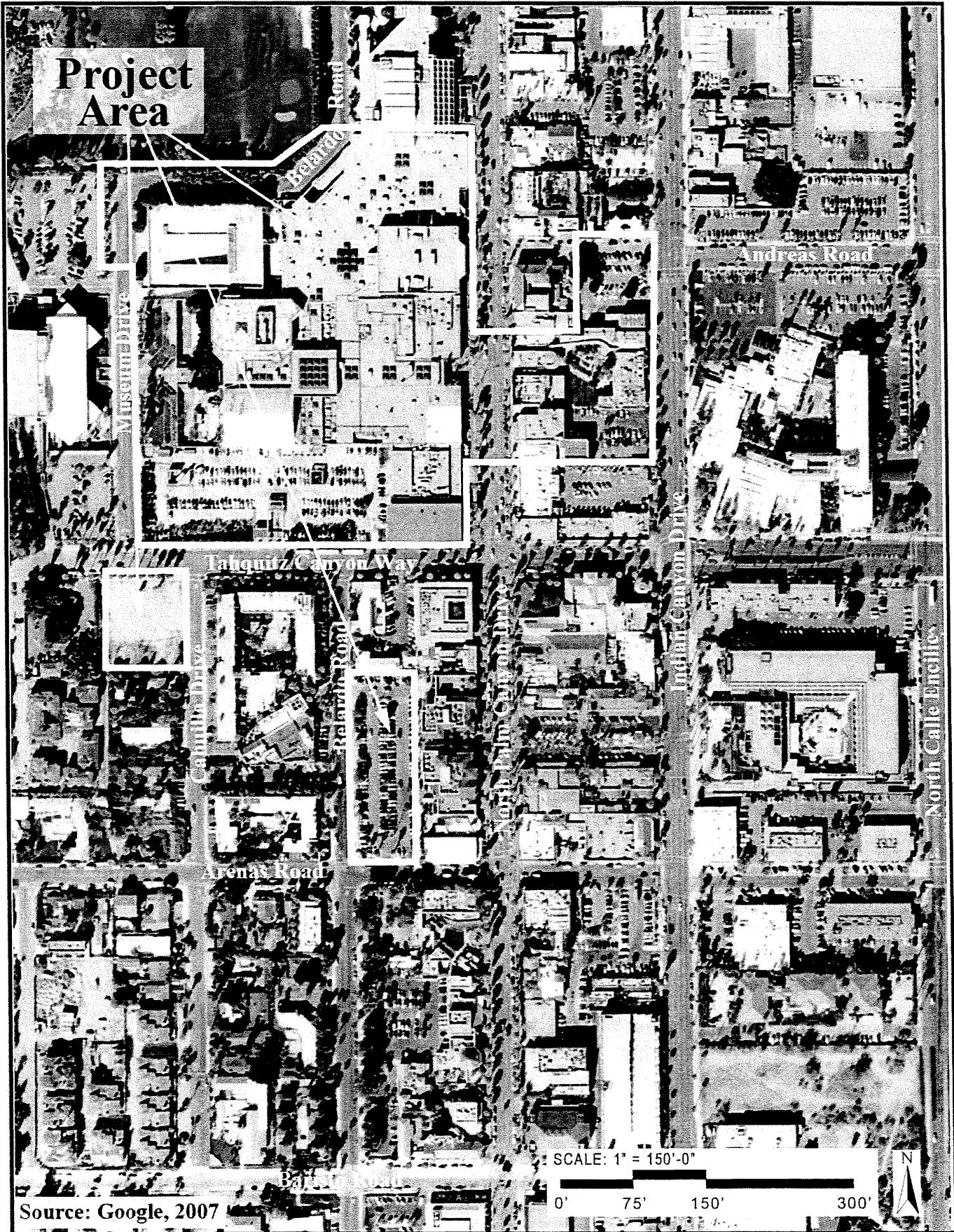
Other public agencies whose approval is required

Desert Water Agency

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

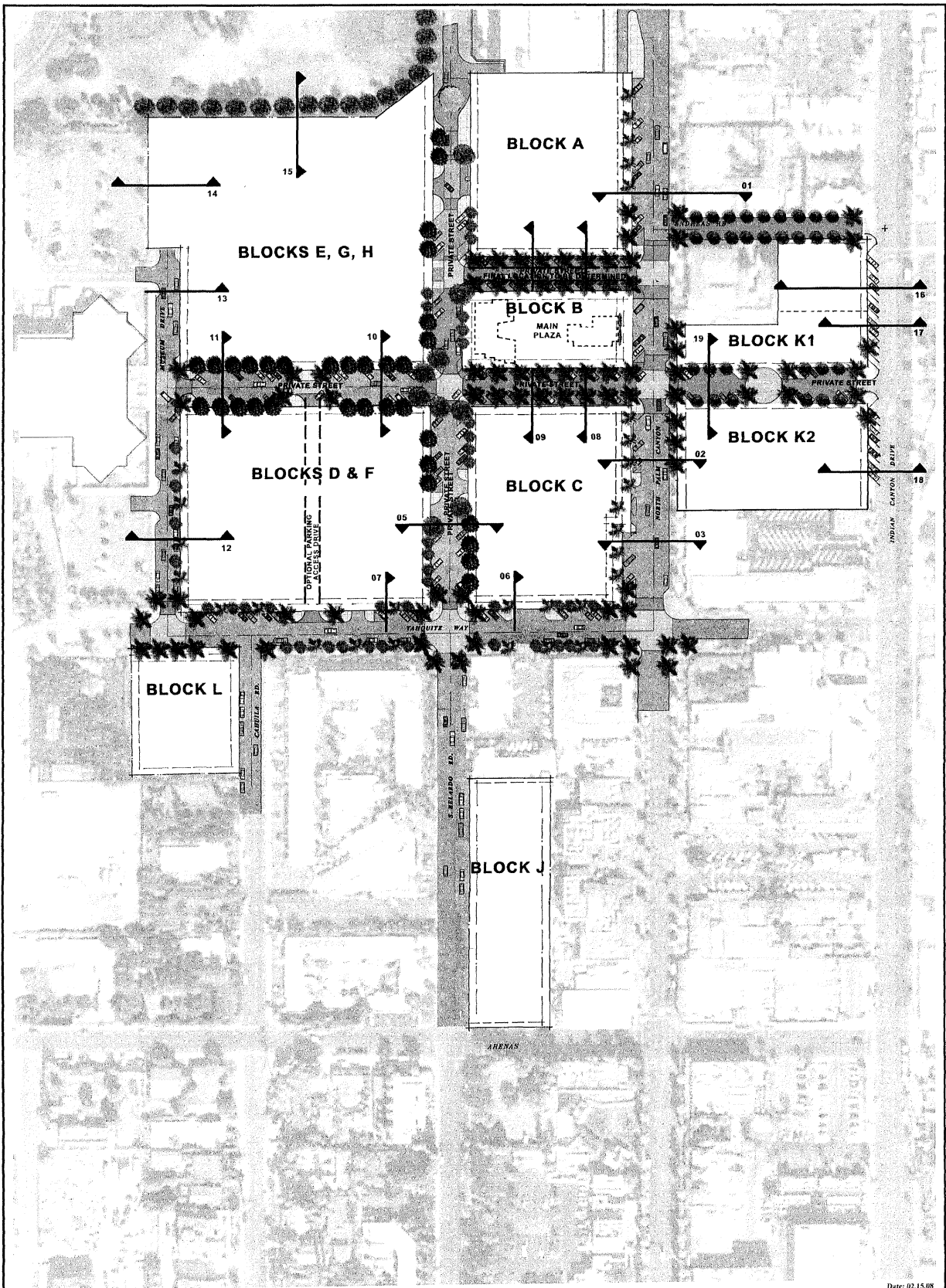


Source: Google, 2007

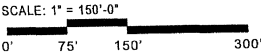
SCALE: 1" = 150'-0"
 0' 75' 150' 300'



Exhibit



Date: 02.15.08



Sources: NelsenPartners Austin/Scottsdale
TKD Associates, Incorporated



Museum Market Plaza Draft Specific Plan
Planning Area Blocks
Palm Springs, California



Exhibit

DETERMINATION: The City of Palm Springs Planning Department

On the basis of this initial evaluation:

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



Craig A. Ewing AICP
Director of Planning Services

6/13/08

Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

I. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The city is framed by views of the San Jacinto Mountains to the south and west; by open desert and the City of Cathedral City to the east; and the Little San Bernardino Mountains to the north. These mountain ranges provide a dramatic backdrop that is visible from virtually any point in the City.

The proposed project is located in the center of the City, immediately east of the San Jacinto Mountains.

Discussion of Impacts

- a) **Potentially Significant Impact.** The proposed Specific Plan would allow the construction of buildings ranging from 33 to 79 feet in height, immediately east of the San Jacinto Mountains. The mass and scale of these buildings, in the context of the development standards provided in the Specific Plan, could significantly impact the views of the mountains from surrounding areas. A careful and thorough analysis of the potential impacts associated with scenic vistas is required in the EIR, to determine the level of impact, and to determine whether mitigation measures are available to reduce the impacts to less than significant levels.
- b) **Potentially Significant Impact.** The proposed project includes the Town and Country Center, a complex of buildings located on the east side of Palm Canyon Drive, and extending to Indian Canyon Drive. The Center could be considered by the City for designation as a historic resources. The proposed project would include the demolition of the Center. The EIR must analyze the value of any designated historic resource, determine the level of impact associated with demolition of a designated historic resource, and identify whether mitigation measures are available to mitigate the potentially significant impact.

- c) **Potentially Significant Impact.** The proposed Specific Plan occurs in the City's downtown core. Commercial development of one and two stories is prevalent in this area, with higher development immediately adjacent to the Specific Plan area, in the form of the Hyatt and Spa Resort hotels. The Specific Plan proposes structures of 33 to 79 feet in height. The EIR will analyze the impact of the proposed structures on the visual character of the area, and determine the level of significance the project will have. The EIR will also determine whether mitigation measures are available to lower these potential impacts to less than significant levels.
- d) **Less Than Significant Impact with Mitigation Incorporated.** The Specific Plan occurs in the City's downtown core. The area is already impacted by lighting associated with street lights, vehicular headlights, and architectural and safety lighting on buildings. The EIR will examine the potential additional lighting which could result from the development of the proposed project, determine the level of impact, and propose mitigation measures to lower these impacts to less than significant levels.

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Most soils in the City are not well suited to support vegetation, due to their sandy, low moisture nature. No agricultural activities occur in the City. The project site is located on the eastern boundary of the City, adjacent to the Whitewater River. Existing development occurs on the west and south.

Discussion of Impacts

- a) **No Impact.** The project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the Farmland Mapping and Monitoring Program of the California Resources Agency. No impact to farmland would occur, and no further discussion of this issue will be provided in the EIR.
- b) **No Impact.** No agricultural designations or activities occur within City limits. There are no Williamson Act contracts on the property or any property in the vicinity. No impacts will occur, and no further discussion of this issue will be provided in the EIR.
- c) **No Impact.** The proposed project is surrounded by commercial, resort commercial and residential development. No agricultural activities occur in the City. There will be no impact on the conversion of agricultural lands as a result of the proposed project, and no further discussion of this issue will be provided in the EIR.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Air quality is evaluated based on Federal and State air quality standards and regulations and guidelines developed by individual air quality management districts. Mobile sources of air pollutants are primarily controlled through Federal and State agencies while stationary sources are regulated by the SCAQMD.

Development within the City is governed by the 2003 Air Quality Management Plan (2003 AQMP) and the 2002 Coachella Valley PM₁₀ State Implementation Plan (CVPM₁₀ SIP). The AQMP sets forth a comprehensive program to bring Palm Springs and the other areas within its jurisdiction into compliance with Federal and State air quality standards. CEQA requires that projects be consistent with the applicable AQMP.

The City of Palm Springs is in the Coachella Valley. Palm Springs' climate is characterized by low annual rainfall (2 to 6 inches per year) and low humidity with temperatures ranging from 80° F to 108° F in July and 40° F to 57° F in January.

The SCAQMD maintains two monitoring stations in the Coachella Valley. The stations monitor criteria pollutants ozone, nitrogen dioxide, carbon monoxide, particulate matter under 10 microns (PM₁₀) and fine particulate matter 2.5 microns in size (PM_{2.5}). Criteria air pollutants are

contaminants for which the state and federal air quality standards have been established. They are shown in Table III-1 and described in detail below. The Coachella Valley is currently designated as a "severe-17" ozone non-attainment area. This designation indicates that the attainment date for the federal ozone standards is November 15, 2007 (17 years from the date of enactment of the federal Clean Air Act). The South County Air Basin and Riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

**TABLE III-1
FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS**

Pollutant	AVERAGING TIME	Federal Primary Standard	State Standard
Ozone (O ₃)	1-Hour	0.12 ppm	0.09 PPM
	8-Hour	0.08 ppm	--
Carbon Monoxide (CO)	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Oxide (NO _x)	Annual	0.05 ppm	--
	1-Hour	--	0.25 ppm
Sulfur Dioxide (SO ₂)	Annual	0.03 ppm	--
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	--	0.25 ppm
PM ₁₀	Annual	50 g/m ³	30 g/m ³
	24-Hour	150 g/m ³	50 g/m ³
PM _{2.5}	Annual	15 g/m ³	--
	24-Hour	65 g/m ³	--
Lead	30-Day Avg.	--	1.5 g/m ³
	Month Avg.	1.5 g/m ³	--

Source: California Air Resources Board, "Ambient Air Quality Standards," July 9, 2003.

ppm = parts per million

g/m³ = Micrograms per Cubic Meter

Ozone (O₃) is the most prevalent of a class of photochemical oxidants formed in the urban atmosphere. The creation of ozone is a result of complex chemical reactions between hydrocarbons and oxides of nitrogen in the presence of sunshine. Unlike other pollutants, ozone is not released directly into the atmosphere from any sources. The major sources of oxides of nitrogen and reactive hydrocarbons, known as ozone precursors, are combustion sources such as factories and automobiles, and evaporation of solvents and fuels. The health effects of ozone are eye irritation and damage to lung tissues.

Carbon Monoxide (CO) is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO concentrations are generally higher in the winter, when meteorological conditions favor the build-up of directly emitted contaminants. CO health warning and emergency episodes occur almost entirely during the winter. The most significant source of carbon monoxide is gasoline powered automobiles, as a result of inefficient fuel usage in internal combustion engines. Various industrial processes also emit carbon monoxide.

Nitrogen Oxides (NO_x) the primary receptors of ultraviolet light initiating the photochemical reactions to produce smog. Nitric oxide combines with oxygen in the presence of reactive hydrocarbons and sunlight to form nitrogen dioxide and ozone. Oxides of nitrogen are contributors to other air pollution problems including: high levels of fine particulate matter, poor visibility and acid deposition.

Sulfur Dioxide (SO₂) results from the combustion of high sulfur content fuels. Fuel combustion is the major source of SO₂, while chemical plants, sulfur recovery plants, and metal processing are minor contributors. Sulfates result from a reaction of sulfur dioxide and oxygen in the presence of sunlight. SO₂ levels are generally higher in the winter than in the summer (when sunlight is plentiful and sulfate is more readily formed).

Particulate Matter (PM₁₀ and PM_{2.5}) consists of particles in the atmosphere as a by-product of fuel combustion, through abrasion such as tire wear, and through soil erosion by wind. Particulates can also be formed through photochemical reactions in the atmosphere. PM₁₀ refers to finely divided solids or liquids such as soot, dust, and aerosols which are 10 microns or less in diameter and can enter the lungs. Fine particles are those less than 2.5 micrometers in diameter and are also referred to as PM_{2.5}.

Lead is found in old paints and coatings, plumbing and a variety of other materials. Once in the blood stream, lead can cause damage to the brain, nervous system, and other body systems. Children are most susceptible to the effects of lead. The South County Air Basin and Riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

- a) **Potentially Significant Impact.** The proposed Specific Plan includes development densities which exceed the Central Business District densities, as defined in the previous City General Plan. That General Plan was the basis for the Air Quality Management Plan developed for the Coachella Valley by the SCAQMD. The EIR must analyze the impacts associated with the increased density, and whether the project will either conflict with or obstruct the implementation of the Plan.
- b-d) **Potentially Significant Impact.** The proposed Specific Plan will include demolition of existing structures, excavation for underground parking facilities, construction of buildings, and vehicle trips associated with the operation of the project in the long term. All these activities will generate air emissions which have the potential to exceed thresholds of significance established by the SCAQMD. The EIR must include an analysis of all of these impacts, quantified in conformance with SCAQMD analysis methodologies. This analysis will lead to a determination of the level of impact, and in turn to the development of mitigation measures. The EIR will also determine if the mitigation measures can reduce the potential impacts to less than significant levels.
- e) **Potentially Significant Impact.** The traffic generated by build out of the proposed project may result in increased congestion on City streets. This increased congestion has the potential to concentrate air emissions, particularly at intersections, while vehicles idle. The EIR must include an analysis and quantification of the potential for pollution concentrations as a result of the project, and provide mitigation measures, if necessary, to lower these impacts to less than significant levels.
- f) **Less Than Significant Impact.** The proposed Specific Plan includes office, retail, and residential land uses in the City's downtown core. These uses will generate odors typically associated with commercial and residential cooking, vehicle emissions, and similar odors. No significant objectionable odors are expected to result from the development of the proposed project. The EIR will analyze the types of odors likely to be generated by the proposed project, the surrounding existing and build out land uses, and determine whether the impacts could be significant.

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The proposed project occurs in the City's urban core, and proposes the redevelopment of lands which are currently developed. No native plant communities occur in the project area, and the site and surroundings include non-native ornamental plantings.

Discussion of Impacts

- a) & f) **No Impact.** The project area is fully developed. No sensitive species are expected to occur within the Specific Plan boundary. No further discussion of this issue will be required in the EIR.
- b) **No Impact.** There is no riparian habitat on the site. No further discussion of this issue is required in the EIR.
- c) **No Impact.** No wetlands occur on the property. No further discussion of this issue is required in the EIR.
- d) **No Impact.** The project site is fully developed, and does not provide habitat for migratory species. No further discussion of this issue is required in the EIR.
- e) **No Impact.** The proposed project will not interfere with any City policies regarding the preservation of plants or animals. No further discussion of this issue will be provided in the EIR.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The City occurs in the traditional territory of the Desert Cahuilla, with a history dating back to 1,000 BC. Evidence of Cahuilla occupation in the Coachella Valley dates to over 500 years ago, when the Tribe settled around ancient Lake Cahuilla, in the area of present day La Quinta and Indio. The canyons surrounding Palm Springs also have yielded evidence of use by the Tribe, which took advantage of water sources, food sources from plants and animals, and rock for tool-making.

The City's modern history began in the early 1870s, when John Guthrie McCallum purchased land in the area, and later subdivided it. Rapid expansion in the area began in the 1920s, with the City's spreading reputation as a health resort, and the increased interest from the Hollywood movie community. Until the end of World War II, architecture in the town site consisted primarily of Mission Revival and Spanish Colonial Revival structures. Development was centered around Palm Canyon Drive, as hotels and shops were constructed.

The City occurs well outside the boundary of ancient Lake Cahuilla, an area where paleontological resources have occurred. Further, soils in the City are generally post-Pleistocene age alluvium from the surrounding mountains, too new in the context of paleontology to yield fossilized remains.

Discussion of Impacts

- a) **Potentially Significant Impact.** The Specific Plan area includes a number of structures built over several decades. The project area includes the Town and Country Center, a complex of buildings which could be considered by the City for designation as a historic resource. The proposed project would include the demolition of the Center. The EIR must analyze the value of any designated historic resource, determine the level of impact associated with demolition of a designated historic resource, and identify whether mitigation measures are available to mitigate the potentially significant impact.

- b) **No Impact.** The Specific Plan area is currently developed, and has been for some years. When development occurred, excavation, grading and other construction activities significantly impacted the ground below these structures. The potential for buried archaeological resources does not exist. This issue will not be discussed further in the EIR.
- c) **No Impact.** The City and project site are outside the shoreline of ancient Lake Cahuilla, which is the closest area of paleontological significance in the Coachella Valley. The site is underlain by alluvium which is post-Pleistocene, and not suitable for paleontological resources. Development of the project site will have no impact on paleontological resources, and this issue will not be discussed further in the EIR.
- d) **No Impact.** No known burial ground or cemetery occurs on the project site. Excavation for development of existing structures would have identified buried remains if they occurred. There is no potential for the identification of human remains on the project site. No further discussion of this issue is required in the EIR.

VI. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The San Andreas Fault zone is the major fault in the Coachella Valley. Breaks associated with the Fault cover a generally northwest-southeast trending zone approximately 10 miles wide, north and east of the project site. The project site is not within or adjacent to any Alquist Priolo Fault Zones. The nearest fault zone is located north of Interstate 10, over 5 miles from the project site. The City will, however, be subject to significant ground shaking during an earthquake.

Soils in the City consist of alluvial deposits which originated in the surrounding mountains.

Discussion of Impacts

- a)
- i) **No Impact.** The San Andreas Fault system is located approximately five miles northeast of the project site. The San Jacinto Fault System is approximately six miles south of the project site. Therefore, fault rupture is not expected to occur on the project site. No impact is expected, and no further discussion of this issue will be required in the EIR.
 - ii) **Less Than Significant Impact.** The City will be subject to significant ground acceleration during a large earthquake. In order to mitigate for this potential impact, the City requires that all structures be constructed to Uniform Building Code (UBC) requirements for Seismic Zone 4. The EIR will analyze the City's standards in relation to the structures proposed within the Specific Plan, particularly in association with the height of the buildings, to assure that the proposed project will not result in significant impacts associated with ground shaking.
 - iii) **Less Than Significant Impact.** Liquefaction is caused by the loss of soil cohesion due to exposure to shallow groundwater located at a depth of less than 50 feet, in a seismic event. The site is in an area where depth to groundwater is expected to exceed 50 feet. The EIR will examine the potential for liquefaction in the Specific Plan area, particularly given the subsurface parking structures proposed, and determine whether these impacts are less than significant, as currently expected.
 - iv) **No Impact.** The proposed project occurs on the Valley floor, on lands which are generally flat. The project area is surrounded on all sides by existing development and City streets. The foothills of the San Jacinto Mountains occur to the west of the project area, at a distance of several hundred feet. The potential for landslides does not occur on or adjacent to the site. No impact is expected, and no further analysis of this issue is required.
- b) **Less than Significant Impact with Mitigation Incorporated.** The proposed Specific Plan includes lands which are currently developed. The build out of the proposed project will result in demolition of existing structures, re-grading and excavation where necessary for the new structures, and construction of new structures. This process will expose soils to wind and water erosion hazards. The EIR will analyze the potential impact, and develop mitigation measures to lower these potential impacts to less than significant levels.
- c) **Less than Significant Impact with Mitigation Incorporated.** The project area has been previously developed. The proposed project will replace existing structures with new ones, including the construction of underground parking structures, and buildings of 33 to 79 feet in height. The EIR will examine the potential for unstable soils in the area, and the techniques and requirements of the City in excavation and grading which should assure that the impacts associated with unstable soils remain less than significant.
- d) **Less Than Significant Impact.** Soils in the City consist generally of sands and silts, with varying levels of pebbles and rocks. These soils are generally not expansive. In the project area, the soils have been in place under existing structures for some time. The EIR will review the existing soils in the area, and detail the City's requirements associated with the preparation of construction sites, to assure that expansive soil impacts remain less than significant.

- e) **No Impact.** The Specific Plan is located in the City's downtown core. The project will be required to connect to the City's sanitary sewer system. No impact associated with septic systems is expected, and no further discussion of this issue is required in the EIR.

VII. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>

Setting

The proposed project area is currently developed. Structures were constructed over a number of decades, including structures constructed prior to the mid-1970s, when asbestos and lead paint were still in common use.

The proposed project will include office, retail and residential development which will generate a limited amount of hazardous materials, primarily associated with cleaning products and automotive chemicals and oils.

Discussion of Impacts

- a) **Potentially Significant Impact.** The demolition of older structures within the Specific Plan area has the potential to result in the release of asbestos and/or lead. The EIR must determine the potential level of impact, and whether mitigation measures are available to lower those impacts to less than significant levels.
- b) **Less Than Significant Impact.** The proposed Specific Plan, when built out, will result in office, commercial, hotel and residential land uses. All these uses are likely to have cleaners, solvents and oils on hand for every day activities, in small quantities. The EIR will address these issues, and describe the programs and requirements in place to assure that the impacts associated with these products remain less than significant.
- c) **No Impact.** The Specific Plan land uses will not generate hazardous emissions, nor will these products be used in the project area. Further, the Specific Plan does not occur within proximity to a school. There will be no impact to schools from hazardous materials at the project site, and no further discussion of this issue is required in the EIR.
- d) **No Impact.** The proposed project site is not listed on state or federal databases of contaminated sites. No impacts associated with hazardous materials contamination are expected on the project site, and no further discussion of this issue is required in the EIR.
- e-f) **No Impact.** The Palm Springs International Airport is located approximately 3 miles east of the project site. The project site is not located within the boundaries of the airport's land use plan. There are no private airstrips in Palm Springs. No further discussion of this issue is required in the EIR.
- g) **No Impact.** The proposed Specific Plan will be constructed on the City's existing street grid. The Specific Plan also proposes the construction of new streets, which will provide additional access in this area of the downtown. The proposed project will not close or otherwise redirect existing City streets. As a result, there will be no impact to emergency response plans or evacuation plans, and no further discussion of this issue is required in the EIR.
- h) **No Impact.** The project area is located in the City's urban core, and is surrounded by urban development. Although the site is located several hundred feet from the foothills of the San Jacinto Mountains, it is not located in a wild land fire area. No impacts are expected, and no further discussion of this issue will be provided in the EIR.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project: levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project site will be served by Desert Water Agency (DWA), which supplies domestic water to the City. The DWA pumps water from a number of wells throughout the area for domestic use. Groundwater has historically been the principal source of domestic water in the City. DWA also recharges groundwater through recharge basins located in the northwestern portion of the City. Sanitary sewer services to the site will be provided at the City's treatment plant.

The Specific Plan area is in the City's urban core, where water and sanitary sewer facilities exist. The structures in the project area are all currently served by water and sanitary sewer services.

Discussion of Impacts

- a) **Less Than Significant Impact.** The proposed project will expand existing connections to domestic water through the DWA, and sanitary sewer through the City. Both agencies are regulated by State and federal agency standards which assure compliance with water quality and waste discharge requirements, respectively. The EIR will review the requirements of various agencies for water quality and waste discharge standards, and will describe the programs and requirements in place to assure that these potential impacts remain less than significant.
- b) **Potentially Significant Impact.** The proposed project area is currently utilizing domestic water for the existing buildings in the area. The proposed project will increase water use at the site above the levels anticipated in the DWA's water management planning. A Water Supply Assessment will be prepared to quantify water use at the site at build out, and determine whether sufficient water is available in the short and long term to serve the proposed project. The EIR will incorporate the findings of the WSA, and determine the level of impact, and whether mitigation measures are available to lower the impacts to less than significant levels.
- c-e) **Less Than Significant Impact.** The Specific Plan area is currently developed, and includes drainage facilities for current development. The Specific Plan will change drainage patterns somewhat, and includes improvements and additions to the existing system. The EIR will analyze these changes, discuss the requirements of the City for storm water flows, and determine the level of impact that the build out of the project will have on existing and future drainage facilities.
- f) **No Impact.** All components of the proposed project will be required to comply with City standards for the preservation of groundwater quality. No other water quality issues are expected to result from implementation of the proposed project, and no further discussion of this issue is required in the EIR.

- g-h) No Impact.** The proposed project is not located in a flood zone, and will be required to meet all City standards for the construction of drainage facilities. No impact is expected, and no further discussion of this issue is required in the EIR.
- i)- j) No Impact.** The proposed Specific Plan is not located in the path of a levee or dam. The Specific Plan also does not occur in proximity to a body of water which might result in seiche, tsunami or mudflow in the event of a seismic event. No impact is expected, and no further discussion of this issue is required in the EIR.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Setting

The project site is governed by the policies and land use designations of the General Plan, and the Downtown Design Guidelines. The Specific Plan implements provisions of both documents for the Downtown Core of the City.

The City currently implements the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan. The site is also within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan, and will be subject to those provisions when that Plan is implemented.

Discussion of Impacts

- a) **No Impact.** The Specific Plan area includes commercial businesses which are currently in operation. No residential units occur within the Specific Plan at this time. There will be no impact to an established community, and no further discussion of the issue is required in the EIR.
- b) **Potentially Significant Impact.** The Specific Plan proposes standards which vary from both the General Plan and the Downtown Design Guidelines. The EIR must examine the impact that these changes may have on General Plan goals and policies, and the development of the downtown area as a whole. The EIR will determine the level of impact, and whether mitigation measures are required, or feasible, to reduce these impacts.
- c) **No Impact.** The City will require the applicant to comply with the requirements of the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan, or the Coachella Valley Multiple Species Habitat Conservation Plan, if implemented at the time that building permits are issued. No conflicts with these plans will occur as a result of project build out, since the project area is already impacted, and no further discussion of this issue is required in the EIR.

X. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 type="checkbox"/>	<input checked="" 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"/>

Setting

The California Division of Mines and Geology identifies portions of Palm Springs as a resource zone for aggregate/industrial minerals. The majority of the City is located in Mineral Resource Zone 3 MRZ-3 (an area containing mineral deposits the significance of which cannot be evaluated from available data). MRZ-2 areas are located in the northern portion of the City. MRZ-2 represents an area where adequate information has been established to indicate that significant mineral deposits are present, or where it has been judged that a high likelihood for such deposits exists. Minerals in the Palm Springs area are limited to sand and gravel for aggregate and/or decorative stone purposes and limestone.

Discussion of Impacts

a-b) No Impact. The Specific Plan area is currently fully developed with commercial land uses in the City's central business district. The area is not designated for mineral resource extraction, nor has it ever been. The area is not suitable for mineral resource extraction. No impact to mineral resources will occur as a result of the proposed project, and no further discussion of this issue is required in the EIR.

XI. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Setting

The City of Palm Springs requires that the community noise equivalent level (CNEL) does not exceed 65 dB at the exterior living areas (rear yards) or 45 dB at the habitable interior living area for sensitive land uses, including residences and hotels. Commercial land uses are allowed to have noise levels up to 70-75 dBA CNEL, and still be in the acceptable range.

The primary source of noise at the project site is vehicle noise on surrounding streets. The downtown area also experiences noise from activities on the streets, including the Street Fair, special events, outdoor dining, and similar activities. The proposed Specific Plan will not include land uses which are, in and of themselves, significant noise generators.

Discussion of Impacts

- a) **Potentially Significant Impact.** The Specific Plan proposes residential, commercial and hotel land uses in the City's central business district. The residential and hotel uses are considered sensitive receptors, and will place people in a louder noise environment than is typical in other areas of the City. The EIR must examine the expected noise levels for

the proposed project area, and determine if these levels will exceed City standards. Further, the EIR must determine if mitigation measures are required, and if these mitigation measures, if required, will reduce the impacts to a less than significant level.

- b) **Less Than Significant Impact With Mitigation.** Demolition and construction of the proposed project will include heavy equipment to be used for tearing down existing above- and below-ground structures, and to building new facilities. These activities will likely include some vibration, which must be quantified in the EIR. The EIR must determine the level of impact, and identify if these impacts will be significant, although they are expected to be less than significant at this time. Should the impacts be determined to be significant, mitigation measures will need to be included in the EIR to reduce these impacts to less than significant levels.
- c) **Potentially Significant Impact.** Permanent impacts associated with the build out of the proposed Specific Plan will occur due to both the land uses proposed, and the vehicular traffic generated by the proposed project on surrounding City streets. A noise impact analysis must be prepared which will quantify these impacts, and determine if they will have a significant impact on sensitive receptors in the surrounding area, which consist primarily of hotels and residents to the south. The EIR will summarize the results of the analysis, and include mitigation measures determined necessary by the analysis to reduce the impacts to less than significant levels.
- d) **Potentially Significant Impact.** As previously stated, the construction of the proposed project will result in a temporary increase in noise levels in the area. The project will also be phased, which will result in varying levels of noise at different locations and during different periods. The noise impact analysis must include noise associated with construction, and its impact on nearby residential and hotel units. The EIR will summarize these findings, and include mitigation measures if determined necessary by the analysis to reduce the impacts to less than significant levels.
- e, f) **No Impact.** Palm Springs International Airport is located 3 mile east of the proposed project. The Specific Plan area is not located in the noise impact contours of the airport. There are no other airstrips in the City. There will be no impacts associated with airport noise, and this issue does not require further discussion in the EIR.

XII. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Setting

The City of Palm Springs population grew from 40,181 to 42,807 from 1990 to 2000. This represents a 6.5 increase over the ten year period. In 2007, the City's population is estimated at 46,858, an increase of 9.4% since 2000. Housing units increased from 30,517 to 30,823 from 1990 to 2000, and to 47,251 in 2008. The City has an average of 2.1 persons per household.

Discussion of Impacts

a) **Potentially Significant Impact.** The proposed Specific Plan includes the development of up to 955 high density residential units, which have the potential to generate a population of 2,005 persons. In addition, the development of up to 400,000 square feet of office and retail space, and up to 620 hotel rooms, will have the potential to create a number of new jobs, which may in turn increase the demand on housing for new employees. The growth rates associated with build out of the Specific Plan may be inconsistent with those established by the Southern California Association of Governments in their long range planning for the City and region. These issues must be quantified in the EIR, and a determination made as to whether the project will significantly impact population growth in the City. The EIR will also determine if mitigation measures are required or feasible to reduce these potential impacts to less than significant levels.

b, c) **No Impact.** The Specific Plan area is developed with a number of commercial land uses. There is no existing residential development within the boundaries of the Plan area. There will therefore be no disruption of people, and no need for the construction of replacement housing as a result of the project. Since there will be no impact in this area, there is no need for further discussion of the issue in the EIR.

XIII. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Fire Protection. The Palm Springs Fire Department will provide service to the proposed project site. The Department currently operates five fire stations located throughout the city. The station closest to the project site is station #441, located at 277 North Indian Canyon, about 0.5 mile from the project site. The station houses one 85' aerial platform, one 1,800 gallon water tender, and one breathing support vehicle. The station is manned on a 24 hour basis with one Captain, one Engineer, and one Firefighter. Also available to serve the project site are station #442, located at 300 N. El Cielo, 3 miles from the project site, and station #443, located at 590 E. Racquet Club, about 3 miles from the project site.

The City has established maximum fire response time at five minutes. The Department receives funding for operational and capital improvements through the City's General Fund.

Police Protection. The City of Palm Springs Police Department provides law enforcement services within the City Limits. The Department has a Services Division and an Operations Division. The Department does not have a standard ratio of officers to population, but does have a desired response time of 6 minutes for emergency calls and 20 minutes for non-emergency calls. The Department is funded from the City's General Fund.

Schools. The Palm Springs Unified School District (PSUSD) provides educational services for grades K-12 in the City of Palm Springs. Currently, there are 4 elementary schools, 1 middle school and 1 high school in the City. PSUSD receives funding from school facilities fees, state funding, and local funding. PSUSD is authorized to collect school facilities fees as provided for in Government Code Section 53080 et. seq. and 65995 et seq. in the amount of \$2.35 per square foot of residential development.

Parks. The City of Palm Springs has seven parks located on approximately 140-acres within its boundaries. These include Desert Highland Park, Victoria Park, Ruth Hardy Park, Sunrise Park, Baristo Park, Demuth Park and Palm Springs dog park. The City has a standard park ratio of 5 acres of parkland for every 1,000 population as required by City Ordinance 1632.

Discussion of Impacts

- a) **Potentially Significant Impact.** The build out of the Specific Plan will generate additional need for fire protection from the City Fire Department. The level of demand must be quantified, and the current facilities and personnel versus needed facilities and personnel compared in the EIR, to determine whether the development of the Specific Plan will have a significant impact on fire protection services. If a significant impact is determined, mitigation measures will be developed to reduce these impacts to less than significant levels.
- b) **Potentially Significant Impact.** The build out of the Specific Plan will generate additional need for police services from the City Police Department. The level of demand must be quantified, and the current facilities and personnel versus needed facilities and personnel compared in the EIR, to determine whether the development of the Specific Plan will have a significant impact on public safety. If a significant impact is determined, mitigation measures will be developed in the EIR to reduce these impacts to less than significant levels.
- c) **Less Than Significant Impact.** Each component of the Specific Plan will be required to pay the mandated school fees in place at the time that building permits are issued. The payment of these fees is designed to offset the additional students generated by the proposed project. The EIR will quantify the demand created by the build out of the Specific Plan, based on Palm Springs Unified School District student generation factors, and identify whether the District has facilities available to serve these students.
- d) **Less Than Significant Impact With Mitigation.** The proposed project will generate approximately 2005 people, who will have a need for parks facilities. The EIR will quantify the demand created by these new residents, and compare this demand to the open space provided in the development standards of the Specific Plan. Should the EIR analysis determine that the project will have an impact on park facilities, the analysis will include a review of the City's Quimby requirements, and determination as to whether these requirements will assure that impacts associated with parks can remain less than significant.
- e) **Less Than Significant Impact.** The build out of the Specific Plan will result in an increase in demand for general governmental services. The EIR will include an analysis of these potential impacts, and the revenue sources which could offset these impacts.

XIV. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

In addition to the 140-acres of developed parkland and public and private golf courses which occur in the City, the City also includes the Whitewater Wilderness Study Area and the Murray, Andreas and Palm Canyon recreation areas which are operated by the Agua Caliente Band of Cahuilla Indians.

Discussion of Impacts

a-b) *Less Than Significant Impact.* As stated above, the proposed Specific Plan will result in the addition of 2005 people, who will have a need for recreational facilities. The EIR will review the need for parks and recreation facilities as they relate to build out of the proposed project, and compare this demand with the facilities provided on site. Should the demand be higher than currently anticipated, and the impact greater, the EIR will quantify the impacts, and propose mitigation measures, if needed.

XV. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Setting

The proposed project is located in the center of the City's downtown, and bordered on all sides by City streets, including Palm Canyon Drive, Indian Canyon Drive, Tahquitz Canyon Way, Belardo Road, and Museum Way, among others. These streets all have General Plan designations, and are generally constructed to their General Plan build out right of way.

Discussion of Impacts

a-b) Potentially Significant Impact. The build out of the Specific Plan will result in increases in traffic on area streets. A traffic impact analysis must be prepared which addresses all the potential land uses on the project site, and their potential trip generation. The analysis will also determine the existing levels of service on area streets, and what changes to these levels of service will result from build out of the proposed project. The EIR will summarize the impacts, and provide mitigation measures as needed to reduce the impacts to less than significant levels.

- c) **No Impact.** The proposed project will have no impact on air traffic patterns, and no further discussion of the issue is required in the EIR.
- d) **Less Than Significant Impact.** The proposed Specific Plan will utilize the City's existing street grid. In addition, new streets are proposed: a new east-west street in the middle of the Specific Plan area, and the extension of Belardo Road on the west side of the Specific Plan area. The traffic impact analysis will determine if the project's interface with the existing streets, or the new streets proposed, will create a hazard. The findings of the analysis will be summarized in the EIR. Should the analysis find that the impact is greater than currently thought, mitigation measures will be included to lower these impacts to less than significant levels.
- e) **Less Than Significant Impact.** In conjunction with the analysis to be provided under the Public Services section, above, the EIR will also consider whether adequate emergency access is provided under the proposed Specific Plan. As the project is proposed within the existing street grid, and development already occurs in this area, it is currently believed that the impacts associated with emergency access will be less than significant. If the EIR identifies impacts which are potentially significant in this regard, mitigation measures will be proposed to lower the impacts to less than significant levels.
- f) **Less Than Significant Impact.** The Specific Plan includes requirements for parking for all the uses proposed in the Specific Plan area. The EIR will consider whether these requirements are sufficient to meet the parking demand for the project. Should the EIR find that impacts will be significant, mitigation measures will be proposed to reduce these impacts to less than significant levels.
- g) **No Impact.** SunLine Transit operates bus routes on Palm Canyon, Indian Canyon and Tahquitz Canyon. The proposed project will not affect these existing routes. The General Plan includes policies relating to the integration of residential and commercial land uses to foster more pedestrian activity. The project will be a mixed use project which integrates residential, commercial and hotel land uses. No impact is expected relating to alternative transportation, and no further discussion of this issue will be provided in the EIR.

XVI. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

Setting

The City owns a wastewater treatment plant (WWTP) located at 4375 Mesquite Way. The plant has a capacity of approximately 10.9 mgd and demands typically range from 7 to 8 mgd. The plant has the ability to expand.

Water service is provided by the Desert Water Agency (DWA). DWA obtains most of its water supply from groundwater. The City is located within two subbasins of the Coachella Valley Ground Water Basin: The Mission Creek subbasin; and the Garnet Hill and Palm Springs subareas of the Whitewater Subbasin.

Solid waste service is provided by Palm Springs Disposal Service. Solid waste generated in the City is sent to the Edom Hill transfer station located in the City of Cathedral City. Permitted

throughput of the facility is 2,600 tons per day. Solid waste from the transfer station is disposed of at one of three landfills: Lambs Canyon (remaining capacity 25,967,000 cubic yards); Badlands Landfill (remaining capacity 15,036,809 cubic yards); or El Sobrante Landfill (remaining capacity 184,930,000 cubic yards).

Drainage from the surrounding mountains drains to the valley floor and is directed by sheet flow, channels, and other improvements including levees, reinforced concrete pipe and drainage channels to the Palm Canyon Wash and the Whitewater Wash. The project site is located in an area between the 100 year and 500 year storm.

Discussion of Impacts

- a) **Less Than Significant Impact.** The proposed Specific Plan includes commercial, residential and hotel land uses, typical of the City's current land use mix. The project will be required to connect to the City's sanitary sewer system. The City is required to maintain standards of the Regional Water Quality Control Board relating to wastewater treatment. The proposed Specific Plant's wastewater generation is expected to be typical of commercial, residential and hotel development. The impact is therefore expected to be less than significant. The EIR will quantify wastewater to be generated by the proposed project, and determine whether the current determination is correct. Should the EIR determine that the impacts are potentially significant, mitigation measures will be proposed.
- b), d) **Potentially Significant Impact.** As stated in the Hydrology and Water Resources section, above, the proposed Specific Plan's build out will increase the demand for potable water. A Water Supply Assessment will be developed which identifies the project's demand, in the short and long term, and whether the DWA has water supplied available. The WSA will be summarized in the EIR, which will also analyze whether the existing water infrastructure in the project area, and that proposed to be installed as part of the development of the proposed project, are sufficient to serve the project. The EIR will also include mitigation measures, as required, to address both water supply and water infrastructure impacts.
- c) **Less Than Significant Impact.** As discussed in the Hydrology and Water Resources section above, the proposed project will utilize and expand the existing system of storm drains in the project area. The EIR will analyze the capacity of these facilities, to determine the level of impact. Should the impact be greater than currently expected, mitigation measures will be provided to lower these impacts to less than significant levels.
- e) **Less Than Significant Impact.** The EIR will include a quantified analysis of the waste water to be generated by the proposed Specific Plan at build out, and will compare this to the WWTP's current capacity to determine the level of impact associated with waste water treatment. Should the analysis determine that the impact is greater than currently thought, the EIR will include mitigation measures to reduce the impacts to less than significant levels.
- f-g) **Less Than Significant Impact.** The residential, commercial and hotel uses which will result from the build out of the project will generate solid waste. The EIR will quantify the waste generation, and compare it to the capacity of the available landfills in the area. Should

the impacts be greater than currently anticipated, the EIR will include mitigation measures to reduce these impacts to less than significant levels.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Potentially Significant Impact. The development of the project site has no potential to 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, as the site is currently developed, and does not harbor sensitive biological resources. The proposed Specific Plan does, however, have the potential to significantly impact a potentially significant historic resource. This issue will be discussed in the EIR.				
b) Potentially Significant Impact. The proposed project includes land use intensities which may be greater than those envisioned in the General Plan, or analyzed in the General Plan EIR. The EIR for the proposed project will include analysis of cumulative impacts associated with build out of the General Plan, in combination with the proposed Specific Plan.				
c) Potentially Significant Impact. The potential air quality and noise impacts associated with the proposed project may have a significant adverse effect on human beings. These issues will be comprehensively addressed in the EIR.				

REFERENCES

Ambient Air Quality Standards, California Air Resources Board, July 2003.

South Coast Air Quality Management District, CEQA Air Quality Handbook, November 1993

Environmental Analysis Handbook, John Rau and David Wooten, 1980.

Palm Springs General Plan and General Plan Environmental Impact Report. 2007.

Soil Survey of Riverside County, California, Coachella Valley Area, US Department of Agriculture
Soil Conservation Service, September 1980.



STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

June 16, 2008

To: Reviewing Agencies

Re: Museum Market Plaza Specific Plan
SCH# 2008061084

Attached for your review and comment is the Notice of Preparation (NOP) for the Museum Market Plaza Specific Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Craig Ewing
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92253

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

RECEIVED
JUN 20 2008
PLANNING SERVICES

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008061084
Project Title Museum Market Plaza Specific Plan
Lead Agency Palm Springs, City of

Type NOP Notice of Preparation
Description The project involves Specific Plan which sets the development standards and guidelines to allow the construction of up to 955 high density residential units, 400,000 square feet of commercial retail and office development, and 620 hotel rooms. The site area for the Specific Plan is 20.6 acres. The project is generally located at the northwest corner of North Palm Canyon and Tahquitz Canyon, in the City of Palm Springs.

Lead Agency Contact

Name Craig Ewing
Agency City of Palm Springs
Phone (760) 323-8245 **Fax** (760) 322-8360
email
Address 3200 E. Tahquitz Canyon Way
City Palm Springs **State** CA **Zip** 92253

Project Location

County Riverside
City
Region
Cross Streets Tahquitz Canyon Way, Canyon Drive, Belardo Road
Lat / Long
Parcel No. 513-092-010-3,513-092-009-3,513-092-003-07,513-560-002-0,513-560-004-4,513-560-007-7,513-560
Township -008

	Range	Section	Base
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Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Central Business District, Small Hotel
Z: Central Business District, High Density Residential

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Geologic/Seismic; Toxic/Hazardous; Water Quality; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Traffic/Circulation; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 6; Native American Heritage Commission; Department of Housing and Community Development; Caltrans, District 8; Integrated Waste Management Board; Regional Water Quality Control Board, Region 7

Date Received 06/16/2008 **Start of Review** 06/16/2008 **End of Review** 07/15/2008



Resources Agency

- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
David Johnson
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Sharon Howell
- California Energy Commission
Paul Richins
- Cal Fire
Allen Robertson
- Office of Historic Preservation
Wayne Donaldson
- Dept of Parks & Recreation
Environmental Stewardship Section
- Central Valley Flood Protection Board
Mark Herald
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources
Resources Agency
Nadell Gayou
- _____
Conservancy

Fish and Game

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Environmental Services Division
- Fish & Game Region 1
Donald Koch
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Laurie Harnsberger

- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Gabrina Getchel
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Robert Sleppy
Environmental Services Section
- Dept. of Health Services
Veronica Malloy
Dept. of Health/Drinking Water

Independent Commissions, Boards

- Delta Protection Commission
Debby Eddy
- Office of Emergency Services
Dennis Castrillo
- Governor's Office of Planning & Research
State Clearinghouse
- Native American Heritage Comm.
Debbie Treadway

- Public Utilities Commission
Ken Lewis
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Jean Sarino
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Sandy Hesnard
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
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- Caltrans, District 2
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- Caltrans, District 3
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- Caltrans, District 6
Moses Slites
- Caltrans, District 7
Vin Kumar

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Bob Joseph

Cal EPA

Air Resources Board

- Airport Projects
Jim Lerner
- Transportation Projects
Ravi Ramalingam
- Industrial Projects
Mike Tollstrup

California Integrated Waste Management Board
Sue O'Leary

State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

State Water Resources Control Board
Steven Herrera
Division of Water Rights

Dept. of Toxic Substances Control
CEQA Tracking Center

Department of Pesticide Regulation

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)
- Other _____

F. Thomas Kieley, III
President
Ronald E. Starrs
Vice President
F. Gillar Boyd, Jr.
Secretary/Treasurer
Patricia G. Oygar
Craig A. Ewing

David K. Luker
General Manager
Chief Engineer
Best, Best & Krieger
General Counsel
Krieger & Stewart
Consulting Engineers



Desert Water Agency
1200 Gene Autry Trail South
P.O. Box 1710
Palm Springs, CA 92263-1710
Telephone 760 323-4971
Fax 760 325-6505
www.dwa.org

June 18, 2008

City of Palm Springs
Mr. Craig A. Ewing, Dir. of Planning Svcs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

RE: INITIAL STUDY – MUSEUM MARKET PLAZA SPECIFIC PLAN

Dear Mr. Ewing:

We are in receipt of your initial study for the above referenced project with the exception of the following, this Agency has no additional comments and/or concerns relative to your initial study.

A. Ref: Section VIII Hydrology and Water Quality (Page 26)

1. Item (a)

Water Facility requirements for this project will be for more extensive than expansion of existing connections. The Desert Water Agency currently owns, operates and maintains water distribution facilities within the project area. Project proponents will be required to connect to existing DWA water infrastructure to provide adequate water to the site for construction, domestic water service and fire protection. The Developer will be required to comply with all rules, regulations and other requirements of the Agency in order to provide service to the site. Water service requirements may include, but are not limited to upgrades, modifications, replacement and abandonment of existing DWA facilities. These improvements may require construction within and adjacent to public rights-of-way and existing and/or proposed easements.

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2. Item (b)

The Desert Water Agency has been identified as the public water system to provide service to this project. In accordance with SB610 the City of Palm Springs must submit a written request to this Agency to prepare a specified water supply assessment.

If you have questions regarding these comments, please contact our office at (760) 323-4971.

Sincerely,

DESERT WATER AGENCY

A handwritten signature in black ink that reads "David K. Luker". The signature is written in a cursive, flowing style.

David K. Luker
General Manager

DKL/l dj

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



June 18, 2008

Mr. Craig A. Ewing, AICP, Director of Planning Services
CITY OF PALM SPRINGS
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Sent by FAX to: 760-322-8360
Number of pages: 3

Re: Tribal Consultation Per SB 18 (Government Code §§ 65352.3, 65352.4 and 65562.5) and Sacred Lands File Search for Project- Museum Market Plaza (Case No. 5.1204); City of Palm Springs; Riverside County, California

Dear Mr. Ewing:

Government Code §§ 65352.3, 65352.4 and 65562.5 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. Attached is a Native American Tribal Consultation list of tribes with traditional lands or cultural places located within the requested project boundaries.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS contact 916/653-7278 or www.ohp.ca.gov) to determine if any cultural places are located within the area(s) affected by the proposed action.

A NAHC Sacred Lands File search was conducted based on the township, range, and section information included in your request and no sites were found within the area of potential effect you identified. However, local governments should be aware that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place. I suggest you consult with all of those on the accompanying Native American Contacts list, which has been included separately. If they cannot supply information, they might recommend others with specific knowledge about cultural resources in your plan area. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from Tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,


Dave Singleton
Program Analyst

Attachment: Native American Tribal Consultation List

**Native American Tribal Consultation List
Riverside County
June 18, 2008**

Cabazon Band of Mission Indians
John A. James, Chairperson
84-245 Indio Springs Parkway Cahuilla
Indio , CA 92203-3499
(760) 342-2593

Ramona Band of Cahuilla Indians
Manuel Hamilton, Chairperson
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105

Cahuilla Band of Indians
Anthony Madrigal, Jr., Chairperson
P.O. Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631

Agua Caliente Band of Cahuilla Indians
Richard Milanovich, Chairperson
5401 Dinah Shore Drive Cahuilla
Palm Springs , CA 92262
lfreogoz@aguacaliente.net
(760) 325-3400

Torres-Martinez Desert Cahuilla Indians
Raymond Torres, Chairperson
PO Box 1160 Cahuilla
Thermal , CA 92274
(760) 397-0300

Morongongo Band of Mission Indians
Robert Martin, Chairperson
11581 Potrero Road Cahuilla
Banning , CA 92220 Serrano
Robert_Martin@morongongo.org
(951) 849-8807
(951) 755-5200

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 609 Cahuilla
Hemet , CA 92546
srtribaloffice@aol.com
(951) 658-5311
(951) 658-6733 Fax

Augustine Band of Cahuilla Mission Indians
Mary Ann Green, Chairperson
P.O. Box 846 Cahuilla
Coachella , CA 92236
(760) 369-7171

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.



South Coast Air Quality Management District

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

June 25, 2008

Mr. Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Ewing:

Notice of Preparation of a Draft Environmental Impact Report (Draft EIR) for the Museum Market Plaza Specific Plan Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files. Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.urbemis.com.

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

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address:
http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

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In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

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

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Gordon Mize, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3302 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.

Program Supervisor, CEQA Section

Planning, Rule Development and Area Sources

SS:GM:AK

RVC080617-04AK

Control Number

Memorandum

Date: June 27, 2008
To: Craig Ewing AICP, Planning Director
From: Blake Goetz CEM., Fire Chief
Subject: Museum Market Plaza Specific Plan Initial Study and NOP

I have reviewed the transmittal regarding the Museum Market Place Notice of preparation of a Draft Environmental Review and have the following comments and concerns.

1. Page 33 Fire Protection (corrections)

Fire Station #441 at 277 N. Indian Canyon Dr houses one (1) 75' Aerial Ladder Truck staffed with one (1) Fire Captain, one (1) Fire Engineer and one (1) Firefighter. Also at Station #441 is one (1) Ford 550 Paramedic Squad (non transport) staffed with one (1) Firefighter/Paramedic and one (1) Firefighter.

In addition to the other fire stations mentioned In the NOP, Station #444 is located at 1300 Laverne Way, about 3 miles away, and Fire Station #5 located at 5800 Bolero Rd. 5 miles away.

2. Based on the preliminary square footage and height of the buildings being proposed for the Museum Market Plaza, it is likely that the City Insurance Service Organization (ISO) rating for Public Protection Class will be reduced from a Class 3 rating at 70.18% to a Class 4 rating somewhere between 69.99% and 60.00% unless several mitigation measures are taken.

The Insurance Service Office (ISO) rating for the City determines the level of fire insurance premiums for all commercial property in the city. The overall rating is determined by: 1) the capability of the city to "*Receive and Handle Alarms*" from the Communications Center; 2) the capability of the *Fire Department* to respond to emergencies with certain numbers of firefighters and equipment; and 3) the capability of the *Water Department* to deliver water to the fire hydrants at specific levels of volume and pressure.

A Class 1 Rating is the best a city can receive, and the resulting insurance premiums for all commercial properties in a Class 1 rated city are much better than of those jurisdictions that have a rating of 9 or 10 (the lowest possible). ISO conducts a detailed analysis of a city's capabilities once every 10 years. In 1972, the city had an ISO Rating of Class 5, in 1982 the city's rating improved to a Class 4. That rating was improved again to a Class 3 Rating in 1993 where we received a total of 75.13 points. In 2005, the points went down to 70.18 barely allowing the city to keep its Class 3 Rating (Exhibit A). A fraction of a point reduction will result in the city going back to a Class 4 Rating (69.99

points or less) resulting in significantly higher fire insurance premiums for our commercial property owners.

I have estimated that a drop from a Class 3 to a Class 4 will result in increased fire insurance premiums for all commercial buildings in the city of approximately 46 million dollars in increased fire insurance premiums.

After analyzing our last ISO grading in 2005, it is clear that there are several things that can be done to prevent this project from causing the ISO Classification of the City to move from a Class 3 to a Class 4.

Mitigation required for the Museum Market Place include:

- Replace the paramedic squad at Fire Station #441 with a 1500 GPM Fire Engine
- Staff the new engine with a Captain, Engineer and Firefighter (this is an increase in three (3) new fire safety personnel positions total, (one for each shift)
- Assist in the development of a new fire station in the downtown district

By replacing the existing paramedic squad with a 1500 GPM fire engine that has water, pump and hose, in addition to three person staffing, the city will likely maintain our Class 3 ISO rating. In order to replace the paramedic squad with a fire engine, the department will be need to promote three engineers to captains, promote three firefighters to engineer, and hire three new firefighter/paramedics.

The existing fire station #441 is not sufficient to house six firefighters on two firefighting vehicles 24/7. In addition, the station is obsolete and in need of significant renovation. Additional space needs are required and the site is not capable of accommodating. Responding directly onto Indian Canyon Way will be difficult if not impossible with the increased traffic that this project will create. The response time from the station will be increased due to traffic congestion and the station should be relocated to another area in the district on a secondary street.

These mitigation measures will allow the downtown fire station to effectively perform fire and rescue operations in a safe and efficient manner. They will also allow the fire station to respond to two fires at the same time in the downtown district. The fire department currently receives multiple calls for service 32% of the time and it is increasing, especially in the downtown corridor.

I have the detailed analysis developed by the ISO and a "Standards of Cover" study that identifies these deficiencies and justifies the mitigation measures required should further investigation into these mitigation measures be necessary.

3. Fire Department access to all portions of each building is critical. The proposed road network within the project area must insure that emergency response efficiency is maintained. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus weighing (73,000 lbs. GVW) and be surfaced so as

to provide all-weather driving capabilities. The turning radius of the access roadways must be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet to allow for fire apparatus movements in and throughout the entire project area. The proposed street width, drive lanes and parking arrangements throughout the project area appear to be sufficient for fire department apparatus movement and access to buildings however engineered drawings are required to confirm this.

Buildings or portions of buildings exceeding 30 feet in height above the lowest level of fire department vehicle access must be capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the fire apparatus access roadway. A minimum 13'6" vertical unobstructed clearance is required throughout the project area and shall apply to all ornamental trees and landscaping encroaching on and over the traffic lanes. A detailed landscape design and layout plan shall be presented that shows the scale of all trees (in their fully grown state) in relation to the buildings so that aerial ladder placement on the buildings can be ensured.

To ensure that aerial fire apparatus can ladder a building, access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building more than 30 feet in height. At least one of the required access roads for buildings exceeding 30 feet in height shall be a minimum of 15 feet and a maximum of 30 feet from the building. This will allow fire department aerial apparatus parallel positioning on at least one side of the building. The information submitted in the NOP is insufficient to determine if this is possible. More detailed drawings are required.

4. Additional fire department mitigation measures and/or conditions will be identified as future plans for the Museum Market Place are made available.

**City of Palm Springs
Fire Department**

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July 1, 2008

Via Email and U.S. Mail

Craig A. Ewing
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Scoping Comments on Museum Market Plaza Specific Plan

Dear Mr. Ewing:

On behalf of the Palm Springs Modern Committee and Friends of the Town and Country Center, we submit these comments on the scope of environmental review for the Museum Market Plaza Specific Plan. The Museum Market Plaza Specific Plan would set development standards and guidelines for 20.6 acres in downtown Palm Springs, located at the northwest corner of North Palm Canyon Drive and Tahquitz Canyon Way. The Palm Springs Modern Committee and Friends of the Town and Country Center support the revitalization of downtown Palm Springs. However, we are vigorously opposed to the proposed Museum Market Plaza Specific Plan planned demolition of the historically significant Town and Country Center.

The Town and Country Center was designed by renowned master architects Paul R. Williams and A. Quincy Jones in 1948. Paul R. Williams was an African American architect who largely based his practice in Los Angeles and the Southern California area. He was the first certified African American architect west of the Mississippi and the first African American member of the American Institute of Architects. He has received numerous awards for his contributions as an architect. A. Quincy Jones was a prolific Los Angeles-based architect and educator known for innovative buildings in the Modernist style. Jones' focus on detail, siting, and sense of aesthetic style make his buildings supreme examples of mid-century American Architecture.

The Town and Country Center epitomizes "the mid-century modernist character so strongly identified with Palm Springs." (Palm Springs Citywide Historic Resources Survey, June 2004.) A recent book entitled "Palm Springs Weekend" utilized extensive research and vintage photographs to discuss the Town and Country Center and other historically significant Palm Springs buildings. The author, architecture critic Alan Hess, states that the Center is a "distinctive example of 1940s California

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Modernism...incorporat[ing] broad abstract stucco walls, horizontal lines of warm wood, ornamental egg crate screens and lush outdoor gardens.” (Palm Springs Weekend, p. 121.) Further, and even more substantial evidence of the Center’s historic significance is the City’s own historic resources survey finding that the Center “meets the level of significance necessary for individual National Register of Historic Places or California Register of Historical Resources eligibility at the local level.” (Palm Springs Citywide Historic Resources Survey, June 2004.) This finding is based on the fact that the Center is a “rare and excellent example of the late Moderne style” with a “good degree of integrity” and no alteration that would impact its significance.

The environmental impact report (“EIR”) for the Museum Market Plaza Specific Plan must consider the historic, aesthetic and land use impacts the project would have from its proposal to demolish the historically significant Town and Country Center. Because the Center is an historic resource, the California Environmental Quality Act (“CEQA”) requires that the EIR consider alternatives to demolition of the Center and mitigation measures that would lessen the impacts to this important resource. The City could not approve the demolition of the Center as part of the Museum Market Plaza project unless there were no feasible alternatives or mitigation measures. The Palm Springs Modern Committee and Friends of the Town and Country Center have previously submitted a detailed proposal for a Town and Country Plaza alternative to the project that would eliminate the wholesale demolition of the Town and Country Center. The EIR must analyze this and other alternatives that would preserve this important historic resource.

I. THE EIR MUST COMPREHENSIVELY ADDRESS ALL OF THE PROJECT’S SIGNIFICANT ENVIRONMENTAL EFFECTS.

To be legally adequate, an EIR must comprehensively identify and address all of the “significant environmental effects” of a proposed project. (Public Resources Code § 21100(b)(1); CEQA Guidelines § 15126.2.) “All phases of a project,” including “planning, acquisition, development, and operation,” must be addressed. (CEQA Guidelines § 15126.) And both “[d]irect and indirect significant environmental effects” must be analyzed, “giving due consideration to both the short-term and long-term effects.” (CEQA Guidelines § 15126.2(a).)

The Initial Study for the Museum Market Plaza project sets forth an incorrect standard for analyzing the project’s impacts on historic resources. The Initial Study states that the EIR for the project need only “analyze the value of any *designated* historic resource, determine the level of impact associated with demolition of a *designated* historic resource, and identify whether mitigation measures are available to mitigate the potentially significant impact.” (Initial Study, pp. 10, 18, emphasis added.) As discussed in detail

in detail below, this is an inaccurate and improperly limited statement of the City's duties under CEQA. CEQA does not limit the analysis of impacts to historic resources to only those that have been officially designated. (Public Resources Code § 21084.1 ["The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, ... shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section."]) Additionally, once a significant impact to an historic resource has been identified, CEQA requires not only the consideration of mitigation measures for the impact, but CEQA prohibits the approval of a project that would have a significant impact on an historic resource if there are feasible alternatives that would lessen the impact. (Public Resources Code § 21081.)

A. The Demolition of the Town and Country Center Would be a Significant Impact to a Historical Resource

"A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." (CEQA § 21084.1.) CEQA "does not demand formal listing of a resource in a national, state or local register as a prerequisite to 'historical' status. The statutory language is more expansive and flexible." (*League for Protection of Oakland v. City of Oakland* (1997) 52 Cal.App.4th 896, 907.)

As noted above, the Palm Springs Citywide Historic Resources Survey, dated June 2004, has identified the Town and Country Center as a significant historic resource. According to CEQA Guidelines section 15064.5 "[a] resource... identified as significant in an historical resource survey meeting the requirements [of Public Resources Code] section 5024.1(g)" is presumed to be an historical resource. "Public agencies *must treat any such resource as significant* unless the preponderance of evidence demonstrates that it is not historically or culturally significant." (CEQA Guidelines § 15064.5(a)(2), emphasis added.) The Court of Appeal in *League for Protection of Oakland v. City of Oakland* (1997) 52 Cal.App.4th 896 followed this directive when it found that buildings "deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumptively historical resources unless the preponderance of the evidence demonstrates otherwise." (*Id.* at 906-907.)

The Citywide Historic Resources Survey (June 2004 Survey) that determined the Center to be historically significant does meet the requirements of Public Resources Code section 5024.1(g), creating a presumption that it is a significant historic resource for purposes of CEQA. The June 2004 Survey was prepared in accordance with Office of Historic Preservation procedures and requirements by a cultural resources management company with highly experienced architectural historians. (June 2004 Survey, Executive

Summary, p. 3 [“This [survey] has been carried out in accordance with The Secretary of the Interior’s Standards for Preservation Planning, Identification, Evaluation, and Registration, and under the guidelines established in National Register Bulletin 24: Guidelines for Local Surveys: A Basis for Preparation Planning... The [persons preparing the survey] meet the Secretary of the Interior’s Professional Qualification Standards in the disciplines of history and architectural history.”)]

Additionally, the June 2004 Survey has assigned the Town and Country Center a rating of 5S3. The rating is a reference to the California Historical Resource Status Code (“Status Code”). There are seven categories under the Status Code, each of which is divided into more specific subsections. If a survey finds that a resource falls within categories one through five then resource is considered to be historically significant. Resources falling into categories six and seven are not considered to be historically significant. The seven categories are as follows:

1. Properties listed in the National Register or California Register.
2. Properties determined eligible for the National Register or California Register.
3. Appears eligible for listing in the National Register or California Register through survey evaluation.
4. Appears eligible for listing in the National Register or California Register through other evaluation.
5. Properties recognized as historically significant by local government.
6. Not eligible for listing or designation as specified.
7. Not evaluated.

Each of these seven categories is broken down into subcategories. Of relevance here, Category 5S3, provides that a resource is historic when it “Appears to be individually eligible for local listing or designation through survey evaluation.” (Attachment 1, California Historic Resources Status Codes.) The evaluation of the Town and Country Center found it to be eligible for local designation by the City of Palm Springs as a historic site; therefore it fits squarely within Category 5S3 and has been found to be historically significant by the June 2004 Survey. This creates a presumption that the Town and Country Center is historically significant for purposes of CEQA review. That presumption can only be rebutted by substantial evidence to the contrary. We are aware of no evidence rebutting the presumption that the Town and Country Center is historically significant.

The importance of the June 2004 Survey is also set forth in City’s Downtown Design Guidelines. The Guidelines acknowledge that buildings identified in the June 2004 Survey are considered historically significant by the City by stating that: “Listings of historical buildings [for the City of Palm Springs] can be found in the Historic Site

Preservation Board 30-June-03 List of Class I and Class II Historic Sites and the June 2004 City of Palm Springs Department of Planning and Zoning Citywide Historic Resources Survey.” (Downtown Design Guidelines p. 38)

Thus, because the Town and Country Center has been identified as historically significant by a qualified survey and because the City relies upon the findings of that survey to identify historically significant buildings, the Center is presumed to be a significant historic resource under CEQA. The complete demolition of the entire Town and Country Center would obviously “cause a substantial adverse change in the significance” of this historic resource, which is a significant impact under CEQA. (Public Resources Code § 21084.1.)

Even if the June 2004 Survey were not a qualifying survey under Public Resources Code section 5024.1(g), the Town and Country should still be considered an historic resource. “Generally a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources...: (CEQA Guidelines 15064.5(a)(3).) The criteria for listing on the California Register of Historical Resources are:

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

The June 2004 Survey was prepared by expert architectural historians and would serve as substantial evidence of the Town and Country Center’s historic significance. The June 2004 Survey found that the Town and Country Center meets criteria (A) because it is “an outstanding example of commercial architecture in the late Moderne style” and because it “represents the overall commercial development of downtown Palm Springs during the post-war era and contributes to the mid-century modernist character so strongly identified with Palm Springs.” The City’s Downtown Design Guidelines reiterate the importance of the Town and Country Center to the downtown stating that Palm Springs’ “historical architecture creates a unique sense of place and identity.” (Downtown Design Guidelines, p. 10) The Guidelines identify the Town and Country Center as one of the unique buildings that adds to the character of downtown. (*Id.*) The June 2004 Survey further found the Town and Country Center to be “an exceptional example of its type, period, or method of construction.” Expert architectural historians such as the Palm Springs Modern

Springs Modern Committee President, Peter Moruzzi, have also commented on the historic significance of the Town and Country Center as one of the City's best examples of Late Moderne architecture.

The Center was also found by the survey to meet criteria (C) because "the building is the work of master architects, Paul R. Williams and A. Quincy Jones, [and] thus has an elevated level of significance for its association with prolific local architects of national prominence." As set forth above, both Paul R. Williams and A. Quincy Jones were preeminent architects that have created many unique architectural structures, including the Town and Country Center.

For all of these reasons, the Town and Country Center must be considered historically significant for purposes of CEQA review. The EIR must thoroughly analyze whether the proposed project would cause a substantial adverse change to the Town and Country Center, and if so, how to mitigate the impacts or eliminate the impacts through the selection of an alternative to the proposed demolition.

B. Aesthetic Impacts

The Initial Study states that the EIR only would need to analyze the aesthetic impacts of those buildings that have been officially designated as historic. (Initial Study, p. 10.) As set forth above, this is not the test required by CEQA for determining whether a resource is historically significant. Additionally, if the project were to include the demolition of the Town and Country Center, it may have a significant aesthetic impact because it may substantially degrade the existing visual character of the site. The Town and Country Center has been found to add to the character of downtown Palm Springs. (June 2004 Survey, Downtown Design Guidelines p. 10.) The removal of a building that adds to the character of downtown would substantially degrade the existing visual character of downtown Palm Springs. As a matter of law, the EIR must comprehensively address this significant aesthetic effect that the project may have. (*See Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597.)

C. Land Use Impacts

The City's General Plan contains numerous statements calling for the protection and preservation of the City's architecturally and historically significant resources. The demolition of the architecturally and historically significant Town and Country Center may violate the following goals and policies of the City's General Plan:

- Preserve and uphold the high quality of architecture and the unique visual and aesthetic form in buildings and neighborhoods that distinguish Palm Springs from

other cities. (General Plan Priorities p. 1-13.)

- Recognize the importance of adaptive reuse for architecturally and historically significant resources. (General Plan Priorities p. 1-13)
- Maintain the City's unique "modern urban village" atmosphere and preserve the rich historical, architectural, recreational, and environmental quality while pursuing community and business development goals. (Land Use Goal LU-2.)
- Strengthen the unique sense of place currently present in Downtown by preserving and incorporating cultural and historic uses. (Land Use Policy LU10.6.)
- Support the preservation and protection of historically, architecturally, or archaeologically significant sites, places, districts, structures, landforms, objects, native burial sites and other features. (Recreation, Open Space and Conservation Policy RC10.1.)
- Promote historic preservation-based tourism by raising awareness of the City's historic resources. (Recreation, Open Space and Conservation Policy RC10.7.)
- The preservation of historic buildings will help retain the City's character and charm, which are crucial to the City's international reputation and economic success. (Community Design Element p. 9-58)
- Encourage developers of sites containing a significant architectural, historical or cultural structure to adaptively reuse and expand it, in lieu of demolition and replacement, where financially feasible. (Community Design Policy CD28.7.)

The EIR must analyze whether the Museum Market Plaza Specific Plan project would be inconsistent with any of these General Plan polices and goals.

II. THE EIR MUST COMPREHENSIVELY ANALYZE ALTERNATIVES TO THE PROJECT.

Section 15126.6 of the CEQA Guidelines requires that an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives . . . even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." This discussion must include "sufficient information about each alternative to allow meaningful evaluation, analysis,

and comparison with the proposed project,” and expressly must address “[t]he specific alternative of ‘no project,’” the purpose of which “is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.”

In light of this legal mandate, Palm Springs Modern Committee and Friends of the Town and Country Center request that the EIR thoroughly analyze alternatives to the proposed project that would eliminate in part and in whole the demolition of the Town and Country Center. To assist the City in complying with CEQA’s mandate, we have prepared a detailed analysis of an alternative that would allow for the adaptive reuse of the Town and Country Center. The Town and Country Center Plaza Alternative (“T&CC Plaza Alternative”) is identical to the proposed Plan except for Blocks K1 and K2, the current location of the historically significant Town and Country Center. The Town and Country Center consists of three buildings: A, B and C. The proposed Plan would demolish all three of the buildings that make up the Town and Country Center, whereas the T&CC Plaza Alternative calls for adaptive reuse of Buildings A and B, and integration of these important resources into the Palm Springs Central Business District. The T&CC Plaza Alternative would include a large plaza, open to Palm Canyon Drive, where Building C is currently located in Block K2, along with a new outdoor restaurant building (Building D) on the south side of the newly created plaza. Information regarding the layout of the T&CC Plaza Alternative was submitted to the City by designer Marshall Roath on June 12, 2008. Our firm also submitted an analysis of how the Town and Country Center Plaza Alternative would meet the City’s goals for the project on June 13, 2008.

The City must comprehensively analyze the T&CC Plaza Alternative and other alternatives to the demolition of the Town and Country Center in the draft EIR for the Museum Market Plaza Specific Plan. (*Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal. App. 4th 1437, 1457.)

CONCLUSION

The Palm Springs Modern Committee and Friends of the Town and Country Center understand how important the redevelopment of downtown Palm Springs is to the entire community. We believe that this redevelopment does not require the wholesale demolition of the historically significant Town and Country Center. The City must balance the need for revitalization with the preservation of the City’s important mid-century architectural heritage. As set forth in our June 13, 2008, the adaptive reuse of the Town and Country Center would meet all of the goals set forth for the Museum Market Plaza Project, but would also allow the enhance the distinctive architecture for which Palm Springs is famous. Thank you for your consideration in this matter.

Craig Ewing
July 1, 2008
Page 9 of 9

Sincerely,



Amy Minter
Attorney at Law

Enclosure: California Historic Resource Status Codes

Cc: Palm Springs City Council
David Ready, Palm Springs City Manager
Douglas Holland, Palm Springs City Attorney
Friends of Town and Country Center
Palm Springs Modern Committee

ATTACHMENT 1

California Historical Resource Status Codes

1 Properties listed in the National Register (NR) or the California Register (CR)

- 1D Contributor to a district or multiple resource property listed in NR by the Keeper. Listed in the CR.
- 1S Individual property listed in NR by the Keeper. Listed in the CR.

- 1CD Listed in the CR as a contributor to a district or multiple resource property by the SHRC
- 1CS Listed in the CR as individual property by the SHRC.
- 1CL Automatically listed in the California Register – Includes State Historical Landmarks 770 and above and Points of Historical Interest nominated after December 1997 and recommended for listing by the SHRC.

2 Properties determined eligible for listing in the National Register (NR) or the California Register (CR)

- 2B Determined eligible for NR as an individual property and as a contributor to an eligible district in a federal regulatory process. Listed in the CR.
- 2D Contributor to a district determined eligible for NR by the Keeper. Listed in the CR.
- 2D2 Contributor to a district determined eligible for NR by consensus through Section 106 process. Listed in the CR.
- 2D3 Contributor to a district determined eligible for NR by Part I Tax Certification. Listed in the CR.
- 2D4 Contributor to a district determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.
- 2S Individual property determined eligible for NR by the Keeper. Listed in the CR.
- 2S2 Individual property determined eligible for NR by a consensus through Section 106 process. Listed in the CR.
- 2S3 Individual property determined eligible for NR by Part I Tax Certification. Listed in the CR.
- 2S4 Individual property determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.

- 2CB Determined eligible for CR as an individual property and as a contributor to an eligible district by the SHRC.
- 2CD Contributor to a district determined eligible for listing in the CR by the SHRC.
- 2CS Individual property determined eligible for listing in the CR by the SHRC.

3 Appears eligible for National Register (NR) or California Register (CR) through Survey Evaluation

- 3B Appears eligible for NR both individually and as a contributor to a NR eligible district through survey evaluation.
- 3D Appears eligible for NR as a contributor to a NR eligible district through survey evaluation.
- 3S Appears eligible for NR as an individual property through survey evaluation.

- 3CB Appears eligible for CR both individually and as a contributor to a CR eligible district through a survey evaluation.
- 3CD Appears eligible for CR as a contributor to a CR eligible district through a survey evaluation.
- 3CS Appears eligible for CR as an individual property through survey evaluation.

4 Appears eligible for National Register (NR) or California Register (CR) through other evaluation

- 4CM Master List - State Owned Properties – PRC §5024.

5 Properties Recognized as Historically Significant by Local Government

- 5D1 Contributor to a district that is listed or designated locally.
- 5D2 Contributor to a district that is eligible for local listing or designation.
- 5D3 Appears to be a contributor to a district that appears eligible for local listing or designation through survey evaluation.

- 5S1 Individual property that is listed or designated locally.
- 5S2 Individual property that is eligible for local listing or designation.
- 5S3 Appears to be individually eligible for local listing or designation through survey evaluation.

- 5B Locally significant both individually (listed, eligible, or appears eligible) and as a contributor to a district that is locally listed, designated, determined eligible or appears eligible through survey evaluation.

6 Not Eligible for Listing or Designation as specified

- 6C Determined ineligible for or removed from California Register by SHRC.
- 6J Landmarks or Points of Interest found ineligible for designation by SHRC.
- 6L Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning.
- 6T Determined ineligible for NR through Part I Tax Certification process.
- 6U Determined ineligible for NR pursuant to Section 106 without review by SHPO.
- 6W Removed from NR by the Keeper.
- 6X Determined ineligible for the NR by SHRC or Keeper.
- 6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.
- 6Z Found ineligible for NR, CR or Local designation through survey evaluation.

7 Not Evaluated for National Register (NR) or California Register (CR) or Needs Reevaluation

- 7J Received by OHP for evaluation or action but not yet evaluated.
- 7K Resubmitted to OHP for action but not reevaluated.
- 7L State Historical Landmarks 1-769 and Points of Historical Interest designated prior to January 1998 – Needs to be reevaluated using current standards.
- 7M Submitted to OHP but not evaluated - referred to NPS.
- 7N Needs to be reevaluated (Formerly NR Status Code 4)
- 7N1 Needs to be reevaluated (Formerly NR SC4) – may become eligible for NR w/restoration or when meets other specific conditions.
- 7R Identified in Reconnaissance Level Survey: Not evaluated.
- 7W Submitted to OHP for action – withdrawn.

A Public Agency

July 1, 2008

Mr. Craig A. Ewing, AICP
Department of Planning Services
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

RE: Museum Market Plaza Specific Plan

Dear Mr. Ewing:

This letter responds to your request for comments regarding the proposed project located on the northwest corner of North Palm Canyon Drive and Tahquitz Canyon Way within the City of Palm Springs. The SunLine Transit Agency (SunLine) staff has reviewed the Initial Study and offers the following comments.

SunLine currently provides direct bus service to the proposed project site along North Palm Canyon Drive on Line 111. Based on our review of existing transit amenities in the vicinity, SunLine has an existing bus stop (#127) located at the southwest corner of North Palm Canyon Drive and Arenas Road, adjacent to the proposed project.

Due to SunLine's bus stop spacing standards, the developer for this project should not be required to construct additional amenities, including bus turnout and bus shelter. In addition, should the proposed development impact the bus stop and/or service provided by SunLine, the developer is required to contact SunLine 15 days prior to beginning of construction. This will give SunLine sufficient time to schedule removal of any bus stops, as well as inform passengers of any changes in service.

Should you have questions or concerns regarding this letter, please contact me at 760-343-3456, ext. 162.

Sincerely,



Alfonso Hernandez
Assistant Planner

cc: C. Mikel Oglesby, General Manager
Eunice Lovi, Director of Planning
Marcus Fuller, P.E., P.L.S. Assistant Director of Public Works
City of Palm Springs
David Barakin, Director of Public Works/ City Engineer
City of Palm Springs

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PLANNING SERVICES

Museum Market Plaza (MMP) Comparison**Sheryl Hamlin July 2, 2008****Museum Market Plaza (MMP) Comparison Chart**

Name	Retail	Housing	Movies	Sports	Public Space	Parking	Population
The River	227,560 sq. ft.	0	1 - Multiplex	None	Yes	Yes	Rancho Mirage 16,710 (July 2006)
Golden Gateway	282,900 sq.ft.	1254 units	1 - theatre	Tennis and swim	Yes	1477 cars	San Francisco 776,733 July 2006)
MMP	400,000 sq. ft	955 units	No leases yet	None	Yes	Yes	Palm Springs 42,807 (July 2006)

The chart shows the MMP and two other retail centers. The Golden Gateway is a lifestyle center, similar to the MMP proposal, while The River is purely retail and entertainment. Both projects have been extremely successful.

First look at the comparison of retail space to population. The population draw for The River in Rancho Mirage could include a portion of Cathedral City and Palm Desert, so could easily have a drawing population of 35,000, which would equal to 6.5 sq. ft per person. In San Francisco, with a limited and stable population, the ratio is .36 sq. ft retail per person. Even if you consider neighborhoods east of Van Ness, this might reduce the SF population to 300,000 and thus change the ratio to .94 sq. ft. per person. Now compare the proposed MMP retail of 400,000 sq. ft to a PS population of around 40,000. This yields 9.3 sq. ft per person, exceeding both the Rancho Mirage ratio and the San Francisco ratio by a wide margin.

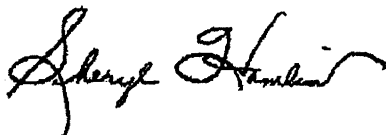
Similarly skewed ratios arrive on comparing the proposed housing component at the Golden Gateway complex (.0016 condos per person) while the MMP project ratio is .022 condos per person.

These ratios are important because it affects the pool of potential buyers and tenants and the length of time it will take to lease or sell the MMP properties.

The MMP appears to have been designed for a much larger community. Reducing the size and scope of the MMP would reduce construction costs and time to market. The scope of the MMP as proposed doesn't make sense for the PS Community whose western boundary is the mountain and whose northern boundary includes Desert Hot Springs and the unincorporated areas of North Palm Springs, both of which are separated by I10.

Palm Springs has experienced a 1% compound growth rate for the last decade, which is effectively stable. There is no reason to suspect a spurt in growth to support the proposed size of the MMP.

Clearly the citizens are looking forward to a redevelopment of the Fashion Plaza mall, but such a project should be specified in realistic and achievable terms.



(760) 668-2956
Palm Springs, Ca

MEMORANDUM

PALM SPRINGS POLICE DEPARTMENT, OFFICE OF THE CHIEF OF POLICE

DATE: July 7, 2008

TO: Nicole Sauviat Cristge, Planning Consultant, City of Palm Springs

FROM: Chief David Dominguez *DD*

SUBJECT: Transmittal of Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for Museum Market Plaza Specific Plan, in the City of Palm Springs, Riverside County, California

The development and location of shopping malls and plaza's perform an important function for any community. Unfortunately, sometimes they also serve as an attraction for criminal activity both in the plaza area and parking lot. Even though we can't design shopping plazas to be totally crime free the specific recommendations are intended to reduce the probability of crime and make visitors to the area feel safe.

NATURAL SURVEILLANCE

1. Position restroom entrances to be visible from main pedestrian areas but away from outside exits and pay telephones.
2. Brightly illuminate parking areas at night.
3. Avoid creating dead-end alleys or blind spots in loading areas.
4. Design parking garages so that all levels, including staircases, are visible from the street or ground floor.
5. Equip garages with high quality lighting and bright paint.
6. Use perpendicular parking in front of stores, rather than parallel, to allow greater visibility between cars.
7. Avoid exterior walls devoid of windows.
8. Use baffle-type restroom entrances---no door to hinder surveillance. They should also be well lighted.
9. Keep all windows clear of obstructive etchings or markings.

NATURAL ACCESS CONTROL

1. Clearly mark public entrances with landscape, architecture and signs
2. Designate sidewalks and public areas with special paving or landscaping.

3. Use landscaping to divide the parking areas into smaller lots.
4. Separate loading zones with designated delivery hours from public parking areas.
5. Allow no unsecured access to roof tops from within or from adjacent structures, such as parking garages.

TERRITORIAL REINFORCEMENT

1. Define property perimeters with landscaping, decorative fencing gates and signs with a reasonable height requirement.
2. Use signs that clearly identify the interior businesses and place signs marking public entry points.

MAINTENANCE AND MANAGEMENT

1. Install attractive displays in windows of stores yet to be leased to avoid creating an abandoned image.
2. Close-in parking should be available to nighttime employees
3. Install security cameras both inside the Plaza and the Plaza parking lot.
4. Maintain Private Security Guards that are licensed, bonded and meet public safety requirements on the property 24 hours a day.

POLICE DEPARTMENT STAFFING

At this point in time, with our current staffing levels and the extensive development taking place in the city, all projects that add additional residents or commercial businesses that attract additional people to our city, stress the departments existing ability to provide police service.

It is requested that this project be included in the City's Community Facilities District (CFD) funding to create additional monies for police officers, staff and equipment. I would like to consider having a police department office in the Plaza.

Should there be a need for further input or questions of the Police Department please contact Captain Mike Hall at (760) 323-8128.

DAVID G. DOMINGUEZ
Chief of Police

DGD:rm

July 15, 2008

FROM: Craig Blau,
Owner, The Chase Hotel at Palm Springs and
President, Small Hotels of Palm Springs (SHoPS)
Fax 760.416.0525

TO: Craig Ewing, Fax 760.322.8360 and
Nicole Sauviat, Terra Nova Planning, Fax 760.322.2760

RE: Museum Plaza Specific Plan Environmental Impact Report

While I am passionately in favor of redevelopment of the Fashion Plaza area of downtown Palm Springs, I have concerns about the potential impact of the Museum Plaza project as it is currently proposed. I would like to single out a few immediate concerns.

(1) The parking lot behind the Mercado Plaza should be excluded from the project. The well landscaped surface parking lots along Belardo between Tahquitz and Ramon have always been considered by the small hotel owners of the Historic Tennis Club District as an appropriate buffer zone between them and the commercial uses of Palm Canyon. Multilevel parking garages along Belardo would drastically affect the character and success of these historic hotels. We had no objections some years ago when a municipal multilevel parking garage was built along Indian Canyon, but it was our clear understanding that no parking structures would be built west of Palm Canyon.

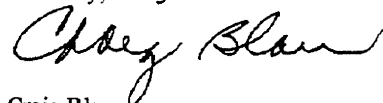
I strongly feel that any parking needs associated with the development of the Museum Market Plaza should be exclusively taken care of on the property itself. If there isn't room on 16 acres for adequate parking, then this is a hugely over-developed project.

(2) I am also firmly opposed to including the Wessman owned lot on the southwest corner of Cahuilla and Tahquitz in the Museum Plaza project. This is clearly part and parcel of the residential Historic Tennis Club District and any potential use should be considered independently from the Museum Plaza development.

(3) The Museum Plaza proposal is extremely out of proportion in scale to its surrounding neighborhood and, for that matter, all of Palm Springs. Even the examples brought back a couple years ago by the council's sub-committee which were presented as models of similar redevelopment projects in other areas in the southwest states were projects of only 2 to 4 stories. It's shocking that a project of this scale is even being contemplated.

Thank you for considering my concerns.

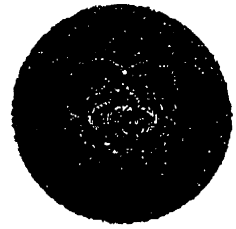
Sincerely,



Craig Blau

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



September 16, 2008

Craig Ewing, AICP
Director of Planning
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

RE: Museum Market Plaza Specific Plan Amendment Case No. 501204 SP, Palm Springs, Riverside County, CA.

Dear Mr. Ewing:

The Agua Caliente Band of Cahuilla Indians appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in your project. The project referenced above is not within Reservation boundaries however, it is on lands included within the Tribal Traditional Use Area.

We currently have no concerns with the project as planned. However, if during the course of the project, human remains are discovered, all activities near the burial must cease, and the remains must be protected from further impact. If the remains are determined to be Native American, please contact the THPO for further consultation.

Again, the Agua Caliente Tribe appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 699-6907. You may also email me at ptuck@aguacaliente-nsn.gov.

Cordially,

Patricia Tuck, Interim THPO
Tribal Historic Preservation Office
**AGUA CALIENTE BAND
OF CAHUILLA INDIANS**

c: Agua Caliente Cultural Register

RECEIVED

SEP 18 2008

**PLANNING SERVICES
DEPARTMENT**

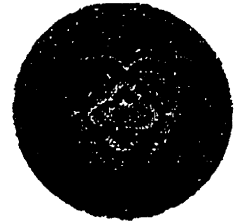
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AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION

September 16, 2008

Nicole Criste
City Planning Consultant
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262



RE: NOP of Draft EIR for the Museum Market Plaza Specific Plan, Palm Springs, Riverside County, CA

Dear Ms. Criste:

The Agua Caliente Band of Cahuilla Indians appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the City's permitting process. The project referenced above is not within Reservation boundaries however, it is on lands included within the Tribal Traditional Use Area. Our records indicate that no archaeological assessment has been conducted on the project area and no previously recorded historic resource has been identified on the subject property. Having reviewed our database, we have determined that the project is not likely to impact historic resources. Because of this, the Agua Caliente THPO does not require Cultural Monitoring of the project but requests the following:

1. In the event of an inadvertent archaeological discovery the Tribe requests destructive activities in the immediate vicinity to halt and the Tribe's THPO be notified. If necessary the developer will be required to hire a qualified archaeologist (meeting Secretary of Interior standards), to assess the find. If significant Native American cultural resources are discovered the archaeologist shall prepare a Treatment Plan for submission to the THPO for approval. Human remains encountered shall be handled consistent with the state law provisions and implementation. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

Although no known burial ground or cemetery occurs on the project site the Tribe requests a commitment from the City and Developer regarding the treatment and disposition of human remains.

2. Should human remains be discovered during construction of the proposed project, the project contractor would be subject to the State law regarding the discovery and disturbance of human remains. In that circumstance destructive activity in the immediate vicinity shall halt and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5. If the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted. The NAHC will make a determination of the Most Likely Descendent (MLD). The City and Developer will work with the designated MLD to determine the final disposition of the remains.

In addition because this project is associated with a city specific plan action it is subject to the provisions of SB18-Traditional Tribal Cultural Places (law became effective January 1, 2005) and will require the city or county to participate in formal, government-to-government consultation with the Tribe.

Cordially,

Patricia Tuck, Interim THPO
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

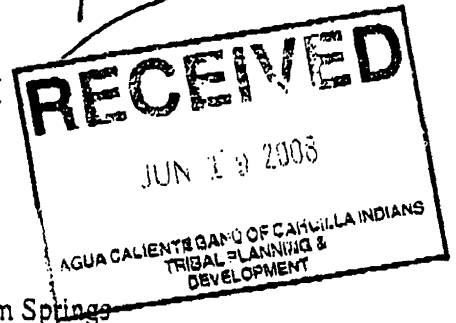
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PLANNING SERVICES
DEPARTMENT

C: Agua Caliente Cultural Register
X:\CONSULTATIONS Letters\2008\External\Traditional Use Area\PS_MuseumPlaza_09_16_08

**TRANSMITTAL MEMORANDUM
NOTICE OF PREPARATION**



Date: June 13, 2008

To: Responsible Agencies and Interested Parties

From: Nicole Sauviat Criste, Planning Consultant, City of Palm Springs

Subject: Transmittal of Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for Museum Market Plaza Specific Plan, in the City of Palm Springs, Riverside County, California

Enclosed please find the above referenced Initial Study and NOC for the Museum Market Plaza Specific Plan. These documents comprise the Notice of Preparation for the project.

The project involves Specific Plan which sets the development standards and guidelines to allow the construction of up to 955 high density residential units, 400,000 square feet of commercial retail and office development, and 620 hotel rooms. The site area for the Specific Plan is 20.6 acres. The project is generally located at the northwest corner of North Palm Canyon and Tahquitz Canyon, in the City of Palm Springs. A location map and site plan are included in the Initial Study for reference.

The Initial Study is attached, and describes the project, and the potential impacts the City has identified.

The NOP comment period runs from June 16 to July 17, 2008. If you have comments, please submit them prior to July 17, 2008. A scoping meeting has been scheduled for July 1, 2008, at 2:00 PM, in the Council Chambers at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

You may FAX comments to the attention of Nicole Sauviat Criste, City Planning Consultant, at FAX No. (760) 322-2760, or to Craig Ewing, Director of Planning Services, at the City at FAX No. (760) 322-8360 within this time frame. Please also send hard copies to the City, attention Mr. Ewing, via mail to the address below to assure legible and reproducible originals.

Mr. Craig A. Ewing, AICP
City of Palm Springs
3200 East Tahquitz Canyon Way
La Quinta, CA 92253

If you have any questions regarding the enclosed or require additional information, please do not hesitate to contact me at (760) 320-9040 or Mr. Ewing at the City of Palm Springs at (760) 323-8245.

July 15, 2008

TO: Craig Ewing and Terra Nova Planning

FROM: Frank Tysen

RE: Comments on the Museum Plaza Environmental Report

As a businessman and owner of a historic hotel adjacent to the Museum Plaza proposed project, as well as a long term President of the hotel group specific to the Historic Tennis Club neighborhood, and a Board member of The Historic Tennis Club Neighborhood Organization, I would like to make the following comments re the proposed renovation of the present Desert Fashion Plaza.

Building a Miniature Century City

There is broad agreement in the community and in the immediate neighborhood that a renovation of the Fashion Plaza is long overdue. However, the proposed project of up to 955 condominiums, 400,000 square feet of retail and offices and 620 hotel rooms some reaching up to nearly 100 feet high is hardly a renovation. In reality it is a total makeover somewhat like building a miniature Century City in the heart of a historic desert resort which is attractive because of its very village like character and ambiance. The impacts of this project will be potentially horrendous in every conceivable respect.

Need for More Limited Project Borders

First, the project should be confined to its original Fashion Plaza borders and not be allowed to sprawl all over the surrounding areas. There are several territorial additions to the plan which need to be immediately deleted. These include:

- 1) the Wessman owned property located on the south west corner of Cahuilla and Tahquitz which is zoned R-3 and clearly within the boundaries of the residential Historic Tennis Club neighborhood as has been repeatedly championed by the historic Tennis Club Neighborhood Organization.
- 2) The landscaped surface parking area behind the Mercado Plaza which has been traditionally considered a buffer zone between the commercial Palm Canyon area and the adjacent small hotels. This inclusion should also be eliminated. Furthermore, proposed projects such as multistory parking in this area would be detrimental to the character of these historic small hotels. Any parking needed for this proposal should be provided within the confines of the Plaza project.
- 3) Finally, the architecturally significant Town and Country Center, again owned by Wessman Development, located on the east side of Palm Canyon directly across from the project should also not be included especially since it qualifies for several preservation criteria. Just because the developer happens to own some of these parcels does not justify any of these inclusions.

Drastic Change from the Previous Use

To continue with a brief history of the property, it was one time the location of the Desert Inn, a beautiful mission style resort which was truly the heart and soul of Palm Springs. The property was transformed several decades ago into a shopping mall and high rise hotel. Though a drastic departure from its original use, the new center itself was still low density and scaled down to its surroundings with essentially one story shops facing Palm Canyon and substantial set backs and landscaping between the Center and the adjoining Historic Tennis Club neighborhood.

This proposed mega project would drastically alter these relationships affecting not only mountain views from Palm Canyon and from numerous other locations, but it will seriously impact the adjacent historic neighborhood to the south not only in terms of its views but its air quality, aesthetics, traffic and noise to mention a few.

Height, Density and Aesthetic Issues

To further comment on the height issue, it must be pointed out that the proposed proposal seriously violates not only the General Plan and Zoning ordinance but the recently completed Downtown Design Guidelines which clearly try to protect the city's view shed particularly west of Palm Canyon.

The high density of condo and hotel units will obviously need to be subject to studies on traffic, air and noise pollution but there are numerous other issues such as aesthetics. Preliminary designs indicate a uniform modern urban character which does not in any way reflect or at least pay homage to its history, namely the mission style designs of the historic Desert Inn.

Impacts of Over Building

Another issue is overbuilding resulting in vacant buildings and subsequent neighborhood deterioration which has plagued Palm Springs for a long time now. Many of the many thousands of new units that have been built in the last decade are sitting unsold or in foreclosure.

What will be the impact of another 955 high priced condominiums? Also how will 620 hotel rooms figure in all the projected new hotel space in town? During the brief high season there is a definite need for convention rooms but Palm Springs remains a highly seasonal and weekend getaway. Notice the low occupancy of the parking lots of several newly redone major hotels refurbished at substantial costs. With an average city occupancy of 50% to add to empty hotel rooms during a good part of the year cannot be called a beneficial impact on the city's environment.

Speaking of empty spaces, there is an urgent need for a thorough study of the total projected commercial space in the city. With an already high vacancy rate it is rather scary to see the size of commercial developments projected along South and North Palm

Canyon alone. Indeed we need some high end stores but where will all the customers come from to utilize the Museum Market Plan planned addition of 400,000 square feet of retail and offices in addition to the other proposed hundreds of thousands of square feet.

Construction and Demolition Impacts

Finally there is the impact of the proposed construction itself. With the planned size and bulk of the project major demolition, new construction and required reconstruction of the underground garage to meet current earthquake standards immense debris will be generated. What about landfill and traffic needs? Imagine the needed truck traffic alone. One private study estimated a construction period of between seven and fifteen years to complete the project as proposed. Can the town survive the environmental and subsequent economic impact of such a lengthy period? The downtown merchants are already hurting badly and tourists complain daily about the numerous fenced off construction sites.

Need to Explore other redevelopment options

The above observations should give pause to anyone considering the impact of this immense half a billion dollar plus proposed project. Should not other options be seriously explored? Substantial scaling down is one answer. Rehabilitation is certainly another one since it would require a minimum of demolition and would not require a reconstruction of the underground garage. The garage would then be grandfathered in. Incidentally, that garage was paid for by the people of Palm Springs who are still making annual regular interest payments.

Some years ago the then Palm Springs Neighborhood Coalition commissioned an international known designer to do some brainstorming on how the Fashion Plaza could be creatively and rapidly rehabilitated. With his extensive design experience which includes the Atlantis Resort in the Bahamas and the Palace of the Lost City Resort in South Africa he arrived at a creative proposal utilizing the existing Fashion Plaza buildings and giving them a face lift with a reasonable budget paying homage to the architecture of the Old Desert Inn. The renderings are still available and could be submitted as an appendix.

The present proposal just does not seem to make any sense environmentally or economically. Being completely out of proportion it would profoundly and completely alter the entire center of Palm Springs and not for the better. Drastic scaling down or rehabilitation seem to be the only sensible answers.

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Lin Juniper
Region Manager
Local Public Affairs Division
36100 Cathedral Canyon Drive
Cathedral City, CA 92234

July 17, 2008

Mr. Craig A. Ewing, AICP
City of Palm Springs
3200 East Tahquitz Canyon Way
La Quinta, CA 92253

Re: A Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for
the Museum Market Plaza Specific Plan

Dear Mr. Ewing:

Southern California Edison (SCE) appreciates the opportunity to provide comment on the NOP of a DEIR for the Museum Market Plaza Specific Plan. The project description provided in the NOP states the project is a proposal to construct up to 955 high density residential units, 400,000 square feet of commercial retail and office development and 620 hotel rooms. The site comprises 20.6 acres located at the northwest corner of North Palm Canyon and Tahquitz Canyon in the City of Palm Springs.

SCE's comments regarding the proposed project address electric service provision, potential impacts to existing SCE facilities, and the California Public Utilities Commission (CPUC) process for implementing the requirements of the California Environmental Quality Act (CEQA). Our comments are provided below under the following headings: Electric Service Provision, Impacts to SCE Facilities, and CPUC CEQA Requirements.

Electric Service Provision

SCE is the provider of electricity for this project. This letter is to advise the City of Palm Springs and the project developer that the electrical loads of this project have been determined to be within the parameters of the projected load growth which SCE is planning to meet in this area.

SCE undertakes expansion and/or modification of its electric systems and infrastructure to serve the load growth of existing customers and new projects. Since SCE's electrical system is provided by a network of facilities (SCE's electrical distribution, transmission,

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**PLANNING SERVICES
DEPARTMENT**

and generation systems), SCE appreciates your notifying us of these development plans in order to assist us in determining the future electrical needs of this area.

If the project is within the projected load growth for this area, SCE is basically stating that the total system demand is expected to continue to increase annually; however, excluding any unforeseen problems, SCE's plans for new distribution resources indicate that our ability to serve all customers' loads within this area are in accordance with SCE's Design Standards, rules and tariffs, and will be adequate for the next ten years. SCE completes all work in accordance with the rules and tariffs as authorized by the CPUC and other governing entities. Any cumulative impacts related to electric service would be addressed through this process.

Please note that although SCE is currently capable of serving project loads, the developer will be responsible for the costs of any new distribution and/or line extension work, per SCE's CPUC-approved tariff Rules 15 and/or 16, and of any relocation of facilities required to accommodate the distribution line and/or service extensions required by SCE to serve the project. In addition, it is essential the developer review and/or discuss with SCE what measures can be taken to assure optimal conservation measures within this project's boundaries that will contribute to the overall energy savings goals of SCE and California.

Impacts to Existing SCE Facilities

In the event this project impacts SCE facilities or its land related rights, please forward five (5) sets of plans depicting SCE's facilities and associated land rights to the following location:

Transmission Project Management
Southern California Edison Company
300 North Pepper Avenue, Building "B"
Rialto, CA 92376

CPUC CEQA Requirements

When development plans result in the need to build new, or relocate existing, SCE electrical facilities that operate at or above 50 kV, the SCE construction may have environmental consequences subject to CEQA provisions, as implemented by the CPUC. If those environmental consequences are identified and addressed by the local agency in the CEQA process for the larger project, SCE may not be required to pursue a later, separate, mandatory CEQA review through the CPUC's General Order 131-D (GO 131-D) process. If the SCE facilities are not adequately addressed in the DEIR and the new facilities could result in significant environmental impacts, the required additional CEQA review could delay approval of the SCE power line portion of the project for up to two years or longer.

Lin Juniper
Region Manager
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Once again, we thank you for the opportunity to comment on the NOP for this project and look forward to reviewing the DEIR upon its completion. If you have any questions regarding this letter, please do not hesitate to contact me at (760) 202-4231.

Sincerely,

A handwritten signature in black ink, appearing to read "Lin Juniper", with a long, sweeping horizontal stroke extending to the right.

Lin Juniper
Region Manager
Local Public Affairs Division
Southern California Edison

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